



CITY OF CORTLAND COMMON COUNCIL MEETING

SEPTEMBER 5, 2023 | 6:00 PM

AGENDA

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
607-758-8331
cityclerk@cortland.org

CALL TO ORDER | ROLL CALL

SALUTE TO THE FLAG | MOMENT OF REFLECTION

PRIVILEGE OF THE FLOOR | PRESENTATIONS

FINANCE REPORT

- Financial Report No. 1 Year to Date Actuals through August 2023 *
- Financial Report No. 2 External Audit Status *
- Financial Report No. 3 2024 Budget Development Process *
- Financial Report No. 4 Grant and Capital Projects *

MAYOR'S REPORT | WARD REPORTS

APPROVAL OF THE MINUTES

RESOLUTIONS

- Agenda Item No. 1 Amend the 2023 Adopted Budget by \$29,420 to Recognize and Appropriate Additional Revenues Including Donations and Grants
- Agenda Item No. 2 Sound Device Permit Application Submitted by Scott Heath for City Parks and Public Spaces *
- Agenda Item No. 3 Authorize City Fire Department to Hire Two Firefighters in Contemplation of Retirements *
- Agenda Item No. 4 Authorize Repair of Wastewater Morris Pump and Components through Emergency Purchase Order for a Contract Totaling \$55,462 *
- Agenda Item No. 5 Authorize Mayor to Submit a Municipal Approval Letter for a Cannabis Growers Showcase Event in the City's General Business Regional Zoning District (GB-1)

DISCUSSION ITEMS

- Discussion Item No. 1 Parker School
- Discussion Item No. 2 Foreclosures

ADJOURNMENT

* Indicates there are supporting documents within an addendum to the agenda



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APPROVAL OF THE MINUTES

RESOLUTIONS

- | | |
|--------------------------|--|
| Agenda Item No. 1 | Amend the 2023 Adopted Budget by \$29,420 to Recognize and Appropriate Additional Revenues Including Donations and Grants |
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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 \$29,420 with appropriations to Police, Youth Bureau, Code Department, and Fire Department; AND

WHEREAS, the Police Department received a grant in the amount of \$5,000 from PERMA to be appropriated to A3120-540800 for the purpose of increased offsetting the costs of bulletproof vests for the department; AND

WHEREAS, the Police Department received a \$550 donation from Elizabeth Dubetsky and a \$50 donation from Tom Terwilliger to support K9 activities and will be appropriated from TE0-2101; AND

WHEREAS, the Youth Bureau received a generous \$10,000 donation from Mr. Cleary and an additional \$913 in PBRT rental fees for the pickleball court renovation to be appropriated to A7110-540400; AND

WHEREAS, the Youth Bureau received \$2,050 of donations from Carol Schneider, from Porch Fest to be appropriated to TE0-2090; AND

WHEREAS, the Youth Bureau received \$240 of donations from Carol Schneider, Donald King and the Armstrongs in memory of Bob Isaf to support improvements at Suggett Park, to be appropriated to TE0-2090; AND

WHEREAS, the Code Department received a \$10,000 escrow payment to provide funding for the cost of services provided for development review processes for the project approval to be appropriated to A3620-541500 at the time of invoicing; AND

WHEREAS, the Fire Department received a generous \$125 donation from Glen and Carole Clarke to be appropriated to TE0-2044; AND

WHEREAS, the Fire Department has various Unication G1 pages, charging bases, and associated accessories that are beyond their useful and can be surplus with the revenue received to be appropriated to equipment repair in A3410-540700; NOW, THEREFORE, BE IT

RESOLVED, by the City of Cortland Common Council, that the 2023 budget be, and hereby is, amended in the amount of \$29,420 as outlined in the accompanying table; AND BE IT FURTHER

RESOLVED, that the Common Council declares Unication G1 Pagers, charging bases and accessories surplus items.

Requesting Department	Description	Amount	Category		Action/Explanation
			Source	Fund	
Police Department	Grant Award	\$5,000	Private Funds	General Fund	Appropriates a \$5,000 grant to A3120-540800 for the purpose of offsetting the cost of bulletproof vests from PERMA.
Police Department	Donation	\$600	Private Funds	Trust and Agency Fund	Accepts and appropriates \$600 of donations to support the K9 activities fund (TE0-2101).
Youth Bureau	Donation/ Additional Revenues	\$10,913	Private Funds	Trust and Agency Fund	A generous \$10,000 donation from Mr. Cleary for pickle ball court renovations to be appropriated to A7110-540500
Youth Bureau	Donation	\$2,050	Private Funds	Trust and Agency Fund	A total of \$2,050 of donations from Porch Fest to be appropriated to TE0-2090
Youth Bureau	Donation	\$240	Private Funds	Trust and Agency Fund	A \$40 donation in memory of Bob Isaf for repairs or improvements in Suggett Park and appropriated to TE0-2090
Code Department	Escrow Payment	\$10,000	Private Funds	Trust and Agency Fund	Appropriate \$10,000 escrow payment for a development project to pay for contractual professional services part of the project review process. Funds will be appropriated to A3620-541500

Fire Department	Donation	\$125	Local Funds	Trust and Agency Fund	A \$125 donation from Glen and Carole Clarke to support the purchase of smoke alarms to be appropriated to TE0-2044
Fire Department	Surplus Items	\$492	Local Funds	General Fund	Declare Unication Pagers, Charging Bases and Accessories surplus and appropriate funds to equipment repair A3410-540700

Agenda Item No. 2 Sound Device Permit Application Submitted by Scott Heath for City Parks and Public Spaces

WHEREAS, § 193-5 of the City Administrative Code states that it “shall be unlawful to maintain or operate any loudspeaker or amplifier connected with any radio, phonograph, microphone, or other device by which sounds are magnified and caused to be heard over any public street or public place without first having been granted a permit therefor from the Common Council.” AND

WHEREAS, Scott Heath seeks a sound device permit for use of a Bose S1 Pro a public address system to be used in City parks and public spaces for ministry purposes within the permitted hours of 10:00 a.m. and 6:00 p.m.; AND

WHEREAS, Mr. Heath’s permit application does not include a specified, fixed location or date for which the permit would apply; AND

WHEREAS, the City Administrative Code provides that a fee for use of a sound device in “any public street or public place from any one fixed location” shall be “\$250 for any day or part of a day for which the applicant desires permission”; AND

WHEREAS, the Code exempts from payment of the fee any “service club, religious organization, charitable organization or educational institution” provided that use of the sound device “will promote the general health, safety and welfare of the community”; AND

WHEREAS, Mr. Heath has previously acknowledged that he is not acting as part of a 501(c) (3) charitable or religious organization; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve the Sound Device Permit application as submitted by Scott Heath for use of a public address system within City parks and public spaces during the hours of 10:00 a.m. and 6:00 p.m.; AND BE IT FURTHER

RESOLVED, that the permit shall not limit use of the said sound device to one fixed location; AND BE IT FURTHER

RESOLVED, that the Common Council does hereby exempt Mr. Health from the \$250 per day fee.

Agenda Item No. 3 Authorize City Fire Department to Hire Two Firefighters in Contemplation of Retirements

WHEREAS, the Cortland City Fire Department has an authorized force of 36 firefighters; AND

WHEREAS, staffing shortages require mandatory staffing levels to be filled with overtime, which is an increased cost to the City and often requires firefighters to work long hours above and beyond their normal scheduled shifts; AND

WHEREAS, the excessive overtime and longer shifts negatively impact firefighter safety and morale; AND

WHEREAS, the Fire Chief has received communications from two firefighters of their intent to retire in January of 2024, which would create two vacancies within the agency; AND

WHEREAS, there are scheduled Recruit Firefighter Training Academies to commence in September of 2023 which would allow replacement firefighters to be hired and commence their training before these vacancies; AND

WHEREAS, keeping staffing levels full reduces overtime, saves money, and increases firefighter safety and morale; AND

WHEREAS, 2023 personnel projections indicate the Fire Department can absorb the salary of the over-hire positions from September 2023 through December 2023; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council grants authority to the Fire Chief to hire two additional firefighters above authorized staffing levels and commence their training to lessen the impact of the anticipated staffing shortage resulting from the stated intent of two firefighters to retire in the first half of 2024.

**Agenda Item No. 4 Authorize Repair of Wastewater Morris Pump and Components through
Emergency Purchase Order for a Contract Totaling \$55,462**

WHEREAS, the City of Cortland adopted a procurement policy on May 2, 2023; AND

WHEREAS, from time to time there are emergencies that require the procurement policy's Request for Proposals (RFP) process to be bypassed so that critical systems and machines can be maintained and repaired; AND

WHEREAS, in May 2023 a Return Activated Sludge pump at the Wastewater Plant required repair and the diagnostic process involves taking apart the pump to identify if it is repairable and what needs to be repaired; AND

WHEREAS, it has also been noted that the lead time to purchase a comparable replacement pump is \$141,500 with anticipated 28 to 30 week lead time; AND

WHEREAS, the estimate cost and time to repair is \$55,462 and 16 to 20 weeks which is more efficient and cost effective; AND

WHEREAS, in order to maintain critical processes in the Wastewater treatment process in a manner which results in the most minimal disruption to system redundancy and potential downtime, administration recommends an emergency purchase order to issue a repair contract with Emmons Metro, LLC in Menands, New York and to bypass the request for proposal process; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council hereby authorizes an emergency purchase order in lieu of issuing a Request for Proposals (RFP) for a contract with Emmons Metro, LLC to repair the Wastewater Treatment Facility's Morris sludge pump; AND BE IT FURTHER

RESOLVED, that the Common Council hereby authorizes the appropriation of \$55,462 from Wastewater Equipment Reserves to fund the necessary repairs.

**Agenda Item No. 5 Authorize Mayor to Submit a Municipal Approval Letter for a Cannabis
Growers Showcase Event in the City's General Business Regional Zoning
District (GB-1)**

WHEREAS, the Council that was elected for a two-year term commencing in 2020 having previously approved the operation cannabis dispensaries upon New York State's legalization of the same; AND

WHEREAS, the City's current Council having passed legislation that limits the operation of cannabis dispensaries to the City's General Business Regional Zoning District (GB-1); AND

WHEREAS, the issuance of licenses to operate cannabis dispensaries by the New York State Office of Cannabis Management (OCM) remains in a state of flux as to the process on how the licenses will be issued and to whom they will be issued; AND

WHEREAS, in the meantime, New York State having approved an initiative entitled the Cannabis Growers Showcase Program (CGS) to allow licensed cannabis growers and processors to showcase cannabis products to consumers in a regulated environment where consumers may purchase those items from licensed retailers; AND

WHEREAS, the CGS program is of a temporary nature, and is approved to run through January 1, 2024; AND

WHEREAS, a site having already been approved within the GB-1 Zoning District for operation of a cannabis dispensary upon the issuance of a license to do so by New York State, said site being known as a property with an address of 156 Clinton Avenue; AND

WHEREAS, said property owner having agreed to organize a CGS event in accordance with the rules, regulations, and requirements set forth by the OCM, which include the issuance of a 'Municipal Approval Letter' from the City of Cortland authorizing the CGS event; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby authorizes the organization of a Cannabis Growers Showcase event at 156 Clinton Avenue, conditioned on the organizers' compliance with the rules, regulations, and requirements set forth by the Office of Cannabis Management; AND BE IT FURTHER

RESOLVED, that the Mayor is authorized to submit a Municipal Approval Letter to the Office of Cannabis Management in support of this Cannabis Growers Showcase event for a period to expire on January 1, 2024, as is consistent with the temporary nature of the New York State approved program.

DISCUSSION ITEMS

Discussion Item No. 1 Parker School

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ADJOURNMENT