

**Niagara City Council Meeting  
Monday, February 18, 2008**

The meeting was called to order at 7:00 p.m. by Mayor Stern. Present: Mayor Stern, Aldermen Kuchinski, Lantagne, Moreau, Towns and Brown. Absent: Alderman Steeno. Also present: Administrator Novak, Director of Public Works Payette, Police Chief Lamoreaux and Hank Murphy of the press, Dave Rock, Tim Phillips and a group of approximately 40 people representing concerned citizens of Niagara

**PUBLIC APPEARANCES**

During public appearances, David Rock presented a statement on behalf of Concerned Citizens from Niagara in regard to the charges that were recently filed against Mayor Stern in regard to misdemeanor possession of marijuana.

**“Concerned Citizens Statement”**

“Council Members and Mayor:”

“Our purpose in coming here this evening is to express our dismay over the embarrassment Mayor Stern has brought upon the City of Niagara. We previously asked for a private meeting with Mayor Stern but he has refused to meet with us.

While the charges against the Mayor were dismissed on a technicality, the negative publicity generated by the incident has been an affront to the citizens of Niagara he was elected to represent. As the city’s chief executive and chief law enforcer, the mayor’s poor judgment and the ensuing scandal has made him a person whose poor reputation no longer leaves him in a position to be able to provide effective leadership or serve as a good role model, especially at a time when the city struggles with the closing of the mill.

As a result, we call upon the mayor to resign from the office of being Niagara’s mayor. Should he choose not to resign, we are prepared to initiate a campaign to have him removed from office by a recall process.”

Tim Phillips then addressed the Council and indicated that this is an unfortunate circumstance and that the Mayor should take action to turn his negative actions into a positive situation for the situation. Mr. Phillips indicated that the Mayor should apologize to the community.

Mayor Stern responded to the statement. He stated that he is exonerated and he vehemently denied that he was in possession of marijuana. In the end he was falsely arrested and his 4<sup>th</sup> Amendment rights were violated. He expressed regret for the negative impact and the embarrassment to himself and the community. He stressed that persons are to be presumed innocent until proven guilty. He also indicated that he did not make a public statement prior to this because there is still opportunity for the District Attorney to appeal the judges’ decision regarding the disallowance of the evidence.

Alderman Lantagne asked Mayor Stern whether the marijuana paraphernalia belonged to him and whether he had recently used marijuana. Mayor Stern indicated that it did not belong to him and he has not used marijuana. Mayor Stern went on to indicate that there are circumstances which he would not go into detail, however, he was unaware those items were in his vehicle.

Someone else may have placed this material in his car. He stated that being a political figure, it is obvious that he may have enemies.

### **APPROVAL OF MINUTES**

A motion was made by Alderman Towns and seconded by Alderman Brown to approve the Minutes of the 01-21-2008 Regular Council Meeting. Motion carried unanimously.

### **APPROVAL OF BILLS**

After discussion, a motion was made by Alderman Kuchinski and seconded by Alderman Moreau to approve the bills in the amount of \$77,884.76. There being no other discussion, the motion carried unanimously.

### **APPROVAL OF STAFF REPORTS**

A motion was made by Alderman Brown and seconded by Alderman Towns to approve the staff reports as presented. Motion carried unanimously.

### **ADMINISTRATOR'S REPORT**

1. Administrator Novak informed the Council of the regional effort toward minimizing the impact of the mill closure and seeking alternative uses for the property as well as providing assistance to displaced workers. The regional effort is referred to as the Upper Menominee River Area Alliance (UMRAA). It is comprised of local economic development officials, representatives from Wisconsin and Michigan Job Services and Workforce Development, representatives from the Wisconsin Department of Commerce and Dickinson County area as well as Governor Doyle's staff and local congressional staff members. The group has formally met on one occasion and the meeting that was scheduled for last week was cancelled due to the weather. The next meeting will be held during the week of February 25, 2008 and public notice of the meeting will be given. In addition, the group will provide press releases from time to time to inform the public of the status of its' efforts.
2. Administrator Novak informed the Council that the contractor is expected to start work on drilling of Well #4 on March 10, 2008. All work must be completed within 60 days of commencing work.
3. Administrator Novak and Alderman Kuchinski also updated the Council regarding the Comprehensive Planning Process that will be taking place during 2008 and 2009. Alderman Kuchinski provided information regarding the effort between Marinette County and the participating municipalities. He indicated that it will be necessary to hold detailed meetings regarding the city of Niagara's comprehensive plan. Any persons having interest in participating, contact alderman Kuchinski or City Administrator Novak.

### **MAYOR'S REPORT**

1. Mayor Stern asked if the minutes of the UMRAA could be sent to the Aldermen.
2. Mayor Stern again provided a summary of his recent meeting with Mark Sunan of NewPage which was held February 6, 2008 in Wisconsin Rapids. Mayor Stern indicated that he had requested the meeting with Mr. Sunan through the Niagara Mill with the intent to have a one-on-one meeting with Mr. Sunan with the intent to get New Page to

reconsider the closing of the mill or at least find ways to minimize the impact of the closure. Mayor Stern indicated that Mr. Sunan reverted that the mill closure is necessitated as a result of foreign competition and illegal dumping of foreign paper into the American Market. He indicated that the international trade commission has reviewed the matter and has failed to provide the necessary fines for the illegal dumping of the paper. Mayor Stern indicated that he does not want to give false hope to the community, however there is a possibility that the situation could change. He also indicated that a meeting of state and federal officials will be held in Washington, D.C. and he intends to attend this meeting as he has been invited by Congressman Kagen. Alderman Kuchinski inquired as to whether he had received a formal invitation to the meeting and he indicated that Mayor Stern should have informed the council prior to meeting with Mr. Sunan in Wisconsin Rapids. Alderman Kuchinski also questioned whether any new information was obtained as a result of this meeting. Alderman Towns indicated that Mayor Stern should have contacted the City Council members prior to meeting with the NewPage officials in order to keep them informed and obtain information that should have been related to NewPage at this meeting. Mayor Stern indicated that it was not his intent to keep the council uninformed, however, meeting with Mr. Sunan was dependent upon it being a one on one encounter and it would not be appropriate to publicize the meeting in advance. Alderman Towns indicated that informing council members is not the same as publicizing.

#### **NEW BUSINESS**

1. Resolution 1-08-1 Authorizing the Borrowing of \$1,380,000; Providing for the Issuance and Sale of General Obligation Promissory Notes Therefore; and Levying a Tax in Connection Therewith was addressed. This matter involves refinancing approximately and \$300,000 of new money toward the water facility projects. Jeff Belongia of Hutchinson, Shockey and Erley Financial Consultants was present to explain the terms of the borrowing issue. He indicated that this would be a ten-year note and would bear an interest rate at 4.10%. Mr. Belongia provided a summary of the Resolution and related documents and indicated that this is a very good time to seek financing as the ten-year rates are very favorable. During discussion, it was noted that the city has flexibility that if it needs money, that in the event other financing or grants can be obtained for some of these projects, this money can be used for other projects such as the related sewer and water reconstruction costs during the reconstruction of Highway 141. However, the additional \$300,000 is needed at this time in order to complete the work that has been submitted in regard to Well #4 and the arsenic treatment process as well as the new watermain to be constructed from Well #4 to the Industrial Park. A motion was made by Alderman Towns and seconded by Alderman Kuchinski to approve Resolution 1-08-1 in regard to borrowing the \$1,380,000. Motion carried unanimously.

There being no further business, a motion was made by Alderman Brown and seconded by Alderman Towns to adjourn. Motion carried unanimously. Meeting adjourned at 7:50 p.m.