

REGULAR COUNCIL MEETING – 7:00 P.M.

PLEASE NOTE: DUE TO AUDIO PROBLEMS, SOME OF THE MINUTES WERE TYPED FROM THE CLERK OF COUNCIL’S NOTES AND NOT VERBATIM

The Council of the City of Cortland met in regular session on Monday, March 7, 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, and Clerk of Council Horn; absent was Service Director Wittman.

A motion to approve Council Minutes from the February 16, 2016 Regular Council Meeting was made by Councilman Piros and seconded by Councilman Moore. **ROLL CALL** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, abstain; Piros, aye; Rowley, aye. **MOTION PASSED**

A motion to approve Schedule of Bills to be paid totaling \$128,191.68 was made by Councilman Rowley and seconded by Councilwoman Petrosky. **ROLL CALL** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

OLD BUSINESS:

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 third and final reading by Councilman Rowley and seconded by Councilman Piros. **ROLL CALL O-08-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED THIRD AND FINAL 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 third and final reading by Councilman Moore and seconded by Councilman Rowley. **ROLL CALL O-09-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED THIRD AND FINAL READING**

ORDINANCE O-10-16 – An Ordinance amending Ordinance O-04-12 establishing the terms of employment for the Part-time Firefighter/Paramedics and Firefighters/EMT-B of the City of Cortland was read and moved for second reading by Councilman Moore seconded by Councilwoman Petrosky. **ROLL CALL O-10-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED SECOND READING**

ORDINANCE O-11-16 – An Ordinance authorizing the Mayor to sign and for the City to fund a Mutual Agreement for Technical Assistance Between The City of Cortland and Trumbull Soil and Water Conservation District was read and moved for second reading by Councilman Rowley seconded by Councilwoman Keller. **ROLL CALL O-11-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED SECOND READING**

NEW BUSINESS:

RESOLUTION R-14-16 – A Resolution authorizing the Mayor to enter into and sign the State of Ohio Housing Revolving Loan Fund Administration Agreement was read and moved by Councilman Edwards and seconded by Councilman Rowley.

COUNCILMAN MOORE – Can we explain a little bit of this. I was talking to our Finance Director today. Apparently, there are no funds in there right now but it's for loans for housing.

MAYOR WOOFER - It's for the existing loans that were made in previous years. Fran, would you like to give a little more insight on this?

FINANCE DIRECTOR MOYER – Sure. This basically allows us to enter into a three year agreement. We have a period of three years where if any money was to be paid on ones already taking advantage of the CHIP program. So, if someone has taken advantage of that program through the City of Cortland were to move and sell their property, and then that loan will therefore become paid at that point that money will come back into the city coffers and be made available to someone else. It is not a continuation or an application for additional funds. It is simply to allow us to continue with the ones we've already done.

COUNCILMAN MOORE – I understand, Fran, when we had talked that not many people had applied for those.

FINANCE DIRECTOR MOYER - This last time it was a little bit scarce. We had to go out and hope that people would utilize the funding. We felt the grant had served its purpose and people who needed it utilized it.

MAYOR WOOFER - We may institute that in the coming years. Perhaps next year.

COUNCILMAN MOORE – Was it promoted?

MAYOR WOOFER - We promoted it quite a bit through local newspapers and on the city's website. It just wasn't taken advantage of, unfortunately.

ROLL CALL R-14-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

ORDINANCE O-12-16 – An Ordinance authorizing the W.E. Downie Company to perform repairs on the Emerson Circle Lift Station was read and moved for first reading by Councilman Piros seconded by Councilman Moore.

COUNCIL PRESIDENT LINVILLE - There is a memo at your desk to explain the reason for the lift station.

ROLL CALL O-12-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-13-16 – 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 2016 was read and moved for first reading by Councilman Rowley seconded by Councilman Moore.

COUNCILMAN MOORE - It may be a benefit to the students here tonight to explain a little bit what this does.

FINANCE DIRECTOR MOYER - This basically spells out the money that has been certified to our city and as being for us to spend this year. It lays it out in the different funds and then the attached documentation lays it out by account number as how the city intends to use this money going forward for this calendar year. This is a requirement that has to be filed with the county by the end of this month. Instead of a second reading, it will be on as an emergency at the next meeting so it can be filed in a timely manner. In the meantime, you'll have it to review.

COUNCILMAN MOORE - This is a lower amount than last year I noticed?

FINANCE DIRECTOR MOYER - Yes, this is a lower amount from last year because we didn't have the carryover from our General Fund.

COUNCILMAN MOORE - And we don't have to spend the total amount appropriated.

FINANCE DIRECTOR MOYER - No we do not. This is simply saying this is the money available. There is no obligation to spend all the money available.

ROLL CALL O-13-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-14-16 – An Ordinance amending Ordinance O-37-10 of the City of Cortland regulating the activities of peddlers, solicitors, and canvassers was read and moved for first reading by Councilman Rowley seconded by Councilman Piros.

MAYOR WOOFER – Currently our ordinance reads right now that our peddlers and solicitors are allowed out there year round from 9 am to 9 pm. Over the past few years we've gotten calls and complaints from residents of solicitors knocking on their doors late at night, especially after dark. So, I asked Rhonda to do a little investigating and she looked at some of the different communities and found we are pretty lenient in the city with the time that we allow peddlers out there. So, we came up with new times and are asking for council approval tonight. We are asking for it to be restricted from 5 pm to 10 am and 7pm to 10 am during Daylight Saving Time which gives them a couple extra hours of daylight in the summer time. Also, I want to remind everybody that if you do not want them coming to your house at any time, we do have a Do Not Solicit List we provide to the peddlers. If you would like to be on that Do Not Solicit List, all you need to do is call or email the city and Terri will add your name and address to that list. So, that's what it is about. If you have any questions, I'd be happy to answer them.

COUNCILMAN PIROS - Are they required to carry a copy of their permit with them and make it visible?

MAYOR WOOFER – They are. Each salesperson is required to do that. And when they file a request to do this, it goes to the police dept. and they do a background check on the people to make sure they are legitimate and there are no problems with any of the sales people out there. Also, this will be retroactive. There are two companies out there right now, I believe. It's a weed and feed company and one other. So, once this passes in our third and final reading we will notify those people as well.

COUNCILMAN ROWLEY - How many do we get a year?

MAYOR WOOFER – The majority of the requests we get are in the summer time. There's a good handful of requests, I don't know the exact number. Chief?

POLICE CHIEF ANDREWS – This weed and feed business which is out there right now probably prompted a lot of these. I think with that one there was easily 15 or 20. They get college kids to go out and go door to door and then they move to the next community. I would say in a year there are usually 30 to 40 permits.

MAYOR WOOFER – That doesn't mean there are 30 or 40 different companies, that means there are 30 or 40 people that we allow to go door to door.

COUNCILWOMAN KELLER – There's one company with that many people. Is that what you are saying?

MAYOR WOOFER – Yes.

COUNCILMAN MOORE - And there is no requirement for charitable or non-profit so if high school teens are out fundraising they're okay without a license?

MAYOR WOOFER – Yes, we allow them to do that.

ROLL CALL O-14-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

MAYOR'S REPORT:

MAYOR WOOFER – First of all, I'd like to let the students know we appreciate you being here. You are certainly welcome to come anytime you'd like, not just on the nights Mr. Pavlansky asks you to be here. If there is anything you don't pick up in this meeting tonight, or you need further information, go to our city's website page. Everything will be online this evening. You can look at the agenda and what we discussed as well. The meeting will be on You Tube tomorrow, so if you go to our city's website page and click on the link you can review the recording on You Tube.

Daylight Saving Time begins this Sunday, March 13th. Please remember to set your clocks ahead by one hour Saturday night before you go to bed.

Spring Clean Up is May 5th and 6th. Please remember to put your items out with your regular trash.

FINANCE DIRECTOR'S REPORT:

FINANCE DIRECTOR MOYER – I wanted to report with this year being a leap year and February having that 29th day, it actually made a difference for us. On that day we received payment for our property tax settlement. We received \$75,000 in the General Fund, \$200,000 in the Police and \$100,000 in Fire. So, those amounts will be

reflected in your figures on the February Reports next meeting. That's the first time in my tenure here that I ever received tax money in the month of February.

With the appropriations now being wrapped up and pretty much submitted, I will be working this month on the GAAP Conversion and getting that completed so we can get that filed with the State. That's all I have unless there are any questions.

POLICE CHIEF'S REPORT:

POLICE CHIEF ANDREWS – About a year ago, we started talking about the concept of an impound lot and some of the towing issues. We knew then that changes in the law were coming down the pike for the towing industry. They are here now and we are dealing with them. In late 2015, this new law went into effect that really changed the towing industry and how vehicles tow for us and/or off of private property. Nowadays, towing companies will not tow off of private property without some kind of notification by the owner to begin with. There is an article going out to you in our local paper. We will also be sending this out to all our commercial businesses to explain it a little better. I'll also be open to any calls. If you get calls about this, have them call me because it gets confusing. We've met with the Clerk of Courts and we've talked to the BMV and finally got our heads around this. If you have a 3+ household, you will need to post a sign on the property. If you own a business or an apartment complex with more than 3 people, you have to put certain signage up and the law spells it all out how it has to be done. This has to be done before a tow company will come and remove it. The tow companies are aware of this and that's why they are not doing this anymore. If they do go on the property and remove it, they can be fined \$1,000 right off the bat by ESPO and some other people that are over watching them now. We are running into problems where a business owner calls us and says this vehicle has been on my property for over a week. There's not a whole lot we can do. There's not a whole lot the tow companies will do. It's a catch 22. We will go out and make sure it's not stolen or anything weird about it. We will make contact with the owner, but the bottom line is when that person calls the tow company. The tow company will not come out and remove it. You can now understand why. Recently, we had this at McDonalds. Some of you may have noticed a car in the Subway area before Circle K changed over. It was sitting there in front of the phone booth for about 3 weeks. I don't know how they finally got it out. We are putting information out there for the businesses, churches and schools. We were talking about this at staff meeting. It's something we are going to need to address as well, mostly in the parks. We will have to put up signage to allow us to get the cars out of there. If it's less than that, you can call the police. If the car is there for more than 4 hours we can order it towed. The tow companies have no problem with that. Or if we deal with something out on the road, if we arrest someone, that's a caveat that allows us to do that. The next part of this coming down the pike is we are going to have to create contracts with our tow companies. We've know this was coming for a while we just wanted to see how this was going to all play out. It's not a big deal; it's not going to be very elaborate. A lot of places do it already. There are certain restrictions they have to meet when we have a tow for us. There are certain amounts they can charge, there's certain amounts they can charge for impounds, there's all kinds of hoops they have to jump through as far as getting the car back and so forth. So, that's where we are at. I guess, in general, what I would say when you start to read this, or if you start to see this, or get calls and it gets confusing, have them call me and I can get them where they need to be or I will find them an answer.

COUNCILMAN MOORE – What about an impound lot here?

POLICE CHIEF ANDREWS – Not in the near future.

COUNCILMAN MOORE – I know Warren does that. I think there is an impound fee the owner has to pay to get their car released.

POLICE CHIEF ANDREWS – Right.

COUNCILMAN MOORE – And that goes to City down there, I think?

POLICE CHIEF ANDREWS – By law, it's supposed to go to the General Fund. I know Bazetta does it and other communities such as Howland is looking at it. We've looked at it and kind of saw this was coming down the pike and for the amount of money we are looking at spending, to do this correctly, it's probably something that can be visited maybe in the next administration. It's not something we are going to take on until we get this law all worked out. I can see some changes from the towing industry that this may get modified back a little bit, and also from business owners. They're the ones getting stuck in the middle of this. Other than that, that's what's going on in my department. I'd be happy to answer any questions you may have of me.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – I'd like to thank council for supporting and passing the two ordinances tonight. Also, thank for the support of the pay raises for the part timers. I don't have anything to report but I'd be happy to take any questions.

SERVICE DIRECTOR'S REPORT:

(SERVICE DIRECTOR WITTMAN ABSENT)

NO COMMITTEE REPORTS

BETTY ROBBINS – CORTLAND LIONS CLUB – 199 STAHL AVE

BETTY ROBBINS – I am representing Basil Jarret tonight. He is from The Cortland Lions Club. He was unable to attend this evening because of a minor medical procedure he had today. So, he asked me to fill in for him. As I said, I am representing The Cortland Lions Club and the Cortland Street Fair Committee. We would like to ask the Cortland City Council permission to hold the Annual Street Fair on Thursday, June 16th through Saturday, June 18th. As in the past, we request the use of Main St and the side streets for trailers and games. The theme this year is going to be Summer Luau. I'd also like to ask the Service Director to consider having the service dept. sweep the streets again with the street sweeper. We do have a boy scout troop that will be lined up to pick up the majority of the debris but there is some that they can't get. Last year after the fair, the street sweeper did go out and swept all the streets and there were many, many compliments on Facebook and other social media about how clean the streets were. The community not only thanked the boy scouts, they also thanked the service dept. Thank you.

MAYOR WOOFER - I have a question. I understand you are considering moving the beer tent.

BETTY ROBBINS – That's news to me. I have no idea on that matter.

COUNCIL PRESIDENT LINVILLE - Thank you, Betty. I assume arrangements have been made with the Police Chief for the parade?

BETTY ROBBINS – Not yet. I wanted to make sure we had permission from council to hold the street fair before I made arrangements with the Police Chief.

COUNCIL PRESIDENT LINVILLE - Very good. Thank you very much.

NO QUESTIONS OF COUNCIL FROM THE AUDIENCE

ANNOUNCEMENTS:

COUNCILMAN PIROS – I'm excited to announce that the Splash Pad Phase II has reached the 50%. So, we will be contacting the vender, John, from My Splash Pad to schedule the installation of the safety surface and all of the above ground features. Assuming he can fit into his schedule, it should be open this summer around Memorial Day. We still have a ways to go. So, just to remind you of the upcoming fundraisers: March 21st - CHICKEN4CHARITY at Quaker Steak & Lube – 4 to 10 p.m. Flyers are available on the city's website to download and take with you. We are not allowed to give out flyers that day; you must bring one with you. I don't have any word yet on Beef O Brady's if we are going to extend that. My gut says yes but I have to talk to the owners to confirm that. So, hopefully we'll extend that for a couple more months. Also, we have the Go Fund Me Account out there. You can do it online with a credit card. We have Schwans Cares. Its frozen food delivered to your house and the city gets a percentage of that. And we have the lawn mower raffle. You can see the mower out there in the lobby as you leave. We have tickets here to sell at city hall. There are three prizes. First prize is the lawn mower, second place is \$100, and third place is \$50. That drawing will be held May 9th at the Parks Board Meeting. Lastly, there is the H & R Block fundraiser. If you take a flyer in they will donate \$20 for every new client towards the splash pad.

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

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

Meeting adjourned at 7:27 p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL