

REGULAR COUNCIL MEETING – 7:00 P.M.

The Council of the City of Cortland met in regular session on Monday, March 16, 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, Deidre Petrosky, Kevin Piros, Scott Rowley, and Terry Tackett. Also present at the meeting were Mayor Moll, Law Director Wilson, Police Chief Andrews, Fire Chief Rea and Clerk of Council Horn; absent were Finance Director Moyer and Service Director Wittman.

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

A motion to approve Schedule of Bills to be paid totaling \$76,875.68 was made by Councilwoman Petrosky and seconded by Councilman Rowley. **ROLL CALL** - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **MOTION PASSED**

OLD BUSINESS:

ORDINANCE O-08-15 – An Ordinance authorizing the Police Chief to purchase communication radios for the Police Department was read and moved for third and final reading by Councilman Tackett and seconded by Councilwoman Petrosky.

COUNCIL PRESIDENT WOOFTER - Chief, I'd like to ask you a question. This will more than likely be approved tonight with the vote, but after this, you will order the radios. When do you expect to have them in?

POLICE CHIEF ANDREWS - Hopefully within a month. I talked to Cross Radio to let them know what was going on after we made first reading. The grant is good to go so hopefully they will be in by May.

COUNCIL PRESIDENT WOOFTER - And just to review for the record, are they handheld radios?

POLICE CHIEF ANDREWS - Yes, portable radios. There is one base radio and one larger radio which can also be used in a car. We will put that in as a station radio and replace the one that's in there.

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

NEW BUSINESS:

ORDINANCE O-10-15 – An Annual Appropriation Ordinance for the City of Cortland, County of Trumbull, State of Ohio, for fiscal year ending on the 31st day of December 2015 was read and moved by Councilman Piros and seconded by Councilman Rowley. A motion to suspend the rules was made by Councilman Rowley and seconded by Councilman Tackett. **ROLL CALL ON SUSPENSION OF RULES** – Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ROLL CALL ON ORDINANCE O-10-15** - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED EMERGENCY**

COUNCIL PRESIDENT WOOFTER – We have officially upgraded our video recording system. This is the first meeting with the new system and it is being recorded. Amos Fegley is here. He is our IT guy. He has been very helpful in obtaining this new camera and video recording system. Since the council meetings aren't on public TV anymore, our intentions are to post this via a link on our website to YouTube. You will be able to click on that and view the meeting. Or if anyone here would like to review the meeting, you should be able to view it as early as tomorrow.

CLERK OF COUNCIL HORN - Hopefully.

MAYOR MOLL – Yes, if things go well tomorrow.

COUNCIL PRESIDENT WOOFTER – Right, if things go well.

MAYOR'S REPORT:

MAYOR MOLL – I would like to welcome all the students here tonight. You are always welcome to come back to our meetings anytime. If you need additional information, the top of the agenda has the city's website address which has all the information you need including spellings of names, text from tonight's meeting and any actions of council this evening.

The Curbside Brush Pick-up Program will begin in April. We had a number of comments about that. The north section will be the week of April 13th and the south section will be the week of April 20th. It looks like we might have enough time after the snow melts to get some things clipped.

Our city offices will be closed on Friday, April 3rd in observance of Good Friday.

I went to the Trumbull County, I can't remember what it was exactly called, but it was a major Health Department Committee that's comprised of the township trustee chairman and city mayors that are not either Niles or Warren because we are part of the health district. But at any rate, it was an election for the health department board members and I have the annual report here. It's with Rhonda if you would like to have it or if you would like a copy, I'm sure she would make you one. I can't imagine why you would need one but you might want to look at it because it goes over quite a bit of health issues in the area in good detail. It also tells you a little bit about what the health department does. So that's available.

Kevin, do you want to talk about the splash pad? We can do that later but Kevin passed out the brochure for it. The Parks Board is definitely going ahead with the splash pad fundraising activities. We are going to try to get some grants and do some work to get some money from local residents and businesses here in town.

COUNCIL PRESIDENT WOOFTER – Mayor, do you want to announce to everyone where the money is going to be held?

MAYOR MOLL – It will be held by accounts for the Cortland Community Foundation, which is 501C3 eligible. So, we will have that in place and ready to go when we start getting the money. It's the same basic procedure we did for the town clock.

COUNCIL PRESIDENT WOOFTER – Donation funds will be made out to the Cortland Community Foundation and not to the City of Cortland.

MAYOR MOLL – It will be the foundation that pays for the activities. The city will not be involved in the contract. Although, we will supply some utility connections for them.

COUNCILMAN ROWLEY - Do we have a total cost?

MAYOR MOLL – We are looking at about \$70,000 as an estimate for it. We put a fundraising goal out there of \$70,000 to \$75,000. If we fall a little bit short, we can say we didn't want as many features as we planned. If we fall a little bit heavy, we can get more features at that time. There is opportunity for businesses to sponsor a feature or even naming rights for the whole thing if you want to give enough money which is the bottom line.

COUNCILMAN PIROS - We do have an email account. It is CortlandSplashPad@gmail.com.

FINANCE DIRECTOR'S REPORT:
(FINANCE DIRECTOR MOYER ABSENT)

POLICE CHIEF'S REPORT:

POLICE CHIEF ANDREWS – Thank you on behalf of the police department. I appreciate your support for the communication radios project. We will pay 10% of that and they should last us well into 10 or 15 years before we have to worry about portables again. So, thank you very much.

You could see as you came in tonight all the Easter things on the table in the lobby. That's maybe a third of what we have totally. We have the rest in the back room ready to go. Marcia Bertolini has been in charge of collecting most of that and putting it out there and coordinating it. Marcia did a great job. We are still collecting things so if you know anybody in the community still interested in that. I've seen it in The Cortland News as well. Thank you, we appreciate that. We will be taking things up the 2nd of April and then we will take everything down on Good Friday to SomePlace Safe. It's a real good project.

Last thing, if you remember in our committee meetings last year, we talked about an impound lot and some of the changes coming around in the towing industry through Columbus. Those are coming to fruition this month, finally. Senate Bill 274 will come into effect the end of this month. It doesn't really affect us too much but it will affect tow companies tremendously and how they do business, how they do business with us, and how they do business with other people. There's a lot in there. With that in mind, we are probably going to need to review this a little bit more and think about creating contracts with our tow companies that we use on a rotation basis. Right now there are five. There are things like limitations as to how much they can charge, to give written estimates to everyone they tow before they tow them.

COUNCIL PRESIDENT WOOFER – Do they give that to us?

POLICE CHIEF ANDREWS - No. That's one of the things we just put out in reviewing this policy. OSP came out with some field notes also. I talked to Lt Holt about it. That's one of the things they caught that I didn't which is really good. As an officer, you don't have to deal with any of that. Say in an accident scene, the tow driver will deal with the driver of the vehicle and give them paperwork they need for that. They are not to hand it to the officer and say when you are done giving this guy a ticket, writing up his accident, or if you have to go to the hospital to do an investigation, would you give him this for us. There are a lot of different things that are going to happen to us. A bigger one, and we will put this out to the business community, is how vehicles can be taken off lots now. In the past, our advice to a business owner that would call would be you call the tow truck company and they will come and take it off your property. They will try to find the owner and if not, they will try

to get the car. That doesn't happen anymore. Unless the owner of the property has a lot of things posted on a sign to include the tow company that he is going to have towed off and a phone number they can contact. There are a lot of things. The tow guys are still dealing with this as well. Where I'm at with this is you will probably see something hopefully within six months and we will come and talk about putting together legislation allowing us to put contractual language in to deal with tow companies that are going to be towing for the city. For example, we make an arrest on an impaired subject; we are going to call a tow company in. It's our responsibility. So we have to make sure they are following the same rules. Most of the people that are doing it now are doing that anyway. But I think it's a good idea to have the language out there.

COUNCIL PRESIDENT WOOFER – It's a little confusing to me because let's say you are towing somebody's car that is impaired. If they are impaired bad enough, they are not going to really understand or remember. So, your comment before that the tow trucker driver is going to have to show them papers, it's between him and them. We are going to tow your car. In the past, you just towed it and it went to an impound lot somewhere. Then they got a bill in the mail. Your saying they are not able to do that anymore?

POLICE CHIEF ANDREWS – Let me back up. Our policy states that we are to give people the option of who they want to tow the car. So, we can't automatically say we are letting one of five people that are registered with us. For whatever reason, that person is supposed to be given the first opportunity to tell us whoever he wants. If he picks someone from Youngstown, we are not waiting around for a half hour or so, pick someone else, please. If not, or if there is any accident and the people are going to the hospital, we will call a tow truck in our rotation to get it done. In a situation like that, he can't really give an estimate and the law allows for that. When we will tow is basically when that person can't or won't give us somebody they want to tow. Either they won't tell us because they are so impaired or they can care less. We have to get it out of there so it allows us a fair way of registering with us instead of us saying well we want everything to go to this company. That's been around for some time and it probably needs explored a little bit too. This is a good chance to do that. We talked about this last year. I knew a lot of these changes were coming, where they were exactly we weren't sure but now we know. That goes into effect this month for sure. I have the 9th on my paper but I think the law is actually 20 something.

COUNCIL PRESIDENT WOOFER – Where did this come from?

POLICE CHIEF ANDREWS - Senate Bill 274. This has been in a lot of committees throughout. I'm sure you can imagine this being a hot topic for the towing industry. The Supreme Court came out with a situation I believe last year out that really affected city's rights and towing responsibilities so it set the ground work. More to come on this. It's nothing we really need to get that worried about or involved with, but probably down the road this is some language we will need in the books. Places like Warren and Youngstown, the larger cities, have had this place for a while. We are not reinventing the wheel. This is just something we need to do also. Other than that, you have my monthly and I'll answer any questions you may have of me or my department.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – As most of you have heard, we had a Hazmat spill up on East Main St. I put an updated post of Facebook to try to explain to as many people as we can. We had an individual over there basically pressure washing saddle tanks on a semi-truck. We don't know how long he has been doing that but it leached into the ground. With the thaw, the water has brought all the diesel fuel up to the surface and it dispensed into the ditch and creek that runs along the property line and spills into some of our tributaries and our storm sewer system. We were out Friday afternoon. We called the hazmat team out and have taken measures to contain the

spill to a small area. Seems to be working well however this is not a quick fix. Hazmat spills usually aren't. Some of it will continue to leach out into the ground as we get thaws and rain. We have the booms down now as we skim the product off the top of the water. We have been in contract with EPA, ODNR, Hazmat Team, and Trumbull County Water. Our Service Dept. has also been in the loop. We are monitoring it. It looks like Thursday we will go back out and take another look with the Hazmat Team and see if we can pull the booms and see how we are.

COUNCIL PRESIDENT WOOFTER – This came about by him just pressure washing the exterior of these tanks?

FIRE CHIEF REA – Yes.

COUNCIL PRESIDENT WOOFTER – Well, how much? What could be...

FIRE CHIEF REA – We don't know how long he has been doing it. It may have just gotten to a point with the amount of snow we had and it melting that it brought that diesel fuel up to the surface because it's lighter than water. So, as the snow melts it gets up under the fuel and pushes it up to the surface and dumps it into the creek. It's patience. As I urged the public on Facebook, it's patience. There's nothing we can do. If we go in there and try to dig it up it will probably make it worse. So, it will leach out over the next few days and then we're going to collect it up and the rest will dissipate.

COUNCIL PRESIDENT WOOFTER – He wasn't emptying his tanks was he?

FIRE CHIEF REA – No, not as far as we know. He was just cleaning them.

COUNCILMAN TACKETT - Is there a fine involved for that gentleman?

FIRE CHIEF REA – There could be. It will depend on the EPA. They levy the fines.

MAYOR MOLL - The Hazmat Team will charge him for their time.

FIRE CHIEF REA – Yes. The Hazmat Team will charge him for their time. We can look to recoup some of the costs as well. However, we will have to do that on our own. I was talking to Patrick Wilson about this as it came in the Trumbull County Prosecutor decided not to charge on behalf of cities anymore. We used to be able to throw our bill on the Hazmat Team and the prosecutor would charge for all of it. This past week he decided he didn't want to do that anymore. So, if we want to recoup our money from any Hazmat call we are going to have to do it on our own.

COUNCIL PRESIDENT WOOFTER – Did we have that much time out there working with them?

FIRE CHIEF REA – About two hours, so it won't be a huge bill on our behalf. About \$500, give or take.

MAYOR MOLL - That wasn't overtime.

FIRE CHIEF REA – No.

MAYOR MOLL - So it's standard time for two hours.

COUNCIL PRESIDENT WOOFER – What do you figure an hour of our time under normal circumstances would be?

FIRE CHIEF REA – We have that set in an ordinance already... what we charge for a hazmat call. If I remember properly, I think its \$250 for truck and an operator per hour.

COUNCIL PRESIDENT WOOFER – Was our police department there too?

POLICE CHIEF ANDREWS - Not that I know of, no.

FIRE CHIEF REA – its back off the property. One house sits on Fowler. It sits right on the border where it happened. The creek is 100 yards off the road.

COUNCIL PRESIDENT WOOFER – Does this property border Rt. 11?

FIRE CHIEF REA – Yes.

COUNCILMAN LINVILLE - Is this the creek that goes under South Colonial?

FIRE CHIEF REA – Yes. It runs parallel with East Main.

MAYOR MOLL – It goes across there and into Heritage Heights and then down to Stahl Ave.

FIRE CHIEF REA – Again, as we get rain and snow melts it will dilute that out even further. As far as environmental impact, it should be nominal.

MAYOR MOLL – So not a lot is going into the water?

FIRE CHIEF REA – Right, it's contained in a small creek right now.

MAYOR MOLL – But if you have large flow, the booms aren't going to be effective.

FIRE CHIEF REA – Yes, and small amounts of diesel fuel or gasoline ends up looking like large amounts when you put it on top of water. You get that sheen and it's very, very large. I was out there today and you could still see the sheen on the water. The booms seem to be doing an okay job of taking care of it.

MAYOR MOLL – Okay.

FIRE CHIEF REA – Moving on, we are going to be receiving some rope rescue gear from the EMA. The EMA has a recue trailer they are getting rid of. They are dispersing the equipment throughout the county. We asked for some of the rope rescue gear on it and they gave us all of it should we accept it. We are going to go down and have an opportunity to inspect it. If it's good, we will take it. If it's bad gear, we can walk away and say we aren't

taking that. Once we take it then we are bound to upkeep it and transport it if someone requests it for any reason. We would take the rope rescue gear to them and let them use it. It's a lot of gear, several thousands of dollars' worth. I can't even put a price tag on it. There are ropes, harnesses, helmets, hats, and rigging. The whole nine yards.

I've been getting estimates because after we have the ice day here, the day after that, after the council meeting, it let loose at the fire station. So, I've been getting estimates over the past week. I've turned it over to our insurance company.

MAYOR MOLL – The insurance company is going to treat that as one incident.

FIRE CHIEF REA – Right now we have \$5,000 to \$7,000 worth of damage at the station. We have drywall that needs done, the gutters were torn at the seams...

MAYOR MOLL – We lost our gutters here.

FIRE CHIEF REA – ... and some drop ceiling as well.

Other than that, I am also getting estimates to update our bathrooms either this year or in the next couple years. I want to update both of them and update our shower. I'd like to get rid of some of the stuff in the shower. It's been several years since they were modified to handicap. They get a lot of use for classes. We have two classes a year in there so I need to look at getting them updated before the fall.

The tornado sirens were tested this past week. The one out back there is not working. The other two are, so we still have coverage in the city. You'll be able to hear them reasonably well. Main Lite Electric took a look at it and basically the insides are no good. Water got in there. We will have to replace them.

COUNCIL PRESIDENT WOOFER – Who is responsible for them?

MAYOR MOLL - We are.

FIRE CHIEF REA – Yes, the city is.

COUNCIL PRESIDENT WOOFER – So, these sirens that are all over the county...

MAYOR MOLL - They are different depending on where they are. There were 20 or some sirens that were put in with an EMA grant. After they were installed they were turned over to townships for maintenance. We installed ours before that. We did it ourselves so we are obviously responsible for maintenance. They've been in for 12 years of so. So, it's not unusual for them to start to go. We'll have to buy a new one.

COUNCIL PRESIDENT WOOFER - Do we need a whole new one or can we just replace the inside.

FIRE CHIEF REA – Just the inner workings. The siren itself is good; it's just the extending unit, the mother board. I contacted the EMA and they said there is no money available which I expected. It was worth checking. I have a call out to Federal Signal and I haven't heard back yet.

MAYOR MOLL – Yes, less than 10.

FIRE CHIEF REA – I can't imagine it being more than that.

COUNCIL PRESIDENT WOOFER - \$10,000?

MAYOR MOLL – Yes, less than 10, quite a bit less but I'm not sure.

COUNCIL PRESIDENT – Wow, seems like that should buy the whole thing.

FIRE CHIEF REA – Other than that, you have my monthly report and I'm done.

SERVICE DIRECTOR'S REPORT:
(SERVICE DIRECTOR WITTMAN ABSENT)

NO COMMITTEE REPORTS

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

Meeting adjourned at 7:28 p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL