

**NIAGARA FALLS CITY COUNCIL**  
**DRAFT MINUTES FOR JANUARY 24, 2024**

**REGULAR MEETING**

**COUNCIL CHAMBERS**

**6:00 P.M.**

**I. MEETING CALLED TO ORDER**

A. CALL TO ORDER.

The Meeting was called to order at 6:00 P.M. by Chairperson Perry.

ARCHIE X BAX X PERRY X MYLES X ZAJAC X

Also present Elizabeth Eaton, City Clerk, Dan Morello, Controller, and Thomas DeBoy, Deputy Corporation Counsel.

**II. OPENING CEREMONIES**

A. INVOCATION - Prayer by Council Member Bax

B. PLEDGE OF ALLEGIANCE – Led by Council Member Bax

**III. PRESENTATIONS AND PUBLIC SPEAKERS**

A. Public Speakers:

- Vincent Cauley of Niagara Falls, NY. Re: In opposition to Legislative Agenda Item 7.

B. Administrative Update: Provided by City Comptroller Daniel Morello

- The Comptroller's office is currently undergoing the year-end close for 2023.
- Review of 2023 County Sales Tax collected.
- Review of 2023 HRU Sales Tax.

C. Community Happenings: None.

**IV. REVIEW AND ADOPTION OF THE AGENDA**

Motion by Council Member Archie to amend to Section VII of the proposed Agenda by adding a new Agenda Item 10, consisting of a RESOLUTION RELATIVE TO THE ADOPTION OF SPECIAL RULES OF ORDER GOVERNING PRESENTATIONS AT REGULAR MEETINGS OF THE CITY COUNCIL, which the Council Member entered into the record by reading the complete resolution.

Council Member Bax seconded the motion.

No debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced that the motion to amend the Agenda was adopted, and that Agenda Item 10 has been added to section VII of the proposed Agenda.

Council Member Zajac then moved to adopt the agenda as amended by a roll call vote.

Council Member Archie seconded the motion.

No debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
PERRY	X	
ZAJAC	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair then announced the adoption of the Agenda as amended.

**LEGISLATIVE AGENDA**

**V. REVIEW AND APPROVAL OF MINUTES**

WITH NO CORRECTIONS MADE TO THE DRAFT MINUTES FOR THE ORGANIZATIONAL MEETING ON JANUARY 1, 2024, THE CHAIR ANNOUNCED THAT SUCH MINUTES WERE APPROVED BY UNANIMOUS CONSENT, AS DISTRIBUTED.

**VI. INFORMATIONAL ITEMS FROM THE CITY CLERK**

A. THE COUNCIL RECEIVED AND FILED A REPORT OF LICENCES ISSUED AND COLLECTIONS MADE IN THE OFFICE OF THE CITY CLERK DURING THE MONTHS OF NOVEMBER AND DECEMBER 2023.

**VII. ITEMS FOR COUNCIL ACTION**

FROM THE MAYOR

**1. APPROVAL OF HUD HOME GRANT OF \$198,000.00 TO PAY FOR VERIFIED CONSTRUCTION EXPENSES INCURRED BY RJ NIAGARA, LLC, TO REHABILITATE A 9-UNIT BUILDING AT 401 TENTH STREET, SUBJECT TO THE CONDITIONS OUTLINED IN THE MAYOR'S LETTER DATED JANUARY 17, 2024.**

Motion by Council Member Bax to approve and authorize the Mayor to approve the HUD home grant of \$198,000.00 to pay for verified construction expenses incurred by RJ Niagara, LLC to rehabilitate a 9-unit building at 401 Tenth Street, subject to the conditions outlined in the Mayor's letter dated January 17, 2024.

Council Member Zajac seconded the motion.

No debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced that the motion was adopted.

- 2. APPROVE THE REQUEST OF COMMUNITY MISSIONS TO REPURPOSE A \$55,000.00 GRANT PREVIOUSLY APPROVED BY THE COUNCIL SO THAT ALL SUCH FUNDS MAY BE REDIRECTED TO THEIR RAPID REHOUSING AND HOMELESS PREVENTION PROGRAM AND AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE, ALL AS MORE FULLY OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 17, 2024.**

Motion by Council Member Bax to approve the request of Community Missions to repurpose a \$55,000.00 grant previously approved by the Council so that all such funds may be redirected to their Rapid Rehousing and Homeless prevention program and authorize the Mayor to execute any documents necessary to effectuate such change, all as more fully outlined in the Mayor’s letter dated January 17, 2024.

Council Member Myles seconded the motion.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced the motion was adopted.

- 3. APPROVE A GRANT OF \$22,400.00 TO THE NIAGARA COMMUNITY ACTION PROGRAM, INC., USING UNEXPENDED CITY 2020 CDBG-CV FUNDS, AND AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE, ALL AS MORE FULLY OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 17, 2024.**

Motion by Council Member Bax to approve a grant of \$22,400.00 to the Niagara Community Action Program, Inc., using unexpended City 2020 CDBG-CV funds, and authorize the Mayor to execute any documents necessary to effectuate such change, all as more fully outlined in the Mayor’s letter dated January 17, 2024.

Council Member Archie seconded the motion.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced the motion has been adopted.

**4. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE A ONE-YEAR MUNICIPAL SERVICES AGREEMENT WITH SOLAR SIMPLIFIED, LLC, AT NO COST TO THE CITY, ALL AS MORE FULLY OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 17, 2024.**

Motion by Council Member Bax to approve and authorize the Mayor to execute a one-year Municipal services agreement with Solar Simplified, LLC, at no cost to the City, as more fully outlined in the Mayor’s letter dated January 17, 2024.

Council Member Myles seconded the motion.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced the motion has been adopted.

**5. APPROVE CONTRACT AWARD TO TRAUTMAN ASSOCIATES PURSUANT TO A REQUEST FOR PROPOSALS TO PROVIDE THE CITY WITH PROFESSIONAL DESIGN SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH THAT FIRM, ALL AS MORE FULLY OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 17, 2024.**

Motion by Council Member Bax to approve contract award to Trautman Associates pursuant to a request for proposals to provide the City with professional design services and authorize the Mayor to execute an agreement with that firm, all as more fully outlined in the Mayor’s letter dated January 17, 2024.

Council Member Myles seconded the motion.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced the motion was adopted.

**6. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH E. FACILITIES SOLUTIONS INC., D/B/A MILITELLO PROPERTY GROUP (“EFS”), FOR PROPERTY MANAGEMENT AT NIAGARA FALLS CITY MARKET, ALL AS MORE FULLY OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 17, 2024.**

Motion by Council Member Bax to approve and authorize the Mayor to execute an agreement with E. Facilities Solutions Inc., D/B/A Militello Property Group (“EFS”), for Property Management at Niagara Falls City Market, all as more fully outlined in the Mayor’s letter dated January 17, 2024.

Council Member Myles seconded the motion.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced the motion had been adopted.

**RESOLUTIONS**

**7. RESOLUTION RELATIVE TO THE ACKNOWLEDGMENT OF THE SEPARATION OF POWERS UNDER THE CITY CHARTER.**

BY: Council Chairperson Perry

Motion by Council Member Bax to approve the resolution relative to the acknowledgment of the separation of powers under the City Charter.

Council Chairperson Perry seconded the motion.

Debate was had on the motion, after which Chairperson Perry withdrew the Resolution.

No Roll Call Vote was conducted.

**8. RESOLUTION RELATIVE TO TERMINATION OF LEGAL COUNSEL AND ACKNOWLEDGMENT OF THE SEPARATION OF POWERS.**

BY: Council Chairperson Perry

Motion by Council Member Bax to approve the resolution relative to termination of legal counsel and acknowledgment of powers.

Council Member Zajac seconded the motion.

Debate was had on the motion, at which time Council Member Myles moved to amend the Resolution by striking the entire third “Whereas” clause, as well as the entire “Be it further resolved” clause.

Council Member Archie seconded the motion to amend.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX		X
MYLES	X	
ZAJAC	X	
PERRY		X
Totals:	3	2

The Clerk announced the vote tally, and the Chair announced that the resolution had been amended as specified.

Council Member Bax then moved to have a roll call vote on the amended resolution, and Council Member Myles seconded that motion.

No Debate on motion.

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
ZAJAC	X	
PERRY	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced that the amended resolution had been adopted.

**9. RESOLUTION, RELATIVE TO THE COUNCIL’S APPOINTMENTS AND RE-APPOINTMENTS TO VARIOUS CITY BOARDS.**

BY: All Council Members

Motion by Council Member Bax to approve the resolution relative to the Council’s appointments and re-appointments to various City Boards.

Council Member Zajac seconded the motion.

No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
PERRY	X	
ZAJAC	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced that the resolution was adopted.

**10. RESOLUTION RELATIVE TO THE ADOPTION OF SPECIAL RULES OF ORDER GOVERNING PRESENTATIONS AT REGULAR MEETINGS OF THE CITY COUNCIL.**

BY: All Council Members

Motion by Council Member Bax to approve the resolution relative to the adoption of Special Rules of Order governing presentations at regular meetings of the City Council.

Council Member Archie seconded the motion. No Debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	X	
PERRY	X	
ZAJAC	X	
Totals:	5	

The Clerk announced the vote tally.

The Chair announced that the resolution was adopted.

**VIII. PUBLIC SPEAKERS FOR THE GOOD OF THE COMMUNITY**

- A. Tanya Barone of 8647 Rivershore Drive, Niagara Falls, New York, criticized the City’s dog shelter and the Niagara Falls Police Officers who handle stray dogs.
- B. Ryan Brehmen of 740 Portage Rd, Niagara Falls, New York, spoke regarding sidewalk safety concerns.
- C. Darron M. Sneed of 7376 Saint Joseph Rd, Niagara Falls, New York, requested better Code enforcement and discussed the need to revive the A.D.A. Task Force.
- D. Dante Richardson of 248 22<sup>nd</sup> Street, Niagara Falls, New York, spoke about the future of technology jobs and training opportunities needed in the City of Niagara Falls.
- E. Vincent Cauley of Niagara Falls, New York, alleged there is an “atrocitiy” occurring at the City’s dog shelter and advised the Council to enter into a contract with a different vendor that he favors.

**IX. MEETING ADJOURNMENT**

With no further business remaining, Chairman Perry adjourned the meeting at 7:37 P.M. without a motion or second, as permitted by RONR (12<sup>th</sup> ed.) 21:15.