



November 4, 2019

**REGULAR COUNCIL MEETING – 7:00 P.M.**

The Council of the City of Cortland met in regular session on Monday, November 4, 2019 at 7:00 p.m. at the City Administration Building, 400 N High St, Cortland, Ohio with Council President Deidre 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, Police Chief Morris, Fire Chief Rea, Service Director Wittman and the Clerk of Council.

A motion to approve Council Minutes from the October 21, 2019 Regular Council Meeting was made by Councilmember Piros and seconded by Councilmember Moore. **ROLL CALL** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, abstain; Piros, aye; Rowley, aye. **MOTION PASSED**

A motion to approve Schedule of Bills to be paid totaling \$ 20,024.74 was made by Councilmember Piros and seconded by Councilmember Rowley. **ROLL CALL** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **MOTION PASSED**

**NO OLD BUSINESS**

**NEW BUSINESS:**

**RESOLUTION R-37-19** - A Resolution authorizing ODOT to conduct Bridge Inspection Program Services, under ODOT PID No. 109334, within the corporation limits of the City of Cortland, Ohio was read and moved by Councilmember Rowley and seconded by Councilmember Fleischer.

**COUNCILMAN MOORE** - Does this only apply to the High St bridge? Is that the only one we have?

**SERVICE DIRECTOR WITTMAN** – Actually, the High St bridge falls under the ownership of ODOT being that it is on a state route. The bridge we replaced on Main St, closest to the intersection with High St. That’s the county’s ownership and maintenance responsibility. What this resolution does, is it allows us to utilize the ODOT Orphan Bridge Program. We have bridges in the city on residential streets that need to be classified as a bridge. Essentially, it’s the larger diameter culverts. So, we are looking a Fairway Dr, Louis Blvd, and Blake Blvd.

**COUNCILMAN MOORE** – They’ll do inspections of these?

**SERVICE DIRECTOR WITTMAN** – Well, this is a... I am going to have to read what I responded to the President of Council in an email. She asked me if this was reactive, proactive or required and I said, yes. It’s reactive in that the Fairway culvert we were having some issues with some subsidence. There are three, six-foot diameter corrugated metal pipes underneath it and each of them are sixty foot in



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length to accommodate the flow of Walnut Run. There have been sink holes developing away from the roadway, along the north headwall by the cart path. We have been filling them with grindings, initially thinking that they are attributable to settling around the pipes and the headwall and/or animals. We went and looked at the pipes and there is some rust and rot developing along the invert of the pipes. So, I called Gary Shaffer, the Deputy Engineer with the Trumbull County Engineer's Office to get his input. I discussed it with him and there are some maintenance things that could be taken care of. During the conversation, he said these are over ten feet which make it a bridge. Over twenty feet, it is a federal bridge. I'm looking at it and saying, well it's just a culvert, not a bridge. But, in the nomenclature for ODOT, it's a bridge culvert. So, these structures need to be inventoried, load rated and posted as a bridge. Mr. Shaffer suggested I contact ODOT District 4, which I did, which has promulgated us to have this resolution here. They can fit us into the program. They have a task work order. This is not going to cost the city anything. We will utilize the dollars the state has set aside to do those tasks of inventory, load rating and then getting them on the inspection loop.

**COUNCILMAN MOORE** – Good. Thank you.

**SHIRLEY COCHRAN** – Can I ask a question about this?

**COUNCIL PRESIDENT PETROSKY** - Please come to the podium.

**SHIRLEY COCHRAN** – Well, he doesn't have to come to the podium.

**COUNCIL PRESIDENT PETROSKY** - Well, no, he doesn't. I'm sorry. You need to state your name and address.

**SHIRLEY COCHRAN – 145 FROSTWOOD DR**

**SHIRLEY COCHRAN** – I was wondering if he accompanies the inspectors when they do these bridges.

**COUNCIL PRESIDENT PETROSKY** - I don't know.

**SHIRLEY COCHRAN** – I just wondered if he does that.

**SERVICE DIRECTOR WITTMAN** - No, I will not.

**SHIRLEY COCHRAN** – Is there a ruling why? Is it because they are state?

**SERVICE DIRECTOR WITTMAN** - They are hiring a consultant and...

**SHIRLEY COCHRAN** – So, you are out of it.



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**SERVICE DIRECTOR WITTMAN** – Yes.

**SHIRLEY COCHRAN** – Okay. That’s all. I just wanted to know if you went for the inspections.

**COUNCIL PRESIDENT PETROSKY** - Good question.

**SERVICE DIRECTOR WITTMAN** – As I stated, this is required for the bridges we identified - Blake Blvd, Louis Blvd and Fairway Dr. We are going to get these taken care of. They will go back and look at all the other culverts we have in town and see if they fall within that jurisdiction as well. This is going to be proactive in that once all these bridges are listed, then they will be subject to annual inspection through the ODOT Bridge Inspection Program.

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

**ORDINANCE O-40-19** - An Ordinance authorizing an agreement for legal defense for indigents was read and moved for first reading by Councilmember Fleischer and seconded by Councilmember Rowley.

**ROLL CALL ON O-40-19** - Edwards, aye; Fleischer, aye; Keller, aye; Moore, aye; Petrosky, aye; Piros, aye; Rowley, aye. **ORDINANCE PASSED FIRST READING**

**REPORTS:**

**FINANCE DEPT REPORT:**

**FINANCE DIRECTOR GIBSON** – We are now accepting credit cards. It’s been on the eNews and it’s on the website. We did have a couple come in over the counter. So, the words out. Other than that, I’d be happy to answer any questions.

**POLICE DEPT REPORT:**

**POLICE CHIEF MORRIS** – I don’t really have anything for you. Trick or Treat went very well. We had six cars out. Considering the weather was as bad as it was, they thought it was one of the busiest Trick or Treats they’ve had. So, we went through quite a few bags of candy. It was very successful. Other than that, I’ll entertain any questions you might have for me.

**SHIRLEY COCHRAN** – I have a question.

**COUNCIL PRESIDENT PETROSKY** - You need to come back up.

**SHIRLEY COCHRAN** – I’m the only one that has to get up here, I guess. How is Mr. Mancini? Are we going to discuss him a little bit?



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**POLICE CHIEF MORRIS** – He is still recovering at home. That’s the best I can give you as far as his condition at this time.

**COUNCIL PRESIDENT PETROSKY** – Thank you for asking.

**SHIRLEY COCHRAN** – Well, I read all this in the paper and for that to happen it was really...

**COUNCIL PRESIDENT PETROSKY** - As the Chief initially reported, it was miraculous that he survived.

**SHIRLEY COCHRAN** – I’m having stents put in so anything to do with the heart is miraculous.

**COUNCIL PRESIDENT PETROSKY** - Thank you for your concern.

**FIRE DEPT REPORT:**

**FIRE CHIEF REA** – I don’t have too much for you. I’m in the process of closing out the 2017 FEMA Grant. That was the joint grant for all the Scott Air-Paks we bought last year. Each dept had a little money left over. We had about \$12,000, so we are looking to spend that. We will be purchasing turnout gear. We had to apply to FEMA for the variance going from Scott Air-Paks to turnout gear. They really don’t care what we use it on as long as it fits into that category of safety equipment. We still must ask permission before we do anything. We gathered a quote from Warren Fire which we have been using for years. It’s all on state purchase. As soon as I get the variance from FEMA, we will bring you an ordinance to finish spending that money. It’s about \$12,000 for which we pay 10%, or \$1,200.

**COUNCIL PRESIDENT PETROSKY** - Good deal.

**COUNCILMAN PIROS** - How much turnout gear do you anticipate buying?

**FIRE CHIEF REA** – I don’t know. I’ll have to see the current prices. Like everything else, it goes up every year. Last time it was about \$2,500 per coat and pants; and that’s been several years.

**SHIRLEY COCHRAN** – I don’t want to take over the meeting, but I don’t get in here very often to get the chance to talk. I wanted to thank the Fire Dept. They have been to my house many times over the years. And the Police Dept. I wanted to thank them personally because I don’t run into the Police Dept or Fire Dept. So, thank you very much.

**FIRE CHIEF REA** –You are very welcome.



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**SHIRLEY COCHRAN** – They are very personal... That’s not what I want to say. They are very amiable and very professional. That’s what I want to say.

**FIRE CHIEF REA** –We will take that.

**SHIRLEY COCHRAN** – Really, I can’t say enough.

**COUNCIL PRESIDENT PETROSKY** - Thank you.

**SERVICE DEPT REPORT:**

**SERVICE DIRECTOR WITTMAN** – I just want to update council on the status of the presentation of projects to the Ohio Public Works Commission District 6 Integrating Committee. They haven’t finalized the slate of projects, but they have done all the scoring. On Nov 12<sup>th</sup>, they will finalize the projects. It looks like we are going to get \$75,000 towards our 2020 Asphalt Resurfacing Project and the North Mecca St Resurfacing will be getting \$224,000 to offset the local share. The other 80% of that is secured through the Federal Highway Administration dollars. So, much like Main St, we will be able to address the Federal Highway without any cost to the city by coupling the OPWC grant with the State of Ohio Grant.

**COUNCIL PRESIDENT PETROSKY** - Wow. That’s awesome. Congratulations.

**MAYOR’S REPORT:**

**MAYOR WOOFER** – I have a few announcements:

- Daylight Saving Time ended over the weekend and you all must know because you were all here on time. So, that’s a good thing.
- Tomorrow is Election Day. Make sure you get out and vote. Good luck to our incumbent council people who are re-running.
- Our Veterans Day Observance will be Sunday, November 10<sup>th</sup> at 2:00 p.m. at the Cortland’s Veterans Park. If you could be there what that would be most excellent. This will be the first official Veterans Day celebration the city will be involved with at our park. It’s a nice thing. If you can be there that would be great. So, that’s Sunday, November 10<sup>th</sup> at 2:00 p.m.
- Veterans Day is Monday, November 11<sup>th</sup>. City offices will be open.
- Thanksgiving is November 28<sup>th</sup>. City Offices will be closed both Nov 28<sup>th</sup> and 29<sup>th</sup>. Trash/Recycling collection will run through this holiday. That’s all I have unless there are any questions of council.

**NO COMMITTEE REPORTS**

**QUESTIONS OF COUNCIL FROM AUDIENCE:**



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**GERALD BAYUS – 101 LECKRONE WAY**

**GERALD BAYUS** – I wrote this down because there is a lot that I can try to cover, and I didn't want it to be too long. I have lived in my house for 26 years. For 26 years, I have broken my back to maintain my property and keep it presentable, for myself and my neighborhood. I have also watched for 26 years the issues and problems this city has repeatedly had with developers basically doing whatever they want to shortcut corners, to the detriment of the surrounding community and to the city.

The list is extensive, but a few areas can be brought for example. Laura Ln, the city accepts a street with storm sewers that were installed like a jig saw puzzle. In fact, I think it was Mr. Wittman, prior to his employment, that did the evaluation and informed us of that, leading to the extensive flooding in home's basements on that street over the years. The fix? We dug some ditches. Laura Ln again, no cul-de-sac, as required by our zoning regulations. The developer got what, another six houses in there? How'd we overlook that?

And across the street from there, a bunch of rental properties built at the entrance to Shepherd's Hill development which consists of all single-family homes. No landscape, no aesthetics to keep in harmony with the remaining neighborhoods. That's what people see when they drive down Rt 305 at Southdale into Cortland. That used to be all wooded property. With proper planning, no trees or woods could have been left to make that particular community look like it actually belonged there, and was part of the city? The developer cleared it all out and flattened it because it was convenient for him. Nothing at Rt 305 and Southdale is aesthetically pleasing or beneficial to the City of Cortland. And the people that drive in on Southdale every day, should be disgusted for the past 10 or so years that has taken place.

For more than 5 years now I have had to watch as the same thing has taken place behind my property on my street. What was once all woods, has been gradually destroyed, tree by tree in order to build more rental properties; owned by someone who lives in Bazetta in Timbercreek surrounded by woods. I watched as the land was re-graded, sloped down from the center of their property to the back of mine and my neighbor's properties, allowing all the water run-off to drain directly to our back yards. Permits are usually never obtained until after someone complains and the damage is done. Even with a permit, there is no oversight by the city to see that the surrounding community and neighborhoods are not adversely impacted by such development.

Trumbull Soil and Water, the EPA and even the Army Corp repeatedly issue violation letters. With the land behind the high school, a stop work order was issued due to the negligent destruction of wetlands. The standard MO has been, I'll do what I want to do until I get caught, then it will be too late to fix it. Well, luckily the Army Corp has made some attempt to get that fixed. Trumbull Soil and Water, I think, just throws their hands up because they have no enforcement power. They issue violations for city ordinances and zoning laws, and they have oversight over the developments; but it is the city who has to enforce its own rules and laws. Trumbull Soil and Water has told me repeatedly, "there's only so much we can do because the city won't enforce its laws". Repeatedly, they've told me.

The city is notified. Don Wittman is notified. I even tried to inform council members back when it first started. The city knows there are repeated violations, over and over, yet that folder I brought that's five inches thick is just a sample of the repeated violation letters and notices that have gone on for years and years and years; in particular, for the most part, one developer. We keep letting it happen over



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and over and over. We are like a babysitting city. Don Wittman sends a letter. Well, by that time, it's too late. The lot behind me that was developed last year, or two years ago, or three years ago as it was developed, the trees were torn out, the ground was leveled, flattened corner to corner, graded, packed down and sloped so all the water would run back to me before a permit was issued. I came up here, talked to Don and told him this is happening. They came in that day to get the permit. The work had already been done. There are never any ramifications. They just move onto the next property. How many acres behind the high school have been destroyed and ruined, yet we can just move onto another area and work to destroy that without following any rules. There is no concern for the impact of any development on the city or the surrounding community in which it will affect. I have gone from looking at woods with privacy for 20 some years to looking at rental property rooftops, back yards with weeds for grass and flooding in my back yard every time it rains. There is no one to blame but the city. The developers know how to get away with it, so they do. This has to stop! People have complained for years and years. It just keeps happening. It's the same old story.

These rental properties are built on slab foundations, yet our own zoning ordinances allow only for crawl space and full basement foundations. Don Wittman was notified and questioned, yet the issue is ignored. If the members of the Zoning Commission don't know our laws, they shouldn't be on the Commission. Why do we have some 20 to 25 rental properties in the city that are built on slabs when it is very black and white in our zoning ordinances that we only allow crawl spaces and full basements. I shouldn't be the one that has to bring this to any of you.

City zoning ordinances are meant to protect homeowners and residences, residents that own property and have investments in this city. But in Cortland, for as long as I have been here, "Zoned" stands for "Zoned for the developer's protection", not the "residents."

The city's website says as it says in our zoning ordinances; "No land shall be used or occupied and no land shall be excavated or grading and no building shall be erected, etc. until zoning permits are issued. But that never happens. The land is cleared and excavated and after getting caught, the developer gets a permit. For what? What good is it then, besides paying the city \$50, or whatever it is? To do nothing. No oversight. No compliance with any permit. The damage is done; and nothing is done to correct it.

Our zoning calls for "development to be in harmony with surrounding properties", "the natural features of the land, vegetation will be protected, surface water will be prevented" and "such provisions are intended to provide for permanently wholesome community environment". Well there is nothing "in harmony" or "permanently wholesome" about the development that has taken place on Maplewood Dr behind me or on Southdale at Rt 305, just to mention a few. In fact, I had an attorney tell me that the property out there, not to be degrading, his interpretation was it looked like a Nazi prison camp. And that's what it looks like when you are going down Rt 305.

Code Section 1193.02(e); Lots subject to flooding or which contain poor drainage may not be developed unless improved to eliminate such problems. In Cortland, we develop to create such problems. Erosion control, use of existing vegetation to slow water runoff, preservation of existing vegetation whenever possible, and minimizing the extent of disturbed areas. I don't think any of this means that the developer can take his construction equipment, completely level a lot, and regrade it so



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the water runs off into the surrounding neighbor's properties. This has happened countless times repeatedly, over and over. I don't know the whole process but there are plans that are submitted that show hydrology and topography of the land and so forth, that's not supposed to be disturbed, but there is never any follow up to see that doesn't happen. Lots in the city are disturbed, regraded and packed down from corner to corner. There is nothing behind me left that represents what was there. In fact, the lot immediately behind me, which is Lot 5, is sitting between one that is being built and one that is built, is nothing but a storage construction yard for excess dirt, debris, tree stubs, trees, wood, garbage, wood chips, etc. It's supposed to be a residential lot available for building, not a construction storage yard for the developer. On top of the that, I've had to sit and look at his big yellow excavator for the past five plus years sit there as a parking lot. Whether we have laws or not that control this morally or whatever, that's not a place to park your excavator when you're not using it. He has commercial property. It should be parked there. The city can request that he move it, so it doesn't sit there for the residents in the area both on Maplewood Dr, Cedar, Leckrone and Turquoise to look at for the past five years. It's convenient to him to keep it there until he wants to get on it and ride around and destroy things.

My neighbor spent more than \$3,000 to try and prevent the water runoff from behind his property from flooding his property. He finally sold his house and moved. He couldn't take it anymore. I have spent close to \$8,000 to try to prevent the water runoff into my property and to try and create some amount of privacy and aesthetics to my property to counter what was done to the adjacent property behind us. I have had to try to protect my property, my property value, which is my biggest concern, and my safety because I am wide open now to every street behind me, the apartments and any transient people that want to walk through. We used to have some amount of protection and privacy. In addition, we have, if you want to consider a neighborhood on Leckrone Way which is all houses, and what we had, that was destroyed by the adjacent building and property behind us. It took away what we had when we bought and moved there. I no longer have what I bought to sell. I've had to spend thousands of my own money to counter what the city allowed to be done to us. And it continues. The lot immediately behind me is a junk yard of construction debris, dead trees, wood, tree stumps, 20ft high piles of dirt from the adjacent lots as well as dirt trucked in from behind the high school. I don't even know if that's allowed. Additionally, it has been the developer's private parking lot for more than five years for his construction equipment. The lots have been accepted by the city for residential development, not for storage of unused dirt and debris, and certainly not a commercial parking lot for his Tonka Toys. The developer owns commercial property in the city where he can store his toys and debris. Whether it is governed by any law or not, it's what's right for the city and the surrounding residents.

Two weeks ago, I gave all of you, through your Council Clerk, as well as to all of the Zoning and Planning Commission, a detailed letter of all of these issues along with a number of photos, a good number of photos and that's only a fraction of what I have. I am here tonight because, other than Ms. Petrosky, I've heard from no one, not one of you about these issues. You are the elected representatives. Some of you are asking to be re-elected tomorrow. It is your responsibility to actually work to investigate and address the issues presented to you, most of which are detrimental to the city. Like it or not, good or bad, it is your responsibility and you are the people that need to be held accountable. Thank you for your time.



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**COUNCIL PRESIDENT PETROSKY** - As you indicated, we've been in contact. I will be responding. I've been out of the state. I will be responding as President of Council, on behalf of Council. I'm certainly not going to... you know.... I will respond in full. I'm certainly not going to take issue with the different issues that you have indicated tonight because there have been quite a few. But, as I indicated in my email, allow me a week or so to do some research because you've questioned a lot of things. I will respond to your concerns.

**SHIRLEY COCHRAN** – I'm kind of glad he was here tonight because I feel like I'm the only one that bitches around here. This is the third time I've been in to see the Service Director. I go along with this man. There is water draining on my property also; but that's not what I'm here about. I'm here about people taking care of their properties. Last year, I had a problem with people in my neighborhood. I don't know if I can say behind me. They cut down trees and leave the branches stacked sky high. They are not from the previous owner. That was not dealt with. He finally started cutting his grass. He let his grass grow up and he had little children and four dogs that run around; and I know he doesn't pick up anything in the back yard. But that's not why I am here tonight. I was in today, and I don't know if I bring it up at council or not, but I have a tree that overhangs my shed that's been dead for years. It doesn't get any leaves on it and is full of poison ivy. I'm told that is my responsibility and it is not; unless it falls. Then, I have to take care of that. The owner has already admitted to me that the tree is dead and belongs to the lady behind him. So, he brought it to my attention because it should be taken down because it's going to fall on my shed, right? Well, that lady in back got tired of listening to him and had his property surveyed. So, that allows us to know where the corner is, where this tree is, and the tree is on his property. Is there nothing in your... Boy, I'm glad he was here tonight. I'm telling ya... He's got problems... about yard maintenance?

**COUNCIL PRESIDENT PETROSKY** - Yes. Let me stop you there. We have an Exterior Property Maintenance Code that you can find on-line.

**SHIRLEY COCHRAN** – It's highlighted too.

**COUNCIL PRESIDENT PETROSKY** - The way you go about reporting those problems is you call the Administrative Assistant and report the zoning violations.

**SHIRLEY COCHRAN** – You mean, Don? Is his name Don?

**COUNCIL PRESIDENT PETROSKY** -No. Don is the Service Director.

**SHIRLEY COCHRAN** – He never said that. Who is the Administrative Assistant?

**COUNCIL PRESIDENT PETROSKY** - Her name is Christine Dorma and her phone number is...



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**SHIRLEY COCHRAN** – Slowly tell me what I need to do.

**COUNCIL PRESIDENT PETROSKY** – There's a process that you do. First you call her.

**SHIRLEY COCHRAN** – Her name is Christine?

**COUNCIL PRESIDENT PETROSKY** – Yes, Christine.

**SHIRLEY COCHRAN** – And she is Administrative Assistant?

**COUNCIL PRESIDENT PETROSKY** – Correct. Give her the violation and she'll keep track of it.

**MAYOR WOOFER** – She needs to submit that in writing.

**COUNCIL PRESIDENT PETROSKY** – She can't just call?

**MAYOR WOOFER** – I don't believe so.

**SHIRLEY COCHRAN** – Let me stop you. I brought in two letters. One for the property behind me and one for this tree thing. It's like there is nothing to be done.

**MAYOR WOOFER** – Did you bring it in today?

**SHIRLEY COCHRAN** – He's got it. (POINTS TO SERVICE DIRECTOR WITTMAN)

**COUNCIL PRESIDENT PETROSKY** – Let me just back track a little. This issues that are addressed in the Exterior Property Maintenance Code, you can make a complaint about. The Service Director will send out a letter. If they comply with the request, then the file will be closed. Sometimes you have to file it again because if he mows his yard one time, then he lets it grow up again, it doesn't stay open.

**SHIRLEY COCHRAN** – I hate to be a complainer. That's the problem. I don't know what their financial situation is. And I just hate to do that. I feel rather... I just think it should be followed up on. That's all.

**COUNCIL PRESIDENT PETROSKY** – Yes.

**SHIRLEY COCHRAN** – With one time?

**COUNCIL PRESIDENT PETROSKY** – Yes.



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**SHIRLEY COCHRAN** – With one letter?

**COUNCIL PRESIDENT PETROSKY** –Correct. So, it if happens again, you have to report it again. That's just the way it works. As far as the tree situation, the City is not involved in that whatsoever. That's an issue...

**SHIRLEY COCHRAN** – That isn't what it says here to me. What I'm reading...

**COUNCIL PRESIDENT PETROSKY** - Let me defer to the Law Director.

**LAW DIRECTOR WILSON** - What I have heard tonight...

**SHIRLEY COCHRAN** – It hasn't fallen yet; so, it's his decayed tree.

**LAW DIRECTOR WILSON** - It is not a tree existing on city property, correct?

(INAUDIBLE ~ MULTIPLE CONVERSATIONS)

**SHIRLEY COCHRAN** – Private property.

**LAW DIRECTOR WILSON** -If this is private property, you need to address that with the owner of that property, not the City

**SHIRLEY COCHRAN** – Before something happens and then we are ugly neighbors. It's ridiculous. I don't want to be an ugly neighbor.

**LAW DIRECTOR WILSON** – Well, that's unfortunately the way the law works.

**SERVICE DIRECTOR WITTMAN** - Just to clarify my conversation with Mrs. Cochran, was that she came in with a written complaint regarding the dead and decaying tree. A letter did go out to that property owner today, based on that conversation with her. So, that will be followed up with. As far as the complaint with the neighbor not cutting his grass, I looked in the file, and that was from two years ago. I contacted him and he had some issues with the lawn mower. They got it mowed and then he had some branches cut off from a tree and he was working to get rid of them.

**SHIRLEY COCHRAN** – I'd like to know what branches those were. The pile is still there. And that really wasn't my issue. My issue was the grass and the weeds. He's got seedlings growing up and they have the little things you can pull out and now they are... it's... I don't know. I try to do mine. Just like he said. You try to keep up with your property. That's the problem, I think.



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The other thing I want to bring up to council is people mowing grass and its going out into the street. I brought it up to Don, and he can smile all he wants to, but being thrown out into the roadway. I don't care where you are at. I never did think that was right. He said, well that's not right. Well, I know it's not right, but they are doing it. The other thing is parking on my street. If I lived on Heritage, I'd like to know how often people can park out on the street. You live back in that development, don't you Mayor? They are using Frostwood somewhat like a parking area. The ones that are using it, I'm waiting for everyone to get moved in and for the dust to settle. Maybe it's not going to be like that, but I know for a fact there are cars from two different houses that use it as a parking area. Now, I can't say about the driveway. The one driveway is only one lane but some of them are doubles and they are parking out on the road.

**COUNCIL PRESIDENT PETROSKY** - They are allowed to do that. We are in the process of trying to come up with some new nighttime parking rules. We are working on that because we don't want that to be an issue where people are just parking their car day, after day, after day.

**SHIRLEY COCHRAN** – And that was happening.

**COUNCIL PRESIDENT PETROSKY** - But if it continues to happen, you can give the police dept a call.

**SHIRLEY COCHRAN** – I don't want to have to call him. I want someone to just... If they are patrolling and if it's there for four or six hours later...

**POLICE CHIEF MORRIS** - But we don't have a time limit for parking.

**SHIRLEY COCHRAN** – I know you don't have any limit for parking; but that's what she had suggested. It's not going to do me any good because you don't have any ordinances for it.

**COUNCIL PRESIDENT PETROSKY** - Well, until we get this new ordinance that we are working on finished, the police officers can go and speak to the resident if it's really causing a problem. They've done that before.

**SHIRLEY COCHRAN** – I'm sure they have.

**POLICE CHIEF MORRIS** - There are parking regulations in city ordinances and state law that sometimes we can enforce such as parking in front of fire hydrants and stuff like that.

**SHIRLEY COCHRAN** – I'm glad you guys... I don't know who had that pine tree cut down on Frostwood. Right where you turn into Frostwood, where that cul-de-sac is? There is a fire hydrant there.



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You had to come around the corner very carefully. But now the pine tree is gone so it's wonderful. You guys probably like it because the hydrant is there.

**FIRE CHIEF REA** - We went out tested and requested they remove it.

**SHIRLEY COCHRAN** – Who did? Someone requested it?

**FIRE CHIEF REA** – Yes.

**SHIRLEY COCHRAN** – Can I have Christine's number?

**CLERK OF COUNCIL** - 637-3011.

**SHIRLEY COCHRAN** – Thank you.

**CLERK OF COUNCIL** - You're welcome.

**SHIRLEY COCHRAN** – I'm sorry. My brain isn't working. When we had our conversation today, they said the only alternative... maybe I'm not getting this right... is taking them to court?

**MAYOR WOOFER** - It is a civil suit that you would have with your neighbor.

**COUNCIL PRESIDENT PETROSKY** - Because it's on private property.

**MAYOR WOOFER** - It's not on city property, it's on private property.

**COUNCILMAN MOORE** - You are talking about the dead tree, right?

**SHIRLEY COCHRAN** – Yes.

**COUNCILMAN MOORE** - My background is insurance, it's not law. People used to ask me about that and what I used to tell them was to put them on notice that they have a dead tree that's threatening your shed.

**SHIRLEY COCHRAN** – But I'm afraid.

**COUNCILMAN MOORE** - Just let them know that. Then you have documentation. Right, Patrick?

**SHIRLEY COCHRAN** – He's already told me... He's the one who brought it to my attention.



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**COUNCILMAN MOORE** – I know. But if it falls on the shed, your insurance company would pay. You can also have a claim under his liability coverage because you put him on notice that that dead tree was threatening your property. Right, Patrick?

**SHIRLEY COCHRAN** – I just hate to do that.

**MAYOR WOOFER** - But you want the problem resolved.

**SHIRLEY COCHRAN** – I do. I know, but I have to live beside that.

**COUNCILMAN MOORE** - Right, Patrick?

**LAW DIRECTOR WILSON** – That’s correct, but you are speaking as a citizen. You are not speaking on behalf of the City. I want to make that clear, Don.

**COUNCILMAN MOORE** – I’m speaking as a former insurance agent. That’s all.

**SHIRLEY COCHRAN** – My insurance agent came out. I went to him. I realize things don’t go as you think they are going to. My deductible is \$1,000. I don’t know what your customer’s deductibles are but I’m sure they can get that out of me and then whatever else had to be done he would take care of. I don’t want this. You know?

**COUNCIL PRESIDENT PETROSKY** – Well, bottom line Mrs. Cochran, is there are vehicles in place that can help you. It’s up to you whether you chose to use them or not.

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

**Meeting adjourned at 7:43 p.m.**

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**CLERK OF COUNCIL**

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**PRESIDENT OF COUNCIL**