



City Council Minutes  
The City of Cortland  
January 7, 2020

Council Meeting #1  
January 7, 2020  
25 Court Street  
7:00 PM

Present: Aldermen Kat McCarthy, Katy Silliman, Bruce Tytler, John Bennett, Jacki Chapman, William Carpenter (7:10pm), Troy Beckwith, Thomas Michales

Staff Present: Director of Administration & Finance Mack Cook, Corporation Counsel Ric VanDonsel, City Clerk Raymond A. Parker, City Police Chief Catalano, Fire Chief Friedman, Confidential Secretary to the Mayor Devon Rainbow

**Regular Session:**

Mayor Tobin called the first Common Council meeting of the year to order at 7:02PM.

**Pledge of Allegiance**

**Public Comments:**

Bill Fiske spoke regarding the City purchasing Parker School building from City School District. He urges the City not to do this. The best outcome in his opinion is that an independent consultant will go on the property as authorized to do and find that the building is in no way fit for the City to take possession of it. Would be out of \$8,000 consulting fee. It is a 91yr old building with a 1951 addition that was built over an ash pit. It is in the flood plain and is about 120 meters from Otter Creek. Doesn't think anybody would benefit from it.

Bob Haight of the Chamber of Commerce was present representing the 516 members and 14,000 employees, to speak regarding Item #2 on the Agenda, City to purchase Parker School, and that the Chamber of Commerce supports the decision. Early Childhood education is very important. Critical age is 0-5 years. Daycare systems are currently in an unsustainable model. There are more grants coming, which will help to make Cortland a more family friendly economy.

**Ward Report:**

Ward 1: Recycling confusion in the City. Reminder that there is no glass collection this month only co-mingled and plastic and that the 1<sup>st</sup> full week in February is glass only.

Ward 2: Quiet, had joint meeting with 1<sup>st</sup>, 2<sup>nd</sup>, & 3<sup>rd</sup> wards and looking to do them quarterly.

Ward 3: No parking sign in the wrong spot. Thank you DPW for fixing this. There is an ongoing issue with traffic on Otter Creek.

Ward 4: Quiet and had some recycling confusion.

Ward 5: Had two calls about neighborhood issues and working on the issues.

Ward 6: 40mph on Route 13 & Locust Ave. needs to be lowered to 30. Planet Fitness coming in to the P&C plaza.

Ward 7: All Quiet

Ward 8: Thank you PD for acting quickly regarding shooting on Kellogg Road. Woman is recovering. Addressing concerns regarding safety. Thank you DPW for fixing potholes on East Ave. Trash in backyard is being addressed. Recycling concerns. Received concerns regarding the Parker School, item #2 on the agenda.

**Mayor's Report:**

Happy New Year! Would like to welcome Bruce Tytler and Jacki Chapman. New Year's Eve 1<sup>st</sup> Light was a good family friendly event. Council is looking to do a work session Sunday at 9am.

**Proclamation:**

Mayor Tobin read the proclamation for Mentoring Month.

**Resolution #1 of 2020** - Motion to approve the minutes from the meeting of December 17, 2019 as presented.

Motioned by: Alderman Silliman  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

**Oath of Office** – swearing in of the Volunteer Business Officers for the Board of Engineers and this is the admin branch of Volunteer Fire Fighters and Fire Police.

Chief Friedman introduced the new Fire Fighters Mitchell Gosser and Jordan Zelsnack. The two new Captains are Donn Hewes and Matthew Van Heusen.

**Resolution #2 of 2020** – Resolution to authorize the Mayor to execute a contingent purchase offer to purchase the Parker School Building from the Cortland Enlarged School District.

***Timeline***

*The following outlines the next steps in moving this project forward. Both childcare providers intend to begin operation in the space in July/August.*

- *January 7 - Council votes to authorize the Mayor to put in a purchase offer contingent on having a signed lease for the building.*
- *January 14 - The City School District Board votes on the proposal to sell the building.*
- *Early March - After 45 days, a public vote is held to approve the sale of the building.*
- *April/May - Council votes to approve the lease agreement*
- *closing paperwork*
- *July 1 - YWCA begins utilizing the property.*
- *July 1 - CAPCO begins utilizing the space to prep for the fall semester.*

Mayor Tobin amended the resolution to add contingent. Mayor Tobin also read the timeline. The purchase would be followed by an agreement with the YWCA and CAPCO. January 7<sup>th</sup> would be Council

vote and January 14 the Cortland City School District board would vote on the proposed sale. Assuming that both votes are in the affirmative. After 45 day waiting period which would put it into March there would be a public referendum to be held to approve the sale of the building. In April and May it would come back to Council to vote to approve potential lease agreement and go over closing paperwork, assuming contingencies have been met. The building according to this timeline may be ready to be back up and running by July 1, 2020.

Alderman Silliman gave a recap on how the process started to where they are now. The purchase is contingent upon the following: a letter of intent from both the YWCA and CAPCO including previous rent history, sources of income including but not limited to, grants, donors and income from services provided. They will provide evidence of successful grant applications and the stability of the receipt of income over the past 5 years. Negotiating in good faith towards the execution of a 5 year lease and entering into the same on or before April 1, 2020. A formal lease will not be negotiated and finalized until the time in which the building is purchased. Also there was an addendum added to the contingencies. One is that the City will obtain prior to closing a phase 1 environmental audit and the second is that the City will obtain an independent building inspection. The City has a need for this building.

There are concerns with SEQR.  
Thank you to everyone for all their hard work.

Alderman Beckwith suggested that they go through the addendum one by one.

- Addendum item #1: Using the whole building of 59,000sqft. (Everyone agreed on.)
- Addendum item #2: Reasonable response to request financial documents shown. (Everyone agreed on.)
- Addendum item #3: Successful grant application received the income over the past 5 years. (Everyone agreed on.)
- Addendum item #4: Good faith towards the execution of a 5 year lease and entering into the same on or before April 1, 2020. (Suggested to have a more flexible date on lease.)
- Addendum item #5: Phase 1 Environmental audit should include city not responsible for paying for it.
- Addendum item #6: Independent building inspections and to include that the City is not responsible for paying for it.

Motioned by: Alderman Silliman  
Seconded by: Alderman McCarthy

Approved: Ayes – 8  
Nays – 0

**Resolution #3 of 2020** –Resolution to approve the re-appointment of Richard VanDonsel for the position of Corporation Counsel for a two year term commencing January 1, 2020.

Motioned by: Alderman Tytler  
Seconded by: Alderman Bennett  
Approved: Ayes – 8  
Nays – 0

**Resolution #4 of 2020** – Resolution to approve the re-appointment of Raymond Parker for the position of City Clerk for a two year term commencing January 1, 2020.

Motioned by: Alderman Tytler  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #5 of 2020** – Resolution to approve the re-appointment of Mack Cook for the position of Director of Administration and Finance for a two year term commencing January 1, 2020.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Chapman

Approved: Ayes – 8  
Nays – 0

**Resolution #6 of 2020** – Resolution to approve the appointment of Alderman John Bennett to the position of Acting Mayor for a two year term commencing January 1, 2020.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Beckwith

Approved: Ayes – 7  
Nays – 0  
Abstention – 1 (Alderman Bennett)

Motion to consider consent agenda items 7 through 13. Alderman Silliman stepped out of the meeting.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

Motion to approved consent agenda items 7 through 13.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter  
Approved: Ayes – 7  
Nays – 0

**Resolution #7 of 2020** – Resolution to designate Lori Crompton and Tracy Hatfield as the signatories on all accounts.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #8 of 2020** – Resolution to designate the ‘Cortland Standard’, the ‘Shopper’, and the ‘Cortland Area Tribune’ as official newspapers of the City of Cortland.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #9 of 2020** – Resolution to designate the following bank depositories for City funds.

- NBT Bank
- J. P. Morgan Chase Bank N.A.
- M&T Bank
- Tompkins Trust Company

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #10 of 2020** – Resolution to designate Patricia Condon as a Registrar of Vital Statistics for the City Clerk’s Office for a two year term commencing January 1, 2020.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #11 of 2020** – Resolution to designate Laura Morak as a Deputy Registrar of Vital Statistics for the City Clerk’s Office for a two year term commencing January 1, 2020.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #12 of 2020** – Resolution to designate Devon Rainbow as a Subregistrar of Vital Statistics for the City Clerk’s Office for a two year term commencing January 1, 2020.

Motioned by: Alderman Tytler

Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #13 of 2020** – Resolution to designate Annette Huskins, Program Manager for Thoma Development Consultants IWC as the City’s Fair Housing Officer for a two year term commencing January 1, 2020.

Motioned by: Alderman Tytler  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #14 of 2020** – Resolution to approve the transfer of \$6,160.16, from Wastewater Savings ER&R to the Capital Account H-8197-541500 INDIG (IND Digesters Phase III), to cover the Cedarwood Engineering invoices for 2019 for work on the biogas generator.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Beckwith

Approved: Ayes – 8  
Nays – 0

**Resolution #15 of 2020** – Resolution to approve the Mayor to enter into an agreement for the Fire Service Mutual Aid plan for 2 years (2020-2021).

Motioned by: Alderman Bennett  
Seconded by: Alderman Chapman

Approved: Ayes – 8  
Nays – 0

**Resolution #16 of 2020** – Resolution for the Mayor to enter into an agreement with Family Health Network for health services related to OSHA and HAZMAT requirements for Fire Fighters for two years (2020-2021).

Motioned by: Alderman Beckwith  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #17 of 2020** – Resolution to approve the sidewalk snow removal bid to Matt Taylor.

Captain TenKate stated this a new person. Possible notification of new policy to be added to the agenda of the next meeting for discussion.

Motioned by: Alderman Bennett  
Seconded by: Alderman Beckwith

Approved: Ayes – 8  
Nays – 0

**Resolution #18 of 2020** – Resolution to approve the lawn mowing and garbage pickup bid to Hart Lawn Care.

Motioned by: Alderman Bennett  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #19 of 2020** – Resolution to award a contract for Program Delivery and Administration Services of the CDBG 2019 Funded Sewer Lateral Replacement Initiative (\$451,000) to Thoma Development Consultants for an amount not to exceed \$79,500.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #20 of 2020** – Resolution to Amend the City’s 2020 General Fund Budget to reflect the veto of the City’s Authorization to Impose an Occupancy Tax.

**Whereas**, the City sought a Home Rule Amendment in the New York State’s 2019 Legislative Session for authority to impose an three present Hotel Occupancy tax to fund tourism and development, and  
**Whereas**, the Senate enacted Bill S05344 in the 2019 Legislative Session supporting the City’s request for authorization, and  
**Whereas**, the Assembly enacted Bill 7390 in the 2019 Legislative Session supporting the City’s request for authorization, and  
**Whereas**, the Governor vetoed both bills on December 20, 2019 in Veto Memorandum 250, and  
**Whereas**, the City’s 2020 General Fund Budget was adopted upon the assumption of the Governor’s support of the City’s application, and  
**Whereas**, the City’s application for funding police overtime for events that promoted tourism and hotel occupancy under the Cortland County’s distribution of 2019 County Occupancy tax was denied, and  
**Therefore Be It Resolved** that the City’s 2020 General Fund Budget be amended as follows:

Decrease account number A1325 42770 ‘Other Revenue’ by \$50,000  
Decrease account number A3120 51040 ‘Police Overtime’ by \$50,000

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

**Resolution #21 of 2020** – Resolution to Seek an Home Rule Amendment Authorizing the City to Impose a Three Percent Occupancy Tax to support Tourism, Route 13 and River Street Redevelopment, and Economic Development.

**Whereas**, the City desires to devote financial resources to the promotion of tourism within the City that increases the occupancy of hotels located within the City, and

**Whereas**, the City desires to devote financial resources to promote hotel occupancy by the physically improving of infrastructure, sidewalks, street lighting and other public assets in the geographical areas in which hotels are located, and

**Whereas**, the City desires to support economic development and employment with the City that supports and enhances visitation to the City, and

**Whereas**, the City is not eligible to seek financial resources through participation in Cortland County's Occupancy Tax Program to fund its desired tourism, redevelopment and economic development objectives.

**Therefore Be It resolved** that the Common Council authorizes the City to seek authorization to impose a three percent (3%) Occupancy Tax to support Tourism, Redevelopment Economic Development and other activities that support usage of hotels located within the City in the 2020 New York State Legislative Session.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Mack Cook stated that the City has done research on this and that the County has 5% tax currently.

Mayor Tobin suggested to Table until January 21, 2020.

Motion to Table until January 21, 2020

Motioned by: Alderman Silliman  
Seconded by: Alderman Chapman

A roll call was done to make a decision to table until January 21, 2020

Ward 1 – abstain, Ward 2 – Aye, Ward 3 – Aye, Ward 4 – Nay, Ward 5 – Aye, Ward 6 – Nay, Ward 7 – Nay, Ward 8 – Nay

Failed: Ayes – 3  
Nays – 4 (Alderman Bennett, Carpenter, Beckwith, Michales)  
Abstention – 1 (Alderman McCarthy)

Approved original Resolution: Ayes – 7  
Nays – 0  
Abstention – 1 (Alderman McCarthy)

**Resolution #22 of 2020** – Resolution to authorize the Mayor to execute a contract for the City to join the Cortland Community/PERMA Worker's Compensation Cooperative.

The County has gone from a County funded plan to being covered by Perma. The City is covered and does have a Workers Compensation plan however, there are tele-claims which are claims acquired prior to January 1 of 2020. Anything from January 1 on is covered by Perma but, we are all either individually or collectively responsible for claims that were accrued before then. So the cities/villages/towns voted and agreed to continue to pay down to try and eliminate claims because it is a collective cost. It can be adjusted if needed.



Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

**Resolution #23 of 2020** – Resolution to authorize the Mayor to execute a Collective Bargaining Agreement with the Cortland Crossing Guards.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

**Resolution #24 of 2020** – Resolution authorizing the Mayor to execute a Collective Bargaining Agreement with the local CSEA unit (DPW/Water employees).

Motioned by: Alderman McCarthy  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

Alderman Carpenter was recognized as Officer of the month in Ithaca.

**Adjournment**

Motioned by: Alderman McCarthy  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**I, RAYMOND A. PARKER, 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 7TH DAY IN JANUARY 2020. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.**

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**RAYMOND A. PARKER, CITY CLERK**

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**MAYOR BRIAN TOBIN**