

Niagara City Council Meeting
Monday, October 27, 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 Dave Rock.

PUBLIC APPEARANCES

There were no public appearances.

APPROVAL OF MINUTES

After discussion, a motion was made by Alderman Moreau and seconded by Alderman Towns to approve the Minutes of the 09-15-08 Regular Council Meeting and the 10-02-08 Finance and Administration Committee Meeting. Motion carried unanimously.

APPROVAL OF BILLS

Discussion was held regarding the bills to be paid for October. Alderman Moreau questioned the expense report turned in by the City Administrator including the mileage and asked for more detail. In addition, Mayor Stern submitted a request for reimbursement of dining expenses as well as reimbursement for airline tickets in regard to the meeting that was held in Washington D.C. between local legislators and NewPage corporation. Mayor Stern explained that he was invited to attend the meeting and after he had obtained non-refundable airline tickets he was informed that local officials would not be invited to the meeting. After discussion, a motion was made by Alderman Moreau and seconded by Alderman Kuchinski to approve the payment of bills with the exception of the Mayor's request, which will be tabled until the November meeting. Motion carried unanimously.

APPROVAL OF STAFF REPORTS

A motion was made by Alderman Towns and seconded by Alderman Kuchinski to approve the Staff Reports as presented. Motion carried unanimously.

ADMINISTRATOR'S REPORT

1. Administrator Novak informed the Council that a Public Hearing regarding the proposed water rate increase will be held on November 20 at 9:00 a.m. This hearing will be conducted by the Public Service Commission in accordance with the City's request and Public Service Commission review; the expected rate of increase is approximately 48% on the water rates only. Administrator Novak informed the council that this would be an increase of approximately \$7 - \$10 per month for the average residence.

MAYOR'S REPORT

1. Mayor Stern asked Director of Public Works Payette to attend to some falling branches and broken branches along river street parkway. Also, the fence enclosure downstream from the Trout Pond, should be repaired by the City Crew as this is a hazardous area. Mayor Stern indicated that he and Administrator Novak have met with the Land and Water Conservation Department in regard to the possible funding of a landscaping plan and planting scheme along the River Street Parkway. Land conservation will be submitting a proposal to the City in the near future.

2. A fundraiser was recently held at the Town of Beecher. Approximately \$3,000 was raised, \$1,000 of which will be given to the Niagara Food Pantry.
3. The Mayor informed the Council that the Forward Financial Christmas Tree Lighting Ceremony will be held on December 8, 2008 from 6:00 – 8:00 p.m. All residents are encouraged to attend.

OLD BUSINESS

A motion was made by Alderman Kuchinski and seconded by Alderman Lantagne to authorize the City and its' engineers, Foth Environmental, to proceed with the amendment to the Rural Development application and necessary design to utilize the excess loan funds which were originally intended for arsenic treatment to be applied to the water main between the Interstate Bridge and Hwy N. Thad Majkowski of Foth will prepare the proposal for engineering services and have it available at the November 17 meeting. There being no other discussion, motion carried unanimously.

NEW BUSINESS

1. Discussion was held regarding the proposal to amend the existing fee structure for the City. Administrator Novak presented the proposed fee schedule for building permits and related fees for excavation permits. In addition, discussion was held regarding other fees such as service fees and dog licensing fees. Administrator Novak suggested that these be tabled until information on additional fees can be included. This matter should be brought back at the November or December meeting in order for the new schedule to be in effect for 2009. A motion was made by Alderman Kuchinski and seconded by Alderman Moreau to table this matter. Motion carried unanimously.
2. Resolution 10-1-08 was presented. This resolution provides that the water utility provide a payment to the City of Niagara in the amount of \$15,400 annually "in lieu of taxes". There being no other discussion, a motion was made by Alderman Towns and seconded by Alderman Moreau to approve Resolution 10-01-08 as amended to provide for \$15,400 in annual payment. Motion carried unanimously.
3. Ordinance 10-1-08 was addressed. This ordinance provides a limit and restriction on keeping of certain dogs and prohibiting pit bull breeds from being present in the city. The amendment to the ordinance provides that a deputized officer may take action for vicious dogs and unauthorized breeds to be removed in the event the owner does not comply with the ordinance. There being no other discussion, a motion was made by Alderman Towns and seconded by Alderman Brown to approve Ordinance 10-1-08. Motion carried unanimously.
4. A request in regard to providing relief on sewer charges for 1201 Garfield Street was addressed. Mr. Robert Freeman installed a new lawn during 2008 and asked for relief on the sewer charges, as this water did not go down the sewer system. It was used on the lawn. During discussion, it was a staff recommendation that these matters be addressed by City Staff and they can determine if the water was used for watering lawns or gardening and did not go down the sewer. It was a recommendation by the staff that the public works staff can verify the use of the water in these situations and grant relief in accordance with this policy. In the event there is a disagreement over the use of the water, such matters will go to the City Council for review and appeal. A motion was made by Alderman Moreau and seconded by Alderman Brown to refer this request and any future requests for sewer charge relief to the Director of Public Works for determination. Motion carried.

There being no further business, a motion was made by Alderman Brown and seconded by Alderman Towns to adjourn. Motion carried. Meeting adjourned at 8:10 p.m.