



COUNCIL MEETING, OCTOBER 17, 2000

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 6:35 p.m. and in open session at 7:40 p.m. on the above date.

His Worship Mayor Richard J. Reuter in the Chair.

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

Members Present: Councillors D. Beaudoin, M. Belcastro, V. Bellantino (7:25 p.m.) , F. Champion, C. Forster, D. Fortier, J. Larouche, J.L. MacLellan (7:25 p.m.), C. McQueen, S. O'Dell , J. Spadafora (6:50 p.m.) and L. Van Vliet.

Members of the Staff and Others Present:

Chief Administrative Officer V. Kerschl

City Clerk C.A. Stirtzinger

Environmental Services Engineer D. Cook (7:05 p.m.)

Director of Development Services T. Fitzpatrick

Fire Chief P. Olah

Director of Operational Services G. Marcello

Community Services Director I. Smith

Deputy City Treasurer B. Silvestri

Assistant Clerk D. Vettori

Office Co-ordinator Transit Division M. Fortin (6:50 p.m. - 7:30 p.m.)

2000-25 Moved by Van Vliet and McQueen that Council meet in Committee-of-the-Whole, closed to the public at 6:35 p.m. to consider:

- a) the security of the property of the municipality;
- b) personal matters about an identifiable individual, including municipal employees; and
- c) a proposed or pending acquisition of land for municipal purposes.

CARRIED

(Councillor Van Vliet was not present during Committee-of-the-Whole discussions on a matter of solicitor-client privilege.)

(Councillor Spadafora was not present during Committee-of-the-Whole discussions on a personal matter.)

2000-25 Moved by Van Vliet and McQueen that the Committee-of-the-Whole arise from its closed meeting at 7:30 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Van Vliet disclosed an interest in Ref. No. 98-46 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by the Region of Niagara (Waste Management).

DELEGATIONS:

2000-114 Kim Reep, General Manager of Tourism of Welland Niagara thanked Council and staff for their support during the Niagara Food Festival. Mr. John Mastroianni, Chair of the Food Festival presented a plaque to the Community Services Department in recognition of the Department's support and assistance during the Festival.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

94-106 Highway 406 twinning from Port Robinson Road to East Main Street.

97-68 A By-law to authorize the replacement of sanitary sewers on Hobson Avenue from Ontario Road to the Southerly Limit.

99-46 Survey Area Municipalities - Water/Sanitary Rate Structure.

99-69 855 Darby Road (Primo Auto).

99-69 License of Occupation - Welland Water Ski Club.

99-128 Letters from Cheryl Milette, Clerk, Town of Pelham and Pelham Councillor Sandee Matthews requesting the City to endorse and support the continuation of Mobility Niagara in the Niagara Region.

2000-4 City Treasurer R. Perron - Financial reports for the period ending August 31, 2000.

2000-7 City Treasurer R. Perron - Accounts Payable Report - September 28 - October 11, 2000.

- 2000-13** Out of the Cold Program.
- 2000-13** Award of Tender - Transit Uniforms.
- 2000-15** William Roberts, CAO/Clerk, The Corporation of the Town of Hanover requesting Council's support to have a stamp issued by Canada Post to honour Volunteer Firefighters.
- 2000-95A** By-law to authorize conveyance of that part of the Intersection of Prince Charles Drive at Riverside Drive, being part of Lot H.A.R., Plan 564, Part 2 on Plan 59R-11139, to the Regional Municipality of Niagara.
- 2000-97** Petition from residents of Michigan Street requesting the City to transfer 16 foot laneway behind their properties.
- 2000-114** Kim Reep, General Manager of Tourism of Welland Niagara to make presentation to City Council and staff for their support during the Niagara Food Festival.
- 2000-119** Bosnich Avenue and Arthur Street, watermain replacement.
- 2000-122** Kingsway Watermain replacement at the Seaway Drainage Ditch Award of Tender.
- 2000-125** Drainage Complaint, 68 Gladys Avenue.
- 2000-131** Gord Rendell, Superintendent CNE Garden Show - requesting the City to participate in the 2001 Garden Show at the CNE in Toronto.

2000-1 Moved by Beaudoin and Belcastro that the Minutes of the Regular Council Meeting of October 17th, 2000 be and the same are hereby approved and adopted as circulated.

CARRIED

94-106 Moved by McQueen and Beaudoin that Council strongly supports the planning and preliminary design study from McCormick Rankin Corporation, Consultants in Transportation, for the Highway 406 twinning from Port Robinson Road to East Main Street.

CARRIED

99-46 Moved by McQueen and Beaudoin that Report TR2000-35 and the results of the **2000-37** Water/Sanitary billing rates structures for the Niagara Region, be referred to the October 24th Special Council Meeting for further study and review.

CARRIED

99-69 Moved by McQueen and Beaudoin that Report DSD-2000-105 concerning 855 Darby Road be received for information and that staff prepare a further report for the October 24th Special Council Meeting to address: the issue of all aspects of legal non-conforming uses; history of licenses on this site; and the validity of the Yorifido letter.

CARRIED

99-99 Moved by Campion and Belcastro that the City of Welland extend the current License of Occupation between the City of Welland and the Welland Water Ski Club until September 29th, 2001.

NOT PUT

99-99 Moved by O'Dell and Fortier that the matter of the License of Occupation between the City of Welland and the Welland Water Ski Club be referred until the 2nd meeting in December as the City and the Water Ski club can negotiate the hours of use excepting that the dates and times of the Tournaments are hereby approved.

CARRIED

(Councillors Belcastro, MacLellan, Van Vliet, McQueen and Campion asked to be recorded as opposed to this resolution.)

99-128 Moved by McQueen and Beaudoin that Council support the resolution from the Town of Pelham and the background material provided by Councillor Sandee Matthews regarding Mobility Niagara in its effort to enhance transportation services in Niagara; and
That the Clerk advise the Town of Pelham that the City of Welland is planning on continuing this program until March 31, 2001 with a possibility of partnering with the Town of Pelham.

CARRIED

2000-4 Moved by Campion and Larouche that the financial reports for the period ending August 31, 2000 be received.

CARRIED

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

1	28-Sep-00	\$	55,585.59
2	29-Sep-00		3,677,352.24
3	02-Oct-00		6,848,165.12
4	03-Oct-00		145,405.85
5	05-Oct-00		16,048.44
6	06-Oct-00		793,960.75
7	10-Oct-00		19,353.57
8	11-Oct-00		104,602.30

Total **\$11,660,473.86**

CARRIED

2000-13 Moved by McQueen and Beaudoin that Council approve the request from Rev. Robert Bond, Out of the Cold Committee Chair, to provide Transit bus passes valid from November 1, 2000 to March 31, 2001 at no additional cost to the Corporation.

CARRIED

2000-13 Moved by McQueen and Beaudoin that Council award the uniform tender to Herzog's, St. Catharines at a tendered price of \$3,575.09 (taxes included) based on cost difference and samples supplied.

CARRIED

2000-15 Moved by McQueen and Beaudoin that Council support the resolution from the Town of Hanover and endorse the request from the Saugeen Stamp Club to have a stamp issued by Canada Post to honour Volunteer Firefighters who provide a valuable service to municipalities throughout Canada; and That the Clerk advise the proper authorities accordingly.

CARRIED

2000-97 Moved by McQueen and Beaudoin that the petition from the residents on the east side of Michigan Street requesting that the city-owned laneway behind their properties be stopped-up, closed and declared surplus, be received and filed.

CARRIED

2000-107 Moved by Forster and O'Dell that Staff investigate the possibility of partnering with community agencies to build a permanent shelter and/or assist with providing more affordable housing using the municipal incentive grant reserves.

**CARRIED
UNANIMOUSLY**

2000-114 Moved by Spadafora and Fortier that the presentation by Kim Reep, General Manager, Tourism of Welland Niagara and John Mastroianni, Chair, of the Food Festival thanking City Council and staff for their support during the Niagara Food Festival be received for information.

CARRIED

2000-119 Moved by McQueen and Beaudoin that the Director of Operational Services be authorized to proceed with the preparation of plans, specifications, and the calling of tenders for the replacement of watermain on Bosnich Avenue from Broadway to Arthur Street and on Arthur Street from Bosnich Avenue to Riverside Drive.
That the estimated construction cost of \$120,000.00 be allocated in the Revised Waterworks Capital Budget 2000, under the Operating Budget (Capital from Revenue);
That the "minimum three (3) bids" resolution be suspended for this specific tender due to the desirable timeliness for the proposed replacement and the potential below average interest towards a relatively low value project;
That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

CARRIED

2000-122 Moved by McQueen and Beaudoin that Council accepts the tender of DeRose Bros. General Contracting Ltd. for the replacement of watermain on Kingsway at the Seaway drainage ditch crossing;
That the Waterworks Capital Budget 2000 be revised to accommodate the higher than expected project cost, from \$35,000.00 to \$50,000.00;
That the City Solicitor be directed to prepare all necessary and appropriate by-laws to enter into a contract with the said contractor to execute the construction at a tender price of \$43,285.00 plus G.S.T.

CARRIED

2000-125 Moved by McQueen and Beaudoin that Mr. Fox be advised that any drainage works on private property are the responsibility of the property owner and further that all costs associated with the said works are to be paid for by the owner of the said property.

CARRIED

2000-131 Moved by McQueen and Beaudoin that the letter from Mr. Gord Rendell, Superintendent CNE Garden Show requesting the City to participate in the 2001 Garden Show at the CNE in Toronto be received and referred to Community Services for study with a response prior to December 15, 2000.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

91-89 Moved by O'Dell and Larouche that

1. That the counter Offer received from Bruno Carusetta, in Trust, respecting the purchase of a portion of the Park Street Parking Lot be refused; and
2. That the property be withdrawn from the list of surplus City-owned lands and be retained as a municipal parking lot.

NOT PUT

91-89 Moved by MacLellan and Fortier that the matter of the sale of the Park Street Lot be referred to the October 24th Special Council Meeting.

CARRIED

99-128 Moved by McQueen and Van Vliet that

1. That Council approve the continuation of Mobility Niagara by maintaining a basic level of service in our community of 40.0 hours per week at a monthly cost of approximately \$4,000.00 commencing October 1, 2000 to March 31, 2001; and
2. That staff explore the opportunities of partnering with the Town of Pelham to offset cost of the service; and
3. That staff investigate funding avenues such as grants and seek financial support from the Regional Municipality of Niagara, health services, agencies and organizations.

CARRIED

BY-LAWS**BY-LAWS PRESENTED FOR FIRST READING:**

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

97-68

BYL 2000-151

A By-Law to authorize the replacement of sanitary sewers on Hobson Avenue from Road to the Southerly Limit.

2000-95

BYL 2000-152

A By-law to authorize conveyance of that Part of the intersection of Prince Charles Drive at Riverside Drive, being part of Lot H.A.R., Plan 564, Part 2 on Plan 59R-11139, to the Regional Municipality of Niagara.

2000-1

BYL 2000-153

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 17th day of October, 2000.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by McQueen and Campion 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

2000-25 Moved by Van Vliet and McQueen that Council meet in Committee-of-the-Whole, closed to the public at 9:35 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal employees; and
- b) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

2000-25 Moved by Van Vliet and McQueen that the Committee-of-the-Whole arise from its closed meeting at 10:20 p.m.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

98-46 Moved by Larouche and Spadafora that

1. That the Regional Municipality of Niagara be advised that Welland City Council is in agreement with the "Base Level" of service to be provided to the residents of Welland during the proposed 2 year contract extension as outlined in correspondence attached dated October 11, 2000.
2. That the Regional Municipality of Niagara be advised that Welland City Council is in agreement with the 'enhanced waste collection services' being provided during the proposed 2 year contract extension as outlined in correspondence attached dated October 11, 2000, at an estimated cost of \$396,695.00 to be borne by the City of Welland.
3. That the City Solicitor be directed to prepare the necessary by-law(s) to enter into an agreement with the Region of Niagara for the provision of 'enhanced Waste Collection Services' at an estimated cost of \$396,695.00 per annum plus inflation for the period April 1, 2001 to March 31, 2003 inclusive.
4. That the City Treasurer be directed to include allocations in the 2001 and 2002 and 2003 waste collection operating budget to cover the cost of this service.

CARRIED

(Councillor O'Dell asked to be opposed to this resolution).

NOTICE OF MOTION

In accordance with Resolution (No. 92-94) passed on October 3, 2000, Councillor(s) must submit their Notice of Motion(s) in writing no later than Thursday, 2000 for inclusion on the next Regular Council Meeting Agenda .

Council adjourned at 10:25 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of November, 2000.

MAYOR

CLERK