

REGULAR COUNCIL MEETING – 7:00 P.M.

The Council of the City of Cortland met in regular session on Monday, February 1, 2016 at 7:00 p.m. at the City Administration Building, 400 N High St, Cortland, Ohio with Council President Dennis Linville presiding. Members of Council present were James Edwards, Patti Keller, Don Moore, Deidre Petrosky, Kevin Piros, and Scott Rowley. Also present at the meeting were Mayor Woofter, Law Director Wilson, Police Chief Andrews, Finance Director Moyer, Fire Chief Rea, Service Director Wittman and Clerk of Council Horn.

A motion to approve Council Minutes from the January 19, 2016 Regular Council Meeting was made by Councilman Moore and seconded by Councilman Piros. **ROLL CALL** - Edwards, aye; Keller, aye; Linville, abstain; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

A motion to approve Schedule of Bills to be paid totaling \$129,586.85 was made by Councilman Piros and seconded by Councilman Rowley. **ROLL CALL** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

OLD BUSINESS:

ORDINANCE O-05-16 – An Ordinance authorizing ODOT to perform PID No. 100323 resurfacing work on sections of SR 7 and SR 46 within the corporation limits of the City of Cortland, Ohio was read and moved for second reading by Councilman Piros and seconded by Councilwoman Petrosky.

COUNCIL PRESIDENT LINVILLE - There has been a change to this so we are asking you to vote down this ordinance tonight and it will be replaced with a resolution.

MAYOR WOOFTER - We received a letter from the Ohio Dept of Transportation today and they are making some big changes to this. It's actually not going to cost the city anything. So, that's why we need to vote it down and probably come back with a resolution because there's not going to be any money involved. They've taken out the 20% responsibility of the city and also took out language that states Rt 7 was included. It's going to be completely revised.

ROLL CALL O-05-16 - Edwards, nay; Keller, nay; Moore, nay; Linville, nay; Petrosky, nay; Piros, nay; Rowley, nay. **ORDINANCE FAILED**

ORDINANCE O-06-16 – An Ordinance whereby the City of Cortland authorizes funding to S.C.O.P.E., Inc. to support its services for the Cortland Senior Center was read and moved for second reading by Councilman Rowley and seconded by Councilwoman Keller. **ROLL CALL O-06-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, abstain; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED SECOND READING**

ORDINANCE O-07-16 – An Ordinance authorizing the Police Chief to purchase accessories and the installment of the accessories in the 2016 Chevrolet Impala police cruiser was read and moved for second reading by Councilman Piros and seconded by Councilman Edwards. **ROLL CALL O-07-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED SECOND READING**

NEW BUSINESS:

RESOLUTION R-05-16 – A Resolution providing for the Council of the City of Cortland to indicate what services, if any, the City will provide to the owners of real estate containing 1.236 acres proposed for annexation from Bazetta Township to the City of Cortland, Ohio was read and moved by Councilman Piros and seconded by Councilman Edwards.

COUNCILMAN PIROS - Is there any kind of benefit to the city? From what I understand, a type II annexation is different than a normal annexation as far as what it means to the city.

MAYOR WOOFER - The city won't collect any taxes on this but we will be able to collect water and sewer revenues.

COUNCILMAN PIROS - So, we will provide services that will include police and fire. Is that correct?

MAYOR WOOFER – That's true.

COUNCILMAN PIROS - But taxation for police and fire will still go back to Bazetta. Is that correct?

MAYOR WOOFER – That's correct.

LAW DIRECTOR WILSON - Yes.

COUNCILMAN PIROS - Other than a little bit of water, what are we getting that we are granting emergency services to this property?

MAYOR WOOFER – First of all, I don't want to discourage bringing in any properties, especially businesses, that want to come into the city. So, we are obtaining a business.

COUNCILMAN PIROS - And the responsibility for the business.

MAYOR WOOFER – And the responsibility for the safety services. There is something in the works in the state currently. As I understand, any municipality that is supplying safety services eventually would be able to start to collect taxes on that, if this bill passes. I haven't got the complete information on that, I'm waiting on Sean O'Brien to get back to me.

COUNCILMAN PIROS – So, what is the purpose of filing a type II annexation vs a normal annexation where we take full responsibility and benefit from those responsibilities to a property. Is there a reason why it went this way?

LAW DIRECTOR WILSON - You would have to look at it from the owner's perspective. So, they have 100% ownership agreement and it's a quicker process. Under normal annexations, there are objections, contests, hearings, and things like that; so, it's just an easier process.

COUNCILMAN PIROS - Is this unheard of? Have we done this before with other properties in the city as far as annexations?

SERVICE DIRECTOR WITTMAN- Yes, this is not the first type II annexation. Essentially, type II has to follow a set criteria where you are contiguous, through the city corporation boundary within 5% of the boundary. It can't create any other surrounding, essentially a donut hole where the city would surround the unincorporated areas. There's a bunch a steps to go through and it's supposed to expedite the process and the public hearing through the Trumbull County Commissioners. The choice of what annexation to proceed is up to the property owner and their legal counsel. They felt it necessary to go under a type II and the city has no ability to object to that at this point other than denying services.

COUNCILMAN PIROS - In my last six years on council, we haven't done this, have we?

SERVICE DIRECTOR WITTMAN- We are currently investigating how taxes are being collected on those other type II annexations. Preliminary investigation does show they are at least on the auditor site at the city millage. So, as far as how the taxes are being levied, that's still subject to being investigated. However, all the literature on the type II annexation is without detachment from the unincorporated area.

COUNCILMAN PIROS - So it sounds like you can annex and then choose which one had the lower taxes?

SERVICE DIRECTOR WITTMAN- No.

LAW DIRECTOR WILSON - Not at this point you cannot. Don is saying everything supports the way the law was passed under this specific Ohio Revised Code section The taxes stay with the township, the property goes into the city, the city gets payment for the water and sewer services.

COUNCILMAN PIROS - But not safety services.

LAW DIRECTOR WILSON - Right, but to Jim's point, the state legislators are trying to change that. Whether that bill passes or not, we can't say right now.

COUNCILMAN MOORE - I understand from looking at this they will have to pay some costs to tie into the services.

LAW DIRECTOR WILSON - Yes, Don will have to speak to where the water and sewer lines are along that road. I don't know the answer to that.

COUNCILWOMAN KELLER - Don't they pay it all? We don't pay any of it do we?

COUNCILMAN MOORE - They'll have to pay all of it. I was just curious because there is some expense obviously for them to tie in. I think the water is on the other side of the street?

SERVICE DIRECTOR WITTMAN- Yes, both the water and the sewer are on the east side of Niles Cortland Rd.

COUNCILMAN MOORE - So they have to pay to tie in to our water and sewer?

MAYOR WOOFER - Yes.

COUNCILMAN PIROS - And this differs from Cass Lake in that they are getting our services but at a higher premium because they did not annex into Cortland. Is that correct?

LAW DIRECTOR WILSON – Yes.

COUNCILMAN PIROS - So, the benefit of annexing is you pay a lower utility bill.

LAW DIRECTOR WILSON – As a city resident, yes.

SERVICE DIRECTOR WITTMAN- You can differentiate it from Cass Lake in that Cass Lake was under a private reimbursable service area agreement. So, that entitled me to provide them water and sewer services through an agreement between council and the county engineer passed years ago. The sewer line was in 1988 and the water line around 2006. So, that allowed them to obtain city water and sewer services. Currently, this parcel is not subject to any service area agreement. The only way they can receive city services of water and sewer is to annex into the city and I have expressed that to them. That is why this legislation is before council. Unfortunately, I couldn't convince them to go under a traditional annexation. They chose to go with a type II.

LAW DIRECTOR WILSON – They tried to bring it in December before year's end but the petition had some errors in it. They had to withdraw it and draw it from scratch. They did try to get it sooner which speaks to the fact that type II is a quicker process.

ROLL CALL R-05-16 - Edwards, aye; Keller, aye; Linville, nay; Moore, aye; Petrosky, aye; Piros, nay; Rowley, aye. **MOTION PASSED**

RESOLUTION R-06-16 – A Resolution providing for the Council of the City of Cortland, Ohio to accept the annexation of territory from Bazetta Township to the City of Cortland, Ohio containing approximately 1.236 acres of land was read and moved by Councilwoman Petrosky and seconded by Councilwoman Keller. **ROLL CALL R-06-16** - Edwards, aye; Keller, aye; Linville, nay; Moore, aye; Petrosky, aye; Piros, nay; Rowley, aye. **MOTION PASSED**

RESOLUTION R-07-16 – A Resolution accepting the amount and rates as determined by the Budget Commission of Trumbull County and authorizing the necessary tax levies and certifying them to the county auditor was read and moved by Councilman Piros seconded by Councilman Moore. **ROLL CALL R-07-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

ORDINANCE O-08-16 – An Ordinance amending Ordinance O-60-14 to approve and authorize a revision to the collective bargaining contract between the City of Cortland and the International Association of Firefighters (I.A.F.F.) Local 3632 was read and moved for first reading by Councilman Piros and seconded by Councilwoman Keller.

COUNCILMAN MOORE - Can you explain a little on this? What is does. Is it just annual physicals?

FIRE CHIEF REA – Under certain rules of the Ohio Administrative Code, we are required to do annual physicals for our fire fighters. Instead of the fire dept. bearing the entire cost of that, this will allow us to use the insurance that’s provided for our full time fire fighters to cover the majority of the costs, but we need to amend the contract for the simple fact that the insurance is in the contract. I can’t just say we are going to use your insurance today to pay for a physical. That’s not in the contract. This allows it to be there.

ROLL CALL O-08-16 - Edwards, aye; Keller, aye; Moore, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-09-16 – An Ordinance amending Ordinance O-60-14 to approve and authorize a revision to the collective bargaining contract between the City of Cortland and the International Association of Firefighters (I.A.F.F.) Local 3632 was read and moved for first reading by Councilman Piros and seconded by Councilman Edwards.

COUNCILMAN MOORE - Once again, I look to the Chief.

FIRE CHIEF REA – This sets up an Employee Assistance Program (EAP) for the fire fighters union, not the whole city. As most of you know, an EAP focuses on a limited number of areas that lead to an employee either leaving or employee absenteeism. It looks to limit those. Any way you look at it, if you are in business, which the fire dept. is a public service but we are still a business. Where do you lose most of your money? It’s retraining new employees. So, if I can retain employees and I can help them miss less work, that is what an EAP is designed to do. Some of the things it helps with are short term problem solving, alcohol and drugs assistance, mediation conflict, counseling for bereavement, counseling for marriage, and counseling for finances. They pick out 5 or 6 big areas and then they go about that. I talked to Patrick and he thought the best place to put it is was in the contract so we can have a way to control over the process. We set the number of sessions they can have and then it will either come out of pocket or out of their insurance program. So, this allows us to set up the program and then from here we can look at which program we are going to use.

LAW DIRECTOR WILSON – I should make a note, as the chief said, he has already talked to the union on both of these issues. So, this is getting the city’s authorization for him and the mayor to sign off on the contract. Then the union will sign off on it. In the future for contract negotiations, these two benefits will be in the contract to talk about on an ongoing forward basis.

COUNCILMAN PIROS - This is just for the fire, are we going to add this to the police also?

LAW DIRECTOR WILSON – That’s up to the police union.

COUNCILMAN PIROS - It seems like it’s part of the benefit package and now you have different...

LAW DIRECTOR WILSON – Well the unions look at each other’s packages to see if it’s something that would be of interest to them. We have the format now in the fire’s but it doesn’t apply to police and service.

FIRE CHIEF REA – And again, it goes back to... Ohio has adopted OSHH regulations for fire fighters. Everyone says Ohio is not an OSHA state, they are correct. Ohio went and adopted specific regulations and in that is an employee fitness program and under that it mandates we shall adopt a written policy that establishes policies designed to relieve stress generated by incident that adversely affects the psychology and physical wellbeing of dept. employees. There it is, an EAP. We have to have a means for which our employees can undergo physical and mental stresses and have an organization to turn to. That is what this is. They have One Call. Quite frankly, we've had several employees from the city that had no idea where to go. They probably could have benefitted from it. This establishes that. One Call, you tell them what you need and they put you in contract with them. We aren't plowing new ground here. Bazetta has it. Howland has a program. Howland uses Compass. If you are a state employee, you have an EAP for you. This is more or less a common practice in all businesses.

COUNCILMAN LINVILLE - Is this all confidential?

FIRE CHIEF REA – Yes, this is all confidential. All the city gets back is that one employee used it this month. That's it. And they send us a bill for services.

ROLL CALL O-09-16 - Edwards, aye; Keller, aye; Moore, aye; Linville, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

MAYOR'S REPORT:

MAYOR WOOFER – I would like to welcome all of our Lakeview High School students here this evening. Most of you have gotten the agenda. Did everyone get one? Tomorrow, a video of this meeting will be posted on the city website which is Cityofcortland.org. There will be link there to You Tube so you can review the whole council meeting again. We record these and they are uploaded to You Tube right away. Tonight's agenda and the outcome of everything we passed this evening or didn't pass is also on the website. You are welcome back here anytime. Please come. That's all I have.

FINANCE DIRECTOR'S REPORT:

FINANCE DIRECTOR MOYER – The appropriations are underway. We got the certificate back and we are working on getting those numbers in place. Also, the GAAP conversion has begun. That's about it from my department unless there are any questions.

POLICE CHIEF'S REPORT:

POLICE CHIEF ANDREWS – We received a grant from The Ohio Criminal Justice Services. It is a grant we usually get for the last 5 or 6 years. We drafted it in the fall and we just got notification of it last week. We are modifying it a little bit which is normal but we sent it back in. We should have no problems. Basically, we were awarded \$8,333.33. All of that will go towards the new cruiser equipment we just talked about. We were hopeful that that would come in and it should cut that bill down to a little more than half. That will cover most of the electronics that are in the cruiser. That will last us a good 6 years. We pay 10% for this grant so it's a pretty good grant.

Secondly, we hired a new Reserve Police Officer, Jonelle Gerke. She comes to us from Brookfield. She works full-time out at the Eastwood Mall in loss prevention with Sears. She has two good years in with Brookfield. She liked #1 our program and #2 our competitive wage. It is probably the highest one in the county for part-time now. So what we talked about a couple months ago in getting that passed is already starting to bear

fruit. We anticipate her starting to train in two month and then she will be ready for part-time status. She's already making (INADUDIBLE) in just being here a week. She's impressing a lot of people.

Lastly, you all have in front of you the annual report. If you have any questions of me or my department, I'd be happy to answer them.

COUNCILMAN PIROS – So that is our new paint stamp?

POLICE CHIEF ANDREWS – On the bottom, that's what the new cruisers will look like. All those will be done currently. We have the packages in for the 5 cruisers and Daffron's will be putting those on when he gets a change to. For sure by spring all those should be ready to go to include the new car. It's a nice change.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – I would like to thank you for supporting the two pieces of legislation we had tonight. I will be bringing more legislation in the next couple meetings. I don't really have too much else to report. You have my year-end report. I don't have much else to report. I'm happy to answer any questions.

SERVICE DIRECTOR'S REPORT:

SERVICE DIRECTOR WITTMAN – I don't have anything to report this time but will entertain any questions that council may have of me.

NO COMMITTEE REPORTS

COUNCIL PRESIDENT LINVILLE – We need to set date for the second council meeting in February for Tuesday, February 16, 2016 because Monday, February 15th is Presidents' Day and the city offices are closed.

A motion to set the next meeting to Tuesday, February 16, 2016 was made by Councilman Piros and seconded by Councilman Moore. ROLL CALL - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. MOTION PASSED

QUESTIONS OF COUNCIL FROM THE AUDIENCE:

STUDENT SONG – LAKEVIEW DR

STUDENT SONG – What is an Executive Session?

COUNCIL PRESIDENT LINVILLE – An Executive Session is a session that council will hold on their own not in front of public. It can only be used for certain matters.

COUNCILMAN PIROS – I have a couple upcoming fundraisers for the splash pad:

This Thursday, Feb 4th - Beef 'O' Brady's – 4 to 8 p.m. 15% of all food sales will go toward the splash pad. Beef's is helping make the splash pad a reality by offering this the first Thursday of each month through March. H & R will also be there with representation this Thursday and the Thursday in March to answer basic tax questions for free.

Also, H & R Block, in conjunction with the Cortland Community Foundation, has set up a referral program. All new tax returns done through H & R Block, if you provide them the flyer, we will receive \$20 for every new tax return that H & R Block does as part of that referral. It does not have to be in the Cortland office. It

can be anywhere nationwide as long as they refer that no-profit ID. You can download a flyer off our website. That gets us \$20 for every new tax return.

Monday, Feb 8th – CHICKEN4CHARITY at Quaker Steak & Lube – 4 to 10 p.m. It happens to be burger night. Present the flyer and 15% of your meal will be donated to the Cortland Splash Pad as well. Unlike Beef O Brady's, you need a flyer for this one. It can be downloaded off the city website. Just print it off and take it and they will give us 15% of whatever you spend there next Monday.

Lastly, starting Feb 9th we've partnered with Schwans Cares. Schwans is the frozen food delivery. They deliver right to you house frozen products including very good ice cream. On the city website there is a link. Use the campaign number and we get 20% of all food sales that are ordered through Schwans. If you order a gift card, and then turn around and use to pay, we get 40% of any gift card. So, if you buy a \$50 gift card, the city gets \$20 and you can use that \$50 to go out and buy your food. That goes 45 days. It's a 45 day campaign. It will be out on social media. It's already on the website. It starts Feb 9th and goes for 45 days. If you have any questions, all the information is on the city website. You can click on the links and it will tell you all about it or provide you with the flyer that you need. Don has a few flyers for Quaker Steak and Lube if anyone would like to take it with you on Monday and the city will get 15% of all non-alcoholic purchases.

COUNCILWOMAN KELLER - Can we hand them out to everyone in the parking lot?

COUNCILMAN PIROS – No you cannot. That was the stipulation. You can't stand there and have a billboard on me and sit in the parking lot and hand them out. That was the one stipulation.

COUNCILWOMAN KELLER - I figured.

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

ROLL CALL - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

Meeting adjourned at 7:33p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL