

June 19, 2001

A regular meeting of the Common Council was held on June 19, 2001 at 7:30 PM in the Council Chambers at City Hall, 25 Court St., Cortland, New York.

PRESENT: Mayor Bruce Tytler
Council Members Smith, Tobin, Abdulla, Strangeway, Hansen, Hyde and Hennessy
Deputy City Clerk, Jodi M. McLyman
Corporation Counsel, James J. Baranello
Director of Admin. and Finance, Andrew J. Damiano

EXCUSED: Council Member Lissberger, and City Clerk, William J. Wood

PUBLIC COMMENTS

Sharon Brown of 17 ½ East Ave., voices concerns regarding a neighbor and the parking problem on her street. She also has a problem with the landlord.

Steve Muka of 73 Evergreen St. speaks about Item No. 3. He wants to know who benefits and possibly the downside of this. He feels \$15,000 is a lot of money for a study.

Lorry Janke of 41 Delaware speaks with regard to Item No. 8. She explains that between 1907 and 1922 a law was in effect in the country saying that if any women married a foreigner, she lost her citizenship. She would like to get this repealed.

Karen Mastronardi of 8 Glyndon Ave. gives an update of the Citizens Task Force 281 Project. She passes out the correspondence which is attached to file copy. The current design is over designed and this is the message they want to convey. It will have a negative impact on our community.

Chris Farkas from CAPCO feels from a beautification standpoint there is a lot that needs to be done in the Cortland area. There has been a lottery for the trees but putting a Maple tree under a power line is ridiculous. Mr. Farkas would like to be on the beautification commission.

MINTUES

On the motion of Council Member Hennessy, seconded by Council Member Smith, voted and carried,

RESOLVED THE AMENDED MINUTES OF MAY 15, 2001 BE APPROVED FOR FILING.

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BILLS

On the motion of Council Member Abdulla, seconded by Council Member Hennessy, voted and carried,

RESOLVED THE BILLS IN THE AMOUNT OF 89,274.64 BE APPROVED FOR FILING.

MAYOR'S REPORT

Channel 3 was in town. They raved about our City and how few stores were vacant. It was a real positive statement about Cortland. Memo from Anne Hotchkins stating that there were a record number of applicants for the tree planting, approx. 130 with 44% submitted via the City's web site. The Mayor received a letter from John Edinger regarding the 281 construction, the Regional Director from the Department of Transportation. He really didn't give us a lot of direction. The Mayor feels that we do not want all the traffic diverted from downtown and attention needs to be paid to this issue. The next Common Council meeting will be held July 3, 2001. The comprehensive guidelines workshop on City Facilities will be held on July 17, 2001 at 6:45 PM. Concerts in the park will be starting in July.

Ward 1 – Council Member Smith

Thanks Mary Leonard and the Cortland County Democratic Committee for the flags that hang from the streetlights downtown. Mary was talking with a vet and noticed that there were no flags downtown for Flag Day and found a way to hook a flag to the pole and it looked very nice. Thanks the Code Office for their help. He has been attending the meetings with DOT and we have decided that the project is definitely over designed. There will be a meeting at Dwyer Memorial Park at 10:00 AM on Tuesday, June 26, 2001.

Ward 2 – Council Member Tobin

Received some complaints from the people on Halbert St. such as broken sidewalks and curbs.

Ward 3 – Council Member Abdulla

Thanks Code Office with complaints on lawn mowing and woodchucks. The meeting with the water board on Monday went well. The Memorandum of Understanding is working and is serving its purpose. He feels giving the Water Board the money is the right decision. He recommends requesting \$6,000 from Cortland City Improvement Corporation and using that for trash receptacles downtown. The Mayor states that we cannot appropriate their money as it is a private corporation but we certainly can request it as a Council.

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Council Member Hennessy states that the CCIC is meeting in the morning and perhaps someone could go to that meeting and make the suggestion. Council Member Hansen states she feels uncomfortable giving money because she has not seen a request for money. The Mayor explains the people that are putting this together have asked the Mayor if the City would help pay for those. His answer was it is not an appropriated item; therefore it would have to go to the Council. The Council agrees to discuss this with the CCIC informally.

Ward 4 – Council Member Lissberger

Excused.

Ward 5 – Council Member Strangeway

She has received complaints on not being able to obtain blue bags. Byrne Dairy and the Food Bag are not carrying them. Wilson Farms were out of them. The stores are saying that the blue bags are hard to get and that it was too much of a hassle. Council Member Strangeway asks if there is anyway these can be made more accessible. These should be easy and convenient to get, especially when the college is here.

She has a man in her ward that has taken 3 stray cats to the SPCA but they would not take the 4th cat unless he paid a \$5.00 fee. She asks that someone look into the contract the City has with the SPCA.

Ward 6 – Council Member Hansen

She states that they are selling blue clear bags at Wal-Mart, people are buying them instead of the City bags and the garbage men are picking them up. The haulers need to be made aware of this. A letter went to the residents of the Morningside Dr. area urging drivers to please be careful and not drive at an imprudent speed. Ward meeting July 27, at 7:00 pm at the Grange. She reads a proposed resolution which is attached hereto. The Mayor would like to think about this as this is the first time he has heard of it. A discussion ensues regarding the resolution. Council Member Hansen explains that this states if the County buys a piece of property, regardless of where it is in Cortland County, the County reimburses the host community for the lost property tax. The loss of money is profound. Council Member Hansen explains there would be close to two million dollars worth of property coming off the tax rolls if the Bennie Rd. sale went through. Council Member Hansen withdraws her motion and requests that the item be put first on the July 17, 2001 agenda.

Ward 7 – Council Member Hyde

All is quiet the 7th ward.

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Ward 8 – Council Member Hennessy

Thanks Mike Preston and the Public Safety Dept. for painting the curbs at Randall Park. She is also asking that people be more considerate with the volume in which they play their car stereos. She asks that item number two be removed from the agenda.

Andy Damiano also requests that item number 10 be removed. They are no longer requesting that the street be closed.

On the motion of Council Member Smith, seconded by Council Member Abdulla, voted and carried,

RESOLVED TO GO INTO EXECUTIVE SESSION AT 8:30 PM TO DISCUSS LITIGATION.

Council Member Strangeway excuses herself from any discussion.

On the motion of Council Member Smith, seconded by Council Member Hansen, voted and carried,

RESOLVED TO COME OUT OF EXECUTIVE SESSION AT 9:00 PM.

On the motion of Council Member Hennessy, seconded by Council Member Hyde, voted and carried,

RESOLVED TO GO BACK INTO THE REGULARLY SCHEDULED MEETING AT 9:01 PM.

AGENDA

Item No. 1 - Consideration of a Resolution authorizing the Mayor to enter into a contract with Thoma Development to administer the City's Community Development programs for the period of 7/1/01 to 6/30/02.

On the motion of Council Member Smith, seconded by Council Member Tobin, voted and carried,

Council Member Tobin comments that it is only a \$100.00 increase and is well worth it.

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RESOLVED TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THOMA DEVELOPMENT TO ADMINISTER THE CITY'S COMMUNITY DEVELOPMENT PROGRAMS FOR THE PERIOD OF 7/1/01 TO 6/30/02.

Item No. 3 - Consideration of a Resolution authorizing the appropriation of \$7,500 from Community Development Program Income to partially fund the cost of developing a Consolidated Plan (Requested by COPC).

On the motion of Council Member Hennessy, seconded by Council Member Strangeway, voted and carried,

Chris Farkas and Calvin Barrett speak. Chris Farkas feels that the consolidated plan is a very important thing to this community. In the federal world grants are highly competitive and you might get 5 out of 100 that are funded. The consolidated plan is a bonus for this. Calvin Barrett explains that this information will be readable, digestible, and a number of agencies will be able to use it. This spring a quality of life assessment was done in conjunction with Family Health Network in Cortland. This information is also very useful to Thoma Development. The Mayor asks what kind of housing is this going to address. Mr. Barrett says HUD has a lot of interest and they will certainly work with the City as to what the City would like to see. COPC will bring the plan to the City and if the City has any suggestions COPC would certainly try to accommodate that.

RESOLUTION APPROVED AUTHORIZING THE APPROPRIATION OF \$7,500 FROM COMMUNITY DEVELOPMENT PROGRAM INCOME TO PARTIALLY FUND THE COST OF DEVELOPING A CONSOLIDATED PLAN.

Item No. 4 – Consideration of two requests submitted by the DBA: (a) Closure of Main Street from Groton Avenue to the north side of Court Street and from the south side of Court Street to Port Watson Street on Saturday, July 14th from 7:00 am to 5:00 pm;

On the motion of Council Member Hansen, seconded by Council Member Hennessy, voted and carried,

Council Member Hansen asks what do we do about the post office. There was not a problem the last two times the street has been closed.

RESOLUTION APPROVED FOR THE CLOSURE OF MAIN STREET FROM GROTON AVE. TO THE NORTH SIDE OF COURT STREET AND FROM THE SOUTH SIDE OF COURT STREET TO PORT WATSON STREET ON SATURDAY, JULY 14TH FROM 7:00 AM TO 5:00 PM.

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Item No. 4b Waiver of the food vending permit fee for “established downtown food businesses” during Sidewalk Sale Days, from July 12th to 14th; and authorization to place tables and chairs onto the sidewalk during that period.

On the motion of Council Member Hennessy, seconded by Council Member Strangeway, voted, Council Member Hansen voting no.

A brief discussion ensues.

RESOLUTION APPROVED WAIVING THE FOOD VENDING PERMIT FEE FOR “ESTABLISHED DOWNTOWN FOOD BUSINESSES” DURING SIDEWALK SALE DAYS, FROM JULY 12TH TO 14TH; AND AUTHORIZATION TO PLACE TABLES AND CHAIRS ONTO THE SIDEWALK DURING THAT PERIOD.

Item No. 5 – Consideration of a Resolution authorizing a budget amendment to facilitate the acceptance and appropriation of an additional \$19,000 in funding for the ZAP Program.

On the motion of Council Member Hennessy, seconded by Council Member Hansen, voted and carried,

RESOLUTION APPROVED AUTHORIZING A BUDGET AMENDMENT TO FACILITATE THE ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL \$19,000 IN FUNDING FOR THE ZAP PROGRAM.

Item No. 6 – Consideration of two amendments to Chapter 11, Article Vii, Section 11-63 of the Code of Ordinances in order to authorize Fire Department and Code Office personnel expanded authority to issue parking tickets.

On the motion of Council Member Hennessy, seconded by Council Member Strangeway, voted and carried,

The Mayor explains that this authorizes the Fire Department (code personnel) to issue tickets for parking between the sidewalk and the curb or parking on the sidewalk instead of calling a police officer to do that. It is strictly being resourceful. Andrew Damiano explains that Code’s position on this is that it enhances their ability to monitor the over crowding issue in rental units. They look at this as a tool. Council Member Tobin states that he has not had a chance to have a discussion with Code Office personnel on this item. A brief discussion ensues.

RESOLVED TO AMEND CHAPTER 11, ARTICLE VII, SECTION 11-63 OF THE CODE OF ORDINANCES IN ORDER TO AUTHORIZE FIRE DEPARTMENT AND

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CODE OFFICE PERSONNEL EXPANDED AUTHORITY TO ISSUE PARKING TICKETS.

Item No. 7 – Discussion regarding a proposal to create an “Adopt A Park, Street or Parking Lot’ program within the City. (Alderman Hyde)

This will be similar to the "adopt a highway program". We would put up a sign stating who sponsor the park or street. The Council agrees that Jim Sponaugle will administer the program due to safety issues and safety equipment that might be needed. The Mayor also suggests that Council Member Hyde put together some guidelines and the different areas that might be worked on.

Item No. 8 – Consideration of a Resolution in support of Congressional Bill HR875; “Restoration of Women’s Citizenship Act”.

On the motion of Council Member Hennessy, seconded by Council Member Strangeway, voted and carried,

RESOLUTION APPROVED IN SUPPORT OF CONGRESSIONAL BILL HR875; “RESTORATION OF WOMEN’S CITIZENSHIP ACT”.

Item No. 9 – Consideration of the recommendation of the Conference Committee to convey the \$12,000 in revenue realized from the City’s lease with New York Holding, LLC (Cingular) to the Water Board to be used for eligible capital projects.

On the motion of Council Member Hansen, seconded by Council Member Abdulla, voted,

The Mayor recognizes the people who took the time and effort to meet with regard to this issue. The Mayor suggests that this could also be used as a capital reserve fund for City equipment, vehicles, roads, and street paving, etc. This could have been a source. The Water Board has much greater broad based ratepayers. If the City wanted to get \$40,000 in capital it would be a 1% increase or \$6.00 per homeowner. If the water board wanted to generate the same amount of money it would take about a 3.2% increase which would cost the average water payer about \$5.88 extra per year. This is because half of the properties are tax-exempt. Council Member Hansen states that the restriction put on this money was that it could only be used for capital improvements or projects that would enhance and ensure the safety of the water delivery system.

On the question,

Council Member Smith,	Yes	Council Member Strangeway	No
Council Member Tobin	Yes	Council Member Hansen	Yes
Council Member Abdulla	Yes	Council Member Hyde	Yes

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Council Member Lissberger Excused Council Member Hennessy Yes

RESOLVED TO APPROVE THE RECOMMENDATION OF THE CONFERENCE COMMITTEE TO CONVEY THE \$12,000 IN REVENUE REALIZED FROM THE CITY'S LEASE WITH NEW YORK HOLDING, LLC (CINGULAR) TO THE WATER BOARD TO BE USED FOR ELIGIBLE CAPITAL PROJECTS.

On the motion of Council Member Smith, seconded by Council Member Hennessy, voted and carried,

RESOLVED THE MEETING BE ADJOURNED AT 9:55 PM.

MAYOR

CITY CLERK

I hereby certify that the foregoing Resolutions were presented to the Mayor in the time required and were approved by him.