



CITY OF CORTLAND COMMON COUNCIL MEETING

JULY 18, 2023 - 6:00 PM

MINUTES

MEETING LOCATION

CITY HALL
25 COURT STREET
CORTLAND, NY 13045

STREAMING VIA ZOOM

MEETING ROOM ID:
923 566 4700
[ZOOM LINK](#)

MAYOR

SCOTT STEVE

COUNCIL MEMBERS

WAYNE SCHUTT
KATY SILLIMAN
MARY CLARE PENNELLO
PAT LANE
SETH THOMPSON
BILL CARPENTER
TROY BECKWITH
TOM MICHALES

CITY CLERK

ANDY JEWETT

CORPORATION COUNSEL

A.J. MELDRIM

DIRECTOR OF ADMINISTRATION & FINANCE

LISA HENTY

CONTACT

ANDY JEWETT, CITY CLERK
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RESOLUTIONS ADOPTED

- Resolution No. 122 Amend the 2023 Adopted Budget by \$29,263
- Resolution No. 123 Authorize the Mayor to Execute a Contract with BCA Architects and Engineers for an Engineering Study for the Green Innovation Grant Program Water Meter Project Grant Application
- Resolution No. 124 Authorize Water Meter Upgrade Grant Applications
- Resolution No. 125 Authorize Submission of a Climate Smart Grant for Homer Avenue Infrastructure Upgrades
- Resolution No. 126 Authorize Homer Avenue Infrastructure Upgrades Grant Applications
- Resolution No. 127 Authorize Mayor to Enter into a Lease Agreement on behalf of the City of Cortland with Davis Hill Development, LLC for the Operation of a Solar Energy Production Site
- Resolution No. 128 Authorize the Mayor to Execute a Contract with Hummel's Office Plus for the Procurement of Office Supplies
- Resolution No. 129 Authorize the Award of Microenterprise Assistance Program Funds Under Community Development Block Grant #285ME506-22
- Resolution No. 130 Approve Special Event Permit and Street Closure Application for the Third Annual Empire State Classic 4-Mile Run on July 29, 2023
- Resolution No. 131 Approve Special Event Permit and Sound Device Permit for the Treating Disorders 5K Fun Run on September 9, 2023
- Resolution No. 132 Affirm the Issuance of a Mobile Ice Cream Vendor License to Meg-A-Moo's Ice Cream
- Resolution No. 133 Approve Recommendations of Board of Public Works and the City Relative to Municipal Parking Lots and Permitted Parking Therein
- Resolution No. 134 Amend All City Parking Citation Fines and Fees
- Resolution No. 135 Appoint Tenet Representatives to the Cortland Housing Authority Board
- Resolution No. 136 Direct Corporation Counsel to Consult with Outside Legal Counsel Relative to Proposed Litigation, Having Been Discussed in Executive Session at the July 18, 2023 Common Council Meeting Pursuant to New York State Open Meetings Law Section 105



CITY OF CORTLAND COMMON COUNCIL MEETING

JULY 18, 2023 AT 6:00 PM

MINUTES

PUBLIC HEARINGS

Public Hearing No. 1

Relating to Proposed Sale and Future Use of the Former Parker School Building

In February 2023, the Council voted to issue a [request for proposals](#) (RFP) to find new ownership and development opportunities for the former school building. The City received [one response](#) - from Ithaca Neighborhood Housing Services (INHS) - to develop quality housing for modest-income workers including single parents, retirees on fixed incomes, and people with intellectual, developmental and mobility needs. On June 8, 2023, the City held a public meeting which included a [presentation](#) by INHS about their proposal and an opportunity for the community to ask questions and address their concerns. Additional information, including a [Q&A document](#) was posted on the City's [website](#). This public hearing provides an additional opportunity for the public to express their opinions and concerns.

The public hearing was opened at 6:02 p.m.

Billie Jean Goff, a Halbert St. resident, spoke in opposition to the proposal, citing concerns about the number of units, parking, traffic, safety and the possibility of people from outside the Cortland area living there.

Jo Shaffer, a Pearl St. resident, spoke in opposition to the proposal, citing the need to preserve the R-1 and R-2 residential character of the neighborhood. She stated that low-income housing should be put in the south end of the City. She suggested that City Hall offices be placed in the former school building along with child care.

Rebecca Badorian, a Mildred St. resident, said she is interested in the preservation of items from Parker School.

Bill Williams, a Madison St. resident whose home is adjacent to the school building, spoke in opposition to the proposal, stating a concern about a lack of vision and need for a plan to attract manufacturing jobs. Mr. Williams said the City should subsidize child care and educational development services and stop using fossil fuels.

Luke Stevenson, a Halbert St. resident, requested an update on how Dormitory Authority of the State of New York (DASNY) bonds may affect the use of the building.

Steve DeGouff, a Cowance St. resident, spoke in opposition to the proposal, stating he is angry and doesn't want low-income people near his family or to have his daily routines disrupted.

Phyllis Williams, a Madison St. resident whose home is adjacent to the building, spoke in opposition to the proposal, citing concerns about the proximity to her home and effect on privacy. She would like the building to house child care.

John Henry, a Madison St. resident, spoke in opposition to the proposal saying he doesn't want to live near this type of situation and will consider selling his house if the proposal is approved. He said the Common Council should not be able to make a decision on the proposal.

Sharon Stevans, a Hamlin St. resident, submitted written comments in opposition to the proposal, citing concerns about the number of proposed units and the effect on the low-density residential nature of the neighborhood. She suggested incentives that encourage owner-occupied housing, and suggested the building be used for the Police Department.

Amanda Sharpsteen, a Hubbard St. resident, submitted written comments in which she asserted that the RFP was written in a manner that precluded local organizations, and asked that the Council consider a proposal from a consortium of local organizations.

Mayor Steve thanked people for their comments. He said the purpose is to gain and share information, noting that the City mailed information about the proposal and June 8th public information meeting to all City residents and that more public hearings will be held. The Mayor addressed a number of the comments and questions later in the meeting during the [Discussion Item No. 1](#) portion of the agenda.

The public hearing was closed at 6:42 p.m.

Public Hearing No. 2 **Relating to Community Development Block Grant (CDBG) #285HR144-20, Which Provided Funding for the City-Wide Owner-Occupied Housing Rehabilitation Program through the NYS Small Cities CDBG Program**

This is the second of two public hearings to be held during the administrative phase of CDBG grants. The purposes of this public hearing is to solicit public comments on the effectiveness of the administration of the CDBG program; provide information on the activities and progress toward goals and objectives; obtain citizens' views on the CDBG Program; and respond to the public's proposals and questions.

The public hearing was opened at 6:42 p.m. There being no one present to speak, the public hearing was closed at 6:43 p.m.

CALL TO ORDER – ROLL CALL

Mayor Steve called the meeting to order at 6:43 p.m., and the City Clerk called the roll. The following Common Council members were in attendance:

- Wayne Schutt First Ward Alderperson
- Mary Clare Pennello Third Ward Alderperson
- Patricia Lane Fourth Ward Alderperson
- Seth Thompson Fifth Ward Alderperson
- Troy Beckwith Seventh Ward Alderperson
- Thomas Michales Eighth Ward Alderperson

The following Common Council members were recorded absent:

- Katy Silliman Second Ward Alderperson
- William Carpenter Sixth Ward Alderperson

SALUTE TO THE FLAG

MOMENT OF REFLECTION

Mayor Steve asked for a moment of silence in honor and memory of Connie Sorrells who passed away unexpectedly July 9, 2023. Her co-workers recently celebrated Connie's retirement after 22 years as a devoted

and tireless city employee. Mayor Steve said in a statement to City employees, “Connie was steadfast in all her duties as a member of the finance department, union leader and citizen. As a city employee and resident, Connie spoke up for her fellow workers and taxpayers equally. The City of Cortland has lost a strong voice and a loyal colleague, neighbor and friend.”

PRIVILEGE OF THE FLOOR / PRESENTATIONS

Kay Yang, a City resident, was granted privilege of the floor. She expressed concerns about a drag show held during the recent Pride Festival in Courthouse Park. She said the performance and comments made by performers were not appropriate for a public space or for children. She said that her right to speech was interfered with at the event.

Luke Stevenson, a City resident, was granted privilege of the floor. He said the referenced drag show was not provocative and he is concerned about efforts to prevent future drag shows.

Scott Heath, an Onondaga County resident, was granted privilege of the floor. He expressed his opinion that the drag show was not family-friendly.

Cindy Dawson was granted privilege of the floor. She said that she protested in front of the Cortland Free Library in opposition to the library’s involvement in organizing the drag show.

Lawrence Wilde, a City resident, was granted privilege of the floor. Mr. Wilde identified himself as a transgender male and said he found a sense of community through the Cortland LGBTQ Center which sponsored the Pride Festival and drag show.

FINANCE REPORT

The Financial report provided by Lisa Henty, Director of Administration & Finance, included a summary of all operating funds, noting that Water and Wastewater expenditures remain below the 6 month straight-line projects. General Fund projections remain below that threshold as well however revenues currently lag behind expenditures but are anticipated to increase after the August property tax payments.

The report highlighted the refuse contract requires additional funding and information and identified funds will be brought before the Common Council at the next meeting on August 1, 2023. Similarly an update on American Rescue Plan Act to date spending was provided with the goal to adopt the remaining allocation at the August 1 Common Council meeting for obligation and reporting purposes. Lastly, a timeline on the 2021 and 2022 annual financial audits were provided with the 2021 to be presented August 15, 2023 and the 2022 audit currently remains on track for a presentation for September 19 2023. Updates will be provided each month.

The entirety of the financial report was provided to Common Council members and made available to the public on the City’s website on July 14, 2023.

MAYOR’S REPORT

Mayor Steve said he was asked to speak as part of a Downtown Revitalization Initiative (DRI) panel by the NYS Secretary of State.

The Mayor provided information about the Groton Ave. construction and repaving project. He said there is a delay in the start of the project and a delay in the paving of other City streets due to the unavailability of paving equipment.

The Mayor thanked several departments, noting recent accomplishments of and response by the Fire Department, Youth Bureau, Department of Public Works (DPW) and Water Department.

Chief of Police Paul Sandy presented a certificate of appreciation to Jason Allen Hartwick for coming to the physical aide of a Police Officer who was being attacked.

WARD REPORTS

- Ward 1: Council Member Schutt thanked DPW for replacement of missing signs. Mr. Schutt said that the Family Fun Day sponsored by the Disabled American Veterans (DAV) which was attended by approximately 600 people and raised money for DAV scholarships
- Ward 3: Council Member Pennello reminded the community about the availability of books at the Little Library at the Water Works.
- Ward 4: Council Member Lane said she attended the Pride Festival sponsored by the Cortland LGBTQ Center and hopes the event is held again next year.
- Ward 5: Council Member Thompson noted the need for fencing at some construction locations. He said that he and some residents had concerns about the construction of a multi-dwelling building at 37-39 Port Watson St.
- Ward 8: Council Member Michales said there have been problems with dog owners not keeping their dogs under control. He cautioned that failure to properly restrain a dog will be punished.

APPROVAL OF THE MINUTES

The minutes of the June 20, 2023 Council meeting were approved.

Motioned by: Council Member Schutt

Seconded by: Council Member Beckwith

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

RESOLUTIONS

Resolution No. 122 Amend the 2023 Adopted Budget by \$29,263

WHEREAS, the Cortland Common Council is charged by the City Charter and Code with the preparation of an annual budget for the City of Cortland; AND

WHEREAS, on December 20, 2022, the Common Council adopted the City Budget for 2023; AND

WHEREAS, during the course of the fiscal year certain events occur that necessitate changing the budget plan by increasing or decreasing the total budget; AND

WHEREAS, the Department of Administration and Finance recommends the following adjustments to the budget; AND

WHEREAS, this resolution amends the City’s 2023 Adopted budget by \$29,263 with appropriations to the Fire Department, Police Department, Public Works Department and Youth Bureau Department; AND

WHEREAS, the Fire Department requests 5” Angus fire hose at the end of its useful life be declared surplus so it may be sold and any proceeds from the sale are appropriated to the sale of equipment revenue and the corresponding operating equipment expenditure code A3410-540500; AND

WHEREAS, the Police Department sold surplus materials in the amount of \$400 consisting of sale of mobile phone and requests to appropriate the funds to the operating equipment expenditure code A3120-540500; AND

WHEREAS, the Police Department received a generous \$750 donation from the Summit Federal Credit Union to be appropriated to the K9 Fund account to support the activities of the K9 Fund, account code TE0-2101; AND

WHEREAS, the Police Department received a generous \$4,000 donation from Cortland Rotary Breakfast Club to be appropriated to the Office Equipment line item A3120-520000; AND

WHEREAS, the Public Works Department received an insurance recovery in the amount of \$19,333 for the partial loss of a John Deer Loader #2371 and is requesting to appropriate the funds to A5110-540200 for motor vehicle equipment and repairs; AND

WHEREAS, the Youth Bureau Department requests to appropriate receipt of payment from the Village of DeRuyter to pay for lifeguarding activities for swim lessons in the summer of 2023 and appropriates the funding to the A7180-511000 account; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council on this 18th day of July 2023, that the 2023 budget be, and is hereby, amended in the amount of \$29,263 as outlined in the accompanying table; AND BE IT

RESOLVED FURTHER, that the City of Cortland Common Council declares Fire Department 5” Angus hoses numbered 5042, 059, 5008, (October 2004) 5012, 5015 (December 2004) and 2109 (December 2014) surplus property to advertise the equipment for sale.

Requesting Department	Description	Amount	Category		Action/Explanation
			Source	Fund	
Fire Department	Sale of Surplus Equipment	TBD	Local Funds	General Fund	Authorizes fire hose at the end of its useful life as surplus and when sold authorizes the appropriation of funding from the sale to be appropriated to A3410-540500.
Police Department	Sale of Surplus Equipment	\$400	Local Funds	General Fund	Appropriates funding from the sale cell phones to functional operations A3120-540500.
Police Department	Donation	\$750	Local Funds	General Fund	Recognizes and appropriates a generous donation from Summit Federal Credit Union to support the activities of the K9 Fund (TE0-2101)
Police Department	Donation	\$4,000	Local Funds	General Fund	Recognizes and appropriates a generous donation from Cortland Rotary Breakfast Club to support the purchase of the Drone equipment authorized at the June 20, 2023

					meeting to be appropriated to the Office Equipment > \$5,000 A3120-540500
Public Works	Insurance Recovery	\$19,333	Local Funds	General Fund	Appropriates insurance recovery dollars to the equipment and repair line A5110-540200 to cover the costs of the repair for the 1993 John Deer Loader #2371.
Youth Bureau	Governmental Payment	\$4,780	Local Funds	General Fund	Appropriates funding from the Village of DeRuyter to pay for Lifeguarding activities for swim lessons provided from July 17 through August 3 to A7180-511000.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
 Nays – 0

Resolution No. 123 Authorize the Mayor to Execute a Contract with BCA Architects and Engineers for an Engineering Study for the Green Innovation Grant Program Water Meter Project Grant Application

WHEREAS, the City of Cortland has identified the need to upgrade and replace current water meters; AND

WHEREAS, The City of Cortland Department of Public Works seeks grant opportunities to lower the cost to the City and its residents when possible and has identified a grant opportunity through the Green Innovation Grant Program; AND

WHEREAS, the Green Innovation Grant Program requires an engineering study to be completed and submitted with the grant application for funding; AND

WHEREAS, BCA Architects and Engineers have been identified as qualified and available to prepare the necessary engineering study in time for the grant application in late July; NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland Common Council does hereby authorize Mayor Steve to execute a contract with BCA Architects and Engineers for the commission of an engineering study for the Water Meter Project Grant application through the NYS Green Innovation Grant Program for a cost not to exceed \$5,000.

Motioned by: Council Member Schutt

Seconded by: Council Member Thompson

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
 Nays – 0

Resolution No. 124 Authorize Water Meter Upgrade Grant Applications

WHEREAS, the City of Cortland intends to file applications for grant funding for Water Meter upgrades; AND

WHEREAS, funds for the program will be requested from the Green Innovation Grant Program; AND

WHEREAS, the anticipated cost of the project is \$660,350 with a required match of \$166,088 or 25% of the total award; AND

WHEREAS, the match for this grant application will be sourced through Water Fund reserves and combination of 2023 year-end savings; NOW, THEREFORE, BE IT

RESOLVED, that the Mayor or designee is hereby authorized and directed to file an application for funds from the New York State Consolidated Funding process for Water Meter Upgrades and upon approval of said request to enter into and execute grant agreements with the State of New York for financial assistance to the City of Cortland, and, if appropriate, take actions necessary to implement the proposed grant project upon approval from the State; AND BE IT FURTHER

RESOLVED, that the Council authorizes the Director of Finance and Administration to complete any necessary budgetary and accounting transaction to secure and encumber the grant match funds through the water reserves and/or 2023 year-end savings.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 125 Authorize Submission of a Climate Smart Grant for Homer Avenue Infrastructure Upgrades

WHEREAS, the City of Cortland intends to file a Climate Smart Grant application for Homer Avenue infrastructure upgrades; AND

WHEREAS, funds for the program will be requested from the New York State Department of Environmental Conservation (NYSDEC) Climate Smart Program and require the authorization of a 50% match which will be sourced from the Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) loan; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council authorizes the submission of a grant application in the amount of \$2 million dollars and a local match of \$2 million sourced through the active EPA WIFIA loan; AND BE IT FURTHER

RESOLVED, that Mayor Steve or his designee is hereby authorized and directed to file an application for grant funds from the New York State Climate Smart Grant for \$4 million total project cost, and upon approval of said request to enter into and execute a grant agreement with the State for financial assistance to the City of Cortland, and, if appropriate, take actions necessary to implement the proposed grant project upon approval from the State.

Motioned by: Council Member Lane

Seconded by: Council Member Beckwith

Discussion: Nic Dovi, Superintendent of Public Works said that design work is expected to begin in 2024 and construction is expected to begin in 2025. The work will extend from Groton Ave. to the City line

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 126

Authorize Homer Avenue Infrastructure Upgrades Grant Applications

WHEREAS, the City of Cortland intends to file applications for grant funding for Homer Avenue infrastructure upgrades to multiple agencies; AND

WHEREAS, funds for the program will be requested from the Green Innovation Grant Program, and the Local Waterfront Revitalization Program; AND

WHEREAS, the final required match for both grants will be funded through the Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) loan; NOW THEREFORE, BE IT

RESOLVED, that Mayor Steve or his designee is hereby authorized and directed to file an application for funds from the New York State Consolidated Funding process for Homer Avenue Infrastructure Improvements and upon approval of said request to enter into and execute grant agreements with the State for financial assistance to the City of Cortland, and, if appropriate, take actions necessary to implement the proposed grant project upon approval from the State.

Motioned by: Council Member Schutt

Seconded by: Council Member Pennello

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 127

Authorize Mayor to Enter into a Lease Agreement on behalf of the City of Cortland with Davis Hill Development, LLC for the Operation of a Solar Energy Production Site

WHEREAS, in 2022 the Common Council of the City of Cortland having previously approved the Mayor to enter into in an Option Agreement, together with a subsequent extension thereof, on behalf of the City with Davis Hill Development, LLC, each having been for a period of six (6) months for the purpose of evaluating whether a solar energy production site at 136 South Pendleton Street was fact feasible; and

WHEREAS, said Option Agreement and extension thereof did not constitute a lease agreement; AND

WHEREAS, Davis Hill Development, LLC has concluded after its period of evaluation that a solar energy production site at 136 South Pendleton Street is in fact a feasible project; AND

WHEREAS, Davis Hill Development, LLC now seeks to secure a Lease Agreement with the City of Cortland for operation of a solar energy production site at 136 South Pendleton Street; AND

WHEREAS Davis Hill Development, LLC and the City have since been involved in negotiations as to the terms of said Lease Agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is hereby authorized to enter into a Lease Agreement on behalf of the City of Cortland with Davis Hill Development, LLC pursuant to the terms as outlined within said proposed Lease Agreement; AND BE IT FURTHER

BERESOLVED, that said Lease Agreement, if approved, shall be subject to any conditions set forth as a result of the County and/or City Planning approval process, as may be required.

Motioned by: Council Member Thompson

Seconded by: Council Member Beckwith

Discussion: Council Member Thompson noted that the property to be leased for solar energy production is near an elementary school and the high school and inquired about any potential hazards this may present. He also said he would like there to be a public hearing on the issue.

Mayor Steve said that if the lease is approved, there will be additional approvals and public hearings needed prior to installation and operation of solar energy technology. The operator, Davis Hill Development, LLC would need approval from the New York State Department of Environmental Conservation (DEC); approval by the City Planning Commission of a Special Use Permit and Site Plan which would be preceded by a public hearing.

The Mayor added energy produced from the site would be made available for uses including charging stations for electric-powered school buses.

Approved: Ayes – 5 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 1 [Thompson]

Resolution No. 128 Authorize the Mayor to Execute a Contract with Hummel’s Office Plus for the Procurement of Office Supplies

WHEREAS, the City of Cortland has identified the benefit of participating in the contract for office supplies Cortland County legislature awarded in March 2023 after a Request for Proposals was issued on January 27, 2023 and proposals were received on March 2, 2023; AND

WHEREAS, two bids were received and the lowest responsible bidder was identified as Hummel’s Office Plus, 25 Canal Street, Mohawk, NY 13407; AND

WHEREAS, in accordance with New York State procurement regulations and the City of Cortland Procurement policy, the City may participate in other local government contracts that are considered to be cost-saving and advantageous to the City and tax-payers; NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland Common Council does hereby authorize Mayor Steve to execute a contract with Hummel’s Office Plus for office supplies as identified by the price list attached to this resolution, effective August 1, 2023 for the term of one-year with the option to extend for three one-year terms.

Motioned by: Council Member Beckwith

Seconded by: Council Member Lane

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Agenda Item No. 8 was removed from the agenda, as it was a duplicate of Agenda Item No. 6.

Resolution No. 129 Authorize the Award of Microenterprise Assistance Program Funds Under Community Development Block Grant #285ME506-22

WHEREAS, the City of Cortland was awarded \$200,000 in Community Development Block Grant (CDBG) Microenterprise funds to administer a Microenterprise Assistance Program (MAP) in the City pursuant to CDBG #285ME506-22; AND

WHEREAS, the City of Cortland solicited applications from eligible Microenterprises for assistance provided under the above referenced CDBG; AND

WHEREAS, funding for this Program is competitive requiring that applications be rated and reviewed by an established MAP Review Committee said Committee to subsequently make recommendations of funding to the City's Common Council which is charged with making final approval for all funding under CDBG #285ME506-22; AND

WHEREAS, the City's MAP Review Committee is recommending the award of \$25,500 to Ayla Fialko, DBA Ruby Acupuncture Clinic located in the McNeil Building, 17-29 Main Street; NOW, THEREFORE, BE IT

RESOLVED, that the City's Common Council does approve the award of \$25,500 to the business referenced above subject to terms and conditions as required under the CDBG Microenterprise regulations and as established by the MAP Review Committee; AND BE IT FURTHER

RESOLVED, that the Mayor of the City of Cortland is authorized to sign commitment letters detailing the terms and conditions of the award of these funds and any other document(s) necessary to implement the award of said funding.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 130 Approve Special Event Permit and Street Closure Application for the Third Annual Empire State Classic 4-Mile Run on July 29, 2023

WHEREAS, organizers of the Empire State Classic 4-Mile Run have submitted a Special Event Permit application and Street Closure application for the purposes of holding the running event on the grounds of SUNY Cortland on July 29, 2023; AND

WHEREAS, the Police Department, Fire Department, Department of Public Works and City Clerk's Office have reviewed applicable aspects of these permit applications and recommended their approval; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve for issuance by the City Clerk a Special Event Permit for the Empire State Classic 4-Mile Run to be held on July 29, 2023; AND BE IT FURTHER

RESOLVED, that the Common Council does hereby approve the closure of Broadway from Warren Street to Pashley Drive from 10:00 a.m. to 10:15 a.m. on July 29, 2023.

Motioned by: Council Member Schutt

Seconded by: Council Member Beckwith

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 131 Approve Special Event Permit and Sound Device Permit for the Treating Disorders 5K Fun Run on September 9, 2023

WHEREAS, organizers of the Treating Disorders 5K Fun Run have submitted a Special Event Permit application for the purposes of holding the Fun Run beginning and ending at Suggett Park from 9:00 a.m. to 11:00 a.m. on September 9, 2023; AND

WHEREAS, organizers have submitted a Sound Device Permit application for a fixed-location speaker and microphone to be used from 9:00 a.m. to 11:00 a.m. on September 9, 2023; AND

WHEREAS, the Police Department, Fire Department, Department of Public Works, Youth Bureau and City Clerk’s Office have reviewed applicable aspects of these permit applications and recommended their approval; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve for issuance by the City Clerk a Special Event Permit and a Sound Device Permit without fee for the Treating Disorders 5K Fun Run to be held from 9:00 a.m. to 11:00 a.m. on September 9, 2023.

Motioned by: Council Member Beckwith

Seconded by: Council Member Thompson

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 132 Affirm the Issuance of a Mobile Ice Cream Vendor License to Meg-A-Moo’s Ice Cream

WHEREAS, § 213 of the City Administrative Code sets forth rules and regulations for ice cream trucks and authorizes the City Clerk to issue a license to operate; AND

WHEREAS, Meg-A-Moo’s Ice Cream has submitted an application for a mobile ice cream vendor license; AND

WHEREAS, said applicant has met all of the requirements set forth in the Administrative Code and has paid the application fee; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council acknowledges and affirms the issuance of a mobile ice cream vendor license to Meg-A-Moo’s Ice Cream.

Motioned by: Council Member Thompson

Seconded by: Council Member Lane

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 133 Approve Recommendations of Board of Public Works and the City Relative to Municipal Parking Lots and Permitted Parking Therein

WHEREAS, City of Cortland Common Council adopted Local Law No. 13-2023 relative to parking regulations and the authority of the Common Council over the same; AND

WHEREAS, consistent with the language in said local law, certain matters relative to parking regulations were brought before the Board of Public Works (“Board”) for the purpose of the Board’s review and to provide recommendations to the Common Council as to those matters being contemplated; AND

WHEREAS, that upon review, the Board recommends that the Common Council approve the following identified municipal lots allow for permitted parking:

1. Groton Avenue Parking Lot (23 Groton Avenue)
2. Clinton Avenue Parking Lot (27-29 Clinton Avenue)
3. Orchard Street Parking Lot (9 Orchard Street)

4. Central Avenue Parking Lot (22 Central Avenue)
5. Main Street Parking Lot (72 Main Street)
6. Ames Parking Lot (17 Court Street)
7. Port Watson Street Parking Lot (16-22 Port Watson Street)
8. Youth Bureau Parking Lot (35 Port Watson Street)
9. Williams Street Parking Lot (143-145 Williams Street)
10. Dexter Park Parking Lot (4 Franklin Street); AND

WHEREAS, that upon review, the Board recommends that the Common Council approve of and adopt the following parking permit types, relative to municipal parking lots or otherwise, and further recommends that the City commence with the issuance of the same under the terms as outlined:

Resident Parking Permit

1. Allows for parking in any of the municipal parking lots identified for resident parking, all day and overnight.
2. Resident Parking Permits may be issued for any of the following periods as determined by the City Clerk:
 - a. One (1) month
 - b. Three (3) months
 - c. Six (6) months
 - d. Twelve (12) months

Day Downtown Parking Permit

1. Allows for parking in any of the municipal lots identified for downtown employee parking, between the hours of 8:00 AM and 6:00 PM.
2. Day Downtown Parking Permits may be issued for any of the following periods:
 - a. One (1) month
 - b. Six (6) months

Night Downtown Parking Permit

1. Allows for parking in any of the municipal lots identified for downtown employee parking between the hours of 4:00 PM and 2:00 AM.
Night Downtown Parking Permits may be issued for any of the following periods:
 - a. One (1) month
 - b. Six (6) months

WHEREAS, that the City of Cortland does hereby recommend the Council adopt the following fee structure for each identified permit type referred for approval by the Commission for the remainder of the year 2023:

Resident Parking Permit (2023)

Resident Parking Permits may be made available at the following rates for each associated period:

1. \$30 (One [1] month)
2. \$90 (Three [3] months)
3. \$180 (Six [6] months)
4. \$360 (Twelve [12] months)

Day Downtown Parking Permit (2023)

Day Downtown Parking Permits may be made available at the following rates for each associated period:

1. \$25 (One [1] month)
2. \$120 (Six [6] months)

Night Downtown Parking Permit

Night Downtown Parking Permits may be made available at the following rates for each associated period:

- 1. \$25 (One [1] month)
- 2. \$120 (Six [6] months); AND

WHEREAS, the Board further recommends that the City identify a point of contact for purposes of parking, permits, and related areas; AND

WHEREAS, the City recommends that the point of contact be identified as the City of Cortland City Clerk’s Office with a telephone number of (607) 758-8331; NOW, THEREFORE, BE IT

RESOLVED, that consistent with the provisions of Local Law No. 13-2023, the Common Council does hereby adopt the recommendations as outlined above with respect to City of Cortland parking lots, parking permits, parking permit rates, and point of contact for the same; AND BE IT FURTHER

RESOLVED, the Common Council delegates to the City Clerk responsibility to implement policies, procedures and information systems by which to administer a parking permit system consistent with the parking regulations adopted herein.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

Resolution No. 134 Amend All City Parking Citation Fines and Fees

WHEREAS, the City is moving to an electronic citation system that was approved by the Common Council in December 2022; AND

WHEREAS, as part of that change there is a need to update the fine and fee structure for all citations; AND

WHEREAS, certain processing costs related to the new system which can be as high as \$8 for various transaction fees will be covered through the increase in the fine and fee structure for parking citations; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council on this 18th day of July 2023, authorizes the increase to the fines and fees outlined in the table below.

Code / Statute	Violation Name	Fine		Post 7-day Fine		Post 30-day Fine	
		Current	New	Current	New	Current	New
CO 11-63	Overtime Parking Municipal Lots 8:00 AM-9:00 PM	\$25	\$30	\$30	\$35	\$50	\$55
CO 11-66	Overtime Parking City Street 8:00 AM-9:00 PM	\$25	\$30	\$30	\$35	\$50	\$55
CO 11-66	Overtime Parking City Streets 12 Minutes 6:00 AM- 6:00 PM	\$25	\$30	\$30	\$35	\$50	\$55

NYS VTL 1203	Improper Parking Roadway (Distance from curb / direction)	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-63 (h)(3)	Improper Parking Municipal Lots (Not within space)	\$30	\$35	\$35	\$40	\$50	\$55
NYS VTL 1202-3 (b)	Blocking Fire Hydrant (Within 15 feet)	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-63-J (1)(k)	Blocking Driveway	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-63-J (1)(c)	Blocking Sidewalk	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-63, 11-64 NYS VTL 1200-01-02	Parking in a Restricted Zone	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-62 (a)	No Parking City Streets 2:00 AM 6:00 AM	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-62 (b)	Alternate Odd/Even Parking Violation 12:01 AM - 8:00 AM	\$30	\$35	\$35	\$40	\$50	\$55
CO 11-62 (b) NYS VTL 1203-b2	Stopped, Standing, Parked in Handicapped Space	\$80	\$85	\$95	\$100	\$105	\$110
CO 11-155	Front Yard Residential Parking Restriction	\$40	\$45	\$50	\$55	\$75	\$80
CO 11-63-J (1)	City Ordinance Violation:	\$30	\$35	\$35	\$40	\$50	\$55
NYS VTL 306 (b)	Uninspected Motor Vehicle - Under 60 days uninspected	\$25	\$30	\$30	\$35	\$40	\$45
NYS VTL 306 (b)	Uninspected Motor Vehicle - Over 0 days uninspected	\$50	\$55	\$55	\$60	\$65	\$70
Other Violation:	Violation_____	\$30	\$35	\$35	\$40	\$50	\$55

Motioned by: Council Member Schutt

Seconded by: Council Member Beckwith

Approved: Ayes – 5 [Schutt, Pennello, Lane, Beckwith, Michales]

Nays – 1 [Thompson]

Resolution No. 135

Appoint Tenet Representatives to the Cortland Housing Authority Board

WHEREAS, Cortland Housing Authority tenets recently elected two tenant representatives for the Board of directors; AND

WHEREAS, Tari Robbins and Teresa Cullip, both residents of 51 port Watson St. were elected; NOW, THEREFORE, BE IT

RESOLVED, that Tari Robbins and Teresa Cullip are hereby appointed to the Cortland Housing Authority Board for a term beginning August 1, 2023 and expiring December 31, 2025.

Motioned by: Council Member Schutt

Seconded by: Council Member Michales

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]
Nays – 0

DISCUSSION ITEMS

Discussion Item No. 1 Former Parker School Building

Mayor Steve addressed several questions raised during the public hearing relating to proposed sale and future use of the former Parker School building:

In response to a question as to why there was only one response to the request for proposal (RFP), the Mayor said that several other interested parties inquired and discussed possible proposals, but that none submitted written proposals.

Responding to a question about whether the property has been and would be taxable, the Mayor said that no taxes were paid on the property when it was a school, or since the school closed. He said that if the proposal by INHS is approved, the property would become taxable based on its assessed value after development.

In response to a question about who has decision making authority on the proposed sale and future use of the building, the Mayor said the Common Council has the authority to vote to approve or deny the proposal. The Mayor may only cast a vote in the case of a tie vote. The Mayor said that the Common Council could enable a referendum on approving or denying the proposed sale and use of the building. If that happened, the building would remain vacant and in need of maintenance until after Election Day in 2024, the Mayor noted.

Mayor Steve said that details of how the building will be used need to be firmed up before DASNY will agree to changes in the conditions of the bonds it holds.

It was suggested during the public hearing that various City Hall offices and operations be moved the former school building to alleviate space issues. The Mayor said in response that the City will gain most of the third floor of City Hall when City Court completes its planned move to the County Courthouse.

The Mayor said that fencing and other measures to mitigate concerns about privacy as well as covenants with adjacent property owners are good ideas to be included in as part of the proposed plan.

Mayor Steve sought to clarify that “workforce housing” as proposed by INHS is different than “low-income” housing which was referred to my speakers during the public hearing.

The Mayor said that the process ahead will include a second public hearing to be held at 6:00 p.m. August 1, 2023 on the third floor of City Hall. Other steps will include a public hearing held by the City Planning Commission prior to considering whether to approve a Site Plan and Special Use Permit. Mayor Steve said he will meet with the Cortland County Planning Department to understand the County-level approval process and how that will interact with and effect the City’s process.

Council Member Michales said he has toured other multi-unit housing and apartments developed and operated by INHS and encouraged Council members and others to do so as well.

EXECUTIVE SESSION

The Common Council entered executive session at 8:17 p.m. for the purpose of discussing litigation involving the City of Cortland.

Motioned by: Council Member Beckwith

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]

Nays – 0

The Common Council closed its executive session and reconvened its regular meeting at 8:39 p.m.

Motioned by: Council Member Schutt

Seconded by: Council Member Thompson

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]

Nays – 0

RESOLUTIONS

Resolution No. 136

Direct Corporation Counsel to Consult with Outside Legal Counsel Relative to Proposed Litigation, Having Been Discussed in Executive Session at the July 18, 2023 Common Council Meeting Pursuant to New York State Open Meetings Law Section 105

WHEREAS, the Common Council of the City of Cortland having held an Executive Session pursuant to New York State Open Meetings Law §105(d) for the purpose of discussing proposed litigation; NOW, THEREFORE, BE IT

RESOLVED, Corporation Counsel is hereby directed to consult with outside legal counsel for the purpose of discussing proposed litigation on behalf of the City of Cortland; AND BE IT FURTHER

RESOLVED, that in the event said proposed litigation is pursued, the Common Council hereby directs Corporation Counsel to retain the services of outside legal counsel using funds from budget line A-01-1420-0000-0000-580100, which have been appropriated for such purpose.

Motioned by: Council Member Michales

Seconded by: Council Member Beckwith

Approved: Ayes – 6 [Schutt, Pennello, Lane, Thompson, Beckwith, Michales]

Nays – 0

ADJOURNMENT

The meeting was adjourned at 8:44 p.m. on motion of Council Member Schutt.