



COUNCIL MEETING, MAY 2, 2000

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in open session at 7:35 p.m. on the above date.

His Worship Mayor J. Richard Reuter in the Chair.

The open meeting commenced with the playing of the National Anthem.

Members Present: Councillors D. Beaudoin, M. Belcastro, V. Bellantino , F. Champion, D. Fortier, J. Larouche, J.L. MacLellan, C. McQueen, S. O'Dell, J. Spadafora and L. Van Vliet.

Members of the Staff and Others Present:

Chief Administrative Officer V. Kerschl
City Clerk C.A. Stirtzinger
City Solicitor G. Banks
Environmental Services Engineer D. Cook
Director of Operational Services G. Marcello
City Treasurer R. Perron
Community Services Director Ian Smith
Assistant Clerk D. Vettori
Development Planner D. Thorpe

DELEGATIONS:

- 94-43** Frank Rupcic, General Manager and Terry Hughes, Welland Business and Community Development Corporation, addressed Council regarding Legacy 2000 and the Welland Canal Trails Project.
- 99-110**
- 97-58** Kim Reep, Chair and Kim Dykstra, Project Manager, Welland Festival of Arts addressed Council regarding the “**4th Annual National Murals Symposium**” and other events scheduled on May 26 to May 28, 2000.
- 96-100** Reverend R. Cooper, resident of River Road addressed Council regarding the proposed closure of River Road.

THE FOLLOWING CORRESPONDENCE WAS READ:

- 2000-31** Petition to install a CSA Standard play structure in Trelawn Park behind Page Drive to replace a structure that was removed.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

- 2000-17** A By-law to authorize the entering into Collective Agreements with C.A.W.-T.C.A,
2000-18 Local 523 (National Automobile, Aerospace, Transportation and General Workers Union of Canada (C.A.W. Canada) and its General Workers for the Public Works Department and the Parks and Arena Departments, effective January 1st, 2000 until December 31st, 2002

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 92-141** Partnership Proposal - Welland Soccer Club.
- 96-48** City of Welland Development Charges/Collection.
- 96-100** Construction of Street 'A' - River Road to Brown Road.
- 98-62** Dir. of Dev. Services T. Fitzpatrick - Lifting of Part-Lot Control Block 142, Plan 59M-269 - Hunters Pointe Golf Course - Daimler.
- 98-62** A By-law to exempt certain lands from Part-Lot Control in St. Andrews Terrace Subdivision (Hunters Pointe Golf Course/Daimler) (Block 142, Plan 59M-269), City of Welland.
- 98-90** An application under the Provincial Offenses Act for a License/Transfer from the Ministry of the Attorney General of the provision of court services and administration respecting offenses under certain designated provincial acts for the court service area of the Region of Niagara.
- 99-15** **Information Item:** Welland 1999 Fire Response Statistics.
- 99-22** Fire Hall Parking Lot #6, King Street.
- 99-99**
- 2000-31** Merritt Island Play Area.
- 99-110** Proposed funding for the development of the Welland Canal Multi-Use Trail within the City of Welland.

- 2000-1** A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 25th day of April and 2nd day of May, 2000.
- 2000-3** City Clerk C.A. Stirtzinger - Lottery Licenses.
- 2000-5** Budget Contingency Fund Distribution: Policy Safety Village, Niagara College.
- 2000-5** Budget Contingency Fund Distribution: Niagara Regional Football.
- 2000-6** Anne Hodson, Canadian Red Cross - request to declare May 8th, 2000 as ***“International Red Cross Day”***.
- 2000-7** City Treas. R. Perron - Accounts Payable Report - Apr. 13 - Apr. 26, 2000.
- 2000-9** Request for streetlight installation at 130 Gadsby Avenue - Calaraco.
- 2000-13**
- 2000-27** Day-in-the-Park Bus Transportation.
- 2000-17** A By-law to authorize the entering into Collective Agreements with C.A.W.-T.C.A.
- 2000-18** Local 523 (National Automobile, Aerospace, Transportation and General Workers Union of Canada (C.A.W. Canada) and its General Workers for the Public Works Department and the Parks and Arena Departments, effective January 1st, 2000 until December 31st, 2002
- 2000-21** Gary DiMarco, President, The Royal Canadian Legion, Br. #4 - permission to hold the ***“Annual Decoration Day Parade and Service”***, Sunday, June 4, 2000.
- 2000-26** A By-law to authorize the repair and replacement of various sidewalks, curbs and gutters within the City of Welland.
- 2000-32** A By-law to authorize the acceptance of quotations from Harris Clock to upgrade the scoreboard clock and Cimco Refrigeration to replace and install the heat exchanger plate, at the Welland Arena.
- 2000-43** Lot Grading/Site Alterations.
- 2000-50** A By-law to authorize the entering into a contract with K & R Powersweeping for the supply of street sweeping rentals.
- 2000-58** A By-law to authorize the entering into a contract with Centennial Construction and Contracting (Niagara) Inc. for the Sanitary Service Lateral Replacement Program 2000.
- 000-65** A By-law to change the name of that portion of Abbey Road (lying west of Green Pointe Drive) to Abbott Street. **(FIRST AND SECOND READING)**
- 2000-73** Ontario Building Code Regulations concerning chimney heights.
- 2000-74** Safe Streets Act and Street Solicitation of Funds by Public
- 2000-78Z** A By-law to amend City of Welland Zoning By-law 1538 (Ludwig Werkmeister - File 2000-3), 130 Moyer Road.
- 2000-81** A By-law to authorize the entering into a contract with 649799 Ontario Limited operating as Provincial Maintenance for the supply and application of road traffic paint.

2000-1 Moved by McQueen and MacLellan that the Minutes of the Regular Council Meeting of April 18th, 2000 and Special Council Meeting of April 25th, 2000 be and the same are hereby approved and adopted as circulated.

CARRIED

92-141 Moved by Campion and Van Vliet that the new Partnership Proposal from the Welland Soccer Club as received and presented to General Committee on April 25, 2000 be referred to the City Treasurer for further review of the financial and/or economic impact on the City for report to the May 9th General Committee Meeting.

CARRIED

94-43

99-110 Moved by Larouche and Belcastro that the presentation by Frank Rupcic, General Manager and Terry Hughes, of the Welland Business and Community Development Corporation regarding Legacy 2000 and the Welland Canal Trails Project, be received for information.

CARRIED

96-48 Moved by Campion and Van Vliet that the City of Welland continue to calculate and collect Development Charges at the time of issuance of the required Building Permit.

CARRIED

96-100 Moved by MacLellan and Spadafora that the presentation by Reverend R. Cooper, resident of River Road regarding the proposed closure of River Road, be received for information.

CARRIED

96-100 Moved by MacLellan and Spadafora that the staff recommendation contained in Report ENG 2000-18 regarding the relocation of the River Road/Woodlawn Road intersection be denied; and That the Ministry of Transportation Ontario be advised to expend the \$650,000 earmarked for improvements to the intersection of Woodlawn Road and River Road.

LOST

YEAS: Councillors MacLellan, Van Vliet, Bellantino, O'Dell, Spadafora, and Mayor Reuter.

NAYS: Councillors Belcastro, Larouche, Beaudoin, Fortier, McQueen, and Campion.

96-100 Moved by Spadafora and Belcastro that the matter of the possible relocation of the River Road/Woodlawn Road intersection be referred, for a one month period, to the June 13th General Committee Meeting to allow staff to review all other options.

CARRIED

97-58 Moved by Beaudoin and Belcastro that the presentation by Kim Reep, Chair, Welland Festival of Arts, regarding the 4th Annual National Murals Symposium to be held in Welland on Friday, May 26 to Sunday, May 28, 2000 and other scheduled events, be received for information.

CARRIED

98-62 Moved by Campion and Van Vliet that the City of Welland remove Part-Lot Control from Block 142, Plan 59M-269 to permit the transfer of a portion of the said Block or alternatively the transfer of an easement over the said Block to recognize the existing Golf Course pathway on the said Block.

CARRIED

98-90 Moved by Campion and Van Vliet that Council support the proposed application for a license/transfer from the Ministry of the Attorney General for the Court service area of the Region of Niagara; and
That Council approve the Notice of Intent supporting the same; and
That Council approve and authorize execution by the Corporation of the Intermunicipal Agreement which establishes the management and structure for the same; and further
That Council direct the City Solicitor to prepare all necessary by-laws and documents therefore.

CARRIED

99-15 Moved by Campion and Van Vliet that the report entitled "Welland 1999 Fire Response Statistics", be received for information.

CARRIED

99-22 Moved by Campion and Van Vliet that Mr. C. A. Talmage be advised that the Fire Hall Parking Lot #6 on King Street is not surplus to the needs of the City of Welland and it is therefore not for sale.

CARRIED

99-99

2000-31 Moved by Campion and Van Vliet that Council support the recommendation of the Welland Recreational Canal Lands Committee to remove the existing play structure on Merritt Island and direct staff to replace and relocate the play structure with handicapped accessible play equipment valued at \$75,000.00, with funding for the project to come from the yearly capital/ maintenance budget of the Canal Lands.

CARRIED

99-110 Moved by Campion and Van Vliet that the City of Welland commit up to \$500,000.00 in the year 2000 for the cost of the development of the Welland Canal Multi-Use Trail within the City of Welland and that the said \$500,000.00 be taken from the "Trust Fund" established in accordance with Welland By-law 1999-32; conditional upon the Region of Niagara's written confirmation to equal the City of Welland's contribution of \$500,000 in the year 2000.

CARRIED

2000-3 Moved by Campion and Van Vliet that a Lottery License be granted to the following:

- Niagara Victim Crisis Support Service - Nevada
- Young Musicians' Club - Raffle
- Eastdale Secondary School - Raffle

CARRIED

2000-5 Moved by Campion and Van Vliet that Council approve the allocation of a grant in the amount of \$3,500 to the Children's Safety Village at Niagara College from the \$27,000 Provision included in the contingencies account of the approved 2000 Operations Budget.

CARRIED

2000-5 Moved by Campion and Van Vliet that Council approve the allocation of a grant in the amount of \$2,500 to the Niagara Regional Minor Football from the \$27,000 Provision included in the contingencies account of the approved 2000 Operations Budget.

CARRIED

2000-6 Moved by Campion and Van Vliet that the Mayor declare May 8th, 2000 as "*International Red Cross Day*", in the City of Welland.

CARRIED

2000-7 Moved by Campion and Van Vliet that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	13-Apr-00	\$	57,508.28
2	14-Apr-00		1,190,141.99
3	17-Apr-00		105,341.62
4	18-Apr-00		20,869.27
5	19-Apr-00		80,823.36
6	20-Apr-00		765.45
7	25-Apr-00		364,518.80
8	26-Apr-00		<u>155,976.64</u>

Total **\$1,975,945.41**

CARRIED

2000-9 Moved by Campion and Van Vliet that the request for the installation of streetlight onto an existing hydro pole at 130 Gadsby Avenue by Ms. Doreen Calarco be denied.

CARRIED

2000-13

2000-27

Moved by Campion and Van Vliet

1. That Council approve a shuttle bus service between the Welland Plaza and Chippawa Park on Sunday, June 11th, 2000 for the Welland Rose Festival Day-In-The-Park event; and
2. That the financial consideration of \$330.63 be allocated from the Corporation's In-Kind-Account Policy.

CARRIED

2000-21 Moved by Campion and Van Vliet that Welland City Council approve the application for the "***Annual Decoration Day Parade and Service***", on behalf of the Royal Canadian Legion, Branch #4, on Sunday, June 4, 2000 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

2000-31 Moved by Beaudoin and Van Vliet that the petition received from the residents of the Trelawn Park area to request the City to install a CSA Standard play structure in Trelawn Park, be received and referred to Community Services staff for study and review.

CARRIED

2000-43 Moved by Campion and Van Vliet

1. That the City of Welland adopt a By-law respecting site alteration pursuant to Section 223.1 of the Municipal Act;
2. That the By-law regulate grade alterations of land within the City of Welland by requiring a grading permit and plans acceptable to the City prior to the alteration of grade;
3. That the City appoint Grading Inspectors as are necessary for enforcement of the By-law;
4. That the By-law require a Grading Permit in certain instances such as:
 1. construction of new main buildings;
 2. construction of additions to main buildings > 50% of the size of existing building footprint;
 3. any excavation, cutting or filling of the existing ground surface where more than 30m³ of soil or fill is involved;
5. That the By-law provide Grading Permit exemptions in certain instances such as:
 1. farming lands and buildings;
 2. accessory buildings and structures including detached garages, sheds, septic systems and demolitions;
 3. lands subject to a registered Site Plan Agreement may be exempted where the Agreement effectively addresses the grade alteration;
 4. repair or alteration of any ground surface where the grades and surface characteristics before and after alteration are equivalent;
6. That the By-law include general provisions regulating all grading notwithstanding the Permit exemptions provided;
7. That fees for Grading Permits not be required where a Building Permit is being issued and be set at \$50.00 where a Building Permit is not involved.

CARRIED

2000-73 Moved by Campion and Van Vliet that Staff advise Mrs. Newman the Ontario Building Code Regulations concerning chimney heights do not apply to existing buildings but rather to the construction of new buildings.

CARRIED

2000-74 Moved by Campion and Van Vliet that the City of Welland petition the Government of Ontario to amend the Safe Streets Act to clearly exclude solicitation of funds by Volunteer Organizations for worthy causes from the scope of this Act.

CARRIED

BY-LAWS

BY-LAW PRESENTED FOR FIRST READING:

1. Moved by Van Vliet and Campion that leave now be given to introduce the following proposed By-law entitled:

2000-65

BYL 2000-49

A By-law to change the name of that portion of Abbey Road lying west of Green Pointe Drive and east of Northgate Drive to Abbott Street

And that the same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND READING:

2. Moved by Van Vliet and Campion that the following proposed By-law, having been read a first time and considered:

2000-65

BYL 2000-49

A By-law to change the name of that portion of Abbey Road lying west of Green Pointe Drive and east of Northgate Drive to Abbott Street

And that the same be now read a second time.

CARRIED

BY-LAWS PRESENTED FOR FIRST READING:

3. Moved by Van Vliet and MacLellan that leave now be given to introduce the following proposed By-laws entitled:

2000-78Z

BYL 2000-48

A By-law to amend City of Welland Zoning By-law 1538 (Ludwig Werkmeister - File 2000-3), 130 Moyer Road.

2000-50

BYL 2000-51

A By-law to authorize the entering into a contract with K & R Powersweeping for the supply of street sweeping rentals.

...Continued...

BY-LAWS PRESENTED FOR FIRST READING...Cont'd.**2000-26****BYL 2000-52**

A By-law to authorize the repair and replacement of various sidewalks, curbs and gutters within the City of Welland.

2000-81**BYL 2000-53**

A By-law to authorize the entering into a contract with 649799 Ontario Limited operating as Provincial Maintenance for the supply and application of road traffic paint.

2000-58**BYL 2000-54**

A By-law to authorize the entering into a contract with Centennial Construction and Contracting (Niagara) Inc. for the Sanitary Service Lateral Replacement Program 2000.

2000-32**BYL 2000-55**

A By-law to authorize the acceptance of quotations from Harris Clock to upgrade the scoreboard clock and Cimco Refrigeration to replace and install the heat exchanger plate, at the Welland Arena.

98-62**BYL 2000-56**

A By-law to exempt certain lands from Part-Lot Control in St. Andrews Terrace Subdivision (Hunters Pointe Golf Course/Daimler) (Block 142, Plan 59M-269), City of Welland.

2000-1**BYL 2000-57**

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 25th day of April and 2nd day of May, 2000.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Van Vliet and MacLellan that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, having been read a first time and considered, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED

Council adjourned at 9:25 p.m.

These Minutes approved and adopted by Motion of Council this 16th day of May, 2000.

MAYOR

CLERK