



The City of Cortland  
City Common Council Minutes  
Council Meeting No. 4 of 2022

**February 15, 2022**

6:00 p.m.

Armory, 25 Wheeler Avenue and via Zoom

**Public Hearing**

A Public Hearing was opened at 6:00 p.m. regarding a proposed Records Access Policy (FOIL). No one was present to speak. The public hearing was closed at 6:01 p.m.

A Public Hearing was opened at 6:01 p.m. regarding Community Development Block Grant applications. No one was present to speak. The public hearing was closed at 6:02 p.m.

A Public Hearing was opened at 6:02 p.m. regarding the city's 2019 Community Development Block Grant Program Income Property Housing Rehabilitation Program. No one was present to speak. The public hearing was closed at 6:03 p.m.

**Call to Order and Roll Call**

Mayor Steve called the meeting to order at 6:03 p.m., and called the roll. The following Common Council Members were in attendance:

Wayne Schutt – First Ward Alderperson  
Katy Silliman – Second Ward Alderperson  
Mary Clare Pennello – Third Ward Alderperson  
Patricia Lane – Fourth Ward Alderperson  
Seth Thompson - Fifth Ward Alderperson  
William Carpenter – Sixth Ward Alderperson  
Troy Beckwith – Seventh Ward Alderperson  
Thomas Michales – Eighth Ward Alderperson

**Salute to the Flag**

**Moment of Silence/Reflection**

**Proclamations/Presentations**

Council Member Schutt recognized Deputy Fire Chief Mike Ten Kate for his successful efforts in obtaining grant funding for the city. Mr. Schutt noted that Mr. TenKate was responsible writing 56 successful grant applications resulting in approximately \$4.4 million dollars in grant funds received by the city. The city's

matching share for these grants totaled approximately \$100,000. Mayor Steve also thanked Mr. TenKate for his good work on behalf of the fire department and city.

### **Privilege of the Floor**

No one was present to speak.

### **Mayor's Report**

Mayor Steve thanked the Cortland City School District for video streaming and taping of the meeting, and officers of the fire department for setting up the meeting. He noted that the next meeting would be held at City Hall.

The mayor said that the recent heavy snowfall had been handled well by the Department of Public Works (DPW), but that there had been some parking issues in city lots. He said that the SUNY Cortland is conducting a study and will make recommendations to deal with downtown parking issues.

The mayor was in Albany the previous day for a meeting of the New York Conference of Mayors. He said he had a discussion with the state comptroller and would be providing Common Council members with additional information and ideas from the meeting. The mayor will be in Washington, DC next week to meet with officials. He met today with county officials to resolve a leachate issue. He said there has been no further progress on county redistricting since his last report.

Mr. Steve said that Downtown Revitalization Initiative (DRI) requests for proposals (RFP) for construction work would be released soon and that he would keep Common Council members updated. He said that police department contract negotiations are being conducted and that they were moving positively. He thanked Council Member Carpenter for his work and help with the negotiations.

### **Ward Reports**

- Ward 1: Council Member Schutt a complaint of an unleashed dog had been received and resolved. He indicated that there had been issues with sidewalks not being cleared during the recent snow storm which were address by the code department. Mr. Schutt said that he would be bring a resolution forward to rezone a house at 72 Floral Avenue as a two-family unit.
- Ward 2: Council Member Silliman thanked DPW and the police department for their efforts during the snow storm. She said that DPW did a good job of plowing streets which enabled people to get to work, and that she appreciated the efforts of these city workers. She also met with the mayor, fire department and codes department to discuss restructuring of the code department.
- Ward 3: Council Member Pennello said she is working with the Cortland Free Library director to have a lending library at the Water Works. The library director also asked he to participate in a rural library conference and that she will report back to the council on the conference.
- Ward 4: Council Member Lane said there had been a complaint about a possum on a porch and that the police department responded to get the animal off the porch. She told the constituent that the city would pay 50% share of costs for removal of rodents and nuisance animals. She visited the fire station earlier in the month and was impressed with the work that they do

- without the need to hire contractors. Council Member Lane said that the fire department had an amazing building and employees. She also thanked DPW for their snow removal efforts.
- Ward 5: Council Member Thompson said that wedding nuptials had been celebrated recently in the neighborhood. He said that snow build up on corners is impairing visibility. Mr. Thompson said a missing sign was reported at the corner of Northcliffe Road and Pendleton Street, and that DPW replaced it the same day it was reported. He has received positive feedback on the Cortland Youth Bureau's (CYB) Randal Park proposal and that he would be discussing the issue with Council Member Michales.
- Ward 6: Council Member Carpenter said there was problem with people dumping garbage at a property on the corner of N. Main Street and E. Main Street, and that he and the city were trying to resolve it.
- Ward 8: Council Member Michales said that RFPs had come back for the Randall Park project and had been review with the CYB the previous week. CYB will be reaching out to bidders for interviews on their proposals. He said he met last week with the county sheriff and city police chief on issues raised by residents and that he plans to have another meeting which will include the district attorney and state police Troop C commander to address their concerns. Mr. Michales said he received calls about sidewalks not being cleared during the snow storm and encouraged residents to shovel around fire hydrants. He also indicated there was a concern about children walking in the street because of an uncleared walkway and that he is working with the mayor and code department to address the problem.

### Approval of the Minutes

The minutes of the February 1, 2022 council meeting were approved.

Motioned by: Council Member Carpenter

Seconded by: Council Member Silliman

Approved: Ayes – 8  
Nays – 0

### **Resolution No. 30 of 2022                      Authorize Third Party Custodian Agreement with Tompkins Community Bank**

RESOLVED, that the Mayor and a designee of the Mayor are hereby authorized to sign a third party custodian agreement for collateralized municipal deposits with Tompkins Community Bank and Bank of New York Mellon.

Motioned by: Council Member Beckwith

Seconded by: Council Member Pennello

Discussion: Council Member Silliman asked why this resolution is necessary. Mayor Steve responded that the city is obligated to maintain custodial accounts with separate levels of approval.

Approved: Ayes – 8  
Nays – 0

**Resolution No. 31 of 2022                      Adopt Records Access Policy**

RESOLVED, that the city of Cortland does hereby adopt a Records Access Policy applicable to all city departments, boards, and commissions.

- Motioned by: Council Member Schutt
- Seconded by: Council Member Michales
- Approved:        Ayes – 8  
                      Nays – 0

**Resolution No. 32 of 2022                      Appoint Records Access Officer**

RESOLVED, that Andrew T. Jewett, City Clerk whose business address is 25 Court Street Cortland NY 13045 and whose email address is [ajewett@cortland.org](mailto:ajewett@cortland.org), is hereby designated as Records Access Officer for the city of Cortland, AND, BE IT FURTHER

RESOLVED, that, in the absence of the City Clerk, Arthur John Meldrim, Corporation Counsel whose business address is 25 Court Street Cortland NY 13045 and whose email address is [lawdept@cortland.org](mailto:lawdept@cortland.org) shall be deemed the Records Access Officer for the duration of the Clerk’s absence.

- Motioned by: Council Member Pennello
- Seconded by: Council Member Schutt
- Approved:        Ayes – 8  
                      Nays – 0

**Resolution No. 33 of 2022                      Appoint Records Access Appeal Officer**

RESOLVED, that Scott Steve, Mayor of the city of Cortland whose business address is 25 Court Street Cortland NY 13045 and whose email address is [mayorofc@cortland.org](mailto:mayorofc@cortland.org) is hereby designated Records Access Officer for the city of Cortland.

- Motioned by: Council Member Lane
- Seconded by: Council Member Schutt
- Approved:        Ayes – 8  
                      Nays – 0

**Resolution No. 34 of 2022                      FEMA Assistance to Firefighters Grant Program Fire Prevention and Safety Grant**

RESOLVED, that the city of Cortland Common Council authorizes the Fire Chief to apply for and, if awarded, accept a FEMA Fire Prevention and Safety Grant in the amount \$21,682 with a federal share of \$20,649 and a local share of \$1,033, and authorizes the Mayor to accept and sign the award if offered.

- Motioned by: Council Member Carpenter
- Seconded by: Council Member Beckwith
- Discussion:        Deputy Chief TenKate explained that, if awarded, this grant would replace a fire extinguisher prop that is 18 years old and no longer works well. He indicated it is an item that is used a lot.

Approved: Ayes – 8  
Nays – 0

**Resolution No. 35 of 2022                      Approve Budget Modification and Memorandum of Understanding  
in Anticipation of Code Department Realignment**

RESOLVED, that the city of Cortland Common Council authorizes the transfer of a total of \$203,871 from Code Budget Lines A3620-510000- Personnel Services in the amount of \$122,391, and A3620- 510301 - Part time in the amount of \$81,480 to Fire Department Budget Line A3410-510000- Personnel Services.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Discussion: Council Member Silliman explained that the restructuring will place the code department under the fire department and that the fire chief will be the code director. She indicated that there had been concerns about privatizing the code department and about code officer availability at night. She said code department employees are very knowledgeable and experienced, and that the two additional employees resulting from the restructuring will help. She stated that there is much more rental property and the city needs a code office that can stay on top of issues and set higher expectations for the city's appearance. She added that even with the larger department there will be a savings of \$113,889. Council Member Silliman noted that she and Council Member Schutt had worked out the restructuring arrangement with the fire department chief, deputy chief and battalion chief.

Council Member Carpenter asked who will provide the additional staffing for the code office. Chief Friedman replied that it will be staffed by junior firefighters.

Council Member Thompson asked if consideration had been given for outside consulting. The fire chief replied that funding had been appropriated if outside consulting was necessary. Mr. Thompson also asked if there was a process to review the restructuring. Mayor Steve responded that the council could assess the restructuring and make changes if needed.

Council Member Pennello said she was impressed with the collaboration and what has been achieved.

Council Member Schutt stated that this was a well-designed plan and credited the fire chief. Council Member Silliman also credited the chief and others.

Approved: Ayes – 8  
Nays – 0

**Resolution No. 36 of 2022                      Adopt Ethics Policy**

RESOLVED, that the Common Council does hereby adopt a Code of Ethics which shall take effect immediately upon filing with the Secretary of State.

Motioned by: Council Member Pennello

Seconded by: Council Member Lane

Approved: Ayes – 8  
 Nays – 0

**Resolution No. 37 of 2022                      Appoint Member to Wastewater Treatment Board**

RESOLVED, that the Common Council does hereby affirm the appointment of Diann Potter of 7 Brook Drive, Cortland, New York 13045 to the Wastewater Treatment Board for a term expiring January 31, 2025, and effective once certified by the Cortland City Clerk.

Motioned by: Council Member Schutt  
 Seconded by: Council Member Silliman  
 Approved: Ayes – 8  
 Nays – 0

**Resolution No. 38 of 2022                      To Accept and Recognize Donations to Cortland Youth Bureau**

RESOLVED, that the Common Council accepts the donations listed below, and appropriates funds to the Cortland Youth Bureau operating budget accounts outlined below.

<u>Donor</u>	<u>Amount</u>	<u>Project/Event</u>	<u>Budget Line</u>
Graph-Tex	\$670.00	Suggett Park Basketball Court Renovation	T65 Trust & Agency

Motioned by: Council Member Thompson  
 Seconded by: Council Member Schutt  
 Discussion: Mayor Steve thanked Graph Tex owners Brent and Shawn Riley for their donation.  
 Approved: Ayes – 8  
 Nays – 0

**Resolution No. 39 of 2022                      Authorize Local Law to Regulate the Location of Retail Dispensaries of Cannabis and Cannabis-Related Products**

RESOLVED, that the city of Cortland enacts a local law amending the city of Cortland Code section 300-32 to allow retail dispensaries of cannabis and cannabis-related products, known as “head shops,” in district GB-1; AND BE IT FURTHER

RESOLVED, that said local law shall also provide that head shops shall be designated as a prohibited use in all other districts.

Motioned by: Council Member Lane  
 Seconded by: Council Member Schutt  
 Discussion: Council Member Beckwith asked if the city could limit the number of cannabis dispensaries operating in the city. Mayor Steve replied that the state placed a limit based on population. The Mayor noted that the local law would keep cannabis dispensaries off Main Street, by limiting them to areas zoned GB-1 which runs along the I-81 corridor.  
 Approved: Ayes – 8  
 Nays – 0

**Discussion Items**i. Redistricting committee

Mayor Steve the county seems to be leaning towards having 7 county legislators within the city, and that he would like to find a way to keep the same boundaries for city wards. He said he would continue to monitor the county's progress and keep the council informed.

ii. Monthly Common Council meetings and city Charter change

Mayor Steve said the possibility of the common council meeting once a month rather than twice a month had been discussed at a recent department head meeting, and he wanted to give council members an opportunity to discuss the idea. He indicated that the change would give more time for council members to review documents, and could be supported by the process of having council members serve as departmental liaisons. He asked the council to weigh the pros and cons.

Council Member Lane said she supports meeting twice a month in order to be better able to address constituent concerns.

Council Member Schutt said the mayor does a good job of providing council members with documents and information and that he could support once a month meetings.

Council Member Beckwith asked if a public hearing would be held in advance of any change. Mayor Steve responded that a public hearing would be held. Mr. Beckwith noted that if such a change was made that special meeting could be called if needed. He further stated that in making such a decision the council should keep in mind the upcoming Main Street construction and the need to address complaints. He suggested that a decision to change meetings to once a month be put off until after the scheduled construction activity. Mayor Steve said that he sees the point of Mr. Beckwith's comments.

Council Member Thompson asked if the liaison system would be continued if a change were made. The Mayor said it would. Council Member Schutt said he thinks the liaison system is beneficial.

Council Member Silliman said she would like to think about the issue further, but that she thinks it's good to be consistent with the meeting schedule.

The mayor suggested that a compromise approach may be to continue twice a month meetings with the understanding that a scheduled meeting could be suspended.

A motion was made by Mr. Beckwith to suspend the meeting scheduled for March 1, 2022 and to hold the next meeting at 6:00 p.m. on March 15, 2022 at 6:00 at City Hall. The motion was seconded by Mr. Carpenter and approved by a vote of 8-0.

**Adjournment**

The meeting was adjourned at 6:59 p.m. on motion of Council Member Beckwith, seconded by Council Member Schutt, and approved by a vote of 8-0.

**I, ANDREW T. JEWETT, 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 15<sup>TH</sup> DAY IN FEBRUARY, 2022. I FURTHER**

**CERTIFY THE FOREGOING RESULTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.**

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**ANDREW T. JEWETT, CITY CLERK**

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**SCOTT STEVE, MAYOR**