

1. Agenda

Documents:

[AGENDA.08.17.2021.PDF](#)

2. Supporting Documents

Documents:

[CC SUPPORTING DOC. 2021.08.17.PDF](#)

COMMON COUNCIL AGENDA

August 17, 2021

As the City of Cortland Common Council returns to in person meetings, we ask all spectators to be masked upon entry to City Hall, and to remain masked until departure. Council and the Mayor will be masked unless seated, then masks of council members and the mayor can be removed to improve communication. Thank you in advance for your understanding and adherence to the safety standards of City Hall.

- 7:00 PM: Public Hearing: regarding potential changes to the City’s Zoning Code.
Public Hearing on Executive Order
- Call Meeting to Order
 - Salute to the Flag of the United States
 - Public Comments
 - Mayor’s Report
 - Minutes – Approval of minutes

AGENDA:

Item #1 – Consideration of a Resolution to approve the Mayor’s Executive Order. (Ric VanDonsel)

Item #2 – Consideration of a Resolution to approve the Special event application along with all other required applications for “The Chamber Open House Bash” on September 23, 2021 from 4Pm – 7PM. (Bob Haight)

Item #3 – Consideration of a Resolution to hire a substitute Crossing Guard. (Chief Sandy)

Item #4 – Consideration of a Resolution to lift the hiring freeze and fill a recent Sewer Heavy Equipment Operator at the DPW. This post was opened up by a lateral move from a DPW employee moving over to the Water Department to fill the Water Distribution Maintenance Worker position. (Nic Dovi)

Item #5 – Discussion and set a date for a public hearing regarding E203 and increasing the number of members on Police commission. (Ric VanDonsel)

Item #6 – Set a date for a public hearing on making Valleyview Drive an all way stop at the entrance to the Cortland JR. Sr. High school. (Nic Dovi)

Adjournment



MAYOR'S EXECUTIVE ORDER

Quarantine restrictions on gatherings in the City of Cortland

WHEREAS the City of Cortland recognizes the danger that the spread of COVID-19 represents;

WHEREAS the City must protect all of its citizens, be they residents, workers, or visitors;

WHEREAS the City recognizes the temptation for all to return to normal through socialization, entertainment and assembly;

WHEREAS the City must meet its obligation to protect and serve all residents;

NOW THEREFORE, I, Brian Tobin, Mayor of the City of Cortland in the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York and the Charter of the City of Cortland due hereby order and direct as follows:

The Chiefs of Police and Fire shall enforce the following and be authorized to enforce the following terms of this order by such means necessary including employment of various sections of the Public Health Law, Criminal Procedure Law, and Penal Law of the State of New York.

Effective August 25, 2021 at 12:00 p.m. through September 15, 2021 at 12:00 p.m. any gathering or event with fifty or more participants anticipated, at any location in the City of Cortland is directed to file an application with the City Clerk's office which application shall include a written detailed Covid protocol to be utilized at said event.

The requirements would include a plan for enforcement of masking indoors regardless of vaccination status, and outdoors, following CDC covid protocols.

The Mayor of the City of Cortland, upon request, may exempt certain events with a covid safety protocol in place. Any request must be supplemented with the events plans for COVID-19 related safeguards and planned implementation.



Any violation of this executive order may be deemed a violation of Penal Law 240.45 (1) which is a Class B Felony pursuant to laws of the State of New York.

GIVEN this ___ day of August, 2020 and the seal of the City of Cortland, State of New York this ___ day of August 2020 by the Mayor.

Brian Tobin, Mayor (seal)

City of Cortland Special Event Application

Event Name: The Chamber Open House Bash Today's Date: 7/29/2021
 Event Contact: Bob Haight CDP Member? Yes No
 Address: 83 Main St Cortland New Event Existing Event
 Email: bob@cortlandareachamber.com Phone: 756-2814
 Will proceeds of your event benefit a charitable cause that provides service to Cortland residents? Yes No If yes, name the charitable causes: The Chamber Non-profit Tax ID: _____

Event Information

NAME OF EVENT: The Chamber Open House Bash
 TYPE OF EVENT (i.e., walkathon, street fair, festival, etc.): Open House to show our new office
 EVENT LAYOUT If the event is a walkathon, run, etc., attach a map of route and/or street closures. If the event is a festival or street fair, attach a map to indicate location of street blockages requested, booth alignment and type of merchandise vended from each booth:

DATE DAY 1:	DATE DAY 2:
<input type="checkbox"/> STREET CLOSURE: Start Time: <u>Noon</u> End Time: <u>7:00pm</u> Street: <u>83 Main St</u>	<input type="checkbox"/> STREET CLOSURE: Start Time: _____ End Time: _____ Street: _____
<input type="checkbox"/> LOT CLOSURE: Start Time: _____ End Time: _____ Lot: _____	<input type="checkbox"/> LOT CLOSURE: Start Time: _____ End Time: _____ Lot: _____
<input checked="" type="checkbox"/> AMPLIFIED MUSIC: Start Time: <u>4:00 pm</u> End Time: <u>7:00pm</u>	<input type="checkbox"/> AMPLIFIED MUSIC: Start Time: _____ End Time: _____

START LOCATION: _____ END LOCATION: _____
 EXPECTED # OF PARTICIPANTS: 500 # OF SPECTATORS: NA # OF VEHICLES: NA HOTELS: Is this event expected to generate area overnight stays? If so, estimated # of rooms: NA

Event Components

- | | | |
|--|--|---|
| Location/Safety
<input type="checkbox"/> City park use
<input type="checkbox"/> City streets blocked
<input type="checkbox"/> City sidewalks blocked
<input type="checkbox"/> City parking lots closed
<input type="checkbox"/> City barricades
<input type="checkbox"/> City cones
<input type="checkbox"/> Animal ban
<input type="checkbox"/> Animals are part of the event
<input type="checkbox"/> EMTs needed on site
<input type="checkbox"/> Police escort requested
Waste Management
<input type="checkbox"/> City litter pickup
<input type="checkbox"/> City street sweeping
Other components not listed: _____ | Structures
<input type="checkbox"/> Temporary structures
<input checked="" type="checkbox"/> Canopies up to 10' x 10'
<input checked="" type="checkbox"/> Grounded tents over 10' x 10'
<input checked="" type="checkbox"/> Beer and/or wine garden
<input type="checkbox"/> Street banner requested
<input type="checkbox"/> Rides or amusements
<input type="checkbox"/> Showmobile rental requested
<input type="checkbox"/> Portable restrooms
<input type="checkbox"/> Seating area
Sound
<input type="checkbox"/> Fireworks
<input checked="" type="checkbox"/> Amplified sound or music
<input type="checkbox"/> Ceremonial Gun Salute | Food
<input type="checkbox"/> Food cooked on-site
Alcohol
<input type="checkbox"/> Alcohol sold on-site
<input checked="" type="checkbox"/> Alcohol served
Vending
<input type="checkbox"/> Vending of goods
<input type="checkbox"/> Vending of food
Power Source
<input type="checkbox"/> City electricity use
<input type="checkbox"/> Generator use
Insurance
<input checked="" type="checkbox"/> General Liability insurance certificate
<input type="checkbox"/> Liquor Liability insurance certificate |
|--|--|---|

Marketing budget: _____ Admission Fee: Free

Fire Approval: _____
 CPD Approval: _____
 Council Approval: _____

SOUND DEVICE PERMIT APPLICATION

DATE REQUESTED: _____ ISSUANCE DATE: _____

NAME: The Chamber of Commerce EXPIRATION DATE: _____

ADDRESS: 83 Main St. PO Box 427 TELEPHONE: 756-2814
Cortland, NY 13045

TYPE OF SOUND DEVICE: Live Music microphone Times: Noon - 7:00 pm (mostly 4-7)

NON-PROFIT: X

(*Please check if you are a non-profit group therefore no licensing fee applies)

LICENSE FEE: Fixed Location-\$250 Mounting upon Motor Vehicle-\$500

FOR BUSINESS: \$100

Fixed Location: For the use or operation of any radio, phonograph, microphone or other device by which sounds are magnified and caused to be heard over any public street or public place from any one fixed location and not in, or mounted upon a motor vehicle, the sum of **\$250** for any day or part of a day for which the applicant desires permission hereunder. (Code of Ordinances 193-5 Noise Article II Sound Devices [adopted 8-5-1969 as Ch. 12, Art. VI, of the 1969 Code of Ordinances])

Mounting upon motor vehicle: For the use or operation of any radio, phonograph, microphone or other device by which sounds are magnified and caused to be heard over any public street or public place to be used in, or mounted upon, a motor vehicle, the sum of **\$500** for any day or part of a day for which the applicant desires permission hereunder. (Code of Ordinances 193-5 Noise Article II Sound Devices [adopted 8-5-1969 as Ch. 12, Art. VI, of the 1969 Code of Ordinances])

Business permit fee: For the use or operation of any radio, phonograph, microphone or other device by which sound is magnified and caused to be heard over any public street or public place from any one fixed location and not mounted on a motor vehicle, the sum of **\$100** for up to 6 events, as approved by Common Council in 2015.

Robert Haight
Signature of Applicant

7/29/2021
Date

APPLICATION MUST BE FILED WITH APPLICATION FEE AT LEAST TWO (2) WEEKS BEFORE FUNCTION AND ONE (1) WEEK PRIOR TO COMMON COUNCIL MEETING TO ALLOW TIME FOR APPROVAL.

IF APPROVED, YOUR PERMIT WILL BE MAILED TO YOU.

IF NOT APPROVED, YOUR APPLICATION FEE WILL BE RETURNED TO YOU.

**CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. ____ OF THE YEAR 2021
POLICE DEPARTMENT § C12-3 - C12-6**

Section 1. Enactment and Title.

A local law to establish guidelines for the Police Department.

Section 2. Authorization, Purpose and Intent.

The purpose of this law is to establish guidelines for the Police Department.

Section 3. Findings.

§ C12-3 Police Commission; membership; appointment; term; compensation.

There shall be a Police Commission consisting of five members who shall be appointed by the Mayor with confirmation by the Common Council. The Commissioners shall serve three-year terms with no compensation, except the Common Council may authorize compensation for expenses. The Police Commission shall at the beginning of each year elect one of its members as Chair.

§ C12-4 Powers and duties of Police Commission.

[Amended 11-20-1983 by L.L. No. 3-1983]

The Police Commission shall have the powers and duties to:

A. Submit to the Mayor the names of at least three qualified candidates, if there are three qualified candidates on the list of names reviewed and evaluated pursuant to § **C4-3C** for the position of Police Chief.

B. Assist the Police Chief when requested with regard to promotions, and other personnel matters.

C. Review the estimates of revenues and proposed expenditures and capital program of the Police Department and make recommendations to the Mayor and Capital Program Committee, respectively.

D. Review all complaints by citizens and, with the Police Chief, devise solutions to valid problems in departmental operations.

E. Advise the Police Chief on the administration and operations of the Department as they or the Mayor may request or as the Commission may deem necessary.

§ C12-5Discipline.

In the event of a disciplinary matter, the chief shall share with the Commissioner with names redacted the incident and consequences.

- (i) In the event there are two confirmed disciplinary issues with employee within the same twelve-month period the name/issue shall be shared with (a) the commission; (b) Corporation Counsel and (c) the mayor.
- (ii) In over the course of a fire year period, there are three or more disciplinary issues, the name and issues shall be shared with the (a) the commission; (b) Corporation Counsel and (c) the mayor.

§ C12-6Department qualifications.

No person may be appointed to membership in the Police Department or continue to hold membership therein who is not a citizen of the United States, who is not of good moral character, who has ever been convicted of serious felony or who does not meet all requirements set by civil service and the Department.

Section 4.

This Local Law shall be submitted for approval to the City of Cortland common council.

Section 5.

Any other Local Law, ordinance or resolution inconsistent herewith is hereby repealed.

Effective Date.

This Local Law shall take effect upon filing in the Office of the New York Secretary of State in accordance with the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. ___ of 2021 of the City of Cortland was duly passed by the City Council on _____, 2021, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such

original Local Law, and was finally adopted in the manner indicated in the above paragraph.

(Seal) Date: _____

STATE OF NEW YORK
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

Richard C. Van Donsel City Attorney

Tables on pages 21,25 and 30 should include prohibition from §300-163 M.3. on page 106

Table 300-13: Residential Permitted and Specially Permitted Uses

Land Use	R-1	R-2	R-3	R-4
Solar Photovoltaic Systems roof top units (accessory use only, ground mounted units allowed only in GI districts and with a special use permit)	P	P	P	SP

§300-163 M Solar Photovoltaic Systems. 3. Ground mounted solar photovoltaic systems are prohibited except in GI districts and with a special use permit).

Page 30 §300-42 Industrial Permitted and Specially Permitted Uses

Solar, ground mounted units permitted in GI district with a special use permit

Table on Page 22 should link to §300-74 on page 54

Table 300-14: Residential Lot, Area, and Yard Requirements

Note: C. *(1) (see §300-74) Front Yard Depth

Page 60 §300-84 Parking Area Location, Layout and Design

C. Design Standards

(7) Except for single-family dwellings, parking spaces shall be designed to permit entry and exit without moving any other vehicle.

§300-83 Off-street Parking Requirements

(Below should be eliminated)

F. Maximum Parking

1. The maximum number of parking spaces allowable is not to exceed 110% of the requirement as outlined in Table 300-83: Required Parking, unless approved by the Planning Commission.

Page 65

§300-94 Fences and Walls

2. Within residential districts, no fence or wall over three feet in height shall be constructed in the front yard of any lot, other than a necessary retaining wall.

Replace with:

“In all districts, a fence erected in a required front yard shall not exceed four feet in height and must maintain a maximum open to closed ratio of 1:1.”

Page 78 §300-113 C. Prohibited Signs.

9. Digital signs; unless a special use permit is obtained.

Page 90 §300-132 Actions Requiring Site Plan Review and Exemptions

C. 4. The repaving and restriping of existing parking lots that does not create alterations to shape, parking space size, or change traffic patterns.

Page 114 §300-182 Certificates of Zoning Compliance.

C. The Zoning Enforcement Officer is authorized to consult the following resources in assessing the use of a property for issuance of a Certificate of Zoning Compliance.

17. Reports from City Code, Fire and Police concerning the condition and use of the property.