



City Council Minutes The City of Cortland December 6, 2016

Council Meeting #22
December 6, 2016
25 Court Street
6:50 PM

Present: Mayor Brian Tobin, Aldermen Michelle Mastropolo (arrived at 7:20 PM), Katy Silliman, Gary Thomas, John Bennett, Bill Carpenter, Carlos Ferrer, Adam Megivern, Thomas Michales

Staff Present: Police Chief Catalano, Director of Administration and Finance Mack Cook, City Clerk Raymond A. Parker, Corporation Counsel Ric VanDonsel, Superintendent WWTP Bruce Adams, and Confidential Secretary to the Mayor Devon Rainbow

Public Hearings:

1 - Alderman Bennett opened the Public Hearing on Local Law "Tobacco Use On City Property" at 6:50PM.

Jennifer Hamilton spoke on behalf on the proposed Local Law. She likes the rewrite and wanted to ensure that the Tobacco Free Program is here to support the City in any way they can.

Kelsey Gibbons appreciates the City taking this matter seriously. She often takes the kids she babysits to the park and has to end up leaving due to people smoking. The average age for children to start smoking is 13.

The Public Hearing was closed at 6:55PM.

2 - Alderman Bennett opened the Public Hearing on Local Law to amend section 220 of the City Code regarding the Clean-up of former methamphetamine labs.

Corporation Counsel Ric VanDonsel stated that he spoke with the drug tact force about the language that was used and it was suggested to use general language in the Local Law to cover chemicals that may come up in the future. It will be changed from Methamphetamine Labs to Clandestine Labs.

The Public Hearing was closed at 6:58PM.

REGULAR SESSION:

Mayor Brian Tobin called the twenty-second Common Council meeting of the year to order at 7:02 PM.

PLEDGE OF ALLEGIANCE

Public Comments:

Kelsey Ryan and Amy Simrell from the YWCA wanted to give an update on the Housing Project they have been working on. There is a need for housing of Domestic Violence families that need shelter after their initial 90 days in the program. The YWCA was just approved for a secured housing unit with 20 units. There will be additional fundraising for this that they will keep us updated on.

Ward Reports:

Ward 2 – There have been complaints regarding leaf pick up. DPW is working on picking up the leaves. A reminder that you have 24 hours to clear your sidewalks before getting a violation from Code Office.

Ward 3 – There have been complaints regarding leaf pick up.

Ward 4 – The Safe Routes to School Project is finishing up. They will be back in the spring to do the landscaping portion of the project.

Ward 5 – There have been complaints regarding leaf pick up. Thank you to the City Police Department for the recent drug bust on Tompkins St with the new K9.

Ward 6 – DPW is doing a good job with picking up leaves. Thank you to the Police Department.

Ward 7 – Thank you to the Community Center for hosting the Holiday decoration contest again this year.

Ward 8 – There was a complaint regarding vacant store fronts not having the proper clean up after snow fall. Please be sure to get out and clear the sidewalks for those that walk to various locations.

Mayors Report:

Mayor Tobin stated that the leaves did not fall until late in the season this year and we had a snow storm shortly after they did fall. The DPW did a great job at getting out and making sure the roads were clear from all the snow that came quickly. They will continue to go around and pick up leaves as long as the weather allows it. Another reminder to please make sure your sidewalks are clear for people to use. Thank you to Devon, Joyce, Connie and Heidi for organizing the Tree Lighting ceremony. A lot of people came out for the event and had a good time. Thank you to the firefighters for hosting after the lighting.

Mayor Tobin and Chief Catalano recognized Sharon McNeil on behalf of the Sean M. Walsh K9 Memorial Foundation for the generous donation of \$5,437.50 to completely equip a second K9 vehicle for the City Police Department. The foundation is in honor of SPC Sean Walsh, an MP in the California National Guard, who was killed in action in 2011. Sean had a love for animals and had hopes of being a police K9 handler. His family and friends kept his dream alive by creating this

foundation. 17 dogs have been funded so far from this foundation. Nathan Moran and his K9 partner Rush, are a welcome addition to the Canine Unit Police Patrol, Tracking, Article Search, Scent Detection and Narcotics Detection Canine Team.

Resolution #265 of 2016 - Resolution to approve the November 15, 2016 Common Council Minutes as presented.

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Mayor Tobin asked for Council’s approval to add an executive session at the end of the agenda for a personnel matter and union negotiations. All agreed.

Item #1 – Presentation regarding the Courthouse Park project.

Mr. Teeter and John McNerney were present to discuss the plans on the Courthouse Park Project. These plans have been in the work since 2013. Cynthia Wilcox contacted the Mayor and John about the possible Community Stage in honor of her father, Spiegle Wilcox. A donation was made by Cynthia to help get the project going and a SAMS Grant was awarded to fund the rest of the project. The new plans include a stage on Church St. replacing the fountain that is currently there. There are plans on reinforcing the sidewalks to support the weight of vehicles that may have to park on them temporarily. There have been some concerns brought up regarding containing the sound and sunset affecting vision and performance. Many other locations have been looked at. They are still working out some of the details on the project. There is potential for more events coming to the new stage. The plan is to start construction in the end of October 2017 after the Pumpkin Fest and finish by June 2018.

Resolution #266 of 2016 – Resolution for The City of Cortland to accept Cortland Downtown Partnership request for 2016 “First Light” New Year’s Eve countdown celebration. (Jane Witty)

1. The Cortland Downtown Partnership (CDP) requests that the City of Cortland close down Main Street between Tompkins Street and Williams Street (Stone Lounge lot) from 10:00 PM Saturday, December 31, 2016 until 12:30 AM Sunday, January 1, 2017 for Cortland County’s First Light celebration.
2. The CDP requests that the City Youth Bureau parking lot on Port Watson Street be closed from 5:00 PM Saturday, December 31, 2016 until 4:00 AM Sunday, January 1, 2017 as the launching location for Majestic Fireworks for the event.

Motioned By: Alderman Silliman
Seconded By: Alderman Bennett

Approved: Ayes – 7
Nays – 0
Abstention – 1 (Alderman Megivern)

Resolution #267 of 2016 – Resolution to adopt a Negative Declaration for the City of Cortland Courthouse Park Improvements.

Motioned By: Alderman Carpenter
 Seconded By: Alderman Silliman

Approved: Ayes – 8
 Nays – 0

Resolution #268 of 2016 – Resolution to adopt the City’s 2017 Budgets, the tentative Budget for the Water Fund.

2017 Adopted Water Fund Resolution
City of Cortland

Fiscal Year: From, January 1, 2017 To, December 31, 2017

Presented on December 6, 2016

WHEREAS, the Annual Budget for the Water Fund for the City of Cortland for the fiscal year beginning January 1, 2017, and ending December 31, 2017, has been presented for adoption before the City’s Common Council at its open meeting of December 6, 2016; and

WHEREAS, the Annual Water Fund Budget as presented for adoption reflects each item of revenues and appropriations in the same amount and title as set forth in the introduced proposed budget, including all amendments thereto, if any, which was approved by the City of Cortland Common Council by Resolution 254 of 2016 adopted on November 1, 2016 and placed on file with the City Clerk; and

WHEREAS, the Annual Water Fund Budget as presented for adoption reflects total revenues of \$2,268,680 and total appropriations of \$2,268,680; and

WHEREAS, the Annual Water Fund Budget as presented for adoption reflects the following water usage rates:

City of Cortland
 2017 Water Rates

EFFECTIVE: April 1, 2017 Billing

	Units	Rate per Unit
Minimum Charge per Quarter	0-12	\$ 37.54
Average less than 500 Units per Quarter	13-499	\$ 3.13
Average 500-1000 Units per Quarter	500-1000	\$ 2.84
Average Greater than 1001 Units Per Quarter	> 1001	\$ 3.05

WHEREAS, the abstract of the Annual Water Fund Budget as presented for adoption is as follows:

City of Cortland
2016 Adopted Budget
Water
Abstract

Anticipated Revenues	\$	2,268,680
Appropriations		
Operating Expenditures	\$	1,016,180
Health and Other Insurances	\$	224,257
Debt Service	\$	254,611
Transfer to General Fund	\$	773,632
Total Tentative Appropriations	\$	2,268,680
Change in Fund Balance	\$	-

WHEREAS: it is recommended that water usage rates in each Water Fund Budget commencing in 2018 and for the following four years thereafter reflect a rate increase of 1 percent per usage category over the previous year.

NOW, THEREFOR BE IT RESOLVED by the City of Cortland Common Council at an open meeting held on December 6, 2016 that the City’s 2017 Water Fund Budget as presented is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED that the City shall impose the following water usage rates effective with the April 1, 2017 billing:

City of Cortland
2017 Water Rates

EFFECTIVE: April 1, 2017 Billing

	<u>Units</u>	<u>Rate per Unit</u>
Minimum Charge per Quarter	0-12	\$ 37.54
Average less than 500 Units per Quarter	13-499	\$ 3.13
Average 500-1000 Units per Quarter	500-1000	\$ 2.84
Average Greater than 1001 Units Per Quarter	> 1001	\$ 3.05

BE IT FURTHER RESOLVED, that the Annual Water Fund Budget as presented for adoption reflects each item of revenues and appropriations in the same amount and title as set forth in the introduced proposed budget, including all amendments thereto, if any, which was approved by the City of Cortland Common Council by Resolution 254 of 2016 adopted on November 1, 2016 and placed on file with the City Clerk.

Motioned By: Alderman Ferrer
Seconded By: Alderman Thomas

Approved: Ayes – 8
Nays – 0

Resolution #269 of 2016 – Resolution to adopt the City’s 2017 Budgets, the tentative Budget for the General Fund.

**2017 Adopted General Fund Resolution
City of Cortland**

Fiscal Year: From - January 1, 2017 to - December 31, 2017

Presented on December 6, 2017

WHEREAS, the Annual Budget for the General Fund for the City of Cortland for the fiscal year beginning January 1, 2017, and ending December 31, 2017, has been presented for adoption before the City’s Common Council at its open meeting of December 6, 2016; and

WHEREAS, the Annual General Fund Budget as presented for adoption reflects each item of revenues and appropriations in the same amount and title as set forth in the introduced proposed budget, including all amendments thereto, if any, which was approved by the City of Cortland Common Council by Resolution 254 of 2016 adopted on November 1, 2016 and placed on file with the City Clerk; and

WHEREAS, the Annual General Fund Budget as presented for adoption reflects total revenues of \$20,352,986 and total appropriations of \$20,352,986; and

WHEREAS, the Annual General Fund Budget as presented for adoption reflects a Property Tax Levy of \$8,326,921; and

WHEREAS, the abstract of the Annual General Fund Budget as presented for adoption is as follows:

General Fund Abstract	
Anticipated Revenues	\$ 20,352,986
<u>Appropriations</u>	
Governing	\$ 352,319
Support	\$ 2,215,673
Public Safety	\$ 9,882,638
Public Works	\$ 2,426,490
Parks and Recreation	\$ 1,045,996
Health and Other Insurances	\$ 3,896,466
Debt Service	\$ 533,404
Transfer to Debt Fund	\$ -
Total Tentative Appropriations	<u>\$ 20,352,986</u>
Change in Fund Balance	<u>\$ 0</u>

NOW, THEREFOR BE IT RESOLVED by the City of Cortland Common Council at an open meeting held on December 6, 2016 that the City’s 2017 General Fund Budget as presented is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED that the City shall levy in \$8,326,921 in property taxes on taxable properties located within the City; and

BE IT FURTHER RESOLVED, that the Annual General Fund Budget as presented for adoption reflects each item of revenues and appropriations in the same amount and title as set forth in the introduced proposed budget, including all amendments thereto, if any, which was approved by the City of Cortland Common Council by Resolution 254 of 2016 adopted on November 1, 2016 and placed on file with the City Clerk.

Motioned By: Alderman Bennett

Seconded By: Alderman Ferrer

Approved: Ayes – 8

Nays – 0

Resolution #270 of 2016 – Resolution to adopt the City’s 2017 Budgets, the tentative Budget for the Wastewater Fund.

2017 Adopted Wastewater Fund Resolution

City of Cortland

Fiscal Year: From, January 1, 2017 To, December 31, 2017

Presented on December 6, 2017

WHEREAS, the Annual Budget for the Wastewater Fund for the City of Cortland for the fiscal year beginning January 1, 2017, and ending December 31, 2017, has been presented for adoption before the City’s Common Council at its open meeting of December 6, 2016; and

WHEREAS, the Annual Wastewater Fund Budget as presented for adoption reflects each item of revenues and appropriations in the same amount and title as set forth in the introduced proposed budget, including all amendments thereto, if any, which was approved by the City of Cortland Common Council by Resolution 254 of 2016 adopted on November 1, 2016 and placed on file with the City Clerk; and

WHEREAS, the Annual Wastewater Fund Budget as presented for adoption reflects total revenues of \$3,437,067 and total appropriations of \$3,437,067; and

WHEREAS, the Annual General Fund Budget as presented for adoption reflects a consumption based Special Assessment Tax Levy of \$568,345; and

WHEREAS, the Annual Wastewater Fund Budget as presented for adoption reflects a \$3.21 per unit with a \$32.10 minimum wastewater usage rate; and

WHEREAS, the abstract of the Annual Wastewater Fund Budget as presented for adoption is as follows:

City of Cortland 2017 Adopted Budget Wastewater Abstract	
Anticipated Revenues	\$ 3,437,067
Appropriations	
Operating Expenditures	\$ 1,664,185
Health and Other Insurances	\$ 191,618
Debt Service	\$ 795,135
Transfer to General Fund	\$ 786,129
Total Appropriations	<u>\$ 3,437,067</u>
Change in Fund Balance	<u>\$ (0)</u>

NOW, THEREFOR BE IT RESOLVED by the City of Cortland Common Council at an open meeting held on December 6, 2016 that the City’s 2017 Wastewater Fund Budget as presented is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED that the City shall levy a \$568,345 consumption based Special Assessment Tax upon users of wastewater services within the City; and

BE IT FURTHER RESOLVED that the City shall impose a \$3.21 per unit with a \$32.10 minimum water usage rates effective with the April 1, 2017 billing.

BE IT FURTHER RESOLVED, that the Annual Wastewater Fund Budget as presented for adoption reflects each item of revenues and appropriations in the same amount and title as set forth in the introduced proposed budget, including all amendments thereto, if any, which was approved by the City of Cortland Common Council by Resolution 254 of 2016 adopted on November 1, 2016 and placed on file with the City Clerk.

Motioned By: Alderman Bennett
 Seconded By: Alderman Carpenter

Approved: Ayes – 8
 Nays – 0

Resolution #271 of 2016 – Resolution on adopting a Local Law to reduce the speed limit on the length of Graham Ave from Groton Ave. To Prospect Terrace to 20 MPH.

Motioned By: Alderman Bennett
 Seconded By: Alderman Thomas

Approved: Ayes – 8
 Nays – 0

Resolution #272 of 2016 – Resolution to reappoint Judge Lawrence Knickerbocker to the position of Part Time Judge for a 6 year term starting February 2, 2017 to February 1, 2023.

Motioned By: Alderman Ferrer
Seconded By: Alderman Thomas

Approved: Ayes – 8
Nays – 0

Resolution #273 of 2016 – Resolution to transfer \$37,096.29 from the Waste Water Fund Contingency Account (G-1990-5400-00) to Waste Water Fund Equipment Account (G-8130-5405-00) to fund the purchase of a replacement vehicle.

Motioned By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes – 8
Nays – 0

Resolution #274 of 2016 – Resolution that if needed, due to weather conditions prior to December 31, 2016, authorization to transfer an amount up to \$30,000 from the snow removal reserve to fund the purchase of road salt.

Motioned By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #275 of 2016 – Resolution on adopting a Local Law changing section 289-6 B (3) of the Cortland Code of Ordinances by increasing maximum allowable pH of sewage discharge from 10.0 to 12.2.

Motioned By: Alderman Silliman
Seconded By: Alderman Thomas

Approved: Ayes – 7
Nays – 1 (Alderman Mastropolo)

Resolution #276 of 2016 – Resolution to authorize the Mayor to execute a Memorandum of Understanding with the Town of Homer, Town of Virgil and the City of Cortland to form an association for the purpose of a joint Municipal Assessor at a cost not to exceed \$75,000 for 2017.

Each Town and City is responsible for paying its share as broken down per parcels. The City has more to cover so their portion is greater than the others. \$75,000 is the City's share to pay. There will be regular office hours throughout the week.

Motioned By: Alderman Bennett
Seconded By: Alderman Megivern

Approved: Ayes – 8
Nays – 0

Resolution #277 of 2016 – Resolution to appoint Brian Fitts to be Assessor for the City of Cortland.

Motioned By: Alderman Silliman
Seconded By: Alderman Carpenter

Approved: Ayes – 8
Nays – 0

Resolution #278 of 2016 – Resolution to review material correspondence from SEQR involved agency notification letters and complete Part 2 of the Long Environmental Assessment Form for the Clinton Ave. Gateway Project.

Motioned By: Alderman Silliman
Seconded By: Alderman Carpenter

Approved: Ayes – 8
Nays – 0

Resolution #279 of 2016 – Resolution to adopt a negative declaration for the Clinton Ave. Gateway Project.

Motioned By: Alderman Ferrer
Seconded By: Alderman Megivern

Approved: Ayes – 8
Nays – 0

Resolution #280 of 2016 – Resolution to complete Part 3 of the Long Environmental Assessment Form for the Clinton Ave. Gateway Project.

Type one action was recommended.

Motioned By: Alderman Ferrer
Seconded By: Alderman Megivern

Approved: Ayes – 8
Nays – 0

Enter into Executive Session:

Motioned By: Alderman Bennett
Seconded By: Alderman Silliman

Enter out of Executive Session:

Motioned By: Alderman Bennett
Seconded By: Alderman Silliman

ADJOURNMENT

Motioned By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

I, RAYMOND A. PARKER, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 6th DAY OF DECEMBER, 2016. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.

RAYMOND A. PARKER, CITY CLERK

MAYOR BRIAN TOBIN