

MOVED by Alderman Donovan SECONDED by Alderman Pasiak
That the Common Council hereby lays the following Local Law on the table for 7 days:

LOCAL LAW NO. 5 FOR 2009

**A LOCAL LAW PROHIBITING THE USE OF WIRELESS HANDSETS
 TO COMPOSE, READ OR SEND TEXT MESSAGES WHILE OPERATING
 A MOTOR VEHICLE IN THE CITY OF NORTH TONAWANDA**

The City Code of the City of North Tonawanda, New York, is amended by the addition of Article IX, Chapter 96 under "Vehicle and Traffic" entitled, "Prohibition of the Use of Wireless Handsets to Compose, Read or Send Text Messages While Operating a Motor Vehicle in the City of North Tonawanda":

Article IX

§96-64. Declaration of Intent.

A). Text messaging while driving is a growing problem on our roadways. This activity by its very nature involves the driver taking hands off the wheel and eyes off the road, and is a clear distraction that leads to accidents and fatalities. Often it is the younger, less- experienced driver who texts while underway. Until such time as the New York State Legislature passes a similar law, the City of North Tonawanda needs to address this problem with a Local Law.

B). Definitions:

As used in the local law, the following terms shall have the meanings indicated:

HANDS FREE – the manner in which a wireless handset is operated for the purpose of composing, reading or sending text messages, by using an internal feature or function, or through an attachment or addition, including, but not limited to, an earpiece, headset, remote microphone or short-range wireless connection, thereby allowing the user to operate said device without the use of the hands.

MOTOR VEHICLE – Any vehicle that is self-propelled by a motor, including, but not limited to, automobiles, trucks, vans, buses, construction vehicles, motorcycles, etc.

INOPERABILITY – Any motor vehicle that is incapable of being operated or being operated in a safe and prudent manner due to mechanical failure, including, but not limited to, engine overheating or tire failure.

PERSON – Any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association or other entity or business organization of any kind.

STOPPED – Not in motion.

TEXT MESSAGE (also referred to as short messaging service (SMS)) – The process by which users send, read or receive messages on a wireless handset, including, but not limited to, text messages, instant messages, electronic or e-mails, in order to communicate with any person or device.

USE – To hold and operate a wireless handset in one's hand.

WIRELESS HANDSET – A portable electronic or computing device, including cellular telephones and personal digital assistants (PDAs) capable of transmitting data in the form of a text message.

(C). Prohibition.

No person shall use a wireless handset to compose, read or send text messages while operating a motor vehicle on any public street or public highway within the City of North Tonawanda.

D). Exceptions.

Notwithstanding Section C above, this law shall not be construed to prohibit the use of wireless handset by:

- 1). Any law enforcement, public safety or police officers, peace officers, emergency services officials, first aid, emergency medical technicians and personnel and fire safety officials in the course of their employment as such;
- 2). A person using a wireless handset to contact any individual listed in subsection (1); or
- 3). A person using a wireless handset inside a motor vehicle while such motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules or ordinances, or is stopped due to the inoperability of such motor vehicle.

Notwithstanding Section C above, this law shall not be construed to prohibit a person operating a motor vehicle from utilizing a hands-free wireless set.

E). Penalties.

A violation of Section C of this Local Law shall constitute an offense and be punishable by a fine not to exceed \$150.00 for each single violation. Each such violation shall constitute a separate and distinct offense.

This Local Law shall be enforced by the City of North Tonawanda Police Department and may be enforced by any other law enforcement agency having jurisdiction.

F). Effect on Other Laws.

This Local Law shall be null and void on the day that the statewide New York legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this Local Law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the City of North Tonawanda. The New York State legislature may determine via resolution whether identical or substantially similar statewide legislation or preempting regulations have been enacted for the purposes of triggering the provision of this section.

G). Severability.

If any section, subsection, sentence, clause, phrase or other portion of this Local Law is for any reason declared unconstitutional or invalid, in whole or in part by any Court of Competent Jurisdiction, such portion shall be deemed severable and such unconstitutionally or invalidation shall not affect the validity of the remaining portions of this law, which remaining portions shall remain in full force and effect.

Ayes: Brick, Pasiak, Donovan, Schwandt (4)
Nays: Sommer (1)
CARRIED.

II.2 Attorney

September 4, 2009

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120

Re: Proposed Policy for the Prevention of Workplace Violence

Dear Honorable Body:

Attached is a proposed Workplace Violence Prevention Program for your consideration, as suggested for adoption by the State of New York. While some of the items are already covered under the City of North Tonawanda Anti-Harassment Policy, this policy deals strictly with violence in the workplace.

Should your Honorable Body concur, please pass a resolution to adopt this policy and authorize this office to distribute it to all city departments and employees. If you have any questions, please do not hesitate to contact me.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Brick

SECONDED by Alderman Donovan

That the Common Council hereby adopts the Workplace Violence Protection program as follows and authorizes the City Attorney to distribute it to all City departments and employees:

CITY OF NORTH TONAWANDA WORKPLACE VIOLENCE PREVENTION PROGRAM

INTRODUCTION

In the interest of providing a workplace environment free from acts and threats of violence, the City of North Tonawanda (the "City") has adopted this ZERO TOLERANCE policy.

PROHIBITED CONDUCT

Acts and/or threats of violence by or against any employee, customer, contractor or visitor of the City are strictly prohibited.

Acts and/or threats of violence by off-duty employees while on City property are strictly prohibited.

Acts and/or threats of violence by off-duty employees against another employee, customer, contractor or visitor of the City are strictly prohibited, even if they occur away from the City's premises.

Acts of vandalism or the intentional or reckless destruction of City property or equipment, or the property and equipment of City employees, customers, contractors, or visitors are strictly prohibited.

All employees, customers, contractors, and visitors of the City are prohibited from possession of weapons or explosives of any kind (eg. – firearms, knives, mace, pepper spray, etc.) while on duty or on City property, except for law enforcement personnel.

EXAMPLES OF PROHIBITED CONDUCT

Specific examples of conduct that may be considered "threats or acts of violence prohibited under this policy include, but are not limited to, the following:

Hitting, striking, pushing, shoving or tripping an individual

Threatening to harm an individual or his/her family, friends, associates, or their property.

The intentional destruction or threat of destruction of property and/or equipment owned, operated, or controlled by the City.

Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.

IDENTIFICATION OF RISKS

The City has identified the following potential risks:

- 1. Irate residents who may be or become angry over a decision or action of a City employee, Board or other decision maker.**
- 2. Individuals who are or appear to be under the influence of alcohol or drugs.**
- 3. Individuals who become or may become angry at a City athletic or recreation event.**
- 4. Individuals who seek to steal money or other City property.**
- 5. Violence or threats directed to City employees for personal reasons, by their family members, partners or other individuals.**
- 6. Individuals who become angry with City employees after an accident.**
- 7. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.**
- 8. Harassing surveillance, also known as “stalking”, the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.**
- 9. Making a suggestion or otherwise intimidating that an act to injure persons or property is “appropriate”, without regard to the location where such suggestion or intimidation occurs.**
- 10. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property.**

REPORTS OF VIOLATIONS

The City will not tolerate any violations of this policy. Any violations of this policy must be reported to the City Attorney immediately. Reports or incidents that warrant confidentiality will be handled appropriately and information will only be disclosed on a need-to-know basis.

INVESTIGATIONS

The City has designated the City Attorney as its principal manager responsible for the enforcement of this Policy. The City will take appropriate steps to warn any individual of threats made against him or her, and it will take steps to provide necessary protections for this individual. The City will also investigate all allegations of threats or acts of violence, and it will involve law enforcement authorities if necessary.

ENFORCEMENT

All criminal activity will be reported to appropriate law enforcement officials.

Employees that violate this Policy will be subject to disciplinary action, up to and including the penalty of discharge.

POLICY DISTRIBUTION

All employees and contractors of the City will be given copies of this Policy. All new employees will be provided with a copy of this policy at the time of their orientation.

Additional copies of this Policy will be posted at designated locations in the workplace. The City will provide opportunities for employees to be trained in the risk factors associated with workplace violence, and proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.

METHODS TO PREVENT WORKPLACE VIOLENCE

The City will attempt to minimize and prevent workplace violence. Among other measures, the City will:

- 1). Where appropriate, provide employees with cellular telephones so that emergency assistance may be summoned.
- 2). Discourage individuals from working alone.
- 3). Where possible and appropriate, install barriers between employees and members of the public.
- 4). Maintain good lighting.
- 5). Post signs stating that limited cash is on hand.
- 6). Minimize the amount of cash on hand.
- 7). Establish and implement a system from reporting incidents of aggressive behavior.
- 8). Institute a program of periodic training for employees as appropriate.

Ayes: Sommer, Brick, Pasiak, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

II.3 Attorney

September 4, 2009

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120

Re: Proposed Amendment to Chapter 98 of the City Code of the City of North Tonawanda, New York, Entitled "Water"

Dear Honorable Body:

As suggested by Paul J. Drof, Superintendent of Water/Wastewater, attached are proposed amendments to Chapter 98 of the City Code of the City of North Tonawanda, entitled, "Water". The suggested changes appear in bold print on the attachment.

If your Honorable Body concurs, this amendment shall become effective upon publication in the City's official newspaper. Should you have any questions, please do not hesitate to contact me.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Brick

SECONDED by Alderman Pasiak

The Common Council of the City of North Tonawanda hereby amends Chapter 98 of the City Code entitled "Water" as underlined:

§98-2. Conditions of Service.

- I. Delete current section. Replace as follows: At any premises, water may be turned off or on by a plumber licensed in North Tonawanda who has obtained the proper permit, or in the case of emergency, by a representative of the Water Department.
- J. The Water Department Inspector, meter reader or other properly authorized representative shall have access, at all reasonable hours, to the premises supplied for the purpose of setting, reading, repairing or removing meters or for making necessary repairs. If access to the premises is not made available, a non-refundable fee of ten dollars (\$10.00) per month will be charged until access is granted.
- N. Delete entire section.
- O. Parties desiring a small amount of water or service for a short time, or where rendering of such service will require the attention of an employee of the Water Department, will be charged. Turning water on will be charged at the cost of employees and what they do. Service calls at night and on days off that are not the Water Department's responsibility: a charge will be for all time, product and equipment used, and will be billed within the first water bill rendered after the service.
- P. Contractors desiring water for building purposes will be required to make application for same with the Water Department. Such water service shall be at the flat rate of \$25.00 minimum quarterly meter charge, to be assessed to each builder at the time of application for a building permit.

§98-6. Testing of Meters.

- A. Delete current section. Replace as follows: All City-owned meters are tested for accuracy of registration at flow rates and test flow quantities in accordance with the AWWA Standard C705 before installation. To ensure reliable meter measurements, all privately owned meters must be tested periodically and must comply with AWWA Standard C705. A test certificate must be filed with the Water Department. The city may require the following frequency of testing:

| <u>Meter Size</u> <u>In Inches</u> | <u>Years</u> <u>Between Tests</u> |
|---------------------------------------|--------------------------------------|
| <u>3/4</u> | <u>8</u> |
| <u>1</u> | <u>6</u> |
| <u>1-1/2</u> | <u>4</u> |
| <u>2</u> | <u>4</u> |
| <u>3</u> | <u>3</u> |
| <u>4</u> | <u>2</u> |
| <u>6</u> | <u>1</u> |

- B. A meter may be tested at the request of a property owner without charge, if the test reveals that the meter is not within the limits of accuracy according to the standards of the American Water works Association. For service, a fee of \$55.00 will be charged if the meter is found to be within the limits of accuracy. The property owner shall be billed for meter testing within the first water bill rendered after date of such test.

§98-7. Billing and Payment Procedures.

- A. Flat rate customers will be billed quarterly; and domestic, commercial and industrial meters will be billed quarterly. All bills are sent out on the first day of any given billing period and are payable to the City Treasurer of North Tonawanda by the 25th day of the period billed. If a meter is found stopped at any meter reading period, the bill will be estimated from similar preceding or subsequent periods. All bills for general water service are due and payable upon receipt of the bill and are

payable at face for a period of approximately 25 days following the date of the bill. Thereafter, such bills are payable with a penalty of 10%. The supply of water may be cut off if such water charges are not paid within 60 days from the due date.

- D. If a utility bill requires an adjustment of consumption or dollars, a ten dollar (\$10.00) adjustment fee may be imposed.

§98-8. Application for Water Service.

- C. When making service application for newly-built structures, the consumer must come in person to sign the application, make appointment for installation of the meter and pay a fee of \$55.00 for the installation of the meter.

§98-9. Termination of Service.

- A. A consumer who, for any reason, wishes to terminate his liability for service must give notice to the Water Department to do so. The Consumer shall be responsible for the payment of service rendered by the Water Department until said written notice is received and a reasonable additional time allowed for reading the meter and shutting off the water service.
- C. When property becomes vacant, upon receipt of written notice from the owner of same, the Department shall, at its option, remove the water meter and/or seal the service in a manner that will prevent any possibility of water usage without charge. A meter so removed will be replaced by the Department at a fee of \$55.00, when the property is reoccupied. No charge shall be made for water during the time that the property remains vacant, provided that the foregoing provisions are fully complied with.

§98-11. Installation of Meters.

D. Oversized Meters.

- (1) The Water Department shall supply meters of 3/4 inches to the owner of a premises, or his contractor, in need of the same at a cost to be established by the Superintendent of Water. The Water Department will assume no responsibility for installation, repair or maintenance of any such oversized meter. It shall be the responsibility of the owner to install such oversized meter and to notify the Water Department after installation so that inspection of the installation can be made by authorized personnel and measurements for the shutoff box can be recorded.

- E. Any meter over one inch shall be considered industrial size, and the owner of said premises will be responsible for acquiring and installing such meter. All meter must meet AWWA standards approved by the Superintendent of Water. The City may require testing of said meters by the owner according to the testing schedule in §98-6A, and a test certificate must be filed with the Water Department.

- L. Only Water Department employees or authorized agents may remove or disturb the water meter. If it becomes necessary to break the meter seal in connection with work on the consumer's service line, the Water Department will authorize the breaking of the seal and will reseal the meter without charge. When a meter seal or seal wire has been tampered with, removed or broken or the meter removed from the service line, the meter will be removed, tested, reset and resealed for which a fee of \$75.00 will be charged.

§98-14. Penalties for Offenses.

Any person, firm or corporation violating any provisions of this chapter, to include tampering with the meter, shall be fined not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00) for each offense.

§98-15.1. Water Rents.

Amend current Section to read as follows:

The Common Council shall establish a scale of rents for the use of water, to be called “water-rents” and to be paid at such time as it may prescribe, and may from time to time

either modify, amend, increase or diminish such rents. A notice will be printed on the September water bill informing each water customer that any unpaid water/sewer charges will be attached to the City taxes as of the first Friday in November. If the said water rent or other charges for use of water, together with any penalties imposed thereon shall remain unpaid after that date, the Water Department shall certify such unpaid amounts to the Assessor, together with the name of the record owner and the premises on which the water was used on or before the 31st of January of the succeeding year. The said amounts shall be included in the annual assessment roll, and the same shall be assessed by the Assessor against the record owner of the premises on which the water was used, and shall be collected in the same manner as the City taxes are collected, with the same interest and penalties thereon. The said unpaid water rents or other charges for the use of water, when placed on the tax rolls, shall become a lien against the real property so charged.

98-15.2. A surcharge of 10% shall be placed on all water rent account balances that are due in September that remain unpaid by the first Friday in November of each year, and shall be levied on the subsequent year’s real property tax bill.

§98-16. Water Rates.

E. Recipients of the water bill are required to read their water meter and place said reading on the meter reading card in the place provided. Failure to comply with this section will result in an estimated reading. If there are four consecutive bills with estimated readings, the fourth bill that contains said estimated reading will be doubled along with an additional surcharge of \$25.00 being charged.

F. Delete entire section.

This ordinance amendment shall take effect immediately.

Ayes: Sommer, Brick, Pasiak, Donovan, Schwandt (5)

Nays: None (0)

CARRIED.

II.4 Attorney

September 4, 2009

Honorable Mayor & Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Re: Amendment to ADA Policy

Dear Honorable Body:

Attached please find an amended Appendix “A”, Reasonable Accommodation Request Form, which is proposed to become a part of the Americans with Disabilities Act Compliance Policy that was adopted by your body on August 4, 2009. There is a minor change in paragraph 2 of the form that was requested by the New York State Division of Human Rights.

If you concur, please adopt this amendment to Appendix “A”, Reasonable Accommodation Request Form, which will then become a part of the city’s ADA Compliance Policy. Thank you.

Very truly yours,
Robert Sondel
Assistant City Attorney

MOVED by Alderman Pasiak SECONDED by Alderman Schwandt
That the Common Council hereby adopts the amendment to Appendix “A”, Reasonable Accommodation Request Form, which will become part of the City of North Tonawanda ADA Compliance Policy.

Ayes: Sommer, Brick, Pasiak, Donovan, Schwandt (5)
 Nays: None (0)
CARRIED.
 IV. Engineer

September 11, 2009

Honorable Lawrence V. Soos, Mayor
 and Common Council Members
 City Hall
 North Tonawanda, New York 14120

**RE: Manhattan Street Parking Lot Rain Garden and Storm Sewer Improvements
 Project No. 2009-13
 SEQRA - Environmental Assessment**

Honorable Body:

As you may be aware, the City has received a grant to construct a rain garden drainage system at the Manhattan Street Parking Lot.

In accordance with the New York State Environmental Quality Review Act (SEQRA), the City in its capacity as lead agency, has prepared an environmental assessment of the significance of potential environmental impacts of reconstructing the Manhattan Street parking lot to accommodate a rain garden drainage system to supply detention and filtration before entering the city storm sewer system. This project is considered an unlisted action under SEQRA.

In order for the City to issue a Negative Declaration, Notice of Determination of Non-Significance, the Common Council should act on the following attached resolution.

Very truly yours,
 Dale W. Marshall, P.E.
 City Engineer

MOVED by Alderman Donovan **SECONDED** by Alderman Brick
WHEREAS, the City of North Tonawanda intends to make storm sewer improvements to the Manhattan Street Parking Lot, between Sweeney Street and Goundry Street

BE IT RESOLVED, that the Common Council has reviewed the Environmental Assessment prepared by the Engineer; and

BE IT RESOLVED, that the Common Council declares that based on the Environmental Assessment which has been prepared, the project is an unlisted action and will not result in any significant adverse impacts, and therefore will not have a significant impact on the environment; and

FURTHER, **BE IT RESOLVED** that the Common Council hereby issues a Negative Declaration under SEQR Regulations for the drainage and storm sewer improvements to the Manhattan Street Parking Lot, and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Sommer, Brick, Pasiak, Donovan, Schwandt (5)
 Nays: None (0)
CARRIED.

V. Water

September 10, 2009

Honorable Mayor Lawrence Soos
 And Common Council
 216 Payne Ave
 N Tonawanda NY 14120

RE: Bid for Water Meters

and City Clerk respectively sign and countersign said Warrant:

| | | |
|----|----------------------|---------------------|
| 01 | General Fund | \$171,308.57 |
| 02 | Water Fund | 16,459.54 |
| 04 | Sewer Fund | 48,208.63 |
| 06 | Capital Project Fund | 174,425.85 |
| 07 | Trust & Agency Fund | 359.59 |
| | Final Total | <u>\$410,762.18</u> |

Ayes: Sommer, Brick, Pasiak, Donovan, Schwandt (5)

Nays: None (0)

CARRIED.

XI. Fire

To: City Clerk Robert Ortt

From: Assistant Chief William DeMonte, No. Tonawanda Fire Department

Re: City Fire Rolls

Please add Jerry Moore, Jr. to the City Fire Rolls. (Active Hose)

Please remove Jason Malley and Jon Kukiveca from the City Fire Rolls/ (Sweeney Hose)

Thank you.

Assistant Chief
William DeMonte

MOVED by Alderman Donovan SECONDED by Alderman Pasiak
To add Jerry Moore, Jr. to the City Fire Rolls (Active Hose) and to remove Jason Malley
and Jon Kukiveca from the City Fire Rolls (Sweeney Hose).
CARRIED.

XVI. City Clerk

September 11, 2009

North Tonawanda Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Honorable Body:

At the North Tonawanda Planning Commission meeting of September 8, 2009 the following resolution was passed:

MOVED by Commissioner Mineo SECONDED by Commissioner Kenyon
That the Planning Commission hereby refers the aforementioned request for
rezoning from R1-2 to R2 for the property at 1451 Payne Ave. (formally known as
the St. Joseph Catholic Church Campus) to the Common Council for approval.
Ayes: Commissioner Conti, Evans, Kenyon, Mineo, Marton, Przewozny (6)
Nays: Commissioner Burgio (1)
CARRIED.

It would be appropriate now to schedule a public hearing regarding this matter.

If you have any questions, please contact me.

Sincerely,
Robert G. Ortt
City Clerk-Treasurer

09-15-09

MOVED by Alderman Brick

SECONDED by Alderman Pasiak

That the Common Council hereby directs the City-Clerk Treasurer to schedule a public hearing on Tuesday, September 29, 2009 at 6:00PM regarding the aforementioned rezoning.

CARRIED.

XXV. Monthly Reports

- .1 Vital Statistics**
- .2 Senior Citizens**
- .3 Police**

MOVED by Alderman Schwandt

SECONDED by Alderman Donovan

That the Common Council hereby receives and files the aforementioned Monthly Reports.

CARRIED.

COMMUNICATIONS FROM OTHERS

A.

Glory Be to Kids

**North Tonawanda City Hall
Attn: Mayor Larry Soos
216 Payne Avenue
North Tonawanda, NY 14120**

Dear Mayor Soos:

Glory Be to Kids is asking the City of North Tonawanda for permission to utilize Pine Woods Park and surrounding streets for its newest event, The Chowder Challenge.

As you know, Glory Be to Kids has spent the last 29 years raising over \$270,000 for various local children’s charities. We have accomplished this by running our annual golf and softball tournaments. This year we are adding a new event, the Chowder Challenge. It will be held Saturday, October 17 and will consist of various family oriented activities including a 5k race, a chowder cook off contest, a disc golf tournament, live music, food vendors and more.

The 5k race will begin at 11am at the corner of Thompson and Niagara. It will head south down Niagara St. toward the Erie Canal. It will turn east onto Sweeney St, make a right into Mayors Park and go around the loop back out to Sweeney. It will then head west back on Sweeney St., make a right onto Niagara St, then a left onto Pine Woods Dr where the finish line will be. We are asking for police assistance for traffic control prior to and during the race.

After the 5k race will be a chowder cook off contest to be held in Pine Woods Park. I have already spoken with Patty Brosius at the Recreation Department regarding use of the park. We are also asking if you would consider being one of our judges for the cook off contest. We anticipate this event becoming a North Tonawanda community tradition and what better way to begin to preserve that then by having our very own Mayor take an active part in it.

Thank you in advance for your consideration. The success of Glory Be to Kids could never have been at the level it is right now without the extreme generosity and cooperation we have received from you and the City of North Tonawanda over the years.

If you have any further questions, please feel free to contact me either by phone at 716-523-3958 or by email at mbernas@buffalo.edu.

**Sincerely,
Michelle Bernas
Glory Be to Kids Chairperson
Chowder Challenge Event Chairperson**

MOVED by Alderman Schwandt **SECONDED** by Alderman Pasiak

That the Common Council hereby waives the fee for the rental of Pinewoods Park and grants permission for Glory Be to Kids organization to hold a 5k race at 11am on October 17 beginning at the corner of Thompson and Niagara Streets, heading south down Niagara St. toward the Erie Canal, then east onto Sweeney St., making a right into Mayors Park and back out to Sweeney Street. It will then head west back on Sweeney St., make a right onto Niagara St, then a left onto Pine Woods Dr. to the finish line, and further grants permission for police assistance for traffic control prior to and during the race.

Ayes: Sommer, Brick, Pasiak, Donovan, Schwandt (5)

Nays: None (0)

CARRIED.

AUDINENCE PARTICIPATION

Kathy Kern, 1248 Greenbrier Lane – Urged the Common Council to attend the Twin Cities Community Outreach event at Sikora Post on Sunday, October 4 from noon to 3PM.

Robert Kensek – Complained about dilapidated buildings in the City and stated that he does not believe that the texting ban will be enforced.

ADJOURNMENT

MOVED by Alderman Pasiak **SECONDED** by Alderman Sommer

That this regular session of the Common Council be and hereby is adjourned.

CARRIED.

Time of Adjournment: 6:40P.M.

Respectfully submitted,

Robert G. Ortt
Clerk-Treasurer