



COUNCIL MEETING, MARCH 4, 2003

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

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

Her Worship Mayor Cindy Forster in the Chair.

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

Members Present: Councillors R. Alakas, D. Beaudoin, M. Belcastro, N. Dmytrow Bilboe, M. Dzugan, T. Eybel, D. Fortier, D. Grenier (7:45 p.m.), J. Irvine, J. Mastroianni, S. O'Dell and J. Spadafora .

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah

General Manager Engineering, Public Works & Transportation Services D. Shantz

General Manager Financial & Corporate Services/Treasurer B. Silvestri

Administrative Assistant/Deputy Clerk B. Gallaccio

Chief Building Official M. Mantesso

DISCLOSURE OF INTEREST:

Mayor Forster disclosed an interest in Ref. No. 03-4 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as she has a family member whose property is listed on Schedule "B" and who has entered into a financial repayment agreement. During discussion on this issue, Mayor Forster vacated the Chair and Vice Mayor Dzugan presided.

Councillor Dmytrow-Bilboe disclosed an interest in Ref. No. 03-58 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as she is an employee of the Niagara Health System.

Councillor Fortier disclosed an interest in Ref. No. 03-58 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his wife is employed by the Niagara Health System.

Councillor Spadafora disclosed an interest in Ref. No. 98-82 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his company may bid on the Civic Square project.

DELEGATIONS:

- 03-28** Anthony Tirabassi, M.P., Niagara Centre addressed Council announcing the Government of Canada's investment of over \$700,000 to the City of Welland for sewer separation projects as part of the Canada/Ontario Infrastructure Program. Mr. Tirabassi also announced funding for the Community Resource Action Centre (CRAC) Homeless Shelter project.
- 03-58** Drs. Railton, Sharma and Sobkowski addressed Council regarding the Clinical Teaching Program.
- 03-28** Ron Boyer and Millie Trufal on behalf The Niagara Coalition for Peace addressed Council requesting Council's endorsement of a resolution to support a peaceful alternative to the U.S./Iraq confrontation.
- 03-6** Karen Foster, District Manager, Dawn Elliott and Michael Coghill, Local Ambassador, The Easter Seal Society of Ontario addressed Council regarding the Easter Seals Campaign during the month of March.

THE FOLLOWING COMMUNICATIONS WERE READ:

- 03-22** Letter from Jocelyne Ouellet regarding on street parking for residences on McMaster

Avenue without driveways.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 96-160** Formation of Corporate Geographic Information System (GIS) Strategic Implementation Plan.
- 98-82** City Mgr. T. Fitzpatrick - Authorization of Sub Consultants Civic Square Project.
- 2000-83** City's Lot Grading and Drainage for Subdivisions.
- 00-121**
- 03-60** A By-law to establish and adopt a procedure governing Lease Agreements and to repeal By-law 2001-10.
- 01-120** Letter from the Town of Pelham requesting the appointment of an engineer to maintain the section of Big Creek Drain located in the City of Welland.
- 02-22** Report regarding the Implementation of reducing the speed limit from the present 50 kilometers in the Downtown BIA area to 40 kilometers for the safety of pedestrians and motorists in the BIA area.
- 02-22** Request by Steve Starfield, owner of 544 Lincoln Street and John Falvo, Barber at Lincoln Barbers to reinstate parking on Lincoln Street, north side from Camrose Avenue to Scholfield Avenue.
- 02-22** Report with respect to calming traffic on East Main and Division Streets.
- 02-22** A By-law to authorize the provision of designated parking spaces for the sole use of vehicles operated by or conveying a physically handicapped person.
- 02-23** City Clerk C.A. Stirtzinger - Public Sector Salary Disclosure.
- 02-157** A By-law to accept the proposal and enter into a contract with Earthtech to undertake a Planning and Servicing Review Study for Northwest Welland.
- 02-160** Elimination of General Committee Meetings.
- 03-3** City Clerk, C.A. Stirtzinger – Permission for St. Andrew School to obtain a Nevada License and Search and Rescue Niagara to obtain a Raffle License.
- 03-4** Properties Eligible for Tax Registration.
- 03-6** Karen Foster, District Manager and Dawn Elliott, The Easter Seal Society of Ontario - declaring March as ***Easter Seals Month***.
- 03-7** Gen. Mgr., Financial and Corp. Serv. Treasurer B. Silvestri – Accounts Payable Report – February 12 to February 24th, 2003.
- 03-20** Robert (Bert) Roy, Captain Welland Volunteer Fire Company #4 requesting Special Occasion Permit to host its 14th Annual Chicken BBQ and outdoor Dance on June 14th, 2003.
- 03-21** Joshua W. Bendlis, Parade Chair 2003 requesting permission to hold the 42nd Annual Rose Festival Parade on Sunday, June 15th, 2003.
- 03-22** Deborah Fuller, D & B's Fries requesting permission to use three (3) parking spaces on Cross Street to operate a Chip Wagon.
- 03-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Request for Consideration, Installation of 'All Way' Stop Condition on Deere Street between Ontario Road and Sauer Avenue.
- 03-28** Anthony Tirabassi, M.P., Niagara Centre to update Council on Federal government.
- 03-28** Ron Boyer – The Niagara Coalition for Peace and Welland's involvement.
- 03-29**
- 03-33**
- 03-66** Council Calendar 2003 – Council Meeting Dates, Municipal Elections and Christmas Closure.
- 03-44** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Purchase of Pay and Display Parking Machines – 2003 Capital Budget.
- 03-58** Drs. Railton, Sharma and Sobkowski – Clinical Teaching Program.

03-61 Award of Tender for the supply of Street Sweeping Rentals.
03-64 2002 Annual Building Report.

03-1 Moved by Irvine and Mastroianni that the Minutes of February 18, 2003 be amended by changing the mover of the resolution Reference No. 03-4 from Grenier to Irvine.

CARRIED

03-1 Moved by Dzugan and Alakas that the Minutes of the Regular Council Meeting of February 18, 2003 as amended and Special Council Minutes of February 25, 2003 as circulated be and the same are hereby approved and adopted.

CARRIED

96-160 Moved by Belcastro and Irvine that staff be again requested to fully investigate water, sewer and roadway infrastructure related service delivery improvements & report back to Council on same; and That the Manager of Information Services and the Technical Analyst Infrastructure Programs be authorized to formulate a corporate Geographic Information System (GIS) Strategic Implementation Plan and be again requested to report back to Council on same.

CARRIED

98-82 Moved by Beaudoin and Mastroianni that Report CM-2003-01 Re: Authorization of Sub-Consultants Civic Square Project be referred to the March 18, 2003 Council Meeting.

CARRIED

2000-83 Moved by Belcastro and Irvine that staff be again directed to review the City's Lot Grading & Drainage for Subdivisions Policy SER-007-0004 to provide for improvement enforcement procedures; and That Council again direct staff to review the need to deal with lot grading and drainage issues with new and existing subdivisions.

CARRIED

01-120 Moved by Belcastro and Irvine that the letter from the Town of Pelham requesting the appointment of an engineer to maintain the section of Big Creek Drain located in the City of Welland, be again referred to the Operational Services staff for study and review.

CARRIED

02-22 Moved by Belcastro and Irvine that staff be again directed to prepare a report on the implementation of reducing the speed limit from the present 50 kilometers in the Downtown BIA area to 40 kilometers for the safety of pedestrians and motorists in the BIA area, said reduction speed to be implemented as soon as possible.

CARRIED

02-22 Moved by Belcastro and Irvine that the request by Steve Starfield, owner of 544 Lincoln Street and John Falvo, Barber at Lincoln Barbers to reinstate parking on Lincoln Street, north side from Camrose Avenue to Scholfield Avenue be again referred back to staff for review.

CARRIED

02-22 Moved by Belcastro and Irvine that staff again be requested to prepare a report with respect to calming traffic on East Main and Division Streets.

CARRIED

02-23 Moved by Belcastro and Irvine that the Record of Employees' Salaries and Benefits for the year 2002, dated March 4, 2003 and made in accordance with the Public Sector Salary Disclosure Act 1996, be received, noted and filed in the City Clerk's Office for the information of the public; and That a copy of this record be filed with the Ministry of Municipal Affairs and Housing as well as the City's Auditors, as required.

CARRIED

02-160 Moved by Mastroianni and Dzugan that for a trial period beginning April 2003 and ending June 2003, Council eliminate General Committee meetings; and That Council, at the Regular Council Meetings (first and third Tuesday of the month), meet in the following format as required:

Committee-of-the-Whole - In Camera

Committee-of-the-Whole - Open

Council; and further

That recommendations from Committee-of-the-Whole be either considered at that evening's Council Meeting or referred to the subsequent Tuesday's Council Meeting for consideration.

CARRIED

YEAS: Councillors Mastroianni, Dzugan, Fortier, Beaudoin,
Dmytrow-Bilboe, Irvine, Belcastro Spadafora and Mayor Forster.

NAYS: Councillors O'Dell, Eybel, Alakas and Grenier.

03-2 Moved by Belcastro and Irvine that the letter from Deborah Fuller, D & B's Fries requesting the use of three (3) parking spaces on Cross Street to operate a Chip Wagon be referred to staff for study and review.

CARRIED

03-3 Moved by Belcastro and Irvine that a Lottery License be granted to the following:
St. Andrew School – Nevada and Search and Rescue Niagara - Raffle.

CARRIED

03-4 Moved by Eybel and Beaudoin

1. That the delinquent tax accounts (3 years in arrears) listed in Schedule 'A' and attached to Report FIN-03-07 be placed under tax registration.

2. That the delinquent tax accounts (3 years in arrears) listed in Schedule 'B' and attached to Report FIN-03-07, having commenced financial repayment agreements, not be placed under tax registration at this time.
3. That any accounts listed in Schedule 'B' be placed under tax registration upon default of their repayment agreement.

CARRIED

(Councillor Grenier asked to be recorded as opposed to the Resolution)

03-6 Moved by Belcastro and Irvine that the presentation by Karen Foster, District Manager, Dawn Elliott, the Easter Seal Society of Ontario and Michael Coghill, Local Ambassador regarding the Easter Seals Campaign be received for information; and
That the Mayor declares the month of March as ***Easter Seals Month*** in the City of Welland as requested by the Easter Seal Society of Ontario.

CARRIED

03-7 Moved by Belcastro and Irvine that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	12-Feb-03	97,076.83
2	13-Feb-03	13,637.36
3	14-Feb-03	1,781.61
4	19-Feb-03	246,239.22
5	21-Feb-03	2,370,608.60
6	24-Feb-03	<u>360,979.90</u>

Total \$3,090,323.52

CARRIED

03-20 Moved by Belcastro and Irvine that Welland City Council has no objection to the issuance of a Special Occasion Permit to Welland Volunteer Fire Company #4 for its 14th Annual Chicken BBQ and outdoor dance on June 14th, 2003 at the Volunteer Fire Co. No. 4 Fire Hall on Schisler Road, subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

CARRIED

03-21 Moved by Belcastro and Irvine that Welland City Council approves the application of the Welland Rose Festival to hold its ***42nd Annual Rose Festival Parade*** on Sunday, June 15th, 2003 subject to the applicant's completion of all conditions of the policy of Road Use for Community Activities.

CARRIED

03-22 Moved by Belcastro and Irvine that the letter from Jocelyne Ouellet requesting exemption to Schedule G-1 of By-law 89-2000 to allow on street parking for those residents without driveways at 64, 66 and 70 McMaster Avenue be received and referred to staff for report.

CARRIED

03-22 Moved by Belcastro and Irvine that the letter from Deborah Fuller, D & B's Fries requesting the use of three (3) parking spaces on Cross Street to operate a Chip Wagon be referred to staff for study and review.

CARRIED

03-22 Moved by Eybel and Alakas

1. That the City Solicitor be requested to prepare a By-law to amend Schedule 'P' - 'Stop' Signs at Intersections of By-law 89-2000 as follows:

ADDING:

COLUMN 1
HIGHWAY

COLUMN 2
AT

COLUMN 3
FACING TRAFFIC

Deere Street

Sauer Avenue

Southbound on Deere Street

Deere Street

Sauer Avenue

Northbound on Deere Street

2. That the Manager of Engineering, Public Works and Transportation Services be requested to install 'Stop' Condition Signage on Deere Street at Sauer Avenue, upon receipt of approval from Regional Niagara, and in accordance with the provisions of the 'Highway Traffic Act'.

CARRIED

03-28 Moved by O'Dell and Alakas that Welland City Council supports the resolution from the Niagara Coalition for Peace to call on the Federal Government of Canada to fully support the U.N. Inspection Teams in Iraq to allow them sufficient time to complete their mandated mission and to oppose any U.S. led act of aggression outside of the United Nations towards Iraq.

CARRIED

03-29

03-33

03-66 Moved by Belcastro and Irvine

1. That the 2003 Summer Council Meetings be scheduled as follows:
Tuesday, July 15, 2003 at 7:00 p.m.
Tuesday, August 12, 2003 at 7:00 p.m.
2. That the Regular Council Meeting of November 4th, 2003 be cancelled.
3. That the Christmas closure at Welland City Hall be from Thursday December 25, 2003 to Friday January 2, 2004 inclusive.

CARRIED

03-44 Moved by Belcastro and Irvine the General Manager, Engineering, Public Works and Transportation Services be authorized to issue a 'Purchase Order' to J.J. MacKay Canada Limited for the purchase of two (2) Custodian-Coin only, AC powered 'Pay and Display' Parking Machines in the amount of \$19,474.50 plus applicable taxes, in accordance with quotation #03-01-29954 dated February 20, 2003.

CARRIED

(Councillors Eybel, Grenier and O'Dell asked to be recorded as opposed to this Resolution)

03-58 Moved by Spadafora and Belcastro that the presentation by Drs. Railton, Sharma and Sobkowski regarding the Clinical Teaching Program be received; and That staff be directed to review this matter and prepare a recommendation to Council.

CARRIED

03-61 Moved by O'Dell and Dmytrow-Bilboe that Council accepts the tender of 892680 ONTARIO LIMITED o/a MILES SERVICES for Street Sweeping Rentals at the tendered price of \$68.25 per hour, plus applicable taxes, this being the lowest price of the five tenders submitted, and That the City Solicitor be requested to prepare the necessary by-law to enter into a contract with 892680 ONTARIO LIMITED o/a MILES SERVICES for this tender.

CARRIED

03-64 Moved by Belcastro and Irvine that Report PDS-2003-13 concerning the annual building permit activity in the City for the year 2002 be received for information.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

02-157

BYL 2003 - 28

A By-law to accept the proposal and enter into a contract with Earthtech to undertake a Planning and Servicing Review Study for Northwest Welland.

00-121

03-60

BYL 2003 - 29

A By-law to establish and adopt a procedure governing Lease Agreements and to repeal By-law 2001-10.

02-22

BYL 9840 RE-ENACTED MARCH 4, 2003

A By-law to authorize the provision of designated parking spaces for the sole use of vehicles operated by or conveying a handicapped person.

03-1

BYL 2003 - 30

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 February and 4th day of March, 2003.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Mastroianni and Dzugan 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

NOTICE OF MOTION

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16, 2001, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, March 12, 2003 for inclusion on the next Regular Council Meeting Agenda.

Council adjourned at 10:50 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of March, 2003.

MAYOR

CLERK