

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

March 26th, 2025
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Fogle, Craig, Kirchberger, Lupo, Mullane, Devine

INVOCATION – Paster Dent

ANNOUNCEMENTS

RECESS

Recess for public input.

032625.1

APPROVAL OF MINUTES

On motion of Alderman Mullane seconded by Alderman Devine the minutes of the Regular meeting of March 12th, 2025 are hereby approved as printed in the Journal of Proceedings. Ayes_____.

FROM THE MAYOR

Appointments:

3/12/2025 Denice Minderman, Julie Muscato, Selena Truax and Shelly Richards have been appointed to the Historic Preservation Commission effective March 12th, 2025.

3/17/2025 Kathy Sparks DiMillo, Anna Mauri and Mary Brennan Taylor have been re-appointed to the Board of Ethics Committee effective March 17th 2025.

3/17/2025 William K. Foltz and Samuel Marotta have been appointed to the Zoning Board of Appeals Commission effective March 17th, 2025.

3/17/2025 Kevin W. Norris has been re-appointed to the Civil Service Commission.

3/17/2025 Brian Bull has been re-appointed to the Board of License Revocation effective March 17th, 2025.

3/17/2025 John F. Swan has been re-appointed to the Board of Parks Commission effective March 17th, 2025.

12/31/2024 Patti Lynn Weiss has been appointed to Commissioner of Deeds effective December 31st, 2025 for a term of 2 years.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments.

Reviewed by the Finance Committee.

Communications (which have been referred to the appropriate City officials)

3/7/2025 Heather Benson from the Kenan Center, asking permission for them to hang their banner in promotion of the 100 American Craftsmen.

3/17/2025 Travis Flaherty and Jason Dool from the Lockport Lady Lion's Softball requesting permission to use the field at Outwater Park.

MOTIONS & RESOLUTIONS

032625.2

By Alderman Craig:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills and services to be paid on March 27th, 2025.

Seconded by Alderman Lupo and adopted. Ayes 6.

032625.3

By Alderman Craig:

State Environmental Quality Review Act Negative Declaration and Notice of Determination of Non-Significance Adoption of 2024 City of Lockport Comprehensive Plan & Local Law No. 1 of 2025, A Local Law Repealing and Replacing the City of Lockport Zoning Code (Chapter 190) and Official Zoning Map

Whereas, the Common Council of the City of Lockport (hereinafter "Common Council") engaged a consultant team to direct concurrent updates to the City of Lockport Zoning Code (Chapter 190) and the City of Lockport's 1998 Comprehensive Plan, and

Whereas, the City of Lockport formed a Comprehensive Plan Committee and a Rezoning Committee to guide the creation of a revised Comprehensive Plan and Zoning Code respectively, which has culminated in a final draft of the City of Lockport Comprehensive Plan and Zoning Code and Official Zoning Map, and

Whereas, the final draft of the City of Lockport Comprehensive Plan and Zoning Code and Official Zoning Map have been fully reviewed by the City of Lockport Planning Board and the Niagara County Planning Board, and a public hearing has been held to accept public comments regarding the matter, and

Whereas, the Common Council, on the advice of the Corporation Counsel and its consultant team, intends to act as lead agency with respect to the action for the purposes of conducting a review under the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation adopted thereunder (6 NYCRR Part 617) (hereinafter collectively referred to as "SEQRA") to all involved and interested agencies, and has received no objection to its serving as lead agency, and

Whereas, a Full Environmental Assessment Form, parts 1, 2 and 3, was prepared by Colliers Engineering & Design, and was circulated to involved agencies for input pursuant to SEQRA, and

Whereas, the Common Council has considered the action and reviewed the EAF and all comments received from involved or interested agencies, in light of the criteria set forth in SEQRA in order to determine whether the action will have a significant effect on the environment, now therefore be it

Resolved, that the City of Lockport Common Council hereby declares itself lead agency for the purposes of SEQRA review of the action, and be it further

Resolved, that based upon the information set forth in the EAF, and for reasons more fully set forth in parts 2 and 3 of the EAF, the Common Council hereby determines that there will be no significant environmental impacts with regard to the action, and hereby adopts and issues the attached Negative Declaration under SEQRA with respect thereto, and be it further

Resolved, that the Mayor be, and hereby is, authorized to execute any necessary documents in conjunction hereto.

Seconded by Alderman Devine and adopted. Ayes 6.

032625.4

By Alderman Kirchberger:

Whereas, in January of 2021, the Common Council of the City of Lockport (hereinafter, "Common Council") engaged a consultant team to direct concurrent updates to the City Zoning Code (Chapter 190) and 1998 Comprehensive Plan; and

Whereas, in the spring of 2021, a Comprehensive Plan Committee (hereinafter, "Committee") was formed to revise the 1998 Comprehensive Plan in addition to a Rezoning Committee to guide the zoning code update. This Committee consisted of residents and representatives from the City's Building and Community Development Departments, review boards, school board, GLDC, and Niagara County; and

Whereas, the ongoing comprehensive plan and zoning code update process, under the direction of the Committee, resulted in a Draft Comprehensive Plan (hereinafter, "Draft Plan"); and

Whereas, a public hearing was held by the Committee for the review of the Draft Plan in Council Chambers at the Lockport municipal building, 1 Locks Plaza, Lockport, on August 28, 2023, at 6:00 pm; at which the Committee heard all testimony offered in favor or opposition to the Draft Plan; and

Whereas, the Committee determined that it is in the best interest of the City to recommend the Draft Plan to the Common Council for consideration for adoption, recognizing that it not only identifies a unified community vision, but also provides an action-oriented framework for the achievement of such vision as well as future land use recommendations and a place-making plan guiding the concurrent zoning code update effort; and

Whereas, At the regular meeting of the Lockport Planning Board held on March 3, 2025, the Planning Board reviewed the proposed Comprehensive Plan and revised Zoning Code as well as a review of the Waterfront Consistency Review checklist. The Board determined that the Waterfront Consistency Review Checklist is consistent with the Local Waterfront Revitalization Program policies of the City of Lockport outlined in chapter §187-5. the Planning Board determined that it is in the best interest of the City to recommend the Draft Plan and Zoning Code Update to the Common Council for consideration for adoption with noted amendments; and

Whereas, a revised Draft Plan was prepared for consideration by the Common Council, dated January 17, 2024, which incorporated feedback from the Planning Board as well as necessary updates to maintain alignment of the Draft Plan with the concurrently developed Draft Zoning Code (Chapter 190) and zoning map; and

Whereas, the City of Lockport Common Council held a public hearing on March 12th, 2025 at 6:00 PM in City Hall located at One Lock's Plaza, Lockport, NY 14094, hearing all public comment in favor and/or in opposition to the proposed Comprehensive Plan Update and concurrent Zoning Code (Chapter 190) amendment; and

Whereas, the Common Council during the aforementioned public hearing issued a negative SEQRA declaration for the adoption of the 2024 Comprehensive Plan Update and Zoning Code (Chapter 190) amendment, considered as a joint action for the purposes of SEQRA; and

Whereas, the Common Council determined that it is in agreement with the findings and recommendations of the Committee and Planning Board, recognizing that it is in the best interest of the City to adopt the Draft Plan as it provides a well-considered foundation for future decision-making and further supports the proposed concurrent amendment to the City's Zoning Code (Chapter 190) and Zoning Map;

Now, therefore, be it resolved, that the Common Council of the City of Lockport hereby adopts the 2024 Comprehensive Plan and recognizes it as an official update to the City of Lockport 1998 Comprehensive Plan.

Seconded by Alderman Mullane and adopted. Ayes 6.

032625.5

By Alderman Lupo:

To Adopt Local Law No. 1 of 2025 – A Local Law Repealing and Replacing the City of Lockport Zoning Code (Chapter 190) and the Official Zoning Map

Whereas, the Common Council of the City of Lockport, at its regular meeting held on February 26th, 2025, did call a public hearing to consider the adoption of Local Law No. 1 of 2025 relative to a new comprehensive zoning law update; and

Whereas, said hearing was held on March 12, 2025 at 6:00 p.m., at which time all persons were given an opportunity to be heard.

Now therefore be it resolved, that said Local Law 1 of 2025 be and hereby is ENACTED, and described in general terms as follows:

Local Law 1 of 2025

A LOCAL LAW TO AMEND THE CODE OF THE CITY OF LOCKPORT BY DELETING AND REPEALING CHAPTER 190 THEREOF, ZONING, AND REPLACING IT WITH A NEW CHAPTER 190 TO BE ENTITLED "ZONING"; and

Be it further resolved, that a copy of Local Law 1 of 2025 in its entirety be posted on the City of Lockport Website and that a notice of adoption be published once in the Lockport Union Sun & Journal, a newspaper regularly published and having general circulation in the City, and posted as provided by law; and

Be it further resolved, that the City Clerk be and hereby is directed to file said Local Law No. 1 of 2025 with the Secretary of State

Seconded by Alderman Devine:

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

A roll call vote will be taken.

Alderman Fogle	VOTING YES
Alderman Devine	VOTING YES
Alderman Craig	VOTING YES
Alderman Kirchberger	VOTING YES
Alderman Lupo	VOTING YES
Alderman Mullane	VOTING YES

032625.6

By Alderman _____

Resolved that pursuant to their request, permission is hereby granted to Western New York Disc Golf Club, (WNYDGC) to conduct a tournament at Outwater Memorial Park on September 6th, 2025 from 8am – 6pm, and be it further

Resolved that said permission is subject to WNYDGC filing a certificate of insurance with the City Clerk naming the City of Lockport as additionally insured.

Seconded by Alderman_Kirchberger and adopted. Ayes 6.

032625.7

By Alderman Mullane:

Resolved that pursuant to their request, the Kenan Center, Inc. is hereby granted permission to erect a banner across East Avenue at Davison Road, at least 17 feet from the ground to promote the 53rd Annual 100 American Craftsman event from May 23rd through June 9th 2025. Said permission is subject to the Kenan Center filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Lupo and adopted. Ayes 6.

032625.8

By Alderman Devine:

Resolved that the Mayor, subject to Corporation Counsel approval, be and is hereby authorized to enter into an agreement with Lockport Wildcats (WC) to use Exchange Club Field for their football season under the following terms:

1. The term shall be for their season between the months of April 1st through December 1st, 2025.
2. The fee shall be \$250.00 for each game. Payment must be received by the Tuesday prior to each game. If payment is not received, Lockport WC will not be permitted to use the field for their following game.
3. The City shall provide locker rooms at the Lockport Rotary Community Pool. Use of the pool is strictly prohibited. The locker rooms must be kept in a clean and orderly condition after each use, and all debris removed and disposed of from the field and surroundings.
4. Lockport WC may set-up their own concessions at the field and may have a food truck for each event only.
5. Lockport WC must file a certificate of insurance naming the City of Lockport as additional insured.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

032625.9

By Alderman Lupo:

Whereas the Lockport City School District Family Empowerment Center would like to work along with the Children's Advocacy Project, to participate in the Pinwheel Garden Project and has requested permission to install pinwheels around the Gazebo on Canal Street for the Month of April 2025, to raise awareness and increase actions to end child abuse,

Whereas the Pinwheel Garden Project is a national effort to raise awareness of the prevention of child abuse, therefore, be it

Resolved that permission is hereby granted to the Lockport City School District Family Empowerment Center to place pinwheels around the Gazebo on Canal Street for the month of April, in an effort to raise awareness for the prevention of child abuse.

Seconded by Alderman Craig and adopted. Ayes 6.

032625.10

By Alderman Kirchberger:

Resolved that pursuant to their request, VFW Post No. 2535 is hereby granted permission to conduct a Memorial Day Parade in the City of Lockport on Sunday, May 25th, 2025 subject to approval of the parade route by the Police Chief. Said parade will form at noon at Veteran's Park on East Avenue. At approximately 1:00 pm the parade units will proceed west on East Avenue/Main Street, over to Pine Street and terminate at the Canal Street where there will be an after party from 2pm – 5pm; and be it further

Resolved that the Director of Highways Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades and no parking signs to keep the right side of Main Street clear where dividers occur, and be it further

Resolved that the City Clerk is hereby authorized and directed to issue a parade permit for said event.

Seconded by Alderman Craig and adopted. Ayes 6.

032625.11

By Alderman Kirchberger:

Resolved that pursuant to their request, the VFW Post 2535 organizers for a Leprechaun 5K run and Leprechaun-in-training 1.5-mile walk are hereby granted permission to conduct the run and walk on Saturday, March 29th, 2025 starting at 9:00 am. Said permission is subject to the VFW filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and subject to approval of the race route by the Police Chief, and be it further

Resolved that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades to said area prior to the event.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

032625.12

By Alderman Lupo:

Resolved that pursuant to their request, the Lockport Lady Lions Softball program is hereby granted permission to use the softball field at Outwater Park for the 2025 season, subject to approval of the schedule by the Highways & Parks Department, and be it further

Resolved that the Lockport Lady Lions file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Lupo and adopted. Ayes Fogle.

032625.13 WITHDRAWN

032625.14

ADJOURNMENT

At 7:36 pm Alderman Fogle moved the Common Council be adjourned until 6:00pm Wednesday, April 9th, 2025.

Seconded by Alderman Devine and adopted. Ayes 6.

EMILY STODDARD
City Clerk