



## **COUNCIL MEETING, DECEMBER 2, 2003**

### **CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET**

Council met in Committee-of-the-Whole at 6:30 p.m. and in open session at 7:35 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

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

**Members Present:** Councillors D. Alexander, D. Beaudoin, M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier (6:35 p.m.), P. Grenier, M. A. Grimaldi, J. Larouche, S. O'Dell (6:35 p.m.), B. Sharpe (6:35 p.m.) and J. Spadafora (6:40 p.m.).

**Members of the Staff and Others Present:**

City Clerk C.A. Stirtzinger

City Solicitor G. Banks (7:35 p.m.)

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah (7:35 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:35 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:10 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:35 p.m.)

Manager Human Resources R. Beaumont (until 7:10 p.m.)

Acting General Manager of Planning and Development Services D. Thorpe (7:35 p.m.)

Acting General Manager of Parks & Recreation R. Morwald (7:35 p.m.)

Transit Office Co-ordinator M. Fortin (7:35 p.m.)

Regional Councillor J. Mastroianni (7:35 p.m.)

**04-25** Moved by Dzugan and Beaudoin that Council meet in Committee-of-the-Whole, closed to the public at 6:30 p.m. to consider:

- a) the security of the property of the municipality; and
- b) personal matters about an identifiable individual, including municipal employees.

**CARRIED**

*(Councillors Chiocchio, Grenier and Larouche were not present during Committee-of-the-Whole discussions on a security of property matter).*

**04-25** Moved by Dzugan and Beaudoin that the Committee-of-the-Whole arise from its closed meeting at 7:30 p.m.

**CARRIED**

**DISCLOSURE OF INTEREST:**

Councillor Grenier disclosed an interest in Ref. No.03-66 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is affected by the recount request by Mr. Yakubowski.

**DELEGATION:**

**04-13** Eric Gillespie, Chair, Canadian Urban Transit Association presented to the City of Welland a certificate in recognition of thirty years of transit service.

**THE FOLLOWING CORRESPONDENCE WAS READ:**

**04-47** A By-law to amend By-law 255, being a By-law establishing a Public Library in the City of Welland  
and to Repeal By-law 8178.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**92-102**

**95-175** A By-law to amend By-law 1999-215, being a By-law to constitute and appoint a Committee of Adjustment; to delegate the authority of Council to give consent to the Committee; and to set policies, procedures and conditions for its operation.

- 96-48** Acting Gen. Mgr. of Planning and Development Services D. Thorpe – Retention of C.N. Watson and Associates Ltd. to update the City of Welland Development Charges background study and By-law.
- 99-94** A By-law to amend By-law 3211, being a By-law to establish a department of industries formerly known as the Welland Industrial Commission, now known as the Welland Development Commission; and to amend By-law 1999-94.
- 99-117**
- 03-22** A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Handicapped By-law 9840; Fire Route By-law 10011, and Traffic and Parking By-law 89-2000, at Seaway Mall; and to repeal By-laws 11135 and 2002-201.
- 03-1** 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 28th day of October, 2003 and the 24th day of November, 2003 and the 2nd day of December, 2003.
- 03-3** Auguste Morin, Knights of Columbus – requesting permission to sell raffle tickets in the City of Welland.
- 03-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – November 13, 2003 to November 26, 2003.
- 03-13** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Welland Winter Lights 2003.
- 03-58** City Manager T. Fitzpatrick – Niagara Clinical Teaching and Research Centre.
- 03-66** City Clerk C.A. Stirtzinger – Request for election recount.
- 03-66** David Yakubowski, request for recount – Municipal Elections, Ward 3 Council.
- 04-19** Acting Gen. Mgr. of Parks and Recreation R. Morwald Written request for price quotations for the printing of the 2003 Spring/Summer & 2004/05 Fall/Winter Leisure Guides.

**03-1** Moved by Spadafora and Belcastro that the Minutes of the Regular Council Meeting of October 21, 2003 and the Special Council Meetings of October 28, 2003 and November 24, 2003 be and the same are hereby approved and adopted as circulated.

**CARRIED**

**96-48** Moved by Belcastro and Grenier that Report PDS 2003-90 regarding the retention of C.N. Watson and Associates Limited, to update the City of Welland Development Charges Background Study and By-law be referred to the next General Committee Meeting.

**CARRIED**

**03-3** Moved by Dzugan and Alexander that permission is hereby granted to the Knights of Columbus, Council 8296, 2146 and 10503 to sell raffle tickets in the City of Welland under authority of Lottery License P031712; subject to the receipt of a \$25.00 administration fee for processing this request.

**CARRIED**

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

1	14-Nov-03	\$	21,466.38
2	16-Nov-03		364,560.85
3	19-Nov-03		178,243.52
4	20-Nov-03		38,496.47
5	26-Nov-03		<u>1,652,917.66</u>
	<b>Total</b>	<b>\$</b>	<b>2,255,684.88</b>

**CARRIED**

**03-13** Moved by Beaudoin and Spadafora that Council approve a maximum fuel expenditure of \$500.00 to operate the Winter Lights Tours from December 15th to December 17th, 2003.

**CARRIED**

**03-58** Moved by Larouche and Grenier that the City of Welland take no further action relative to The Niagara Clinical Teaching and Research Centre relocation to Welland.

**CARRIED**

**03-66** Moved by Belcastro and Larouche that the request to Council by David Yakubowski for a recount of the 2003 Ward 3 City Councillor Race be denied.

**CARRIED**

**04-13** Moved by Dzugan and Alexander that the presentation by Eric Gillespie, Chair of the Canadian Urban Transit Association in recognition of thirty years of transit service be received for information.

**CARRIED**

**04-19** Moved by Dzugan and Alexander that Council accept the quotation from Hamilton Web Printing for the printing of the 2004 Spring/Summer & 2004/05 Fall/Winter Leisure Guides at a cost of \$14,778.20 plus applicable taxes, this being the lowest of four quotations received that meet the required specifications.

**CARRIED**

### **BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**04-10** Moved by Belcastro and Beaudoin that Fred Sullivan be appointed to the Library Board for a three year term commencing December 1, 2003 and ending November 30, 2006.

**CARRIED**

**04-24** Moved by Dzugan and Belcastro that Don Thorpe be appointed General Manager of Planning and Development Services with a one (1) year probationary period.

**CARRIED**

## **BY-LAWS**

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

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

**92-102**

**95-175**

BYL 2003 - 183

A By-law to amend By-law 1999-215, being a By-law to constitute and appoint a Committee of Adjustment; to delegate the authority of Council to give consent to the Committee; and to set policies, procedures and conditions for its operation.

**99-94**

BYL 2003 - 184

A By-law to amend By-law 3211, being a By-law to establish a department of industries formerly known as the Welland Industrial Commission, now known as the Welland Development Commission; and to amend By-law 1999-94.

**99-117**

**03-22**

BYL 2003 - 185

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Handicapped By-law 9840; Fire Route By-law 10011, and Traffic and Parking By-law 89-2000, at Seaway Mall; and to repeal By-laws 11135 and 2002-201.

**04-47**

BYL 2003 - 186

A By-law to amend By-law 255, being a By-law establishing a Public Library in the City of Welland; and to repeal By-law 8178.

**03-1**

BYL 2003 - 187

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 28th day of October, 2003 and the 24th day of November, 2003 and the 2nd day of December, 2003.

And that the same be now read a first time.

**CARRIED**

**BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Dzugan and O'Dell that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, as amended, 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, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, December 10, 2003 for inclusion on the December 16, 2003 Regular Council Meeting Agenda.**

Council adjourned at 8:15 p.m.

These Minutes approved and adopted by Motion of Council this 16<sup>th</sup> day of December, 2003.

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**MAYOR**

**CLERK**