

**Niagara City Council Meeting
July 15, 2009**

The meeting was called to order at 7:00 p.m. by Mayor Bousley. Present: Mayor Bousley, Aldermen Kuchinski, Lantagne, Steeno and Moreau. Absent: Alderman Towns and Phillips. Also present: Administrator Novak, Director of Public Works Payette, Police Chief Lamoreaux, Thad Majkowski of Foth Environmental and Infrastructure, Tom Sielaff, Rose Bousley, Shad Brown, Ron Lawrence and Sherryl Weber.

The first order of business was to approve the agenda as submitted. A motion was made by Alderman Kuchinski and seconded by Alderman Steeno to approve the agenda as submitted. Motion carried unanimously.

There were no public appearances.

APPROVAL OF MINUTES

A motion was made by Alderman Moreau and seconded by Alderman Steeno to approve the minutes of the City Council meeting of 6-17-09. Motion carried unanimously.

APPROVAL OF BILLS

After a brief discussion a motion was made by Alderman Steeno and seconded by Alderman Moreau to approve the bills as presented in the amount of \$81,884.82. Motion carried.

STAFF REPORTS

A motion was made by Alderman Kuchinski and seconded by Alderman Steeno to approve the Staff Reports as submitted. There was no discussion. Motion carried unanimously.

REPORTS FROM DEPARTMENT HEADS

City Engineer Thad Majkowski provided a summary of the water and sewer construction projects from 2008 to current and highlighted the issues that must be addressed for the reconstruction of water and sewer lines in conjunction with the proposed Highway 141 Reconstruction Project in 2011. A copy of the summary will be placed on file.

Administrator Novak distributed a summary of the River Street Parkway project that has been completed.

Discussion was then held regarding the current Community Development Block Grant Application process. It was noted that the City had contracted for the design of the sewer facilities and authorization to submit the grant application was contingent upon a positive survey result that indicated the City would qualify for grant funding. Thad Majkowski indicated that the City has received adequate responses to the survey and 51% of the residents qualify as low to moderate income. The Council is now being asked to authorize the submitting of the grant applications. The cost for this has been previously approved subject to meeting grant requirements. A motion was made by Alderman Kuchinski and seconded by Alderman Steeno to authorize Foth Environmental and Infrastructure to submit the Community Developmental Block Grant Application and Environmental Review for the City's Sewer Project as discussed. Motion carried unanimously.

Discussion was held regarding a request to extend public water southward on Tyler Road from Washington Street to the new Gunville Trucking Pelletizing Plant. Administrator Novak informed the Council that the City has received a request from Mr. Gunville to extend the water main approximately 650'. It would be necessary to submit the design for DNR approval prior to the work being done. If the City decides to extend the main, it could provide for a change order to the existing water main contract with DeGroot Incorporated provided it is done in a timely manner while the contractor is still on site. Administrator Novak suggested that the Council would have to receive a commitment from Gunville Trucking to pay all costs for the installation of the sewer. At this time it is known that the design and submittal will cost approximately \$3,800. It is necessary to do the submittal as soon as possible in order that permits could be obtained prior to the existing contract being completed in August. During discussion, Director of Public Works Payette indicated that he didn't feel it would be necessary to extend the public main and that Mr. Gunville may have to extend his private main on his property to the new building. It was agreed that the City would obtain a quote from DeGroot Incorporated regarding a firm price for the cost of installation. Based on this discussion, a motion was made by Alderman Kuchinski and seconded by Alderman Moreau to table this matter. Motion carried.

The Council then considered Ordinance 7-1-09 which Rezones Lots 6,7, & 8 of Block 6, Patrick Goodyear's Plat from Residential-Single Family to Small Commercial District. This is the Shad Brown property located at the corner of West Main Street and 1st Street. It was noted that a Public Hearing had been held by the Plan Commission and there was no objection. A motion was made by Alderman Moreau and seconded by Alderman Kuchinski to approve Ordinance 7-1-09 as submitted. Motion carried unanimously.

Mayor Bousley informed the Council of the need to dispose of old transformers being stored on City property. The City has received a proposal from Veolia Environmental Services for removal of approximately eight transformers at a cost of approximately \$6,300. Mayor Bousley pointed out that the original proposal was \$7,000; however if they are able to pick up the transformers the week of July 22 while they are in the area, it will save about \$700 in cost. A motion was made by Alderman Moreau and seconded by Alderman Lantagne to authorize up to \$7,000 for the disposal of the old transformers with funds to be taken from the City's fund balance. Motion carried unanimously.

The Council discussed the need to dispose of various materials and equipment that are no longer useful at the public works garage. This includes old police vehicles and various equipment. Mayor Bousley noted that in addition to large metal goods that are brought to the City garage area by local citizens, there is also an accumulation of old City vehicles and equipment that can be disposed of for salvage. A motion was made by Alderman Kuchinski and seconded by Alderman Steeno to dispose of old salvage materials to include public works equipment and vehicles. Motion carried unanimously.

Discussion was held regarding amending the permit fee structure regarding permits for siding of buildings. Administrator Novak explained that it is common for municipalities to require permits for the siding of buildings, however, there is no extensive inspection required for such work and the primary intent of the requirement for the permit is to ensure that work is timely completed and buildings are not left in a state of disrepair. It was suggested that building permit fees be simply amended to eliminate the fees for siding permits. It was explained that this would allow the City to keep track of improvements and ensure that they are completed in a timely fashion, however the fees provide a disincentive to apply for the necessary permit. A motion

was then made by Alderman Steeno and seconded by Alderman Lantagne to amend the building permit fees to provide that there be no fee required for siding permits. Motion carried unanimously.

Administrator Novak then presented the existing Citizen Participation Plan and explained that this plan describes the process for public notification and citizen participation in the event it seeks grants and other types of state or federal funding. It was noted that the original Plan provided that the Community Development Authority would ensure that the plan is followed. It is suggested that the words be changed to require that the City Clerk have responsibility to follow the public participation procedures as the clerk already has the statutory responsibility to ensure that the public notice requirements are met. A motion was made by Alderman Moreau and seconded by Alderman Steeno to approve the amendment to the Citizen Participation Plan, which provides that the City clerk will be responsible to implement the procedures. Motion carried unanimously.

The Council then considered operator's licenses for the following persons: Miranda Racine, Shelby Bednarz, Debra Kallenbach, Sara Brinkman, Chris Mattingly and Dorothy Hurzeler. It was noted that background reviews were made for all applicants and there are no concerns regarding granting operator's licenses for bartending to these individuals. A motion was made by Alderman Kuchinski and seconded by Alderman Lantagne to approve the operator's licenses as presented. Motion carried 3 – 0 with Alderman Steeno abstaining.

There being no other business, Mayor Bousley informed the Council that the next meeting will be August 19, 2009, however there may be a special meeting prior to that to discuss the highway project Community Sensitive Design Issues and provide recommendations for parking areas along the highway.

A motion was then made by Alderman Moreau and seconded by Alderman Kuchinski to adjourn. Motion carried. Meeting adjourned at 8:20 p.m.