



City Council Minutes

The City of Cortland

February 16, 2010

Council Meeting #4
February 16, 2010
Regular Session
City Hall
7:00 PM

Present: Mayor Feiszli, Aldermen Craig, Hayes, Dye, Tobin, Quail, Leonard, Ferguson and Michales

Others Present: Corporation Counsel Ronald Walsh and City Clerk Carol Tytler

Mayor Feiszli called the fourth Common Council meeting of the year to order at 7:04 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Gordon Marshall, owner of Tikki, a store on Main Street, expressed concerns about his store being shut down by the Chief of Police. At the Mayor's request, Mr. Marshall agreed to meet later this week with the City, the Code Office, and Police Department to further discuss the issue.

Daniel Babcock asked the Council to increase the income limits for tax exemption rates for senior citizens allowing more people to qualify for a reduction. At Alderman Quail's request, the Mayor will add this topic to the next meeting agenda.

Thomas Quinn spoke in support of the East End Farmer's Market (EEFM) and encouraged the Council to provide the support necessary to continue in the present location. His business has grown significantly since his participation in the EEFM and he may hire part-time staff to help him. He stated that this experience has been more pleasant and profitable than when he participated in the downtown farmer's market. He emphasized the importance of providing fresh, locally produced, high quality goods for the community.

Ricky McClure spoke in support of the EEFM. She is a customer of the market and has found it to be a great addition to the community for buying local foods and other products.

Christine Avery spoke in support of the EEFM. She is a vendor at the market but would need to take her business elsewhere if the vendor fees were to increase.

Gary VanGorder, Director of the Business Development Corporation, spoke in support of the EEFM. He encouraged the Council to waive the regular fee and consider a flat, nominal fee as they had done last year. He said that a number of vendors will not be able to participate if the fee increases. He emphasized the importance of helping agriculture in Cortland County and providing nutritional options for the community.

Tammie Whitson spoke in support of the EEFM. She stated that if the fee is raised, it would be an insurmountable challenge for the farmers that participate in the market.

RESOLUTION #26 OF 2010 – Approve the minutes of February 2, 2010.

On page three of the minutes, Alderman Quail asked that the minutes be corrected to read “drafted a long term financial document.”

On page seven, the minutes should indicate that the permit registration deadline is Friday, April 30th.

Hearing no other corrections, the minutes were approved.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Alderman Michales attended the Off-Campus Student Behavior Committee meeting and felt they have a well rounded committee and he looks forward to serving on it. He attended the presentation by TC3 about the South Main project and feels it is an excellent proposal for that space.

Alderman Michales asked Chief Glover to speak about Amanda’s Law. Chief Glover shared that effective February 22, 2010, the new law requires that all residential occupancies, regardless of when they were built, are required to have carbon monoxide (CO) detectors installed where they have fossil fuel burning appliances.

Alderman Quail held a Ward meeting on Thursday night with a presentation by TC3 on their South Main Street program. College representatives listened to concerns expressed about lighting, parking lots and working within the community. Alderman Quail praised the TC3 staff for their interaction with residents during the discussion. On March 22, TC3 will present their first draft to the City Planning Commission. They hope to break ground this summer and be in the building in the fall of 2011.

Alderman Quail indicated that crows have been an issue for his constituents. One resident has had good luck using a product from Bird Barrier America (birdbarrieramerica.com) to chase them away. He has received several emails in support of the farmers market. He and the other members of his subgroup have met to begin identifying their priorities for the coming year.

UNFINISHED BUSINESS

Item No. 1 – Further discussion regarding a vacant/blighted building ordinance.
(Alderman Michales)

Alderman Michales shared a list of priorities as they relate to a draft document for a vacant/blighted building ordinance that Mayor Feiszli had written and brought to the Council last year.

Alderman Michales suggested that the Council form a Blighted Properties Review Commission. The Council would define the duties of the Commission in line with the draft ordinance. He would like to determine if attorneys, Cheney and Blair would be willing to take this on, similar to how they have worked with the Common Council on the rental permit program. He proposed that the Council invite them to one of the March meetings.

Alderman Michales outlined the benefits for improving the City's blighted properties and suggested that each alderman identify at least one property in their ward that needs to be addressed. He identified several buildings that are currently vacant/blighted and suggested that the Council require the owners to submit a plan of what they would do to reconstruct or rehabilitate the property.

Alderman Leonard indicated that he has called the assessor's office about two vacant buildings in his ward to determine if the taxes are being paid. He expressed concern about vacant properties that do have the taxes paid but have been sitting that way for years.

Alderman Hayes has talked with residents about houses that are boarded up and their appearance. She felt this policy could be part of the answer.

Alderman Michales states that insurance claims are usually promptly paid to the property owner but he questioned what the property owners were doing with the money as many properties are not repaired.

Alderman Quail asked if the new ordinance would fall under the Code Office. Alderman Michales indicated that it would. Alderman Quail felt the Council should define the duties of the commission first so the commission members could help write the ordinance.

Mayor Feiszli asked how the Council would like to proceed. After discussing options, the Council agreed that Alderman Michales will bring the information to the Housing Committee and ask them to take on the project. Alderman Tobin will schedule a meeting so the committee can discuss it. If they are unable to take on the project, Mayor Feiszli suggested the Council approach Thoma Development as they have a planned use attorney on staff. Alderman Michales asked that Cheney and Blair also be approached. Mayor Feiszli will contact them to obtain quotes for their services and add the topic to a future meeting agenda as information is available.

AGENDA

Item No. 1 – Presentation by East End Farmers’ Market.

Tammie Whitson and Lisa Lickona, co-organizers of the East End Farmer’s Market (EEFM) made a presentation to the Council about the market. They indicated that the market was extremely successful in the first year. At the same time, the downtown market was not negatively impacted and they worked to benefit all markets in the county. The principal members continue under a locally formed board of directors with a goal of promoting locally grown foods. The Chamber of Commerce assisted with the \$200 park fee charged by the City last year which allowed the market to use vendor fees for marketing.

The EEFM was open for nineteen (19) weeks of the season with fourteen (14) member vendors who paid the \$50 membership for the full season. Additional vendors participated during the peak of the season and paid by the week. During the highest weeks, they had eighteen (18) vendors and the low was six (6) vendors.

Ms. Whitson indicated that conservatively, \$1,000 passed from consumers to farmers at each farmer’s market session for a total of \$19,000 worth of goods and foods. She stated that local business returns five times that amount into the local economy per economic sources she has researched. They also measure their success by their ability to use vendor fees to promote all the farmer’s markets in the county, their ability to accept EBT food stamps from low income shoppers, and the number of volunteers that worked to support the activities of the market.

They have twelve (12) vendors slated to return in 2010 and hope to bring more Cortland County farmers back to our market from other markets. Everything at the market is grown or produced within a thirty (30) mile radius of the market. Members of the market have contracted to have the electric box at the park upgraded for the upcoming year. Once again, they would like access to the restrooms and storage area at the park.

Ms. Lickona asked the Council to waive the per event fee again this year as the market does not qualify as a sporting event. It is a community event open to the entire community. Table seating and Coffee Mania attracted groups of senior citizens with the market becoming a community meeting place for many. Members of the market are proposing a donation of grass roots labor and paint to redo the bathrooms to improve the appearance of the park facility.

Agenda Item No. 2 – Consideration of a Resolution authorizing the following actions regarding the East End Farmers’ Market.

Alderman Ferguson attended the market last year and felt it was a valuable asset to the East End. Alderman Quail asked about the insurance liability if non-city employees work on city property. Mr. Walsh indicated that the Council should obtain a sign off from the labor union that is responsible for those tasks and he will review the liability issue. However, he felt it was not insurmountable.

Alderman Hayes asked for clarification about the change from a \$200 fee last year to a \$900 fee in this year's budget. Alderman Quail stated that a reduction in the proposed \$900 fee would result in a budget shortfall.

Alderman Craig asked about the use of electricity. Ms. Whitson stated that there are two farmers who use electricity for their meat freezers and Coffee Mania also uses electricity. There is no meter on the box at the park. Ms. Lickona added that that the market removes all the trash generated, sweeps the court, cleans the bathrooms and provides the toilet paper so city workers have nothing to address like they do following a sporting event.

John McNerney from the City Youth Bureau said that the farmer's market is a huge asset to the park and his department has done everything they can to meet their needs. He stated that the City is facing difficult financial times and during the budget planning process he was asked by the Council to come up with ways to raise revenue so he increased fees across the board. The Youth Bureau charges a \$50 fee for anyone to rent their buildings. Fifty dollars per week for eighteen (18) weeks resulted in the \$900 revenue figure used in the budget. He felt that would result in a reasonable sixty (60) dollar fee per vendor. He had contacted Ms. Whitson several weeks ago, but they had been unable to connect to discuss further.

Ms. Whitson indicated that regional markets are only charging fifty (\$50) per vendor and the increase would result in the loss of vendors. Ms. Lickona indicated that with a fee increase, the vendor rates would only cover the park costs and not allow other promotional activities from the vendor fees. Alderman Ferguson felt that advertizing was important to the market. Mr. McNerney indicated that information could be included in the Youth Bureau spring newsletter.

Council members chose to vote on each section of the request separately.

RESOLUTION #27 OF 2010 – Consideration of a Resolution authorizing the following action regarding the East End Farmers' Market – Use of Dexter Park.

By: Alderman Leonard
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

After a brief discussion, council members did not want to charge a weekly fee but felt a single usage fee for the season was appropriate. Mayor Feiszli introduced a friendly amendment to the resolution increasing the charge to two hundred dollars (\$200) for the entire season.

RESOLUTION #28 OF 2010 – Consideration of a Resolution authorizing the following action regarding the East End Farmers' Market – Charge the East End Farmers' Market an annual Park usage fee of two hundred dollars (\$200) for the 2010 season.

By: Alderman Ferguson
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Seconded: Alderman Tobin

Approved: Ayes – 8
Nays - 0

Item No. 2 - Part C – Consideration of a Resolution authorizing the following action regarding the East End Farmers’ Market - Add the Market as an additional rider to the City’s insurance policy.

Inadvertently, there was no motion or second made prior to this vote being taken and this will appear as an agenda item at the March 2, 2010 Council meeting.

RESOLUTION #29 OF 2010 – Consideration of a request from the Central New York Mustang & Ford Club to close Main Street from Groton Avenue to Tompkins Street on Sunday, May 23, 2010 from 2:00 P.M. to 6:00 P.M. to hold their “Cruise Night” event contingent upon approval from the insurance company.

Assistant Police Chief Paul Sandy indicated that the event organizers have not yet provided a certificate of insurance so the parade permit has not been issued. He indicated that a City police escort would be provided but it would not be above regular staffing for that day. Alderman Michales asked if the parade conflicted with any other events. Alderman Tobin stated that the SUNY Cortland graduation was that week-end, but the majority of students would already be gone.

Mayor Feiszli added a friendly amendment to the resolution to reflect that the Council’s approval was contingent on receiving their certificate of insurance.

By: Alderman Quail
Seconded: Alderman Hayes

Approved: Ayes – 8
Nays – 0

RESOLUTION #30 of 2010 – Consideration of a Resolution to approve the appointment of Charles Glover to Provisional Fire Chief for the City of Cortland which includes taking the closed promotional exam to be given in January 2011.

The Mayor indicated that there has been limited time to review the applicants and apologized to the council for short notice with this newly added resolution. The next civil service exam will not be offered until January 2011 which is why the appointment is provisional. The consensus from the fire commissioners was that Assistant Chief Glover be appointed to Provisional Fire Chief.

Commissioner Quinlan indicated that the Council must first select the type of test the candidate will take in order to make the provisional appointment. The Mayor revised the resolution to reflect that requirement.

Alderman Tobin asked for the rationale on the testing. Commissioner Quinlan stated that he had contacted the State Civil Service Department and they indicated that Cortland did not have to go outside the seven (7) contiguous counties for the Chief's position but they did not offer a rationale for this decision. The Fire Commission felt it was in the best interests of the department to make it a closed exam for the Chief's position. The candidate would need to take and pass the Civil Service exam, but would not have the pressure to score in the top three. He further indicated that the Assistant Chief's position would be filled by a promotional exam restricting the pool of applicants to the candidates within the City Fire Department.

By: Alderman Michales
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Chief Glover thanked the Common Council for their confidence in him and stated that his appointment would be effective on Chief Barron's retirement date.

MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS AN EMPLOYEE'S EMPLOYMENT HISTORY.

Alderman Quail asked that the executive session include city department heads, but he wanted the Council to meet first before the department heads joined the executive session.

By: Alderman Craig
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

MOTION TO COME OUT OF EXECUTIVE SESSION

By: Alderman Craig
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays – 0

Adjournment

Mayor Feiszli indicated the conclusion of the agenda. Hearing no other new business, the meeting was adjourned at 11:55 PM.

I, CAROL TYTLER, CITY CLERK OF THE CITY OF CORTLAND, NEW YORK DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON

THE 16th DAY OF FEBRUARY 2010. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

CAROL TYTLER – CITY CLERK

MAYOR SUSAN FEISZLI