

NIAGARA FALLS CITY COUNCIL  
AGENDA FOR FEBRUARY 15, 2023

LEGISLATIVE MEETING

COUNCIL CHAMBERS

6:00 P.M.

ROLL CALL - COUNCIL MEMBERS

BAX X CAULEY X MYLES X TOMPKINS X ZAJAC X

PRAYER - COUNCIL CHAIRPERSON ZAJAC

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS

1. AGENDA ITEMS

|              |                            |
|--------------|----------------------------|
| Vernon Lohan | Agenda Item #18            |
| Jay Flag     | Agenda Items #17, #18, #19 |
| Helen Kress  | Agenda Item #17            |

ADMINISTRATIVE UPDATE:

CONTROLLERS REPORT

COMMUNITY HAPPENINGS

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

INFORMATIONAL ITEMS

FROM THE CITY CLERK

- |   |       |
|---|-------|
| 1. City Clerk Claims for the Month of January 2023    | R & F |
| 2. Mayor's Approval of Resolution 2022-81 and 2022-82 | R & F |
| 3. Approval of Appointments for Commissioner of Deeds | VOTE  |

|                           | AMEND TO ADD<br>APPOINTMENT |     | APPROVE |     |
|---------------------------|-----------------------------|-----|---------|-----|
|                           | yea                         | nay | yea     | nay |
| Council Member Bax        | X                           |     | X       |     |
| Council Member Cauley     | abstain                     |     | abstain |     |
| Council Member Myles      | X                           |     | X       |     |
| Council Member Tompkins   | X                           |     | X       |     |
| Council Chairperson Zajac | X                           |     | X       |     |
| Total:                    | 4                           | 0   | 4       | 0   |

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

5. Approval of the Change Order #2 in the Contract to LaSalle Contracting Corp. for Residential Combined Sewer Lateral Replacement Project VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

6. Approval of the Implementation of "Phase 11" of IT Strategic Plan VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

7. Approval of Waiver of Bandstand Fee for the NF City School District (Hyde Park Elementary School) VOTE

|                           | yea     | nay | yea | nay |
|---------------------------|---------|-----|-----|-----|
| Council Member Bax        | X       |     |     |     |
| Council Member Cauley     | X       |     |     |     |
| Council Member Myles      | X       |     |     |     |
| Council Member Tompkins   | abstain |     |     |     |
| Council Chairperson Zajac | X       |     |     |     |
| Total:                    | 4       | 0   |     |     |

8. Approval of Transfer of Surplus Police Vehicles to the Town of Youngstown VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

9. Approval of the Grant Agreement Amendment for CDBG funds to Niagara Arts Habitat for Humanity VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

10. Approval of the Funding Agreement with the County of Niagara (Rat Mitigation Program) VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

11. Approval of the Sale of 437 101<sup>st</sup> St. to David Hutcheson for \$650.00 VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

12. Approval of the Sale of 1961 Lockport St. to Afrin Dulal for \$1005.00 VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

13. Approval of the Contract to Modern Disposal for the Sale of Street Millings VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | x   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | x   |     |     |     |
| Total:                    | 5   | 0   |     |     |

14. Approval of the Contract to John R. Freundsuh Inc. for the Purchase of Morbark Eger Beaver 1821 Brush Chipper VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

15. Approval of the Adoption of the Updated Retention and Disposition Schedule for NY Local Government Records VOTE

|                           | yea | nay | yea | nay |
|---------------------------|-----|-----|-----|-----|
| Council Member Bax        | X   |     |     |     |
| Council Member Cauley     | X   |     |     |     |
| Council Member Myles      | X   |     |     |     |
| Council Member Tompkins   | X   |     |     |     |
| Council Chairperson Zajac | X   |     |     |     |
| Total:                    | 5   | 0   |     |     |

RESOLUTIONS

16. Relative to the Appointment/Re-Appointment to the Board of Assessment Review  
 BY: All Council Members VOTE

|             |                           | yea | nay | yea | nay |
|-------------|---------------------------|-----|-----|-----|-----|
| 2023-<br>16 | Council Member Bax        | X   |     |     |     |
|             | Council Member Cauley     | X   |     |     |     |
|             | Council Member Myles      | X   |     |     |     |
|             | Council Member Tompkins   | X   |     |     |     |
|             | Council Chairperson Zajac | X   |     |     |     |
| Total:      |                           | 5   | 0   |     |     |

17. Relative to Updating the City of Niagara Falls Comprehensive Plan  
 BY: Council Member Tompkins VOTE

|        |                           | TO TABLE |     | yea | nay |
|--------|---------------------------|----------|-----|-----|-----|
|        |                           | yea      | nay | yea | nay |
|        | Council Member Bax-1st    | X        |     |     |     |
|        | Council Member Cauley-2nd | X        |     |     |     |
|        | Council Member Myles      | X        |     |     |     |
|        | Council Member Tompkins   |          | X   |     |     |
|        | Council Chairperson Zajac | X        |     |     |     |
| Total: |                           | 4        | 1   |     |     |

**TABLED**

18. Relative to Enacting of Chapter 704 of the City of Niagara Falls Codified Ordinances entitled "Fowl"  
 BY: Council Member Tompkins VOTE

|        |                             | AMEND TO TRIAL |     | TO APPROVE AS IS |     |
|--------|-----------------------------|----------------|-----|------------------|-----|
|        |                             | yea            | nay | yea              | nay |
|        | Council Member Bax          |                | X   |                  | X   |
|        | Council Member Cauley       |                | X   |                  | X   |
|        | Council Member Myles-1st    | X              |     | X                |     |
|        | Council Member Tompkins-2nd | X              |     | X                |     |
|        | Council Chairperson Zajac   |                | X   |                  | X   |
| Total: |                             | 2              | 3   | 2                | 3   |

**DEFEATED**

19. Relative to Amending Chapter 701 of the Codified Ordinances entitled  
 "Animals, Fowls and Dogs"

BY: Council Member Tompkins

VOTE

|       |                           | yea | nay | yea | nay |
|-------|---------------------------|-----|-----|-----|-----|
|       | Council Member Bax        | X   |     |     |     |
| 2023- | Council Member Cauley     | X   |     |     |     |
| 17    | Council Member Myles      | X   |     |     |     |
|       | Council Member Tompkins   | X   |     |     |     |
|       | Council Chairperson Zajac | X   |     |     |     |
|       | Total:                    | 5   | 0   |     |     |

PUBLIC SPEAKERS

2. FOR THE GOOD OF THE COMMUNITY

|             |                        |  |
|-------------|------------------------|--|
| John Cooper | Niagara Gospel Mission | He wants to not just help the homeless<br>But to rebuild our workforce; meeting with people at process |
|-------------|------------------------|--|

ADJOURNMENT OF MEETING

6:56 PM