

REGULAR COUNCIL MEETING – 7:00 P.M.

The Council of the City of Cortland met in regular session on Tuesday, February 17, 2015 at 7:00 p.m. at the City Administration Building, 400 N High St, Cortland, Ohio with Council President Woofter presiding. Members of Council present were James Edwards, Dennis Linville, Kevin Piros, and Terry Tackett; absent were Deidre Petrosky and Scott Rowley. Also present at the meeting were Mayor Moll, Law Director Wilson, Police Chief Andrews, Finance Director Moyer, Fire Chief Rea, and Clerk of Council Horn; absent was Service Director Wittman.

A motion to approve Council Minutes from the February 2, 2015 Council Meeting was made by Councilman Piros and seconded by Councilman Edwards. **ROLL CALL** - Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, abstain; Woofter, aye; Edwards, aye. **MOTION PASSED**

A motion to approve Schedule of Bills to be paid totaling \$49,878.80 was made by Councilman Linville and seconded by Councilman Edwards.

FINANCE DIRECTOR MOYER - Everybody got a corrected list of bills and that was to change one vendor number. Since we caught it prior to the meeting, we made the correction.

ROLL CALL - Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye. **MOTION PASSED**

OLD BUSINESS:

ORDINANCE O-03-15 – An Ordinance authorizing the Mayor to enter an agreement with Thomas Fok and Associates, Inc. to perform detailed design and construction administration/inspection for the Downtown Waterline Replacement Project – Phase III was read and moved for second reading by Councilman Linville and seconded by Councilman Piros. **ROLL CALL O-03-15** - Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent. **ORDINANCE PASSED SECOND READING**

ORDINANCE O-04-15– An Ordinance authorizing the Mayor to enter an agreement with GPD Group to perform detailed design services for the Lakeview Schools Pedestrian Enhancement – Phase II was read and moved for second reading by Councilman Edwards and seconded by Councilman Linville. **ROLL CALL O-04-15** - Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye. **ORDINANCE PASSED SECOND READING**

NEW BUSINESS:

RESOLUTION R-10-15 – A Resolution requesting the Auditor of Trumbull County, State of Ohio, to advance the amount of \$200,000 collected thru real estate tax, March settlement for use in the Police Levy Fund of the City of Cortland, Ohio was read and moved by Councilman Piros and seconded by Councilman Tackett. **ROLL CALL R-10-15** - Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent. **MOTION PASSED**

RESOLUTION R-11-15 – A Resolution requesting the Auditor of Trumbull County, State of Ohio, to advance the amount of \$200,000 collected thru real estate tax, March settlement for use in the Fire Levy Fund of the City of Cortland, Ohio was read and moved by Councilman Linville and seconded by Councilman Edwards. **ROLL CALL R-11-15** - Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye. **MOTION PASSED**

RESOLUTION R-12-15 – A Resolution requesting the Auditor of Trumbull County, State of Ohio, to advance the amount of \$75,000 collected thru real estate tax, March settlement for use in the General Fund of the City of Cortland, Ohio was read and moved by Councilman Piros and seconded by Councilman Edwards. **ROLL CALL R-12-15** - Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye. **MOTION PASSED**

RESOLUTION R-13-15 – A Resolution in support of the Lakeview Local Schools Bond Levy was read and moved by Councilman Piros and seconded by Councilman Edwards.

COUNCIL PRESIDENT WOOFTER – I would like to read the **Resolution R-13-15**:

RESOLUTION R-13-14

A RESOLUTION IN SUPPORT OF THE LAKEVIEW LOCAL SCHOOLS BOND LEVY

WHEREAS, the Lakeview Local School Board is proposing a 4.55 mill bond levy for the construction of a PK-8 school building and renovation of its athletic facility; and,

WHEREAS, the Ohio Facilities Construction Committee is providing a 30 percent discount for the PK-8 building project; and,

WHEREAS, the proposed PK-8 school will be constructed on the current middle school site which contains 11.44 acres; and,

WHEREAS, the Lakeview Local Schools conducted its due diligence by comparing the cost to renovate to the cost to build new and the cost differential is negligible; and,

WHEREAS, the district has attempted to work within its aging and deteriorating facilities and buildings, even adding pod units to house Fourth Grade students at the middle school; and,

WHEREAS, the Council of the City of Cortland wholeheartedly supports the school district's request for a bond levy of 4.55 mills as being in the best interest of the citizens of the City of Cortland.

NOW, THEREFORE:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CORTLAND, OHIO THAT:

Section 1. The Council of the City of Cortland supports the passage of Lakeview Local Schools Bond Levy Issue on the ballot on May 5, 2015.

Section 2. The Council of the City of Cortland urges all citizens to vote for the school levy to demonstrate their commitment to strong schools and a strong community.

Section 3. This Resolution shall take effect and be in full force as early as allowed by law

COUNCILMAN PIROS - If you have been watching the paper, we have been receiving glowing accolades with regards to our community and part of that is our strong schools. So, I think this is a great opportunity to maintain those strong schools.

ROLL CALL R-13-15 - Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye. **MOTION PASSED**

MAYOR MOLL - Thank you for your effort on that Jim.

COUNCIL PRESIDENT WOOFTER – You're welcome. Thanks to Patrick for writing it.

LAW DIRECTOR WILSON - Anytime.

RESOLUTION R-14-15 – A Resolution authorizing the Mayor of the City of Cortland, Ohio to place his signature on the Replat of Lot 47 in Shepherd's Hill Plat No. 3 and Lot 68 in Deer Creek Estates Plat No. 8 was read and moved by Councilman Piros and seconded by Councilman Edwards.

COUNCILMAN PIROS - What exactly is this?

MAYOR MOLL - It was a settlement of the line that was in dispute because of a structure that was erected on the one lot that extended onto the other lot due to an earlier survey which arrived at the wrong corner.

COUNCILMAN PIROS - Is that the 47A?

MAYOR MOLL - Yes.

LAW DIRECTOR WILSON - It was a three or four year neighborly dispute and this how they resolved it.

COUNCIL PRESIDENT WOOFTER – It's a pretty small piece of land.

COUNCILMAN PIROS - Yes, it's almost negligible.

MAYOR MOLL – It's 7' x 20', or something like that. He had a survey done and came in; I think he even got a variance for this building he put up based on the survey. When he built it, the other neighbor challenged it and

they have been fighting over it for some time. They got another survey and lo and behold the building was on the neighbor's property. They resolved it through a property acquisition of some kind. I don't know what the terms were. This solves the problem quietly.

ROLL CALL R-14-15 - Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye. **MOTION PASSED**

ORDINANCE O-05-15 – An Ordinance authorizing the Finance Director to advance \$100,000 from the Water Fund to the Fire Levy Fund was read and moved by Councilman Piros and seconded by Councilman Linville. A motion to suspend the rules was made by Councilman Linville and seconded by Councilman Piros. **ROLL CALL ON SUSPENSION OF RULES** – Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent. **ROLL CALL ON ORDINANCE O-05-15** - Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye. **ORDINANCE PASSED EMERGENCY**

ORDINANCE O-06-15 – An Ordinance authorizing the Mayor to enter into a contract with Foust Construction Inc. for the Downtown Waterline Replacement – Phase II was read and moved by Councilman Linville and seconded by Councilman Edwards. A motion to suspend the rules was made by Councilman Linville and seconded by Councilman Edwards. **ROLL CALL ON SUSPENSION OF RULES** –Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye. **ROLL CALL ON ORDINANCE O-06-15** - Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye. **ORDINANCE PASSED EMERGENCY**

ORDINANCE O-07-15 – An Ordinance authorizing the Mayor to enter into an agreement with Integra Excavating to construct restrooms at Pearl Park was read and moved by Councilman Edwards and seconded by Councilman Piros. A motion to suspend the rules was made by Councilman Piros and seconded by Councilman Edwards.

FINANCE DIRECTOR - I would like to make a comment. We did, in comparing this ordinance, make reference to the fact that the Rotary had contributed \$15,000 towards this project. We wanted to show clearly that this \$15,000 was being spent out of the General Fund that represents what the Rotary donated.

COUNCIL PRESIDENT WOOFTER – We'd also like to thank the Rotary Club for their generous donation to this project. It certainly has helped move the project along.

MAYOR MOLL - This has been a difficult project getting this thing going. It's going to cost us a little more than we expected. It's more of a facility than we are used to putting in for this purpose but it will serve us for a long time in this park. I think it's well worth it. The Parks Department supported it strongly. We have to have some type of restroom facility and shelter in that park and this will provide it. The fact that Rotary has cut the cost somewhat is very helpful. The money is also coming out of the Park and Recreation Capital Improvement Fund which was set aside from the Inheritance Fund by council over the last several years. So, that is the benefit of being able to do it this way. It will not come out of our General Fund.

ROLL CALL ON SUSPENSION OF RULES – Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent. **ROLL CALL ON ORDINANCE O-07-15** - Rowley, absent;

Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye. **ORDINANCE PASSED EMERGENCY**

ORDINANCE O-08-15 – An Ordinance authorizing the Police Chief to purchase communication radios for the Police Department was read and moved for first reading by Councilman Piros and seconded by Councilman Edwards.

POLICE CHIEF ANDREWS - This is part of a grant through the Ohio Office of Criminal Justice Services (OCJS) in Columbus. We pay 10% of this grant. I was able to tweak it a little bit once we received it and modify it so we can get portable radios more than just mobile radios for the cars. We will get more bang for our buck this way. The current portable radios we are using are about 10 or 12 years old now, I believe.

MAYOR MOLL – They're not 12, they're 10.

POLICE CHIEF ANDREWS - We got them from EMA 10 years ago maybe.

MAYOR MOLL - Since I've been in office, so less than 12.

POLICE CHIEF ANDREWS - So for 10% of what we can get, plus the technology that has changed quite a bit, this is what that's about. They are under the state cooperating purchasing price through Cross Radio, a local provider who does work for us. Part of the grant also covers the consulting fees for them to come out and set everything up, program all the radios and make sure they communicate well with the 911 center.

COUNCIL PRESIDENT WOOFTER - The total cost for the project?

POLICE CHIEF ANDREWS - This one is \$6,600. The consulting fees are not to exceed \$350 of which we pay 10%. Recently, I think in today's paper, Hubbard had an article about their body cameras they received. This is from that same grant. There were only three agencies in the county. Us, Hubbard Township, and I believe Girard received state funds.

ROLL CALL O-08-15 - Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-09-15 – An Ordinance authorizing the Finance Director to advance \$100,000 from the Water Fund to the General Fund was read and moved by Councilman Linville and seconded by Councilman Piros. A motion to suspend the rules was made by Councilman Edwards and seconded by Councilman Linville. **ROLL CALL ON SUSPENSION OF RULES** –Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye. **ROLL CALL ON ORDINANCE O-09-15** - Linville, aye; Petrosky, absent; Piros, aye; Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye. **ORDINANCE PASSED EMERGENCY**

MAYOR'S REPORT:

MAYOR MOLL – Just a reminder, trash collection will not be delayed this week due to the holiday.

The Service Director is not here tonight but I wanted to mention that the guys on the service crews and all of our safety forces have been out in force because of the weather. Snow removal has been a real challenge. We've received a lot of calls in the office basically about the weather. There's not much you can do about that.

The guys have done what they can. They work long hours on trying to keep the roads as clear as possible. We are trying to preserve our salt but we've used a lot of it because of the conditions we have been under. You put packed snow on the roads, then you get a little warm weather, then you get a little rain, then it goes down in the minus numbers, then you have a problem. There's not much you can do about it. Low traffic areas in particular are bad. Even with salt down, low traffic areas don't clear. You need traffic to make the salt work properly. So, they've done a good job and I'd like to commend them on that. Under the circumstances, they've done the best they could and spend a lot of time doing it. So, I want to thank them.

Hopefully you've noticed that Cortland has gotten a lot of notoriety over the last few weeks. First of all, we were rated as the 39th safest community in the state of a population of 5,000 or more. That put us in the ranking of #1 in Trumbull County. So, we are the safest community in Trumbull County. In addition to that, we were ranked #1 in the state of Ohio, according to Smart Asset, as a place to retire. Those rankings did not take into account the safety of the community. So considering both of those things, safest and best place to retire in Ohio, and obviously Trumbull County, it's some real notoriety for the community and we should all be proud of that. It is due to the hard work of this council, the people that work for the city and our safety forces. We couldn't be here without it. In addition to that, today we started an article series in the Business Journal about the city. If you haven't had the chance to see those, there are videos and a story on-line that's going to be in the newspaper very soon. They are all very well done. Some of you and many business owners in town participated. I'm anxious to see the rest of those. There were three videos in the series. So, thanks to all of you for your efforts in making the City of Cortland a really nice place to live in. It wouldn't happen without the kind of leadership we have in our city council and our safety forces. So, thank you.

COUNCIL PRESIDENT WOOFER - I would like to reiterate the Mayors feelings on how hard our service department has worked over the past few weeks because of the weather. However, I'm passing this on because it's my job to do so. I have received numerous phone calls from downtown businesses along Main St. frustrated that the snow has piled up. It's been pushed over by our plows. Now it's hardened and there is nothing they can do with it.

MAYOR MOLL – There is really nothing we can do with it. Somehow though, the property around Cortland Bank is great.

COUNCIL PRESIDENT WOOFER - That's because the people they hire, Frank Newton and his company, went in with a backhoe and dug it all up and put ice-melter down.

MAYOR MOLL – It is their responsibility to clean the sidewalks.

COUNCIL PRESIDENT WOOFER - Right, so they did do that. But, some of these businesses can't do that. They can't afford to do that type of thing. And my question is, we put it there and in the past, and I think Denny will back me up on this part, we've gone down with a tractor and dump truck and tried to remove as much of that as we possibly can. It is a real detriment to their businesses.

MAYOR MOLL – We may be able to do that once it starts to thaw but at this point it's so rock hard that it would probably cause more damage than good to do it.

COUNCIL PRESIDENT WOOFER - Well, Cortland Bank proved you can do it.

MAYOR MOLL – Well, you can do it if you do it as you go along with your snow removal. The issue is if you let the snow pile up like that and you let it freeze at -10 degrees it will be a hard pile of stuff. All I know is in the past when we've done that it's been when we've had some melting periods and we've gone down and cleaned it out. You're right, it piles up but you need the right conditions. I don't know much about snow removal, so I can't tell you whether it's possible or not, but I know what I've been told.

COUNCIL PRESIDENT WOOFER - Well, I wanted to pass that along because it's not just one business. It's the majority of businesses downtown. They are frustrated with this. I think anything the city could do would be very helpful and appreciated.

MAYOR MOLL - I'll give him that feedback.

COUNCIL PRESIDENT WOOFER - Thank you.

COUNCILMAN PIROS - To tie into that Jim, at the beginning of the winter season, do we send out letters to everybody along High St., correct?

MAYOR MOLL - Yes, we have.

COUNCILMAN PIROS - Even the residents?

MAYOR MOLL - I don't know about residential properties, but the businesses definitely.

COUNCILMAN PIROS - Last weekend, I noticed a couple of joggers and there were sections of the sidewalks that were clear and other sections that were impassable not because of snow piled up, but because of the natural snow. It's far enough from the road that it wasn't the overflow from the road. It was the natural deposit of regular snow. They were actually jogging on High St trying to get through and I thought it was very dangerous. I didn't know if we reminded everyone of High St about the sidewalks.

MAYOR MOLL - Yes we do but enforcement is very difficult.

COUNCILMAN PIROS - I understand that.

MAYOR MOLL - The courts have to get involved and the evidence is gone by the time you get to it.

FINANCE DIRECTOR'S REPORT:

FINANCE DIRECTOR MOYER – The GAAP conversion has begun and the state auditors are on site to do the two year state audit. They officially started last Wednesday, so they will be here for a little while.

Appropriations are under way. All the work papers have been prepared and I am in the process of meeting with department heads. I don't see we will have a need for a work session since there is no discretionary funding to be discussed. The budgets this year are pretty much the bare bones of being able to operate through this year and hopefully next year the levies pass and we will be back to business as usual. But for this year, we are cutting it to basically what we need to operate. I will either have the first reading prepared for the next meeting or a copy of the work papers depending on how far we manage to get.

COUNCIL PRESIDENT WOOFER - Can you and Patrick address the Fire Levy and what happened there that it was rejected.

FINANCE DIRECTOR MOYER – We were notified by the Board of Elections that Fire Levy will not be placed on the ballot in May. It was due to statutory language that they were questioning. I'm not sure of the exact nature of the language. The Police Levy did get placed on the May ballot. The Fire Levy will now have to be placed on the November ballot.

LAW DIRECTOR WILSON - We will prepare a revised Fire Levy ballot. I will send it down to the Secretary of State's Office for a preliminary review. The language in the Fire Levy, in my opinion, covered everything that the fire department does which is what I think should be on the ballot because that is what we are asking the residents to vote on, the expenditure of money for the operation of the fire department, and that's what the ballot language said. The Secretary of State took issue with that and I talked to the prosecutor for Trumbull County who represents the Board of Elections, and we went round and round in those discussions and they just didn't agree with me that it covered everything. They think there should be technical statutory language in there that you can find in the statute that wasn't going to be on our ballot. So, we'll make those changes and bring it back for the November election.

MAYOR MOLL - The results will essentially be the same if it passes in November.

COUNCIL PRESIDENT WOOFER - The problem is though, if it doesn't pass in November, we will be upside down in 2015 for the fire department. So, we only have one opportunity to pass this for the fire department now.

MAYOR MOLL - Hopefully our residents will see the need for continued safety services. I think they will.

POLICE CHIEF'S REPORT:

POLICE CHIEF ANDREWS – Along with the (OCJS) grant for the portable radios we talked about, I was notified last week by the Region 5 State Homeland Security out of Summit County that we were awarded an MDT mount power unit free. This is trickle down from Homeland Security Federal. That's a \$3,500 piece of equipment that will be nice to get. We should have that in about a month, as soon as we can make arrangements to get to Akron and pick it up.

MAYOR MOLL - What is that?

POLICE CHIEF ANDREWS – An MDT – a computer for the car. So far they have been pretty good for about 4. It was right before I became chief that I got on board with them. We just received one late last year.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – I don't have anything to report tonight. You have my monthly and I'll be happy to answer any questions you may have of me tonight.

SERVICE DIRECTOR'S REPORT:

(SERVICE DIRECTOR WITTMAN ABSENT)

NO COMMITTEE REPORTS

COUNCIL PRESIDENT WOOFER – Obviously, there is no one in the audience tonight to ask questions so I'll entertain a motion for adjournment.

A motion to adjourn the meeting was made by Councilman Piros and seconded by Councilman Linville.
ROLL CALL - Rowley, absent; Tackett, aye; Woofter, aye; Edwards, aye; Linville, aye; Petrosky, absent; Piros, aye. **MOTION PASSED**

Meeting adjourned at 7: 32 p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL