



CITY OF CORTLAND COMMON COUNCIL

NOVEMBER 1, 2022 – 6:00 PM

City Hall, 25 Court Street, Cortland NY 13045

Join Zoom Meeting - <https://us02web.zoom.us/j/9235664700>

Meeting Room: 923 566 4700

AGENDA

PUBLIC HEARINGS

Public Hearing No. 1.

Proposed Local Law No. 12 of the Year 2022 to Amend Chapter 11 of the City Code Relative to Towing Fees, Storage Fees, and Towing Service Insurance Coverage

Public Hearing No. 2.

Proposed Local Law No. 13 of the Year 2022 to Amend Article §238 of the City Code Relating to Smoking on Public Property

CALL TO ORDER – ROLL CALL

SALUTE TO THE FLAG

MOMENT OF SILENCE/REFLECTION

PROCLAMATIONS/PRESENTATIONS

Proclamation No. 1

Recognition of November 26, 2022 as Small Business Saturday

WHEREAS, the City of Cortland celebrates our local small businesses and the contributions they make to our local economy and community; AND

WHEREAS, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States which employ 46.8% of the employees in the private sector in the United States; AND

WHEREAS, the Mayor and Common Council recognize the importance of supporting the small businesses in the community throughout the year and wish to encourage area residents to shop at small, independently-owned retailers; AND

WHEREAS, advocacy groups, as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and Common Council do hereby proclaim November 26, 2022 as Small Business Saturday in the City of Cortland and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Presentation No. 1

Recognition of Outstanding Performance by Cortland Police Officers

PRIVILEGE OF THE FLOOR

FINANCE REPORT

MAYOR'S REPORT

WARD REPORTS

APPROVAL OF THE MINUTES FOR OCTOBER 18, 2022

RESOLUTIONS

Agenda Item No. 1

Adopt Local Law No. 12 of the Year 2022 to Amend Chapter 11 of the City Code Relative to Towing Fees, Storage Fees, and Towing Service Insurance Coverage

WHEREAS, the City of Cortland authorized an annual Registration Fee of \$100 for each tow company maintained on the tow rotation for the City, and for City to be added as additional insured on the tow company policy by Resolution No. 99 of the Year 2008; AND

WHEREAS, the City wishes to encourage tow companies to continue to conduct business within the City, and to protect its self from financial obligations arising from functions performed by tow companies working in the City by eliminating the requirement for an annual registration fee while maintaining the insurance requirement; AND

WHEREAS, the City has maintained a tow fee schedule with set pricing for towing performed within the City which has been amended over the years to ensure rates are fair to both the City residents and the tow companies; AND

WHEREAS, the last amendment to this tow fee structure by Resolution No. 99 of the Year 2008, and fuel prices, labor costs, and maintenance of equipment cost have risen significantly since 2008, making the tow fee structure unfair to local tow companies; AND

WHEREAS, the City wishes to rectify the unfair fee structure to provide relief to the local tow companies on the rotation list by increasing the tow fee by \$50 per category with the new fee structure for tow work performed as follows: 7:00AM to 6:59PM Monday through Friday - \$120; 7:00PM to 6:59AM Monday through Friday - \$150; all day Saturday and Sunday - \$170; at any time in which tow company is faced with extenuating circumstances, (such as a vehicle has crashed into a building or a vehicle which has crashed into a waterway) - time rates plus \$100; AND

WHEREAS, the City has authorized the Police Department to store towed vehicles and charge a daily storage fee of \$40 per day by Resolution No. 99 of the Year 2008; AND

Whereas, the cost of maintaining and operating the Impound Lot has increased since 2008, and the City wishes to increase this daily storage fee to allow for proper maintenance of the Impound Lot by increasing the daily fee by \$20.00 to \$60 per day; AND

WHEREAS, such changes would amend the City Code and must be made through enactment of a local law; AND

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, a public hearing on proposed Local Law No. 12 of the Year 2022 to amend Chapter 11 of the City Code relative to towing fees, storage

fees, and towing service insurance coverage was held on the 18th day of October, 2022 at 6:00 p.m. at City Hall, 25 Court Street, Cortland NY; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby adopt Local Law No. 12 of the Year 2022 to amend Chapter 11 of the City Code relative to towing fees, storage fees, and towing service insurance coverage; AND BE IT FURTHER

RESOLVED, that the text of said local law shall read as follows:

CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. 12 OF THE YEAR 2022
“AMENDMENT OF ARTICLE §11 RELATIVE TO TOWING FEES, STORAGE FEES, AND TOWING SERVICE
INSURANCE COVERAGE”

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§11-82 Storage and Charges; Requirement of Insurance.

- A. After removal of any vehicle as provided in this article, the Police Department may store such vehicle in a suitable place at the expense of the owner. Such owner, or person in charge of the vehicle, may redeem the same upon payment to the owner or person in charge of the suitable place of storage the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed the charges as set by the Common Council, together with any charge for storage as set by the Common Council.
- (1) Towing fee for work performed from 7:00 A.M. to 6:59 P.M., Monday through Friday: \$120.00.
 - (2) Towing fee for work performed from 7:00 P.M. to 6:59 A.M., Monday through Friday: \$150.00.
 - (3) Towing fee for work performed all day on Saturday and Sunday: \$170.00.
 - (4) Towing fee for work performed at any time in which the towing company is faced with extenuating circumstances, such as a vehicle which has crashed into a building or a vehicle which has crashed into a waterway: time rate as outlined in subsections A(1), A(2), or A(3) supra, plus an additional \$100.00.
 - (5) Storage fee: \$60.00 per day.
- C. Proof of Insurance, City as Additional Insured for Towing Companies Willing to Remove Vehicles by Order of the City.
- (1) Any towing company which is interested in participating in the program as outlined in §11-82 must name the City of Cortland as an additional insured under its business liability insurance coverage, with coverage in an amount which meets the City’s standard insurance requirements, and provide proof of such coverage to the City on an annual basis.
- D. Impoundment on City Property; Storage Fee. The City of Cortland Police Department is authorized to impound vehicles on City-owned property and assess a daily storage fee of \$60.00 directly to the car owner as provided for in §11-82.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other

persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Agenda Item No. 2 Adopt Local Law No. 13 of the Year 2022 to Amend Article §238 Relating to Smoking on Public Property

WHEREAS, the City Code (Chapter 238: Smoking and Tobacco Products) prohibits smoking in certain locations including City-owned property, building entrances and exits, recreational areas, and outdoor dining areas; AND

WHEREAS, the Mayor has proposed revisions to Chapter 238 that would amend the definition of smoking to include vaping and the smoking of cannabis, and prohibit smoking within 25 feet of any entrance or exit of any building located on Main Street that provides access to or from Main Street and any public sidewalk that run along it, or other adjacent public sidewalk on Main Street; AND

WHEREAS, the primary purpose of this measure is to reduce the proximate exposure of the public to the hazards and annoyance of second-hand smoke, in all forms; and is intended to reduce the litter and possible contamination from smoking-related refuse, including discarded cigarette butts in public places: AND

WHEREAS, amendments to the City Code must be made through enactment of a local law; AND

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, a public hearing on proposed Local Law No. 13 of 2022 to amend Chapter 238 of the City Code relating to smoking on public property was held on the 1st day of November, 2022 at 6:00 p.m. at City Hall, 25 Court Street, Cortland NY; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby adopt Local Law No. 13 of 2022 to amend Chapter 238 of the City Code relating to smoking on public property; AND BE IT FURTHER

RESOLVED, that the text of said local law shall read as follows:

**CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. 13 OF THE YEAR 2022
“AMENDMENT OF ARTICLE §238 RELATING TO SMOKING ON PUBLIC PROPERTY”**

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§238-1 Title. This article shall be entitled “Smoking, Use On City Property.

§238-2 Authorization, Purpose, and Intent.

- A. The primary purpose of this article is to reduce the proximate exposure of the public, especially children, to the hazards and annoyance of second-hand smoke, in all forms. Furthermore, this legislation is intended to reduce the litter and possible contamination from smoking-related refuse, including discarded cigarette butts in public places and to reduce the likelihood that young persons will initiate smoking, vaping, nicotine,

tobacco, or cannabis use (by reducing the incidence of public smoking in places where young persons are likely to be present).

§238-3 Definitions.

SMOKE

The emission produced by the burning of a lighted cigar, cigarette, pipe, or any other matter or substance meant for inhalation into the lungs, including but not limited to vaping, or any other mechanism which produces emission, and which may contain tobacco, nicotine, and/or cannabis, as that term is defined by the New York State Penal Law.

SMOKING

The burning of a lighted cigar, cigarette, pipe, or any other matter or substance meant for inhalation into the lungs, including but not limited to vaping and which may contain tobacco and/or cannabis, as that term is defined by the New York State Penal Law.

VAPING

The use or operation of any electronic aerosol delivery system.

§238-4 Rules. Smoking shall not be permitted and no person shall smoke in the following outdoor areas, subject to the limited exception for streets open to regular traffic:

C. In certain other areas as follows:

- (1) Main Street Area, as follows: At all times, within 25 feet of any entrance or exit of any building located on Main Street that provides access to or from Main Street and any public sidewalk that run along it, or other adjacent public walkways (i.e. corner buildings on Main Street with multiple entrances and/or exits).
- (2) The rules and restrictions set forth for the Main Street Area as defined in C.(1) above shall extend to adjacent or nearby areas as follows:
 - (a) West Court Street: Commencing at the intersection of West Court Street and Main Street, extending west to the intersection of Haskell Place and West Court Street.
 - (b) Court Street: Commencing at the intersection of Court Street and Main Street, extending east to the intersection of Church Street and Court Street.
 - (c) Central Avenue: Commencing at the intersection of Central Avenue and Main Street, extending east to the intersection of Church Street and Central Avenue.
 - (d) Orchard Street: Commencing at the intersection of Orchard Street and Main Street, extending west to the intersection of Haskell Place and Orchard Street.
 - (e) Clayton Avenue: Commencing at the intersection of Clayton Avenue and Main Street, extending west to the location known as 14 Clayton Avenue.
 - (f) Main Street / Williams Street: Continuing south along Main Street through the intersection of Port Watson Street, Tompkins Street, and Main Street, extending to the intersection of Williams Street and Main Street.
 - (g) Port Watson Street: Commencing at the intersection of Port Watson Street and Main Street, extending east to the intersection of Church Street and Port Watson Street.
 - (h) Groton Avenue: Commencing at the intersection of Groton Avenue and Main Street, extending west to the intersection of Monroe Heights and Groton Avenue.

- (i) Clinton Avenue: Commencing at the intersection of Clinton Avenue and Main Street, extending east to the intersection of Church Street and Clinton Avenue, including the area south of said intersection where Church Street intersects with Elm Street.
 - (j) Intent, Exceptions: It is intended that the provisions contained herein apply to public walkways bordering affected buildings in the “Main Street Area”, and that any restrictions or rules set forth in this section shall not extend to the rear of such buildings.
- (3) Outside City-Owned Property and Entrances, as follows: At all times, in or on any City-owned property - including parks, recreational areas, and school entrances, as further defined by this chapter - within 25 feet of any entrance or exit or ventilation intake for any building owned by the City of Cortland.
 - (4) City Parks, Schools, Recreational Areas (i.e. dog parks): At all times, in or on any public park, playground or other public recreational area, or within 25 feet of any public park, playground, or recreational area, including but not limited to, vehicle accessible roadways and pedestrian access/walkways.

§238-6. Applicability. The definitions as included in the Chapter shall also be applicable to Chapter 202. Parks and Recreation Areas, and the relevant restrictions contained therein, and any inconsistent provisions therein shall be controlled by this Chapter.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Agenda Item No. 3

Receive Tentative 2023 Budget As Submitted by the Mayor, and Set Dates for Budget Review Meetings, Public Hearings and Adoption of Proposed and Final City Budget

WHEREAS, Article XXI Section C21-6 of the City Charter provides that on or before the 15th day of October the Mayor shall submit to the Common Council and file with the City Clerk the tentative City budget; AND

WHEREAS, Mayor Steve advised the Common Council that the tentative 2023 City budget would be submitted to the Council after that date in order to provide a more exact financial accounting by which the Council will adopt a 2023 City budget; AND

WHEREAS, on October 28, 2022 the Mayor submitted the tentative City budget and an accompanying budget message to the Common Council and in accordance with Article XXI Section C21-6 of the City Charter filed the same with the City Clerk; AND

WHEREAS, in accordance with Article XXI Section C21-7 of the City Charter the City Clerk made the tentative City budget available to the public in the office of the City Clerk and submitted for publication notice of filing of the

tentative City budget in the official newspaper of the City; AND

WHEREAS, Article XXI Section C21-8 of the City Charter provides that the Common Council shall review and may modify the tentative City budget as submitted by the Mayor and shall, not later than the 15th day of November, approve the resultant document, which shall be the proposed City budget, and file the same with the City Clerk who shall make such document available to the public and publish notice of filing of the proposed City budget in the official newspaper of the City; AND

WHEREAS, Article XXI Section C21-9 of the City Charter provides that not later than the first day of December, the City Clerk shall cause to be published in the official newspaper of the City an itemized abstract of the proposed City budget and a notice of the place and time, not later than the 15th of December, at which the Common Council shall hold a public hearing on the proposed City budget during which any persons may be heard for or against the proposed City budget, or any item thereof; AND

WHEREAS, Article XXI Section C21-10 of the City Charter provides that after the public hearing and not later than December 31 the Common Council shall adopt the final City budget, and that during that intervening period may add or subtract, increase or decrease, items of appropriation or anticipated revenues from the proposed City budget, except appropriations required by law or for debt service; AND

WHEREAS, Article XXI Section C21-11 of the City Charter provides if a budget has not been adopted on or before the 31st day of December, then the tentative City budget as submitted by the Mayor shall be the City budget for the ensuing fiscal year; AND

WHEREAS; Article XXI Section C21-12 of the City Charter provides that upon adoption of the City budget, four copies shall be certified by the City Clerk; one such copy shall be filed in the office of the Mayor and one each in the offices of the Director of Administration and Finance, the City Clerk, and one shall be placed in Cortland Free Library; NOW, THEREFORE BE IT

RESOLVED, that the Common Council does hereby receive the tentative 2023 City budget as submitted by the Mayor; AND BE IT FURTHER

RESOLVED, that for the purposes of fulfilling its duties pursuant to Article XXI Section C21-8 of the City Charter the Common Council will hold budget review meetings, which shall be open to the public, in the Mayor's Conference Room on the third floor of City Hall, 25 Court Street, Cortland NY 13045, and video streamed via Zoom at: <https://us02web.zoom.us/j/9235664700> (Meeting Room: 923 566 4700), as follows:

- November 2, 2022 at 6:00 p.m.
 - 6:00 p.m. Youth Bureau
 - 6:30 p.m. Waste Water Treatment
 - 7:00 p.m. Fire Department
 - 7:30 p.m. Code
- November 3, 2022 at 6:00 p.m.
 - 6:00 p.m. Police
 - 6:30 p.m. DPW
 - 7:00 p.m. Water Department
- November 9, 2022 at 6:00 p.m.
 - Review and discuss proposed modifications
- November 10, 2022 at 6:00 p.m. (if needed)
 - Review and discuss proposed modifications

AND BE IT FURTHER

RESOLVED, that on or before November 15, 2022, the Common Council shall make any modifications to the tentative budget as submitted by the Mayor; AND BE IT FURTHER

RESOLVED, that on November 15, 2022, during its scheduled regular meeting, the Common Council shall approve by resolution a proposed 2023 City budget; AND BE IT FURTHER

RESOLVED, that at 6:00 p.m. on December 6, 2022, prior to its scheduled regular meeting, the Common Council shall hold a public hearing on the proposed City budget; AND BE IT FURTHER

RESOLVED, that on December 20, 2022, during its scheduled regular meeting, the Common Council shall by resolution adopt a final 2023 City budget.

Agenda Item No. 4

Authorize the City Assessor to Conduct a City-Wide Revaluation for the 2023 Final Assessment Roll

WHEREAS, the fairness, or equity, of the real property tax depends on similar properties being treated alike, and revaluation ensures that taxpayers do not pay more or less than their fair share of taxes; AND

WHEREAS, the New York State Real Property Tax Law defines revaluation as a "systematic review of the assessments of all locally assessed properties, valued as of the valuation date of the assessment roll containing those assessments to attain compliance with the standard of assessment set forth in subdivision two of section three hundred five of this chapter."; AND

WHEREAS, New York State Real Property Tax Law Section 305 requires that all assessments be at a uniform percentage of value (i.e., the same level of assessment); AND

WHEREAS, the only way to ensure that all properties are assessed at the same level of assessment is to analyze each assessment with respect to the current market at a specific point in time (the valuation date), and then to adjust the assessments as necessary to achieve equity and/or a desired level of assessment; AND

WHEREAS, municipal-wide reassessments are the best way to ensure that assessments are fair and accurate, and does not necessarily mean that a property's assessment will increase, or even be changed; AND

WHEREAS, absent a city-wide revaluation, the New York State Office of Real Property Services may reduce the City's equalization rate, used to uniformly and in some cases unfairly raise assessments; AND

WHEREAS, the City of Cortland Common Council does, therefore, prefer that the City manage its assessments and avoid New York State Office of Real Property Services affecting assessments by applying equalization rates; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby authorize Assessor Brian Fitts to conduct a revaluation of all locally assessed properties in the City of Cortland.

Agenda Item No. 5

Reappoint Sharon Stevans to the Cortland Housing Authority Board

WHEREAS, the term of Sharon Stevans on the Cortland Housing Authority Board expired October 27, 2022; AND

WHEREAS, Mrs. Stevans has been recommended for reappointment by the Cortland Housing Authority and has agreed to be appointed; NOW, THEREFORE, BE IT

RESOLVED, that Sharon Stevans is hereby reappointed to the Cortland Housing Authority Board for a term beginning October 28, 2022 and expiring December 31, 2025.

Agenda Item No. 6 Authorize Letter in Support of Senior Housing Project Proposed by the Cortland Housing Assistance Council

WHEREAS, the Cortland Housing Assistance Council, Inc., a private, not-for-profit housing agency, proposes to develop 53 units of accessible and affordable senior housing within the City of Cortland; AND

WHEREAS, the preliminary market study justifies that there is an overwhelming need for this type of housing in the community with many affordable housing complexes possessing long waiting lists; AND

WHEREAS, the project is proposed to be developed on River Street in the City of Cortland, which provides access to nearby grocery stores, restaurants, banks, pharmacies and parks, and is on a Cortland Transit bus route: AND

WHEREAS, Cortland Housing Assistance Council, Inc., will be applying to the New York State Homes and Community Renewal under the Low Income Housing Tax Credits, the Senior Housing Fund Program and other possible initiatives; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby convey its support for Cortland Housing Assistance Council’s proposal to develop 53 units of accessible and affordable senior housing and authorizes the Mayor to write letters in support to New York State Homes and Community Renewal and other such agencies which may provide supporting initiatives.

Agenda Item No. 7 Authorize Agreement for the Collection of Trash and Recycling within the City of Cortland with Blue Moose Sanitation Services

WHEREAS, the City of Cortland has identified a need to restructure their garbage and recycling collection program; AND

WHEREAS, the City of Cortland has advertised appropriately through competitive bidding; AND

WHEREAS, the current trash and recycling agreement expires on December 31, 2022; AND

WHEREAS, Blue Moose Sanitation Services shall regularly and expeditiously collect, remove, transport and dispose of any and all garbage of owners and occupants of properties, firehouses, and municipal buildings and residential properties participating in the City’s waste collection program as defined; NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland Common Council authorizes Mayor Scott Steve to enter in a three year agreement effective during calendar year 2023, 2024 and 2025 with Blue Mouse Sanitation Services to collect, remove, transport and dispose of any and all garbage for properties participating in the City of Cortland’s waste collection program as defined at a cost of \$400 dollars per ton of refuse.

Agenda Item No. 8 Authorize Agreement with C&S Engineers Inc. for the Design of the Northeast Gateway Intermodal Corridor Tioughnioga River Pedestrian Bridge and Trail from Yaman Park to Clinton Avenue

WHEREAS, the City of Cortland is committed to decreasing vehicle trips and reducing greenhouse gas emissions, and has formulated a City-wide Pedestrian / Bicycle Plan that supports the goals of Climates Action, and puts forth plans for the construction of on-road and-off road facilities to support non-motorized forms of

transportation and safely connects activity centers such as businesses, schools, libraries, shopping centers, recreation areas, and neighborhoods providing critical links in the continuous transportation system; AND

WHEREAS, the Northeast Gateway Intermodal Corridor Tioughnioga River Pedestrian Bridge and Trail from Yaman Park to Clinton Avenue (PIN 3950.70, D036448) project will connect pedestrians and bicyclists from Main Street in the City of Cortland, Clinton Avenue, and River Street to Yaman Park by developing new pedestrian and emergency vehicle access across the former rail bed over the west branch of the Tioughnioga River, under Interstate 81 to Yaman Park; AND

WHEREAS, the City of Cortland has selected C&S Engineers Inc. to provide preliminary and final design services for this federally funded project; AND

WHEREAS, work will include field investigations, engineering design, regulatory permitting, and bidding assistance, and will be designed to American Association of State Highway and Transportation Officials (AASHTO) specifications and the New York State Department of Transportation (NYSDOT) Standard Specifications for construction and materials for a cost not to exceed \$550,000; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council authorize Mayor Scott Steve to enter in an agreement with C&S Engineers Inc. for the design of the Northeast Gateway Intermodal Corridor Tioughnioga River Pedestrian Bridge and Trail from Yaman Park to Clinton Avenue for a cost not to exceed \$550,000.

Agenda Item No. 9 Approve Decrease in Building Inspection Fees Pursuant to Authority Under Section 100-16 of the City Administrative Code

WHEREAS, the City of Cortland maintains an inspection fee schedule with set pricing for fire safety inspections performed within the City, which has been amended over the years to ensure rates are fair for all property owners; AND

WHEREAS, on March 2, 2021, the City of Cortland Common Council passed a resolution that provided for an increase to fire safety inspection fees for non-residential buildings or structures pursuant to Section 100-16 of the City of Cortland Administrative Code, which took effect July 1, 2021; AND

WHEREAS, the approved increase to said inspection fees resulted in the following schedule for non-residential buildings or structures:

- Structures under 2,000 square feet – \$100.00 or \$75.00 per hour of inspection, whichever is greater:
- Structures 2,000 square feet to 10,000 square feet – \$200.00 or \$75.00 per hour of inspection, whichever is greater;
- Structures over 10,000 square feet – \$400.00 or \$75.00 per hour of inspection, whichever is greater; AND

WHEREAS, the July 21, 2021 approved fee schedule has raised the concern of inequity relative to the inspection fee for non-residential buildings or structures over 10,000 square feet; AND

WHEREAS, the City recognizes that the current fee schedule has the potential effect of penalizing certain non-residential building or structure owners across the square footage spectrum who maintain said properties free of any violations on a continual basis; AND

WHEREAS, based on past experience, City Code Enforcement Office estimates the maximum approximate time it takes to inspect a well-maintained non-residential building or structure as follows:

- Structures under 2,000 square feet – Approximate maximum of one (1) hour;

- Structures 2,000 square feet to 10,000 square feet – Approximate maximum of two (2) hours;
- Structures over 10,000 square feet – Approximate maximum of three (3) hours;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 100-16 of the City of Cortland Administrative Code the Common Council hereby amends the fee schedule effective January 1, 2023 for the inspection of non-residential buildings or structures as follows:

- Structures under 2,000 square feet – \$100.00 (which shall include the first hour), and \$75.00 per each additional hour;
- Structures 2,000 square feet to 10,000 square feet – \$200.00 (which shall include the first two (2) hours), and \$75.00 per each additional hour;
- Structures over 10,000 square feet – \$300.00 (which shall include the first three (3) hours), and \$75.00 per each additional hour).

Agenda Item No. 10 Authorize Fire Department Vehicle to be Declared Surplus

WHEREAS, the City of Cortland Fire Department acquires equipment to provide service to the residents of Cortland; AND

WHEREAS, said equipment has an estimated useful life that depends on recognized standards, frequency of use, and various levels of condition; AND

WHEREAS, at the end of serviceable life and functional need to the Fire Department and City, equipment is removed from service and required to be advertised appropriately for surplus; AND

WHEREAS, the sale of surplus equipment will generate income that can be reinvested to assist in offsetting future purchases of equipment needed by the department; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council authorizes a 2009 Chevy Impala (Inventory No. CS0901; VIN No. 2G1WB57N491278266) currently in possession and use by the Fire Department to be declared as surplus and authorizes the Fire Chief to advertise said equipment in appropriate manner as surplus and available for sale; AND BE IT FURTHER

RESOLVED, that the City of Cortland Common Council authorizes any revenue generated from the sale of this surplus equipment to be transferred into the Fire Department Budget line A3410-540700 - Equipment Repair for future use by the fire department.

Agenda Item No. 11 Authorize Agreement for Headquarters Fire Station Exterior and Cast Stone Repair

WHEREAS, the City of Cortland has housed apparatus and personnel at its Headquarters Fire Station on Court Street since 1914 with continuous operation for over 100 years; AND

WHEREAS, routine maintenance and upkeep has occurred over this time with other significant investments by the City to keep the building functional and safe not only for the firefighters but also the visitors that frequently enter the building; AND

WHEREAS, grant funding has been secured for window replacement, restoration and repair through New York State Parks, Recreation and Historic Preservation and is nearing completion; AND

WHEREAS, during the above mentioned work, other areas of concern were found related to the cast stone, joints

RESOLVED, that the City of Cortland Common Council authorizes the Fire Department to use these funds to offset costs for equipment used for the incident and also for future acquisition of paging devices for Department members and portable radio equipment to replace that which has become unserviceable.

Agenda Item No. 14 Recognition and Appropriation of Fund Reimbursement for Water Rescue Response

WHEREAS, the City of Cortland Fire Department has acquired equipment and trained its personnel to respond to all types of emergencies including Swift Water and other Water Emergencies; AND

WHEREAS, the response to Water Rescue incidents generates costs that are not considered within the normal scope of responses the fire department may be summoned to; AND

WHEREAS, statute permits the department to seek fiscal reimbursement for services provided to assist in offsetting the costs for response; AND

WHEREAS, the Cortland Fire Department was summoned to Nassau County to provide a Type III Swiftwater Rescue team for a 72-hour deployment for Hurricane Henri from August 21-23, 2021 as part of state emergency declaration; AND

WHEREAS, reimbursement has been received by the Department in the amount of \$18,707.76; NOW THEREFORE, BE IT

RESOLVED, that the Common Council accepts reimbursement of \$18,707.76 for the cost of response and authorizes its appropriation to Fire Department budget line A3410-512002: Special Operations; AND BE IT FURTHER

RESOLVED, the City of Cortland Common Council authorizes the Fire Department to use these funds to offset costs for equipment upgrades.

Agenda Item No. 15 Accept and Recognize Donation to Cortland Fire Department

WHEREAS, donations have been given to the Cortland Fire Department; AND

WHEREAS, the Common Council must accept and allocate such funds; AND

WHEREAS, the Mayor, Common Council and Cortland Fire Department wish to publicly recognize these donations and the generosity of the donors; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council accepts the donations listed below, and appropriates funds to the Cortland Fire Department Donation Account earmarked for automated external defibrillator (AED) replacement:

<u>Donor</u>	<u>Amount</u>	<u>Account</u>
Rich & Ann MacDonnel (Made in memory of City Fire Auxiliary Charter Member Beverly Braman)	\$25.00	TE-00-2044

Agenda Item No. 16 Accept and Recognize Donation to Cortland Fire Department

WHEREAS, donations have been given to the Cortland Fire Department; AND

WHEREAS, the Common Council must accept and allocate such funds; AND

WHEREAS, the Mayor, Common Council and Cortland Fire Department wish to publicly recognize these donations and the generosity of the donors; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council accepts the donations listed below, received during the Fire Department's

Annual Open House and appropriates funds to the Cortland Fire Department Donation Account earmarked for the "Here comes Santa" event:

<u>Donor</u>	<u>Amount</u>	<u>Account</u>
Volunteer Firefighter Kristen Gregory through face paintings	\$49.00	TE-00-2100

Agenda Item No. 17 Authorize Transfer of Funds from Youth Bureau to Fire Department for Equipment

WHEREAS, the City of Cortland Departments work hand in hand to provide a myriad of services to the residents of Cortland; AND

WHEREAS, City Departments share equipment and resources to be efficient and limit duplication and also to lessen fiscal commitments; AND

WHEREAS, replacement of an ice machine that is used primarily by the Fire Department, Youth Bureau and volunteers of the Fire Department is over 10 years old and is no longer serviceable; AND

WHEREAS, the replacement cost for said commercial ice machine is \$5,315.60, with equal contribution from the Fire Department, Volunteer Fire Board of Engineers, and Youth Bureau; each contributing \$1,771.87; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council authorizes the transfer of \$1,771.87 from the City Youth Bureau budget line A7140-5206 to the City Fire Department budget line A3410-540500 for the contribution to the full payment of \$5,315.60 which will be paid by the Fire Department.

Agenda Item No. 18 Accept and Recognize Donations to Cortland Youth Bureau

WHEREAS, donations have been given to the Cortland Youth Bureau, AND WHEREAS, the Common Council must accept and allocate such funds, AND

WHEREAS, the Mayor, Common Council and Cortland Youth Bureau wish to publicly recognize these donations and the generosity of the donors, NOW, THEREFORE, BE IT

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>
Timothy Walsh	\$1000.00	Lacrosse	Jerry Walsh Memorial Fund

DISCUSSION ITEMS

Discussion Item No. 1 Water Meter Replacement Notices

Discussion Item No. 2 Parker School

ADJOURNMENT