

**Niagara City Council Meeting
Monday, July 21, 2008**

The meeting was called to order at 7:00 p.m. by Mayor Stern. Present: Mayor Stern, Aldermen Kuchinski, Lantagne, Steeno, Moreau, Towns and Brown. Absent: Fire Chief Harvath. Also present: Administrator Novak, Director of Public Works Payette, Police Chief Lamoreaux, Mr. Alan Brey, District Attorney Candidate for Marinette County, Rose Bousley, Marv Chamberlain and Ron Lawrence.

PUBLIC APPEARANCES

Mr. Alan Brey introduced himself and indicated that he has been working in the Marinette County District Attorney's Office since 1983. He announced that he is a candidate for the District Attorney's Office and indicated that if anyone had any questions or concerns, he would be happy to discuss issues after the meeting.

APPROVAL OF MINUTES

A motion was made by Alderman Brown and seconded by Alderman Towns to approve the Minutes of the 06-16-08 Regular Council Meeting, the 06-16-08 Public Works/Committee of the Whole Meeting and the 06-18-08 Plan Commission Meeting. Motion carried unanimously.

APPROVAL OF BILLS

During discussion Mayor Stern questioned the towing bill for the police vehicle. Police Chief Lamoreaux indicated that the vehicle was damaged such that it could not be driven from the site in Marinette. It was noted that the radiator had been damaged and the vehicle was towed back to the City. Chief Lamoreaux noted that the cost of the repairs was less than the towing bill however the extent of the damage was not understood at the time. Alderman Steeno questioned a bill in the amount of \$419.99 regarding damage to a trampoline from the fireworks. Administrator Novak indicated that this bill should not have been on the bill list, as it has not been approved. We are awaiting information from the claimants insurance company. A motion was then made by Alderman Steeno and seconded by Alderman Towns to approve the bills with the exception of item 19 regarding the trampoline replacement. 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 that the final testing for arsenic was completed on Friday, July 18 and the results should be available this week. Upon receiving the results, it would be advisable to schedule a Committee of the Whole or a Public Works Committee Meeting to discuss how to proceed with the new well.
2. Administrator Novak informed the Council that Scott Morin has been retained to construct the ramp and pier approach along the church property as part of the River Street Parkway Project. Mr. Morin has indicated that he will complete this work prior to the end of July. The cost will be approximately \$4,000. It was noted that it would still be necessary to construct signage and provide additional parking as part of the Parkway

Project. Total expenditure to date is approximately \$54,000. There is a balance of approximately \$20,000 to complete the additional work.

3. Administrator Novak informed the Council that the Niagara Lion's Club is considering changing the Lion's Community Picnic to a Friday/Saturday venue. In short, all activities that occur on Sunday would occur beginning at noon on Saturday. In addition, the Lion's Club is looking into hiring an additional band for Friday night entertainment. It would be necessary for the Council to authorize extended hours at the park on Friday evening. Plans will be decided by the Lion's Club in August or September and the Council will be informed accordingly.
4. Administrator Novak informed the Council that he had received a request from Olty Corporation for an extension of time to complete the improvements on Lot 7 at the Industrial Park. This matter will be addressed at the August meeting.
5. Police Chief Lamoreaux also informed the Council that the Police Department has purchased a brand new refrigerator/freezer for the Evidence Room at a cost of \$100 from Appliance and Furniture Mart. Based on retail value, this is a several hundred-dollar donation. In addition, Chief Lamoreaux notified the Council that we have developed a problem at the Heights Park Softball Diamond as several people have been injured from homerun balls clearing the fence and landing near the pavilion area. This has occurred with other activities taking place in the pavilion area. It was explained that the softballs are now harder than in the past and the bats are livelier resulting in more home runs. It was suggested that it would be wise to have a meeting with the Softball League, the Soccer League and the City to address this matter. An additional net in the outfield fence may be needed to prevent the ball from traveling near the pavilion area.

COMMITTEE RECOMMENDATIONS

Public Safety Committee

The Public Safety Committee met earlier this day and recommended that the honorary Chief's position be paid through December 31, 2008 and that the recommendation by the Fire Chief for replacement officers as Assistant Chief and Captain become effective June 1, 2008. A motion was made by Alderman Brown and seconded by Alderman Lantagne to approve these recommendations. Motion carried 5 – 1 with Alderman Kuchinski voting no. Alderman Kuchinski noted that did not feel that it is proper to pay two individuals for the same position for a six-month period.

NEW BUSINESS

1. Ordinance 6-1-08 regarding the rezoning of 1733 Roosevelt Road from the Residential/Conservancy District to Commercial was addressed. This rezoning has been recommended for approval by the Plan Commission. A motion was made by Alderman Brown and seconded by Alderman Kuchinski to approve Ordinance 6-1-08. Motion carried unanimously.
2. Administrator Novak explained that the Compliance Maintenance Annual Report (CMAR) is a report that must be submitted to the DNR after Council approval in regard to the operational effectiveness of the wastewater treatment facility. A motion was made by Alderman Brown and seconded by Alderman Steeno to approve the CMAR as presented. Motion carried 6 – 0.
3. Discussion was held regarding a recommendation from the Plan Commission for the sale of Lot 1 and part of Lot 2 on Tyler Road adjacent to Gunville Trucking. A motion was made by Alderman Steeno and seconded by Alderman Lantagne to authorize the sale of

- Lot 1 and all that part of Lot 2 as necessary at a cost of \$5,000/acre to Gunville Trucking in order to facilitate the new wood pelletizing process. Motion carried unanimously.
4. The Certified Survey for Well #4 was then addressed. Administrator Novak explained that Certified Survey was done to provide a separate parcel for the existing Well #2 and the new Well #4. Currently, the wells are located on City owned land that is part of Riverside Park. This land encompasses over 80 acres. It is suggested that the well area be separated out as a new parcel and should not be a part of the park system. The financing actually takes a lien on the City's Water Facilities and without creating a separate parcel there would be a lien on the entire park land. A motion was made by Alderman Kuchinski and seconded by Alderman Steeno to approve the Certified Survey for Well #4 as presented. Motion carried unanimously.
 5. The City addressed proposals for the provision of a dump body and plow assembly that is part of the new Public Works truck. It was noted that the Council has approved the borrowing of the funds previously, however we have not yet received quotes for the dump body and plow assembly. A motion was then made by Alderman Brown and seconded by Alderman Towns to approve the low bid of \$35,215 from Olson Trailer & Body. Motion carried unanimously.
 6. The Council addressed the request from the Fire Department to approve Loni LePage as an additional Volunteer Fire Department Member. After discussion, a motion was made by Alderman Towns and seconded by Alderman Steeno to approve the addition of Loni LePage as a Fire Department Volunteer. Motion carried unanimously.

Alderman Lantagne indicated that he has had discussions with citizens in the Niagara Heights area in regard to provision of emergency sirens. It was noted that there are currently sirens at the mill but residents in the north portion of the city can't always hear the sirens if the wind is blowing from the northwest. There is also concern as to whether the sirens will remain active after the mill is closed. The sirens would remain active, as they are necessary for the operation of the Hydro-Dam. It was also noted by Police Chief Lamoreaux that he has had discussions with Marinette County Emergency Government and there are no funds available for sirens at this time, however, the city could apply for funding in 2009 to install additional warning sirens. This matter will be addressed at a future Public Safety Committee Meeting and can be addressed at budget time.

MAYOR'S REPORT

Mayor Stern then informed the Council during his report that his father had passed away on July 10 at the age of 88 and that he wanted to say that his father will be greatly missed by himself and his family and other loved ones.

There being no other matters to discuss, a motion was made by Alderman Towns and seconded by Alderman Kuchinski to adjourn. Motion carried unanimously. Meeting adjourned at 7:27 p.m.