

REGULAR COUNCIL MEETING – 7:00 P.M.

The Council of the City of Cortland met in regular session on Monday, November 16, 2015 at 7:00 p.m. at the City Administration Building, 400 N High St, Cortland, Ohio with Council President Jim 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, Service Director Wittman and Clerk of Council Horn; absent was Finance Director Moyer.

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

A motion to approve Schedule of Bills to be paid totaling \$38,141.60 was made by Councilman Linville 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-27-15 – An Ordinance authorizing an agreement for legal defense for indigents was read and moved for second reading by Councilwoman Petrosky and seconded by Councilman Linville. **ROLL CALL O-27-15** - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED SECOND READING**

NEW BUSINESS:

RESOLUTION R-48-15 – A Resolution authorizing the Clerk of Council to advertise a public hearing to consider a zone change request for 113 and 123 Walnut St from Residential Multi-family, R-M to Highway Commercial, C-2 was read and moved by Councilman Piros and seconded by Councilman Rowley. **ROLL CALL R-48-15** - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **RESOLUTION PASSED**

ORDINANCE O-29-15 – An Ordinance changing the zoning classification for 136 S Bank St from Service, S-1 to Central Business, C-1 was read and moved for first reading by Councilman Rowley seconded by Councilman Linville.

ROLL CALL O-29-15 - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED FIRST READING**

MAYOR MOLL - There was a public hearing for that. It was attended by the property owner and her representative and no one else showed. There were no comments.

ORDINANCE O-30-15 - An Ordinance repealing Ordinance O-40-09 and creating the position of Administrative Assistant in the Cortland City Police Department and establishing its terms of employment was read and moved for first reading by Councilman Piros and seconded by Councilwoman Petrosky. **ROLL CALL**

O-30-15 - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye.

ORDINANCE PASSED FIRST READING

ORDINANCE O-31-15 - An Ordinance amending Ordinance O-03-12 establishing the terms of employment for the Part-Time Police Officers of the City of Cortland was read and moved for first reading by Councilman Piros and seconded by Councilman Tackett.

ROLL CALL O-31-15 - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-32-15 - An Ordinance authorizing an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program for the 2016 City Resurfacing Program and to execute contracts as required was read and moved for first reading by Councilman Linville and seconded by Councilwoman Petrosky.

ROLL CALL O-32-15 - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-33-15 - An Ordinance levying a municipal motor vehicle license tax pursuant to Section 4504.171 of the Ohio Revised Code was read and moved for first reading by Councilwoman Petrosky and seconded by Councilman Rowley.

COUNCILMAN PIROS - Is this an additional \$5.00 because we already have...

MAYOR MOLL - Right.

COUNCILMAN PIROS - Going from \$5.00 to \$10.00, how does this put us in line with other communities?

COUNCILMAN TACKETT - Twice as much.

COUNCIL PRESIDENT WOOFTER - No.

COUNCIL PRESIDENT WOOFTER - Don, would you address that please?

SERVICE DIRECTOR WITTMAN - I don't have the information that I provided at the last meeting. Off the top of my head, comparable to other communities, I think Warren has \$10.00.

LAW DIRECTOR WILSON - Warren is \$15.00?

SERVICE DIRECTOR WITTMAN - The state has a website showing what each of the incorporated areas is levying. Currently we have a \$5.00. Girard has \$15, Hubbard is \$10, McDonald has \$10, Newton Falls has \$20, Niles has \$5 and West Farmington has \$10. There are three smaller villages that have nothing which are Orangeville, Yankee Lake and Lordstown.

MAYOR MOLL - The reason we are doing this is for the purpose of maintaining our current paving program. We've lost enough money from the state now that we don't have enough money to maintain the paving program. We've got to make up the revenue somewhere. This is one way or mechanism the city has to do that. We have to look for some more because this only gives us a third of what we need.

COUNCILMAN PIROS – I'm concerned because in the last twelve months we've passed three levies, fire, police and school.

MAYOR MOLL - We don't have anything to do with the schools.

COUNCILMAN PIROS – But I'm saying the residents are now paying three additional levies on their properties now vs. what they were twelve months ago.

MAYOR MOLL - And the reason for that is...

SERVICE DIRECTOR WITTMAN – This is not a property tax.

COUNCILMAN PIROS – I understand that.

SERVICE DIRECTOR WITTMAN – It is mostly tied to roadways as any tax can be because it is based on the number of licenses that a family would have. \$5.00 a year in the City of Cortland is going to double our revenue of permissive tax which averages \$37,500 a year. When looking at an annual resurfacing program in excess of \$250,000 per year and we've lost \$200,000 a year in general fund revenues, there needs to be a plan implemented to make up for that shortfall. The strides that we've made in the last ten years in improving the roadways is going to be all for not unless we find a fix in that funding gap.

COUNCILWOMAN PETROSKY – In addition to being the most equitable, with the resurfacing program, Don has done an excellent job in obtaining grants to assist with our funding of paving; however, those grants come from state and federal funds or the state highways that go through our city. We've exhausted the roads that are eligible for that grant funding. Although we lost this revenue from the state a few years ago, we've been able to keep the paving program up with Don's ability to obtain grant funding. Like I said, the eligible streets are slim to none so now the money is going to have to come out of our coffers. Like he said, we've built a good paving program, just drive in some other local communities and you'll see your extra \$5.00 license plate fee is well worth it.

COUNCILMAN PIROS – I understand that. I wanted to bring it up for discussion because when people see this they are not going to understand, so I wanted to get it on record what this really means.

COUNCIL PRESIDENT WOOFER – The other thing that you want to keep in mind that one of the ways we as a city can attract new business and new residents is by providing good transportation within our city. People are used to having good roads. We have excellent roads in the city.

MAYOR MOLL - I agree with you.

COUNCIL PRESIDENT WOOFER – We have to keep them up to benefit everybody, property taxes, the value of everybody's home, and the value of attracting new businesses and residents. This is something we have to do.

COUNCILWOMAN PETROSKY – One other point, we’ve spent a lot of money building the infrastructure in this city and we have a good infrastructure system. It is crucial that it be maintained because if we let it dwindle and have to reconstruct it again it’s going to cost a lot more money than if we just maintain it.

COUNCIL PRESIDENT WOOFER – By no means is this going to cover what we’ve lost. This is only going to cover about one third of what it costs in revenue for our roads. Eventually, we are still going to have to find more money than what we are asking for on this. This is just one step forward that is going to help us.

SERVICE DIRECTOR WITTMAN – I have a couple of comments, backyard clarification. The \$5.00 per license plate registration will be collected starting in January of 2017. We missed the deadline, so in actuality, this won’t even start to be collected until 2017. At that point, we will be able to start utilizing that through appropriations. The other point, this money is collected through an Ohio Revised Code regulation which controls the way in which we can spend the money. It has to be a direct tied with the roadways. Currently, we do not use it for any operating costs and we don’t use it for any salaries. The permissive tax is solely for paying the contractors for resurfacing and it is the intent that permissive tax fund will continue to not be used for wages or any operations and solely for contractual obligations with resurfacing roadways.

LAW DIRECTOR WILSON - Just so no one thinks the city missed the deadline by a day or two, the deadline is July 1st to get it on the following January.

COUNCILMAN PIROS – So when will this...

LAW DIRECTOR WILSON - The deadline for submission of this is July 1st of 2016.

COUNCILMAN PIROS – So, when will it start to be assessed?

LAW DIRECTOR WILSON - January of 2017.

ROLL CALL O-33-15 - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, nay; Woofter, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-34-15 - An Ordinance authorizing the Chief of Police to purchase a 2016 Chevy Impala from Byers Chevrolet was read and moved by Councilman Linville and seconded by Councilman Rowley. A motion to suspend the rules was made by Councilman Piros and seconded by Councilman Rowley.

MAYOR MOLL - I’d like to explain, or maybe I’ll have the Police Chief explain, but we don’t like to do this in emergency.

POLICE CHIEF ANDREWS – Right. First off for the emergency, we just got notification that we need to put our order in by December 1st. Reason being, it came in quick. This is the last year for this lease package of the Chevy Impala. The same vehicle we have. That’s why they want to get the orders in because they are going to make them and then they are done. That’s the reason for the emergency. Normally, we like to get three reading now in December, and then we order it the first part of January. I’m already budgeted for this from this year. We haven’t bought a vehicle since two years ago. We were anticipating what the levy would do and that did pass. So, that’s in the budget. That’s not a problem. So that’s the reason for the emergency right off the bat. This is the

last year for those. We did use the Co-Operative program as always. It was the lowest bid in the state which was the same company that bid in the last Chevy Impala and we bought that from them. We did reach out to Wollam to see if they could come close and they could not. We do like to try that.

COUNCIL PRESIDENT WOOFER – We will be able to have the vehicle serviced by Wollam.

MAYOR MOLL - Right.

COUNCIL PRESIDENT WOOFER – I just wanted to make a point of that.

POLICE CHIEF ANDREWS – They’ve done real well with that program. It works good for both them and us.

COUNCILMAN PIROS - Will there be one retired out of our fleet?

POLICE CHIEF ANDREWS - Right now no. We are going to take a look at that. We have been able to lower some of our mileage. The next two that are the highest are only in the high 70’s. There’s no real need to get rid of them right now. We will look at that between now and the next purchase.

MAYOR MOLL – But you have two of them there that are the same.

POLICE CHIEF ANDREWS - One of them is being used right now solely by the detectives so that mileage is changing up quite a bit. Usually the two officers will take out a car.

COUNCILMAN PIROS - Once we get closer and get that, you’ll be coming with an ordinance for the equipment.

POLICE CHIEF ANDREWS - Right. We have some time on that. The car takes the longest. We usually start it in January and we have it in April or May, it depends. Probably in January you’ll see an equipment package and we’ll have that all worked up.

ROLL CALL ON SUSPENSION OF RULES - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ROLL CALL O-34-15** - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED EMERGENCY**

ORDINANCE O-35-15 – An Ordinance authorizing an application to participate in the Ohio Public Works Commission State Capital Improvement Program and to execute contracts as required for the South Mecca Waterline Replacement Project was read and moved for first reading by Councilwoman Petrosky and seconded by Councilman Piros.

COUNCIL PRESIDENT WOOFER – Don, would you give a brief description?

SERVICE DIRECTOR WITTMAN – This continues our program of replacing aging waterlines within the city. These are probably in the same era of the 40s and 50s which connect along S Mecca St from Grove St down to the roller rink and the county garage. You can drive that area and see the number of patches on the parking lot. It’s an indication of the water breaks we’ve had over the years.

COUNCIL PRESIDENT WOOFTER – You said the roller rink, you mean the bowling alley.

SERVICE DIRECTOR WITTMAN – Did I say roller rink?

COUNCIL PRESIDENT WOOFTER – You did. You mean from Grove Dr to the bowling alley.

SERVICE DIRECTOR WITTMAN – Correct. I meant the bowling alley. Essentially, we will not go through the intersections since there is a waterline on the backside of Walgreens. The details will be worked out. It's to replace along that corridor from the corporation limits along Warren Meadville up to where the Downtown Waterline Phase III Project ended down through the valley. It's approximately a \$600,000 project cost estimate and that would be through a 20 year, 0% interest loan.

COUNCIL PRESIDENT WOOFTER – For a point of clarification for this project, since this is putting the project in motion tonight for the first time, we might see it take place in what year?

SERVICE DIRECTOR WITTMAN – It really depends on whether or not we get our grant agreement and whether or not we want to incur the engineering cost before the loan is in place.

COUNCIL PRESIDENT WOOFTER – At best?

SERVICE DIRECTOR WITTMAN – 2017, 2018, 2019

MAYOR MOLL – It's a ways out.

COUNCIL PRESIDENT WOOFTER – And that's been one of the things that I try to point out to people that sometimes once these projects start it take two or three years before we get funding for the them.

SERVICE DIRECTOR WITTMAN – The Downtown Waterline Phase III was completed on an expedited schedule due to the engineering and surveying being done and ready to go so we could bid it this year. We did not get that grant agreement in place until July of this year. We passed a similar ordinance last December. A project in this magnitude I do not anticipate as aggressive of a timeline as we did with the last project.

MAYOR MOLL – We are currently experiencing a significant amount of debt in the water system. So, it's something we are going to go into with a lot of analysis to make sure we can pay for it. It will take a while. I doubt we'll be able to do the engineering up front. We might, but I doubt it.

COUNCIL PRESIDENT WOOFTER – The way things currently stand.

MAYOR MOLL – Yes.

ROLL CALL O-35-15 - Edwards, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye; Tackett, aye; Woofter, aye. **ORDINANCE PASSED FIRST READING**

MAYOR'S REPORT:

MAYOR MOLL - Well, I'd like to welcome the students here tonight. This must be the first wave of the student invasion. Good to see you and welcome to city council. If you picked up an agenda, there's more information on the city website about everything that goes on here with people's names and how to spell them and things like that. Come back anytime. The meetings are always open to the public. We look forward to many more students coming in the winter.

City Offices will be closed Thurs., Nov 26th and Fri., Nov 27th for Thanksgiving. Please remember trash collection and recycling will be delayed one day that week.

There are some splash pad fundraisers coming up. The Cortland Gingerbread Walk is on Nov. 28th from 10 to 3 at the Cortland Specialty Shops. They will be showcasing their holiday offerings. New this year are free carriage rides from 10 a.m. to 2 p.m. Donations will be accepted. All donations will benefit the Cortland Splash Pad. Hopefully we will see a lot of people donating lots of money. The carriage rides will be at the Furniture Décor and More. Also, the Beef 'O' Brady's fundraiser is Thursday, Dec 3rd from 4 to 8 p.m. A portion of all food sales goes towards the Cortland Splash Pad. You all go down there and have dinner and some of your money will go towards the splash pad.

COUNCILWOMAN PETROSKY - You can do carry out at Beef O Brady's too if you don't have time to sit there and eat.

MAYOR MOLL - Great.

COUNCIL PRESIDENT WOOFER – It's always best to mention that you are there for the purpose of the splash pad.

MAYOR MOLL - To encourage him to do it again.

COUNCIL PRESIDENT WOOFER – Yes. Make sure you get the discount too.

MAYOR MOLL - This is the last one

COUNCILMAN PIROS – The last scheduled one. I think we'll extend it into 2016.

MAYOR MOLL - We need the money. We still need about \$25,000 for the splash pad. We are making good progress.

COUNCILMAN PIROS – We got \$1,500 committed today.

MAYOR MOLL - Good.

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

MAYOR MOLL – Fran is not here. She mentioned at the staff meeting that she would have an ordinance for you all to rearrange the budget again at the next meeting. She was going to have it at this meeting but she didn't have time to do it. It will be on the next meeting. It's the normal reshuffling at the end of the year.

POLICE CHIEF'S REPORT:

POLICE CHIEF ANDREWS – I appreciate your support for the new car. That will come in very handy. We are also looking at some new designs if you will. The market has changed considerably so. Some of the newer police vehicles that you've seen around are a little bit more detailed up. There are more packages on there. Of course there are a lot more commercial availability of those packages at a very reduced price. We might look at changing that up a little bit. Other than that, you have my monthly report and I'll answer any questions you may have of us.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – I'd like to thank the members of council for their support during the levy. I'd also like to thank the public for their support. It passed at 60%. I was very happy with that.

We are doing Toys for Tots. The collection is at the fire department until Dec 9th. You can drop off an unwrapped toy any time you can and we will get the Marines up there and get them distributed. Other than that, you have my monthly report and I'd be happy to answer any questions.

SERVICE DIRECTOR'S REPORT:

SERVICE DIRECTOR WITTMAN – In echoing the sentiments of the police chief, thank you for the support of the legislation put before you. The capital infrastructure projects will enable us to keep moving forward as a city as well as moving on to the second reading for the consideration of the permissive tax. You have received my monthly report. I don't have anything else to add at this time. I'll answer any questions council may have.

NO COMMITTEE REPORTS:

NO QUESTIONS OF COUNCIL FROM THE AUDIENCE

COUNCILMAN PIROS - Do we have a contact with Time Warner like we do with Ohio Edison?

MAYOR MOLL – Not exactly but sort of.

COUNCILMAN PIROS - There's been a lot of things on Facebook, including myself, having a lot of problems with Time Warner with On-Demand, Start Over, and other digital problems so I posted it out there. There are a lot of problems out there.

COUNCIL PRESIDENT WOOFER - Did you try contacting them?

COUNCILMAN PIROS - This all came about this weekend.

COUNCIL PRESIDENT WOOFER - That would be the way to go first.

COUNCILMAN PIROS - I didn't know if we had a contact like Robin who always shows up here from Ohio Edison.

MAYOR MOLL - Not really. We have one for the contract.

SERVICE DIRECTOR WITTMAN – I had an occasion in the last few weeks to attempt to get a hold of someone at Time Warner. I do have a phone number for the shop on Youngstown-Warren Road in either Niles or Warren. I haven't been able to get through to a live person.

COUNCILMAN PIROS - Gee, imagine that.

SERVICE DIRECTOR WITTMAN – And all the numbers I did have, I can't get anyone.

COUNCIL PRESIDENT WOOFER - I think they want you to call the national line.

COUNCILMAN PIROS - They came out and did a brand new line from the curb to my house and it never solved the problems. I tried to watch a movie the other night and every 30 seconds it would freeze up. It was icing on the cake this weekend and then I saw a lot of people are having problems and announcing it on the Everything Cortland Facebook page.

SERVICE DIRECTOR WITTMAN – You can continue with that and see if everyone calls and gets a service call at one point in time they'll take notice.

COUNCIL PRESIDENT WOOFER - It usually takes more than one person to call before they react to anything. That way they know there is a problem in the area. The more people that call the better it is.

A motion to adjourn the meeting was made by Councilman Piros and seconded by Councilman Tackett.

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

Meeting adjourned at 7:32 p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL