

**Niagara City Council Meeting  
Monday, November 17, 2008**

The meeting was called to order at 7:02 p.m. by Mayor Stern. Present: Mayor Stern, Aldermen Kuchinski, Lantagne, Steeno and Brown. Absent: Alderman Moreau and Alderman Towns. Also present: Administrator Novak, Director of Public Works Payette, Assistant Police Chief Angela Moreau, Director of Public Works Payette, Marvin Chamberlain and Thad Majkowski of Foth Engineering.

**PUBLIC APPEARANCES**

There were no public appearances.

**APPROVAL OF MINUTES**

After discussion, a motion was made by Alderman Kuchinski and seconded by Alderman Brown to approve the Minutes of the 10-27-08 Regular Council Meeting and the 10-27-08 Committee of the Whole Meeting and the 10-27-08 Public Works Committee Meeting. Motion carried unanimously.

**APPROVAL OF BILLS**

Discussion was held regarding the bills as presented. Alderman Steeno inquired whether the Mayor's request for reimbursement of airline tickets was included in the bill list. This amount of \$644.77 is included in the current bill list. After discussion, a motion was made by Alderman Brown and seconded by Alderman Kuchinski to approve the bill list as presented. Motion carried in a vote of 2 – 2 with Aldermen Kuchinski and Brown voting Aye and Aldermen Towns and Lantagne voting no. At this time, the Mayor implemented his right to vote in the event of a tie and cast a vote in favor of approving the bills in the amount of \$51,966.93.

**APPROVAL OF STAFF REPORTS**

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

**ADMINISTRATOR'S REPORT**

1. Administrator Novak informed the Council that he will prepare a deed to provide for the sale of Lot 1 and the North 100' of Lot 2 of Certified Survey Map 2238 to Robert Gunville. This was previously approved by the Council. This sale will help Mr. Gunville to plans to construct a pelletizing plant addition to his existing facility. As of this date, state approved plans are being applied for and construction has commenced. Administrator Novak also pointed out that there would be several change orders in regard to the pump house construction project. These change orders will be formally addressed at the December meeting along with the pay request from the contractor, Kautza Construction.
2. Thad Majkowski of Foth & Associates provided an overview of the change orders and recommendations of their staff in that city staff, Steve Zigman and Director of Public Works Payette indicated change orders concurrent with the engineers recommendation. A motion was made by Alderman Lantagne and seconded by Alderman Steeno to approve the change order based on the Engineers' recommendations. Motion carried unanimously. Note: this approval allows work to proceed in accordance with the change orders; however, the formal approval will be addressed at a later date.

## **MAYOR'S REPORT**

1. Mayor Stern reported that several members of the UMRAA had met with NewPage Corporation in regard to their proposed decommissioning of the paper mill and the potential for a future sale. The purpose of the meeting was to inform NewPage of the requirements of decommissioning. NewPage had approached the Mayor and the City Administrator in regard to developing an Adaptive Re-use plan for the paper mill site. Mr. Mark Suwyn of NewPage Corporation indicated that NewPage would continue to market the property for sale which would allow continued use of the paper mill. However, at the same time, an adaptive reuse plan should be prepared in the event the sale or continued operations of the paper mill do not occur. NewPage has indicated that it will continue to market the property for sale and it is hoped that the reuse plan can be completed within this time frame. In the event the mill was sold for paper production, there are other compatible uses that should be pursued for maximum development of the property. NewPage officials indicated that they would sell the mill for non-competitive paper production for a price range of \$8 – \$10 million and the only contingency would be that they would receive assurances that they would not be subject to future liabilities that may occur after the sale.

## **NEW BUSINESS**

1. Discussion was held regarding the 2009 Tax Levy and Budget. At this time, Mayor Stern had several questions regarding the line item budget and suggested that the amounts budgeted for Legislative/Executive meetings and conferences should be reduced and the money should be transferred to the Park Department to insure adequate funds are available for the Music in the Park Program. After discussion, it was noted that the levy must be approved by the City Council; however, specific items within the budget for 2009 could be amended at a later date. A motion was made by Alderman Brown and seconded by Alderman Kuchinski to approve the tax levy in the amount of \$794,876 and to adopt the 2009 Budget. Motion carried unanimously.
2. The engineering agreement for design and bidding of the Highway 141 Water Main Project between County N and the Interstate Bridge was addressed. Thad Majkowski of Foth Environmental explained that this water main will be constructed in 2009 using the balance of the Rural Development funds that are currently available and existing bond funds that the City has appropriated. The second contract will provide for the design of the remaining portion of the water main and sewer within the remaining Highway 141 corridor in conjunction with the Highway 141 Construction Project of 2011. A motion was made by Alderman Steeno and seconded by Alderman Kuchinski to approve the engineering contracts as submitted for an estimated cost of \$109,350 respectively. Motion carried unanimously.
3. Administrator Novak explained that the new well is approximately 60 feet away from Well #2. Accordingly, the map, which is part of the Wellhead Protection Ordinance must be amended. This map is Exhibit A of Ordinance 8-1-04. A motion was made by Alderman Brown and seconded by Alderman Steeno to approve the amended map for wellhead protection as submitted. Motion carried unanimously.
4. Administrator Novak indicated that the City has received three quotes for Sewer Televising along Highway 141 corridor. The low quote was received from PLC Water Jetting Services in the amount of \$4,387. A motion was made by Alderman Brown and seconded by Alderman Lantagne to award the contract to PLC Water Televising Services. Motion carried unanimously. Note: This work will commence in April or

May of 2009. This information is necessary in order to complete the design for the Water Main Contract in 2009.

5. The proposed water rate increase for the Niagara Water Utility was addressed. Administrator Novak explained that the Public Service Commission of Wisconsin has scheduled a public hearing and is recommending that an order be filed with an increase in the water rates by an average of 50% over the existing rate. This will result in an increase of approximately \$10/month for water consumption charge and \$4.00/month for fire protection service to the average homeowner. A motion was made by Alderman Kuchinski and seconded by Alderman Steeno to recommend approval of the increase as recommended by the PSC. It is effective beginning with the December – February billing period. Motion carried 3 – 1 with Alderman Brown voting no.
6. A request for a contribution to the Forward Financial Tree Lighting event was discussed. It was noted that an amount was not specified however, it was indicated that the cost of conducting the event is approximately \$2,200. Alderman Brown indicated that he did not feel that such contributions should come from the tax levy. Alderman Kuchinski indicated that he agreed. It was the consensus of the Council that this is a worthwhile project. Administrator Novak indicated that although residents and all members present at the meeting have the ability to make contributions toward this event and it is his personal opinion that persons representing the City should do so. A motion was made by Alderman Lantagne and seconded by Alderman Brown to refrain from making a public contribution to this event. Motion carried unanimously.
7. Requests for Operator's Licenses for Jessica Holmes and Tashina Annear were then addressed. A motion was made by Alderman Brown and seconded by Alderman Lantagne to approve. Motion carried 3 – 0 with Alderman Steeno abstaining.

There being no further business, a motion was made by Alderman Brown and seconded by Alderman Lantagne to adjourn. Motion carried. Meeting adjourned at 8:37 p.m.