

REGULAR COUNCIL MEETING – 7:00 P.M.

The Council of the City of Cortland met in regular session on Monday, November 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, Finance Director Moyer, Fire Chief Rea, Police Chief Andrews, Service Director Wittman and Clerk of Council Horn.

A motion to approve Council Minutes from the October 17, 2016 Regular Council Meeting was made by Councilman Moore and seconded by Councilman Edwards. **ROLL CALL** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, abstain. **MOTION PASSED**

A motion to approve Schedule of Bills to be paid totaling \$273,234.92 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-40-16 – An Ordinance repealing Ordinance O-72-14 and authorizing the Mayor to enter into a revised LPA Agreement with the Ohio Department of Transportation to establish responsibilities for the administration of the Lakeview Schools Pedestrian Enhancement Project - Phase II – PID 98870 was read and moved for third and final reading by Councilwoman Petrosky and seconded by Councilman Moore. **ROLL CALL O-40-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED THIRD AND FINAL READING**

ORDINANCE O-43-16 –An Ordinance authorizing the Service Director to contract with University Electric Inc. for electrical improvements at four (4) sewage lift stations was read and moved for second reading by Councilman Piros and seconded by Councilman Rowley. **ROLL CALL O-43-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED SECOND READING**

ORDINANCE O-44-16 – An Ordinance authorizing the Service Director to purchase a 2008 Ford F350 extended cab flatbed truck with auto crane from Wike Lift Service was read and moved for second reading by Councilman Rowley and seconded by Councilman Moore. **ROLL CALL O-44-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED SECOND READING**

NEW BUSINESS:

ORDINANCE O-45-16 –An Ordinance authorizing an application to participate in the Ohio Public Works Commission State Capital Improvement Program and/or Local Transportation Improvement Program for the 2017 City Resurfacing Program and to execute contracts as required was read and moved for first reading by Councilman Rowley and seconded by Councilman Piros.

SERVICE DIRECTOR WITTMAN - I would like to make a note that tomorrow they will be finalizing the slate of projects, and considering we are No. 5 on the list, we will definitely be getting this funding. It's just not going

to be finalized until tomorrow. Since we need to do three readings, I wanted to get it on here for first reading so that we can meet the deadline of having it submitted by the third week of December.

COUNCILMAN MOORE - Is the percentage of the grant typical for these types of projects?

SERVICE DIRECTOR WITTMAN - This is the third year in the road where essentially we are doing the same project just different roads.

COUNCILMAN MOORE - And the grants stayed the same pretty much, percentage wise?

SERVICE DIRECTOR WITTMAN – Correct. This is to ensure that we get a \$75,000 contribution from OPWC every year as opposed to asking for more money; we wouldn't be as competitive. And if we didn't have the same percentage of local share we wouldn't be as competitive. It's kind of a bird in the hand vs two in the bush type deal.

ROLL CALL O-45-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-46-16 – An Ordinance authorizing an agreement for legal defense for indigents was read and moved for first reading by Councilwoman Keller and seconded by Councilman Rowley.

COUNCILMAN MOORE - Is this used very often where we need the services or not?

MAYOR WOOFER - Not that I know of.

LAW DIRECTOR WILSON - In the courts it is, public defenders services.

COUNCILMAN MOORE - I mean for things involved from the city's standpoint.

LAW DIRECTOR WILSON - Well, the city doesn't utilize those services. The city utilizes my services...

COUNCILMAN MOORE - Right I know that. I mean provide the defense of people in our court here locally at the Central District Court.

LAW DIRECTOR WILSON - If someone is charged and shows up in Central District Court in Cortland and can't afford an attorney; they are given a public defender. That's what this is about.

COUNCILMAN MOORE – Right. And we have to approve it. Its funding goes through us.

MAYOR WOOFER - It's our share of it.

LAW DIRECTOR WILSON - Just this component of it. That's the only involvement we have.

ROLL CALL O-46-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-47-16 – An Ordinance authorizing the Mayor to enter an agreement with GPD Group to perform a traffic study of the State Route 5 / State Route 46 corridor was read and moved for first reading by Councilwoman Keller and seconded by Councilman Piros.

MAYOR WOOFER - What precipitated this whole ordeal of having a traffic study done was a couple comments made to me in the general public about the problem they are facing right now at the intersection of St Rt 5, St Rt 46 and Wakefield, and that whole general area. It got us to start thinking that there is going to be a problem there. The problem is going to be getting worse with the construction of the new K-8 building. That's probably going to double the amount of traffic that goes to that school up there currently with the addition of the extra grades. In addition to that, is the continued development down St Rt 46 towards St Rt 305 as that develops over the next few years hopefully. That's going to increase traffic as well. So, in talking to Don, we looked at some different options and I'll let Don take over from there. Ryan Gillespie, from GPD Group, is also here to answer any questions about what they did to come up with this idea of the traffic study.

SERVICE DIRECTOR WITTMAN - This is essentially the first step in any highway improvements much like when we did the improvements at the High and Main intersection with the addition of the turn lanes. You have to go out and acquire the data which supports that design. So, at this juncture we are looking at doing traffic counts and some modeling to do traffic suggestions to see what the traffic congestion may be with the additional trips to the new K-8 school. So, this will put us in a position to come up with a plan and report that will support any subsequent designs and submissions for funding approval.

COUNCILWOMAN PETROSKY – I didn't think of this until just now. If we are doing modeling based on the traffic counts we get now, you aren't going to see the increase in traffic. You aren't going to see it until fall of 2018 or whenever they start utilizing the new building to its full capacity. Is that a problem?

SERVICE DIRECTOR WITTMAN - That's the thing with the model. Correct me if I'm wrong here, Ryan. You can include different parameters and do projections based on additional trips to the middle school.

COUNCILWOMAN PETROSKY - Ok and that will still provide the information we need that will get us our grants?

SERVICE DIRECTOR WITTMAN - Yes.

RYAN GILLESPIE – GPD GROUP

RYAN GILLESPIE – Don was on the right path. Anytime you do a traffic study through ODOT and anything that's going to request funding, there is a certification process with traffic volumes that takes into a number of factors. You look at the growth rates that we've experienced over the last 10 to 20 years. So, we take the current counts as a base line and if traffic has been found to grow 1% per year, we will look out to a design here which is typically 20 years out. On top of that any specific developments such as the school, development to the south there at St Rt 305 and St Rt 46, we have database that project the number of trips that would be generated by any specific uses such as those we would add on top of that. So, with all the numbers, we are going to develop it using that ODOT process; so that should you decide to pursue funding down the line everything will be based on those correct numbers that we can then submit at that time.

COUNCILWOMAN PETROSKY - Excellent. Thank you.

COUNCILMAN MOORE - On your letter to Don on Sept 30th, you referenced the speed limit issue. What is that dealing with? The speed limit on St Rt 46?

RYAN GILLESPIE – Yes. We do look at some speeds right there. One of the concerns, and I think Don has experienced, is with Greenbriar. There is a concern that it is difficult to make a left turn out of there because of the slight hill and the speed limit. So, we did some investigation. Actually, I had a number of discussions with ODOT trying to determine what type of parameters will contribute to setting that speed limit and whether or not it's currently posted correctly for what it should be. The general consensus was they feel that it is properly signed as it is right now but a speed study could be done if it is felt that it should be lowered to a more reasonable limit. It's been my experience, generally, that it's very difficult to lower a speed limit because mostly it's based off of what people travel today. So, if they are traveling the posted speed limit in a safe and efficient manner, it's really difficult to prove; unless you have excessive crashes or that sort of thing to get ODOT to sign off on that. It could be something for consideration if council feels it's still a concern.

COUNCILMAN MOORE - Does the police dept see that as a problem? Have you had accidents there, Tom?

POLICE CHIEF ANDREWS – Not over and above, no.

SERVICE DIRECTOR WITTMAN - That was just a secondary conversation to the primary discussion on the traffic study. It is not specific to the corridor of interest. However, if people are heading south from the K-8 building they may start to utilize Greenbriar to get to St Rt 305 and on down around the other side of the lake. However, that creates some issues with that left turn and traffic coming north bound on St Rt 46 if they are going too...

COUNCILMAN PIROS - Because of the blind hill.

SERVICE DIRECTOR WITTMAN - Yes. I'm sure you've driven it many times and you are aware of that. I just started some preliminary discussions with representatives at District 4 of ODOT because they are going to be doing a resurfacing project here in the next year or so. I was hoping maybe they could take a look at it and incorporate that into that project. However, it's just essentially a rehabilitation project and nothing significant. It was already ready to be bid. If we were to pursue anything such as reducing the speed, we could look at a Caution 35 mph to help with the sight distance issues. As we discussed with the police dept, there are not an overabundance of crashes there yet. But I just want to make sure we are looking at that if we see a trend in that direction, then we will act swiftly.

COUNCILMAN PIROS - So you anticipate with the increased traffic coming off of Wakefield, to make a right and then make a left onto St Rt 5 is going to be a real problem there?

MAYOR WOOFER - It's a problem now. It's going to get worse.

COUNCILMAN PIROS – Well, that what I'm saying. It's going to get worse.

MAYOR WOOFER - That's what put this whole thing in motion.

SERVICE DIRECTOR WITTMAN - You can't do it. You cannot turn right on Wakefield and turn left on St Rt 5 without waiting.... because of every light cycle and then you are going through a yellow or red light.

COUNCILMAN PIROS - Right, because it just so happens times with the St Rt 46 and St Rt 5 coming from the north.

SERVICE DIRECTOR WITTMAN - So, that's really why we want to look at that to see if a left turn signal is warranted, changing the signals, and look at the intersection coming from S High St at Speedway. Look at that whole corridor to see if there are any improvements that can be done.

COUNCILMAN MOORE - Is this the first time we've done a study through that whole corridor?

SERVICE DIRECTOR WITTMAN - We did a limited study on the north end in 2006 which supported the addition of the turn lane in front of Walgreens. We really didn't move forward with any of the other recommendations from that because the traffic problems we were seeing in 2006 seemed to go away. It used to be that S High St traffic would back up all the way to Wollam Chevrolet. I don't see that come out of queuing as of late.

COUNCILMAN MOORE - Seems to be a good idea to be out in front before the school opens.

SERVICE DIRECTOR WITTMAN - And that's why we moved kind of forward with this; so we could have the traffic counts done and get the model going so we can get this implemented sooner rather than later. For the record, this is coming out of the state highway fund. All funding for this is going to come from that which is a revenue of gasoline tax. We get about \$25,000 a year. It operates and maintains the traffic lights, anything to do with the state highway. It helps support buying the equipment. Two years ago we were paying wages out of there. We are no longer paying wages out of state highway. So, this will help spend some of that revenue.

ROLL CALL O-47-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

ORDINANCE O-48-16 – An Ordinance amending the Annual Appropriation Ordinance O-13-16 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 by Councilman Piros and seconded by Councilman Moore. A motion to suspend the rules was made by Councilman Rowley and seconded by Councilwoman Petrosky.

COUNCILMAN MOORE - Is this extra money coming in, Fran?

FINANCE DIRECTOR MOYER – I didn't put a cover letter with it this time because if you look at that second page it shows what I certified is strictly grant money. We received \$32,000 roughly in the Issue II Fund which represents our OPWC money. And then we also received \$82,471 in state grant money. That's a combination of different grants that we received throughout the year. That's all money that has already been received. So, I certified that and made these changes. Then, there will be more changes to follow.

ROLL CALL ON SUSPENSION OF RULES ON O-48-16 - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ROLL CALL ON O-48-16** - Edwards, aye; Keller, aye; Linville, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED IN EMERGENCY**

REPORTS:

FINANCE DIRECTOR'S REPORT:

FINANCE DIRECTOR MOYER – I have officially submitted my written intention to retire effective March 31, 2017 to the Mayor. I feel that is going to be the best route to go both for me personally and also for having the ability to cross train on some things that are only done once a year. So, I did submit that to Jim last Thursday, I think it was. We would like to ask that the Finance Committee meet to discuss how to move forward. We can set that up quickly tonight after the meeting, if you would just get with us and let us know what times you would be available. So, I will be retiring.

MAYOR WOOFER - With that, I would like to thank Fran, unofficially at this point, for all the years that she has put into the city. She'll have big shoes to fill. Our Finance Dept will have to look very serious into filling that position.

COUNCIL PRESIDENT LINVILLE - I would like to echo Jim's comments. Fran has done a great job. It will be tough finding a replacement. As you know, when you look around the county and the state, there are a number of cities, school districts, villages and townships that get into trouble because of their Finance Director. We've never ever had any issues and that's because of Fran. She has been a good guiding light for us. Appreciate it. Thank you so much, Fran. Are there any other questions or issues for Fran tonight? Do you have any good news?

FINANCE DIRECTOR MOYER – That was the good news.

(LAUGHTER)

MAYOR WOOFER - That's good news for her, but not so much for us.

POLICE CHIEF'S REPORT:

POLICE CHIEF ANDREWS – It's been relatively uneventful. Trick or Treat went off without a hitch. As some of you may have seen on social media something about some tainted candy. I read that and I was contacted by the news media. The following day, at 8:00 that night, we got the candy turned in. We are in the process of testing it. We haven't had any similar problems. We haven't had anyone respond that people got sick; but we are going to have it tested. We talked to our crime lab. They suggested we first talk to the FDA. The investigator for them said unless you have other people involved, or more than one or two, they won't really touch it which is understandable. We will be sending it to BCI for some cursory testing, narcotics and things like that. There will be more to come on that. I don't anticipate any problems. It was mostly around the Heritage Heights area, mostly around the Mayor's neighborhood. We talked to him already and ruled him out.

(LAUGHTER)

POLICE CHIEF ANDREWS – Other than that, everything went pretty well.

One thing I would like to put out there. There has been a rash of car break-ins. When I say car break-ins, I mean the traditional we get. We have been lucky we haven't had this for quite some time. Mostly the cars have been unlocked. Things have been left in them such as laptops, purses, wallets, all that good stuff, even a gun. Luckily they didn't take that.

COUNCILMAN MOORE - Is this at night?

POLICE CHIEF ANDREWS – Pretty much. We are getting the calls early in the morning where people say when I went to work I noticed it when I went out to the car. It's mostly up around Deer Creek up on the hill in that area.

COUNCILMAN PIROS - Most of them were unlocked though?

POLICE CHIEF ANDREWS – There was no sign of forced entry. In my opinion, or my experience, usually those are unlocked because we haven't seen in years people going by using slim jims and them not really taking anything good. Mostly its change that's taken, electronics, phones, cigarettes, that kind of stuff. They are bypassing credit cards and other electronics that can be used or pawned. It's probably juveniles. We are not alone; Howland and Bazetta have both had a few. Usually when these things happen they start to hit residential areas like us Howland and Bazetta. Our midnight guys are well aware of it. They are out on foot a lot more. We are just trying to get people aware of it. We will put a blurb on Facebook and things like that. Other than that, I'll answer any questions that you have.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – Good news to report. Our two vehicles finally came in after a long wait. They still have to be decaled and they will have the radio installations this Thursday. Then they will be ready to go after that's all done. Other than that, I don't have anything else for you. I'd be happy to answer any questions.

SERVICE DIRECTOR'S REPORT:

SERVICE DIRECTOR WITTMAN – You received the monthly report via electronic delivery. I don't have anything else to add. I'll entertain any questions council may have.

MAYOR'S REPORT:

MAYOR WOOFER – I have a couple announcements:

- Tomorrow is the long anticipated Election Day, Nov 8th. Please get out there and vote. Everyone's vote count.
- Veterans Day is Friday, Nov 11th as a reminder.
- We are going to have a ribbon cutting ceremony on Sat, Nov 12th at 11:00 a.m. I invite all of council to attend and the new Cortland Area Care's food pantry facility on Fowler St.
- Thanksgiving Holiday is Thurs, Nov 24th. City offices will be closed both Thurs and Fri Nov 24th/25th.

NO COMMITTEE REPORTS

NO QUESTIONS OF COUNCIL FROM THE AUDIENCE

ANNOUNCEMENTS:

COUNCILMAN MOORE – I had the privilege of attending the Ohio Municipal League Conference two weeks ago to represent Cortland. I found it very informative. I saw GPD Group was down there. That name sounded familiar when Ryan was here.

There was some real good information, the medical marijuana law which was passed in September. I got a packet of materials that I printed out. They gave it to us ahead of time. That law will go into effect in two years. Basically, there are a couple issues. One is, how we want to regulate, if at all, or ban it within the city, the medical marijuana dispensary. Cities are starting to take actions. I think there was something in the paper about Warren looking at it. We have a couple years before that really has to kick in. Secondly, how we treat our employees if we change the drug policy to accommodate that. So, those are issues they mentioned that cities would have to look at.

There is also a new model sign ordinance out which I brought a copy of if that's something you want to look at to see how it compares to where we are at now. That would be good. I went to a couple seminars talking about funding grants, one from ODOT. I brought some materials I'll share; some may apply to you Don. I'll pass them along to you. It was very informative. I enjoyed going and thank you for the opportunity.

COUNCIL PRESIDENT LINVILLE – Thank you, Don, for going and reporting back to us.

A motion to adjourn the meeting 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**

Meeting adjourned at 7:29 p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL