

REGULAR COUNCIL MEETING – 7:00 P.M.

The Council of the City of Cortland met in regular session on Tuesday, January 16, 2018 at 7:00 p.m. at the City Administration Building, 400 N High St, Cortland, Ohio with Council President Petrosky presiding. Members of Council present were James Edwards, Kathy Fleischer, Patti Keller, Don Moore, Kevin Piros and Scott Rowley. Also present at the meeting were Mayor Woofter, Law Director Wilson, Finance Director Gibson, Fire Chief Rea and Clerk of Council Horn; absent were Police Chief Andrews and Service Director Wittman.

A motion to approve Council Minutes from the January 2, 2018 Re-organization Meeting was made by Councilman Moore and seconded by Councilman Rowley. **ROLL CALL** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

A motion to approve Council Minutes from the January 2, 2018 Regular Council Meeting was made by Councilman Rowley and seconded by Councilwoman Keller. **ROLL CALL** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

A motion to approve Schedule of Bills to be paid totaling \$107,117.55 was made by Councilman Rowley and seconded by Councilwoman Fleischer.

COUNCILMAN MOORE - Patti, I know we have the new format now. Can you take a minute and explain some of the coding just so we understand what we are looking at?

FINANCE DIRECTOR GIBSON – This is a batch report so everything is sitting there for approval and then we will pay it and it will post to the system. The Payment Advice # - it gives it a number, 1 through, and it will be continuing. Your Post Date is the day we are going to pay it. It has the Vendors we are paying and then the Amount. Status B means it's in the Batch.

COUNCILMAN MOORE - The Account Warrant. Is that what most of them will be?

FINANCE DIRECTOR GIBSON – Yes. A Warrant is called a check. They all will be Accounting Warrants unless it's out of Payroll and then it will be PW – Payroll Warrants.

COUNCILMAN MOORE - Thank you.

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

OLD BUSINESS:

ORDINANCE O-59-17 – An Ordinance authorizing an agreement for legal defense for indigents was read and moved for third and final reading by Councilwoman Keller and seconded by Councilman Piros. **ROLL CALL O-59-17** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED THIRD AND FINAL READING**

NEW BUSINESS:

RESOLUTION R-04-18 – A Resolution authorizing the final acceptance of the Calvary Bible Church Sanitary Sewer Extension along State Route 5 was read and moved by Councilwoman Keller and seconded by Councilman Moore. **ROLL CALL** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

RESOLUTION R-05-18 – A Resolution repealing and replacing Resolution R-16-17 for the donation of certain improvements on municipally owned property at Point Park was read and moved by Councilman Rowley and seconded by Councilman Moore.

MAYOR WOOFER - We have two gentlemen here tonight. Oh, ok. Very good, welcome. I think our Council President will have you speak at the end of the session tonight during discussions. With this, we added dates that they have to make completion by. If it's going to be extended past that they would need to go back to the Planning & Zoning Commission with different plans or maybe different ideas or at least an update if they are within a few bucks of where they've got to be. It's not going to be an issue. What we wanted to do because of other things that have happened in the past where we haven't set a cut-off date. There are open ended questions about it. We reviewed this with the gentleman and the lady on the committee. They were in acceptance of the changes as well. If there are any questions, I'll try to answer them as well.

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

RESOLUTION R-06-18 – A Resolution authorizing the sale by internet action pursuant to Ohio Revised Code Section 721.15(D) during the Calendar Years 2018 and 2019 of municipally owned personal property which is not needed for public use or is obsolete or is deemed unfit for the use for which it was required was read and moved by Councilwoman Keller and seconded by Councilman Rowley. **ROLL CALL** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

RESOLUTION R-07-18 – A Resolution authorizing the Clerk of Council to advertise a Public Hearing to consider amendments to the Zoning Code to identify Marijuana Dispensaries, Cultivators and Processors as a Use Permitted Upon Review in certain Zoning Districts was read and moved by Councilman Keller and seconded by Councilman Moore.

COUNCIL PRESIDENT PETROSKY - Everyone received a revised copy at their places. It changed from Monday, Feb 20th to Tuesday, Feb 20th which is the date in Section 1 there. What this is doing is just authoring the Clerk of Council to advertise for a public hearing regarding the proposed zone change. It will be Tuesday, Feb 20th at 6:15 p.m.

MAYOR WOOFER - Just for the record, so there is no unnecessary worry about this, I originally had requested that the Planning & Zoning Commission update the zoning codes to include these two types of businesses which weren't on the list of businesses that had to be reviewed prior to accepting the business, which means they have to go before a public hearing. That's why we added these two types of businesses to it. If we didn't have that on our records to be reviewed with a public hearing, and the Planning and Zoning Commission just flat out turned them down, they could potentially sue the city for not allowing the business. In the long run it would cost the tax payers and the city so much more money to fight that in court. This way the residents of the city have input into this with the public hearing process. It's a better way of handling this.

LAW DIRECTOR WILSON - Our chances for having any court uphold what the city ultimately decides after the zoning amendment is in place is much better with the revised zoning plan in place; rather than them having come in with the way its structured now our chances of prevailing in court would be much lower.

MAYOR WOOFER - I want to reiterate on thing. The city is not in support or non-support of these types of businesses. All we are doing is adding them to a list so we can get the residents input.

COUNCILMAN MOORE - There is one other option. You can do a moratorium and put it off. Has anyone applied for the city? For the zoning?

MAYOR WOOFER - No, they did not physically come in here and apply. I did have a pharmacist and a partner of theirs speak to me privately. They were interested in setting up a dispensary in Cortland and they asked me what type of rules and regulations we had. That's what brought this whole thing about. We don't have any.

COUNCILMAN MOORE - That deadline has passed.

MAYOR WOOFER - That's true.

COUNCILMAN MOORE - So nobody is applying this round.

MAYOR WOOFER - That's correct.

COUNCILMAN MOORE – There were 9 for Trumbull County that applied and none of them obviously for the City of Cortland because on their application process they have to get the zoning form completed.

MAYOR WOOFER – Right.

COUNCILMAN MOORE – We can talk about this when it comes up again but...

MAYOR WOOFER – Feel free to... please. I don't see postponing this, at this point, as any advantage. All we are doing is doing this to help protect the city.

COUNCILMAN MOORE – The advantage I see of doing a moratorium is the law doesn't go into effect until September of next year. If we had a moratorium for one year, it would give us time to see what the impact would be. Also, I understand there is a ballot issue they are looking to put on to legalize recreational marijuana next November. So, there could be a lot of changes to all the marijuana issues.

MAYOR WOOFER – I see that as something we could deal with at that time. If we have this on our books, we are here and we are ready. We can handle it. We have a method of discussing whether you want these kinds of businesses or not. Whether you are for it or whether you're against it. We have at least a method of handling the question of that.

To answer another question of yours, about trying to buy some time, I'm not sure what time we would be buying. In my view, it's going to be a year or two before the state would even decide if they wanted to add additional dispensaries and grow places. So, this is way off in the future.

COUNCILMAN PIROS – This is a business basically so we have to treat it like a business and apply it to the zoning. Since it is such a specialty business, we have to account for those.

LAW DIRECTOR WILSON -As a Use Upon Review, an entire set of hoops they have to jump through which include a public hearing before it's ever even approved.

COUNCIL PRESIDENT PETROSKY - Let me bring everyone back around. This is just to advertise for the public hearing on Feb 20th at 6:15 p.m. Council will address this. That's the process, after the public hearing we will look at legislation likely in the month of March and the beginning of April. It will go for 3 readings. At that time, at the public hearing and readings, the public can come and explain their views, concerns and issues and we will talk about it at length.

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

RESOLUTION R-08-18 – A Resolution authorizing ODOT to perform minor bridge work on a section of State Route 5, PID No. 96678, within the corporation limits of the City of Cortland, Ohio was read and moved by Councilman Moore and seconded by Councilman Piros.

COUNCILMAN MOORE – I know the Service Director is not here, but what is the nature of the work being done?

MAYOR WOOFER – We received paperwork from ODOT and there are minor issues with the bridge. The bridge is on High St in between the Old Mill and the Mexican restaurant. This will take them a couple of weeks to do it. There will be lanes open. It won't be completely closed. They will be epoxying and fixing certain areas of the bridge that they find imperfections on. It's not a major issue; they are just staying ahead of the game.

COUNCILMAN MOORE – They are paying full cost for it?

MAYOR WOOFER – Yes, they are paying for it.

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

REPORTS:

FINANCE DIRECTOR'S REPORT:

FINANCE DIRECTOR GIBSON – With the new system you guys are going to see more and more reports that you're not used to seeing. They are pretty similar to the old reports but if you have questions feel free to come in and ask. I can show you the system if you'd like to see it. We'll get through it. That's really all I have to report so if you have any questions, I'll answer them.

COUNCILMAN MOORE - Congratulations on getting it done. I know working on that and the state audit at the same time... So, good job on doing that.

FINANCE DIRECTOR GIBSON – Thank you.

COUNCILMAN ROWLEY - Yes, thank you.

COUNCILMAN MOORE - Is it all complete now?

FINANCE DIRECTOR GIBSON – We have the accounting complete, yes.

COUNCILMAN MOORE - You and I had a conversation before about ohiocheckbook.com. Since we are in the new system we can easily transfer that information to the Treasurer's Office. Anyone can go online and see it. Is that something you do or do we need action by council?

FINANCE DIRECTOR GIBSON – I would say that's action by council. I can go ahead and get you some paperwork on it. It's transparency in Ohio. There are a lot of entities on there.

COUNCILMAN MOORE - A number of communities have already done it in Trumbull County. It just makes sense to be open about it.

FINANCE DIRECTOR GIBSON – If you are interested you can always just go to ohiocheckbook.com. Check out the website. I'll gather some paperwork and have it ready for the next meeting.

COUNCILMAN MOORE - Thank you.

POLICE CHIEF'S REPORT:
(POLICE CHIEF ANDREWS ABSENT)

OFFICER O'CONNOR – I don't have anything. I believe you have the Chief's report. I have nothing to add to that. He told me to bring any question you may have back to him.

FIRE CHIEF'S REPORT:

FIRE CHIEF REA – Our 2002 ambulance, we had an initial bid on that when we first listed it at \$12,700. That buyer backed out so we went to the secondary buyer. We got in the end \$8,000 for that unit. It's still sitting out there but we have the money for it. So, it's paid for; it can sit out there as long as he wants it to.

Our new ambulance is in. It's sitting outside. So, if you would like to see what we got for our money and our grant, stop by. It's nice and warm right now. You can look through it and see what we got. It's a very nice unit.

The 2006 ambulance will be leaving the end of the week as a trade- in on this unit. It had to be kept separate from the entire deal because of the grant and loan paperwork that we had to do with the USDA. Next meeting I will be on vacation. Hopefully, I will have someone here as long as they aren't out on calls. If they are out running calls then they won't be here.

LAW DIRECTOR WILSON - Chief, you sold that ambulance on Municibid that council just approved to use again this coming year and the year following. Did you have a good experience with that?

FIRE CHIEF REA – Yes. It's not Municibid's fault. The buyer just backed out at the last second.

LAW DIRECTOR WILSON – But your dealings with Municibid were good?

FIRE CHIEF REA – Yes, it was very straight forward. It’s easy to use the site. The nice part is we don’t have a fee on the end. It all comes out of the purchaser. That’s the biggest difference with the other on-line sites that we’ve used.

LAW DIRECTOR WILSON – Thank you.

FIRE CHIEF REA – You have my monthly report. Anything else I’ll be glad to answer.

COUNCILMAN PIROS - There was no thought to re-upping that and re-bidding it? That’s a considerable decrease from \$12,700 to \$8,000.

FIRE CHIEF REA – We could have but it’s a 2002 ambulance. The longer it sits the less it will be worth. It’s the motor sitting in that thing that’s worth something in that truck. That’s what they really bought.

LAW DIRECTOR WILSON – And there was a significant leak.

FIRE CHIEF REA – Yes, a gas leak. It needs a new fuel tank and some other things. That was the biggest problem. The other bidder came in at \$12,000. I took some more pictures and some other stuff and we ended up settling on \$8,000. I wanted \$5,000 for it...

MAYOR WOOFER – The reason he backed out in the first place was because he felt that he over bid it.

FIRE CHIEF REA - Yes.

MAYOR WOOFER – And it went right to the second highest bidder, the guy who ended up with it.

FIRE CHIEF REA - We had 3 bidders on it. The first bidder topped out at \$1,500 and then these two who run competitive businesses in Philadelphia area kept out bidding each other and ran the bid up a little bit. I wanted \$5,000 and I got \$8,000. I’m happy.

COUNCILMAN PIROS - As long as you’re happy we are good.

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

COUNCIL PRESIDENT PETROSKY - Mayor, does he have anything that you know of?

MAYOR WOOFER – Nope. Well, our Service guys, in spite of some of the comments we’ve heard, were out working very hard over the weekend. Not only plowing and salting the roads where we needed to but repairing at 2 degrees below zero on Sunday morning on N mecca near Lake Vista a water main break. I don’t know if you guys have ever gone out and watched these guy repair a water break but they have to dig a hole and they have to get down in that and stand in water. They have to find the leak in the pipe and do what they have to do to repair that. It’s not a fun job to do in that kind of weather. It took some time. I commend the Service Dept for the job that they did do over the weekend. Here are a couple pictures I downloaded off the internet today. This picture was taken at 11:30 last night on West Main St and then at 9:00 this morning it looked like this.

(SHOWS 2 PHOTOS)

COUNCIL PRESIDENT PETROSKY - Wow.

MAYOR WOOFER – It’s not like we didn’t do anything. When the temperatures are that low and you put salt on the roads, the salt is not going to do anything. It’s just going to sit there. The temperature warmed up this morning to 20 degrees and helped melt all that off and warm that all up.

COUNCIL PRESIDENT PETROSKY - Do we have enough salt remaining?

MAYOR WOOFER – Yes.

COUNCIL PRESIDENT PETROSKY - Good.

MAYOR WOOFER – Not that we won’t have to order more at some point.

COUNCIL PRESIDENT PETROSKY - Unfortunately...

COUNCILMAN PIROS – Just for the record, I was in communication with Don today. Every time we do our salt runs on the city streets, its 20 tons of salt that’s dispersed. So, that gives you an idea.

COUNCIL PRESIDENT PETROSKY - They did quite a few runs in December if you look at their Service Dept Report. January hasn’t been any better.

COUNCILMAN PIROS - We got spoiled.

COUNCIL PRESIDENT PETROSKY - Yes we did.

MAYOR’S REPORT:

MAYOR WOOFER – I have nothing. So, if you have any questions of me I’d be glad to answer them.

NO COMMITTEE REPORTS

DICK MCCLAIN – 309 COPPERLAKE EAST - CORTLAND VETERANS MEMORIAL COMMITTEE

DICK MCCLAIN – Madame President, if you allow me there are a couple things I'd like to hand out.

(PASSES OUT HANDOUTS)

COUNCIL PRESIDENT PETROSKY - Sure. Go ahead, please.

DICK MCCLAIN – I wanted to come tonight to give you an update of... (INAUDIBLE) depends on how many questions we may have. I'll give you a quick update of where we are with the Veterans Memorial Project. I know some people like to jump right to the bottom line. As of yesterday, we have raised \$ 73,400. Our goal is to try and raise \$165,000. About this time last year we started putting together our plans and so forth for the project and met with the Parks Board and City Council. Then we went to the service clubs, veteran's organizations and community groups. You may recall on May 29th of last year we had the community breakfast where we kicked off our campaign. We spent a lot of time during the summer months trying to get the word out launching our website and participating in quite a few events. We almost got event crazy there for a while. We were jumping from one to another trying to keep up and be ready for the next one. We organized our own Truck Show in August which was very successful particularly with the help Lions Club members. As we transitioned from summer into fall we transitioned our campaign over to try to make contact with businesses and community groups and research some grant possibilities as well. As we enter into the new year, we are very excited and very grateful for the donations we have at this point, the pavers order and the pledges that we have logged and recorded. We are working to secure the remaining funding here during the first quarter of 2018 and try to finalize our construction work so we can accomplish that this summer. As some of you may recall, we originally started out thinking that we would complete this project and dedicated it on Memorial Day weekend. I'd don't think that's going to happen. It's probably going to be in the summer timeframe. As you heard, we reviewed your resolution here this evening. We are comfortable with that. If the time comes and we are not ready we will be back to talk about it and see what we have to do at that point. As I mentioned here, to reach our \$175,000 objective, we are continuing to receive orders for engraved pavers honoring those who served and we are approaching well over 60 prospects that we have identified in the Cortland and Warren area of businesses, community groups and foundations. We think that number of prospects and the people we have working on those will be very successful. We have been up to this point; I don't see why we wouldn't continue to be when we approach these prospects. Some of you may know this but one of our members, Bob Woofter, is putting together some plans right now for an observance on Armed Forces Day which falls on Saturday, May 19th this year. We are putting together some special things that day if we have the permission of the Parks Board and so forth to use Point Park for that observance. As those plans are finalized, we will be announcing them and getting approval for them to proceed with that. Not to let the cat out of the bag but one of the things we

are thinking about if we can pull this off is to get the fallen soldiers cross that will be the center part of our memorial. Get it here and have to be unveiled for the occasion. I think that would be impressive. If you look at this flyer that I have given you, on the front, you may not have seen it that's why I handed it out to you tonight. After we worked with Gilmore to get our original plans and designs drawn up, they were able to work with an outfit and I'm not sure how they do this. This is a computer generated rendering, they call it. It's not a photograph. A lot of people look at this and think we went out and took a picture of another memorial somewhere. That was not the case. This has been created on a computer with all the different features that we had included in what we are trying to do. It might not look exactly like this. The fallen soldiers cross doesn't appear very prominent in this picture. The monument stone behind it with all the service branch emblems will be mounted doesn't appear very prominent either. Just to give you an idea, it's going to look something like that if you were standing at the clock looking back towards where the gazebo stands today. This is what you would see. The observation deck is in the back. At the top of the handout that I gave you are the members on the committee, 19 strong right now. Let me introduce Allana Caro who has joined us when we were having the Truck Show and she has stuck with us ever since, Ernie Stewart is part of the committee, and our Chairman, Ian McAleer is here. Do you have any questions I might be able to answer or would you like to rush out and freeze?

COUNCILMAN PIROS – Dick, after we approved this we had a number of individuals come and approach council during meetings and express some concerns. Have you been able to contact or reach out to any of those individuals and try to alleviate some of the misunderstandings and/or issues that they may have?

DICK MCCLAIN –Yes and no. We have contacted and talked with all of those people, I think, that were here. Whether we relieved any of their concerns, I don't know. One of the things we took into account as a committee was to consider whether we could somehow modify our plan and include some type of a gazebo structure in the this design. We wrestled with that. I'll be really honest with you. We looked at least 2 different revisions to this plan. We can't come up with any comfort level at all with that. I talked with the Cortland Beautification Association about that and that is where we are at on that and I shared with them that until we have something we were comfortable with we didn't want to bring anything to them which they may or may not like since we weren't very warm to it ourselves. But yes, we are still working on an idea that may solve the problem all the way around. That is to try to come up with a solution where a gazebo is created somewhere in the city. I'm in agreement with them. It's part of our city logo, it's a throwback to our ties to New England where you have a bandstand or a gazebo or a town green. I'd like to see us have some type of a town green here in Cortland. Where that might be, I'm not sure. We've looked at a couple possibilities but they are just places that we've looked at right now. If a town green could be created with a nice gazebo 3 times the size the one that we have there, I think there are members of our committee and members of the community we have talked with that would volunteer to help with that project and see that happen. It would be something that I think the folks that feel very strongly about having a gazebo might like or might not. I don't know if that would please them or satisfy their concerns. I'd like to think that it would. If we could have a nice size gazebo where you could have Sunday afternoon band concerts and people come out and sit in their lawn chairs

and so forth and enjoy that. Might have some parking around it where, unlike what you have there now at Point Park, it would be much more accessible. People would enjoy it more for pictures and picnics and things like that. So, we are working on a couple ideas where we might be able to put together some kind of a thought, plan, suggestion or recommendation that could create a town green maybe. When we have a little more specifics along those lines share that with them and see if that would be something they would be happy with.

COUNCILMAN PIROS – Thank you.

DICK MCCLAIN –A lot of what I just shared with you though is still floating around there. We are trying to pull it all together.

COUNCILMAN PIROS – I’m glad to hear that you haven’t totally removed their involvement and their considerations. I’m glad to hear that. Thank you.

DICK MCCLAIN –Any other questions?

COUNCIL PRESIDENT PETROSKY – I’d just like to thank you also for reaching out to them, the Cortland Beautification Association, and working with them.

DICK MCCLAIN –I talked to Mary Kachurik a couple of times to keep her updated as well as Rick Grove who raised the issues about the pavers on the wall rather than on the ground. I’ve talked with Rick a number of times. I think he is away now for the winter. I think he’s in a place in Arizona he visits this time of year. But yes, we’ve tried to work with all those different issues that were raised that night. I’ve even watched the video 2 or 3 times and took good notes to try to make sure I got it all down.

COUNCIL PRESIDENT PETROSKY – Well, thank you very much. I appreciate that.

DICK MCCLAIN –Anything else? Thanks for having us.

COUNCILMAN PIROS – Thanks Dick.

IAN MCALEER – 2218 HENN HYDE RD CORTLAND

IAN MCALEER – City Council and Mayor Woofter, on behalf of the Cortland Veterans Memorial Committee, from the bottom of our hearts we are grateful that City Council, the City of Warren and Mayor Woofter especially for putting us in the paper as you have in the past. We thank you.

NO QUESTIONS OF COUNCIL FROM AUDIENCE

ANNOUNCEMENTS:

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

Meeting adjourned at 7:38 p.m.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL