A Regular Meeting of the Common Council

Present: Council President Koch
Present Councilmembers: Gilbert, Smilinich, Rautenstrauch, Toth
Pledge of Allegiance led by Council President Koch
Prayer led by Associate Fire Chaplain Rick Oates

COMMUNICATIONS FROM THE MAYOR
Communication to the Unified Court System Eighth Judicial District regarding the City’s intent to review the Courts space utilization.
Communication to the Council regarding a status update of the Erie County Water Authority work on the Veterans Park Water Tower

COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE
The following monthly reports were received by the City Clerk:
Traffic Analysis for Closing/Removal of Young Street between Main and Broad from Clark Paterson Lee Architecture Firm
October Report of the Building Inspector
October Report of the Tonawanda Fire Department
Minutes and recommendations of a Special November 7, 2016 meeting of the Traffic and Safety regarding Handicapped Parking throughout the City
October Minutes of the Board of Appeals
Recommendation Letter from City Treasurer Joseph Hogenkamp regarding Sewer Rate Increase for 2017
2016 Year to Date Overtime report from Treasurer Joseph Hogenkamp
11/15/2016 Comprehensive Revenue and Expenditure Report
Communication from Jack Gallagher regarding rezoning of 618 Delaware St

Referred to the Committee of the Whole
Ordered filed

COMMENTS BY THE PUBLIC ON RESOLUTIONS
No comments from the Public

The Tonawanda Common Council, in an effort to conduct business in a timely fashion and maintain an open line of communication with the public, welcomes comments on resolutions and other City business.

- Persons wishing to speak and be recognized by the President of the Common Council are to be courteous, respectful, non-repetitive and brief.
- All questions and/or comments should be addressed to the President of the Common Council.
- Please state your name and address clearly for inclusion in the Common Council minutes. In the event any person wishes a response outside the confines of the Common Council meeting, please leave all necessary contact information with the City Clerk after the meeting.
- Persons may address the Common Council during (2) separate sessions of the meeting for a total of 30 minutes per session. Once prior to the resolutions and also after the resolutions prior to Common Council comments.
- Individuals may speak a total of (3) minutes per speaker per session. The President of the Common Council will adhere to this (3) minute guideline in an effort to allow everyone an opportunity to speak who wishes to do so.
- The President of the Common Council reserves the Council’s right to limit or expand upon these limits as he/she may deem necessary and prudent.
- Usage of cell phones other than for emergency is prohibited during all Council Sessions.

**MOTIONS AND RESOLUTIONS**

257. By Councilmember Gilbert seconded by Councilmember Toth

Resolved, that the Common Council minutes from November 1, 2016, be accepted as filed.

Ayes: Gilbert, Rautenstrauch, Toth, Koch
Nays: None
Abstain: Smilinich

Resolution declared adopted

258. By Councilmember Gilbert seconded by Councilmember Smilinich

Resolved, that the reading of the resolutions be waived.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None

Resolution declared adopted

259. By Councilmember Rautenstrauch seconded by Councilmember Gilbert

Resolved, that the bills be allowed as audited and that the City Clerk be directed to draw warrants on the Treasurer for the various amounts.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None

Resolution declared adopted

260. By Councilmember Smilinich seconded by Council President Koch

WHEREAS, the title of this Resolution/Ordinance has been published at least once in a newspaper of general circulation, more specifically, The Buffalo News, on October 28, 2016, in accordance with Section 2.047 of the City Charter.

NOW, THEREFORE, BE IT RESOLVED, that Chapter 62 entitled TRAFFIC AND VEHICLES, Article 5. TRAFFIC SCHEDULES, DIVISION 2. GENERALLY, Section 62-201. Schedule XXIII: Handicapped parking areas, shall be amended to add the following:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Lot Adam/Broad</td>
<td>One behind Hamp,</td>
<td>One behind Antique Store by alley way, One behind Washington (3 spaces)</td>
</tr>
<tr>
<td>City Lot Adam/ Seymour</td>
<td>One by St. Francis School, one near Lane Jewelers, one behind Tim Horton’s (3 spaces)</td>
<td></td>
</tr>
<tr>
<td>City Hall Bottom Lot</td>
<td>Signage on one space van accessible</td>
<td></td>
</tr>
<tr>
<td>City Hall Top Lot</td>
<td>One space van accessible</td>
<td></td>
</tr>
<tr>
<td>DPW Lot</td>
<td>One space, rear of 150 Fillmore in overnight parking</td>
<td></td>
</tr>
</tbody>
</table>
East Niagara Street Lot
One van accessible space each lot by ballfield

East Niagara Street Lot
One van accessible space by Longs Avenue

East Niagara Street Lot
One van accessible Space by 126 East Niagara

Niawanda Park
Change signage to van accessible behind City hall

Niawanda Park
Change one sign to van accessible by boat dock

Niawanda Park- Section A
Change on sign to van accessible

Niawanda Park- Section B
Three handicap spots, one being van accessible

Niawanda Park- Section D
Three handicap spots

Police Station- Top Lot
One additional space, van accessible

Veterans Park
One additional space, van accessible (Near helicopter)

BE IT FURTHER RESOLVED, that all other Sections of said Ordinance shall remain unchanged and in full force and effect; and

BE IT FURTHER RESOLVED, that the above amendment shall take effect upon publication of its title in an official newspaper of the City of Tonawanda.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None

Resolution declared adopted 261.

Whereas, the title of this Resolution/Ordinance has been published at least once in a newspaper of general circulation, more specifically, The Buffalo News, on October 28, 2016, in accordance with Section 2.047 of the City Charter.

NOW, THEREFORE, BE IT RESOLVED, that Chapter 62 entitled TRAFFIC AND VEHICLES, Article 5. TRAFFIC SCHEDULES, DIVISION 2. STOPPING, STANDING AND PARKING, Section 62-193. Schedule XV: No Standing of the Tonawanda City Code which now reads as follows:

In accordance with the provisions of Section 62-116, no person shall stand a vehicle upon any of the following described streets or parts of streets:
BE IT FURTHER RESOLVED, that all other Sections of said Ordinance shall remain unchanged and in full force and effect; and

BE IT FURTHER RESOLVED, that the above amendment shall take effect upon publication of its title in an official newspaper of the City of Tonawanda.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted

262. By Councilmember Smilinich seconded by Councilmember Rautenstrauch

Resolved, that permission is granted to the Downtown Merchants of North Tonawanda to hold their Winter Walk on Saturday, December 3, 2016 starting at 10:00 A.M. through 5:00 P.M.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted

263. By the Council seconded by the Council

Resolved, that this Common Council adopt the General Fund, Water Fund and Sewer Fund Operating Budgets for the fiscal year commencing January 1, 2017, making appropriations to conduct City Government and further be it

Resolved, that the Budgets that were presented at a Public Hearing on October 18, 2016, are hereby adopted as amended and revised and that the several amounts as set forth be and are hereby appropriated for the objects and purposes specified in the 2016 operating budgets on file in the Office of the City Clerk.

Total General Fund Budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Levy</td>
<td>$11,323,511.00</td>
</tr>
<tr>
<td>Taxable Assessment</td>
<td>$638,261,760.00</td>
</tr>
<tr>
<td>Property Tax Rate per $1,000 Taxable Assessed Valuation</td>
<td>17.741170</td>
</tr>
</tbody>
</table>

Total Water Fund Budget

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$130,073.00</td>
</tr>
</tbody>
</table>

Total Sewer Fund Budget

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,236,797.00</td>
</tr>
</tbody>
</table>

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted
264. By the Council seconded by the Council
Resolved, that effective January 1, 2017, the Sewer User Rate is increased from 
$5.44 to 5.60 per 1000 gallons, and further be it 
Resolved, that effective January 1, 2017, the minimum annual charge for Sewer 
Consumption is 40,000 gallons or $224.00.
Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted

265. By Councilmember Gilbert seconded by Councilmember Smilinich

Be it resolved that Mayor Rick Davis be authorized and directed to sign the 
agreement with Erie County for continued Transportation and Escort Services for the 
Elderly in the City of Tonawanda from January 1, 2017 to be automatically renewed for 
successive twelve months unless terminated by either party with 15 days written notice 
and that the necessary proof of insurance be submitted to the County.
Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted

COMMENTS BY THE PUBLIC AFTER RESOLUTIONS
No comments from the Public

COMMENTS BY THE COUNCILMEMBERS AFTER RESOLUTIONS

Councilmember Rautenstrauch- I have nothing today.

Councilmember Gilbert- Nothing also Madam President.

Councilmember Smilinich- I would like to pass along to the Police Department the 
thanks from the Vietnam Veterans Chapter 77 for the excellent job you did throughout 
the course of the movement, the guarding, and the lifting and the dedicating of the 
helicopter. I'm sure you will be receiving something in writing from them but they asked 
me to pass it along to you today. Thank you.

Councilmember Toth- Nothing Madam President.

Mayor Rick Davis- I would like to thank the Council for their support of the budget. I 
would like to thank the Department Heads and especially my Administrative Assistant 
and Joe Hogenkamp on this really conservative but balanced budget. I'm quite pleased 
that the Council also agreed with it. I would like to echo Ms. Smilinich's sentiments to 
our Police Department, DPW, and Parks and Rec for their help with the helicopter 
memorial. I would like to also thank the Vietnam Veterans of America for entrusting her 
with us. It is absolutely beautiful. I think we doubled our city population on the 
dedication. It was wonderful to see the turnout. It was wonderful to see the pilot there as 
well that flew that helicopter. All around it was a great day for the City. Lastly, I would 
like to extend my appreciation to the White House. Yesterday, I was one of twenty 
mayors nationally that attended the White House and talked about our efforts to end 
veterna homelessness. The best practice is to share with other mayors that also are trying 
to tackle this problem. It was quite an awe-inspiring experience to be in parts of the 
White House that the public doesn't normally see and also speak with other mayors; like 
the Mayor of Mesa, Arizona, the Mayor of Portland, Oregon on some of the things they 
have done to help our veteran homeless population here in the City. But I would 
especially like to thank the White House Staff for allowing me to propose to my 
girlfriend inside the White House. It's not everybody that gets a chance to do it. Thank 
you. That is all Madam President.

Councilmember Gilbert- She's not your girlfriend.

Mayor Davis- I should say now she's my fiancée.

Council President Koch- I would also like to recognize the Mayor who attended the 
conference in Washington. One of the few select who were invited. So thank you very
much and he didn’t bring an autograph back from the First Lady. The Boys and Girls Club are hosting a Thanksgiving Dinner on next Tuesday, November 22 and the event is open to the community. So please stop in it starts at 5:45P.M. The Helping Our Neighbors Food Drive ends on November 19 and I would like to thank everyone who participated and donated. I want to wish everybody a very wonderful and Happy Thanksgiving. We have so much to be thankful for. I hope you have a wonderful holiday. Thank you very much. Have a good night.
Resolved, that this Common Council adjourn until December 6, 2016.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None

Resolution declared adopted

______________________
City Clerk

______________________
Mayor

______________________
Date Filed