

NIAGARA FALLS CITY COUNCIL

MINUTES FOR JANUARY 10TH, 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, according to City Charter § 3.9 (D) and RONR (12th ed.) 47:11 (3).

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 Archie.

B. PLEDGE OF ALLEGIANCE – Led by Council Member Myles

III. PRESENTATIONS AND PUBLIC SPEAKERS

A. Public Speakers:

- Saladin Allah of 2113 10th St., Niagara Falls, N.Y. spoke in favor of Legislative Agenda item 5 as a permanent housing solution for students and thanked the Council for listening to the people.
- Vincent Cauley of Niagara Falls, N.Y. spoke in opposition to Legislative Agenda item 5, stating that the Town of Lewiston can help solve our quality-of-life problems caused by college students living in our neighborhoods, as can more resources put toward enforcement. He also opposes Legislative Item 6's references to the separation of powers.
- Sharon Bailey of McKoon Ave, Niagara Falls, N.Y., spoke in favor of Legislative Agenda item 5, and the need for stable housing stock and removal of college students from single-family homes to improve the quality of life for families.
- Dan Weiss of Niagara Falls, N.Y. spoke in favor of Legislative Agenda item 5, noting his experience living in Deveaux and seeing the deterioration of the neighborhood by the growth of college housing in homes that were once single-family residences.

B. Administrative Update: None

C. Community Happenings: Council Members mentioned a meeting at Word of Life Ministries on January 12th, 2024, at 6 pm. The Beach Ave project will be discussed. All members of the community are invited.

IV. REVIEW AND ADOPTION OF THE AGENDA

Motion by Council Member Archie to amend the proposed Agenda by adding a new item #7 for Council action.

Council Member Myles seconded the motion.

The Chair asked if there would be a motion to conduct a roll call vote to adopt the agenda, as amended.

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 that the motion was adopted and that the proposed Agenda was amended to add Legislative Agenda item 7.

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

Council Member Bax 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 and the Chair announced the Agenda was adopted as amended.

LEGISLATIVE AGENDA

V. REVIEW AND APPROVAL OF MINUTES

The draft minutes from the Council's last regular meeting on December 20, 2023, were approved by unanimous consent, as distributed.

VI. INFORMATIONAL ITEMS FROM THE CITY CLERK

- 1. THE COUNCIL RECEIVED AND FILED A REPORT OF CLAIMS SERVED ON THE CITY CLERK FOR THE MONTH OF DECEMBER 2023.**

VII. ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

- 2. APPROVAL OF REORGANIZATION IN THE FIRE DEPARTMENT, AS SUBMITTED BY THE MAYOR'S LETTER DATED JANUARY 4, 2024**

Motion by Council Member Bax to approve and authorize the Mayor to reorganize the Fire Department as proposed by the Mayor's recommendation letter dated January 4, 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 that the motion was adopted.

- 3. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH VISUALLY IMPAIRED ADVANCEMENT (VIA) TO EXTEND ITS OPERATION OF THE 3-1-1 CALL CENTER, SUBJECT TO THE CONDITIONS OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 4, 2024.**

Motion by Council Member Bax to approve and authorize the Mayor to execute an agreement with visually Impaired Advancement (VIA) to extend its operation of the 3-1-1 Call Center, subject to the conditions outlined in the Mayor's recommendation letter dated January 4, 2024.

Council Member Tompkins seconded the motion.

No Debate on the motion to amend.

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 the motion was adopted.

- 4. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH USA NIAGARA DEVELOPMENT CORPORATION (“USAN”) TO EXTEND ITS MANAGEMENT AND PROGRAMMING RELATIVE TO OLD FALLS STREET, BETWEEN PROSPECT AND THIRD STREETS, THROUGH DECEMBER 31, 2026, AT NO COST TO THE CITY, SUBJECT TO THE FURTHER CONDITIONS OUTLINED IN THE MAYOR’S LETTER DATED JANUARY 4, 2024.**

Council Member Bax then moved to approve and authorize the Mayor to execute an agreement with USA Niagara Development Corporation to extend its management programming relative to Old Falls, Street through December 31st, 2026, at no cost to the City, subject to the conditions outlined in the Mayor’s recommendation letter dated January 4th, 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 the motion has been adopted.

RESOLUTIONS

5. RESOLUTION RELATIVE TO APPROVING THE REFERRAL OF A PROPOSED ZONING ORDINANCE AMENDMENT TO THE NIAGARA COUNTY PLANNING BOARD AND THE CITY OF NIAGARA FALLS PLANNING BOARD, REGARDING R1 AND R2 ZONING DISTRICT RESIDENTIAL USE LIMITATIONS.

BY: Council Chairperson Perry

Motion by Council Member Bax to adopt the Resolution to approve the referral of the proposed zoning ordinance amendment to the Niagara County Planning Board and the City of Niagara Falls and the City of Niagara Falls Planning Board, regarding R1 and R2 Zoning District residential use limitations.

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 the resolution has been adopted.

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

BY: Council Chairperson Perry

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

Council Member Zajac seconded the motion.

Debate was had on the Resolution, at which time Council Member Zajac moved to table the item.

Council Member Myles seconded the motion to table.

No debate on the motion.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	X	
BAX	X	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

The Clerk announced the vote tally, and the Chair announced that the Resolution was tabled.

7. RESOLUTION, RELATIVE TO APPOINTMENT OF COMMISSIONERS OF DEEDS IN THE CITY OF NIAGARA FALLS, NEW YORK.

BY: Council Members Brian Archie and David Zajac

Motion by Council Member Zajac to adopt the resolution relative to the appointment of Commissioner of Deeds in the City of Niagara Falls, New York.

Council Member Bax 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. Janine Gallo of 245 Irving Terrace, Town of Tonawanda, New York, criticized the City's dog shelter.

B. Vincent Cauley of Niagara Falls, New York, criticized the City's dog shelter.

IX. MEETING ADJOURNMENT

With no further business remaining, Chairman Perry adjourned the meeting at 7:14 P.M. without a motion or second, as permitted by RONR (12th ed.) 21:15.