



COUNCIL MEETING AGENDA

**Tuesday, May 18, 2004
7:30 P.M.
COUNCIL CHAMBERS - CITY HALL**

1. **COMMITTEE-OF-THE-WHOLE (IN CAMERA) (7:15 p.m.)**
(See yellow tab)
2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (7:30 p.m.)**
3. **OPEN COUNCIL MEETING (7:30 p.m.)**
 - 3.1 **NATIONAL ANTHEM**
 - 3.2 **OPENING REMARKS**
 - 3.3 **ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 **DISCLOSURE OF INTEREST**
 - 3.5 **ADOPTION OF MINUTES**

Regular Council Meeting of May 4th, 2004.
(Previously Distributed)
 - 3.6 **CALL UPON THE CLERK TO REVIEW AGENDA INDEX FOR COUNCIL TO DETERMINE ITEMS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE OF THE WHOLE (OPEN) (See pink tab)**
4. **ORAL REPORTS AND DELEGATIONS**
 - 4.1 **REGIONAL COUNCIL REPORT**
 - 4.2 **CHAMBER OF COMMERCE REPORT**
 - 4.3 **ACCESSIBILITY ADVISORY COMMITTEE REPORT**



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4.4 PRESENTATIONS:

Presentation of plaques by Mayor Goulbourne to the following the Minor Bantam Girls Select Basketball Team in recognition of winning the 2004 Ontario Basketball Association Gold Medal:

Ashley Durk, Breanne O'Neal, Caila Bruzzese, Cassandra Vallee, Cheyenne Jope, Jamie-Lee Smith, Kirsten McEwn, Larissa Bruzzese, Maddison Davoli, Melisa Gasper, Shelby Johnston, Tara Johnston and coaches Scott Vallee and Assistant Coach Rick Johnston.

Presentation of plaques by Mayor Goulbourne to the following Notre Dame College School Cheerleaders in recognition of winning the Small Varsity Division Cheerleading competition at the Hershey Centre in Mississauga:

Taryn Bedesky, Lauren Bot, Emily Bot, Carissa Calvert, Krista Cutler, Tara Elliott, Elise Guzda, Jackie Holmes, Heather Kesik, Jessica Meehan, Kyla Michael, Lacey Michael, Lindsay Plugers, Talia Saltarelli, Sommer Staneff-Zavits, Easton Vant Sant and coaches Karen Dzugan, Angela Tancredi, Maria DeLuca and Angela Ventresca.

4.5 CONSIDERATION TO THE 2004 CAPITAL AND OPERATING BUDGETS PURSUANT TO THE MUNICIPAL ACT.

Invitation for representations with respect to the 2004 Capital and Operating Budgets.

4.6 DELEGATIONS:

04-21 David Burwell, Jim Sauer, David Boon, Ron Lemon and Gary Bovine, 2004 Mike Burwell Triathlon.

04-6 Jean Vandenbelt, Chair, Board of Directors, Headway Homes (Niagara) Inc. and Sharon Cook, Director of the Board of Headway Homes (Niagara) Inc. and Councillor of the Town of Pelham – requesting Council proclaim the month of June as “**Brain Injury Awareness Month**”.



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04-21 Angela Carter, Event Co-chair, Giovannini Aggie and Cindi Ingham,
- Outlining "**1st annual event of Rick Hansen Wheels in Motion**".

04-28 D'Amico, Chair, Downtown Business Improvement Area
Board – update on the downtown business area.

04-1 Rob Neill – 50th Anniversary of the Welland Tribune Basketball
Tournament and requesting waiving fees for arena use.

04-37 Parisee – Petition for Water Rates.

5. COMMITTEE OF THE WHOLE (OPEN)
(to discuss items removed from Agenda Block)

6. BY-LAWS

***BY-LAWS MAY BE VIEWED AT THE CLERK'S DEPARTMENT PRIOR
TO THE MEETING IF DESIRED.***

93-162 A By-law to authorize the entering into an agreement with Underground
99-99 Services (1983) Ltd. for the reconstruction and rehabilitation of the bridge
decks and pavement over the Welland River Syphon.

03-1 A By-law to authorize the entering into collective agreements with the
National Automobile, Aerospace, Transportation and General Workers
Union of Canada C.A.W. Local 523 and its general workers for the Public
Works department and the Parks and Arena Departments, effective January
1st, 2003 to December 31st, 2005.

03-84 A By-law to resolve public health problems and concerns arising out of the
dangerous condition for breeding insects created by the existence of
standing water on private property in the City of Welland.



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- 03-129** A By-law to authorize the Kingsway Bridge Deck Rehabilitation.
- 03-129** A By-Law to authorize the entering into an agreement with Rankin Construction Inc., to undertake the Kingsway Bridge Deck Rehabilitation.
- 03-157** A By-law to authorize the entering into a contract with Centennial Construction and Contracting (Niagara) Inc. for the Hellems – Bugar Area Sewer Separation (Phase 2) from Dorothy Street to Victoria Street.
- 04-2** A By-law to appoint John Krajcovic as Licensing Officer for the City of
04-23 Welland for the purpose of enforcing Licensing By-law 4530, as amended, as reinstated by By-law 2001-55 and any subsequent licensing By-Law.
- 04-13** A By-law to authorize the entering into a service provider contract with Philip Gamsby for the confectionery store located at the Welland Transit Terminal.
- 04-23** A By-law to appoint John Krajcovic as Weed Inspector for the City of Welland.
- 04-42** A By-law to authorize the exchange of land with 1006146 Ontario Limited being vacant land north of Thorold Road between South Pelham Road and North Valley Drive.
- 04-55** A By-law to amend City of Welland Zoning By-law 2667 (Adisco Limited – File 2003-15) south side of Woodlawn Road, east of South Pelham Road.
- 04-58** A By-law to authorize the entering into a contract with Provincial Construction (Niagara Falls) Limited to undertake the Lincoln Street Combined Sewer Separation Project Phases 2 and 4 under the Oxford-Atlas-Wellington Area Sewer Separation 2004; and watermain replacement on Empress Avenue from Lincoln Street to Harrison Avenue, and on Hughes Avenue from Lincoln Street to Lewis Street.
- 04-76** A By-law to authorize the acceptance of tender and entering into a contract with Norjohn Ltd. Emulsion Division for the supply of asphalt emulsions.
- 04-77** A By-law to authorize the acceptance of tender and entering into a contract with Norjohn Emulsion Division for the supply and application of road surface treatment materials.



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- 04-78** A By-law to authorize the acceptance of tender from Niagara Battery & Tire for tire maintenance service.
- 04-80** A By-law to authorize the entering into a contract with Vic Vatrč Contracting Limited for the Sanitary Sewer Service Lateral Replacement Program 2004.
- 04-95** A By-law to authorize an extension of the term of the lease agreement with the St. Lawrence Seaway Management Corporation for a portion of the Old Welland Recreational Canal.
- 04-1** 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 18th day of May, 2004.

7. NOTICES OF MOTION

7.1 Notices of Motion (previously submitted for discussion)

(Councillor Fortier)

That Council recommend that the Niagara Regional Government pursue lobbying the Provincial Government to investigate corporate initiatives in taking responsibility for their recyclable projects such as pop cans, wine and liquor bottles. Other provinces such as Nova Scotia, Quebec and British Columbia have their liquor control agencies cooperate in the recycling program by implementing a deposit fee upon purchases their goods; and further That the Region also investigate the possibility of a partnership with Corporate Ontario in creating possibilities for revenue generating opportunities.



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(Councillor Fortier)

7.1 staff investigate the possibility of paving the existing old train rail path from Colbeck Drive travelling north to Thorold Road for the following reasons:

- better accessibility to all residents throughout the year and specifically safety issues in the winter time.
- to study the possibility of partnership with the Region and the private sector to be considered for the budget year of 2005.

7.2 Notices of Motion (for introduction)

7.3 Councillor issues discussed with staff and not yet resolved.

8. CORPORATION REPORTS

8.1 Councillor Activities Report

8.2 Mayor's Report

8.3 City Manager's Report

9. ADJOURNMENT



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AGENDA BLOCK

1. **BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL**
 - A. **MOTION OF MAY 4, 2004 NOT PUT DUE TO CURFEW**

04-88 Casino gambling revenues.
 - B. **OTHER ITEMS**

93-132 Ronald M. Hobgen, 26 Miranda Court – Dog By-law 10715.

96-58 Snow clearing operations and policies.

01-2 Review of City's current Business Licensing By-law.

01-154 Review By-law from West Lincoln re sexual exploitation of children & child pornography.

03-75 2006 Dragon Boat World Championship Bid.
2. **COMMITTEE AND STAFF REPORTS**
 1. **Business Arising from Committee of the Whole (closed)**



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2. General Committee Report of May 11, 2004

Community Services

04-55 Proposed Plan of Subdivision and Zoning By-law amendment – Woodlawn Meadows Subdivision (Files 26T-14-03003 and 2003-15) – Adisco Limited – south side of Woodlawn Road, east of South Pelham Road.

4

~~03-04~~ Closed Standing Water By-law.

~~04-88~~ Order-Weed Cutting.

Corporate Services

~~06-48~~ Development Charges 2003 Year End Statement.

~~00-06~~ Additional Engineering Services – Harry Diffin Industrial Park.

Operational Services

~~06-160~~ Deployment implementation.

3. Staff Reports

remove from block

04-4 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- 2004 Capital and Operating Budgets.
{Report to be distributed at the Council Meeting}

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04-7 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – April 25, 2004 to May 11, 2004.

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~~03-87~~ Mgr., T. Fitzpatrick – Settlement of Interest – Regional Sewer Over Billing.



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10	<u>99-99</u>	City Mgr., T. Fitzpatrick – Welland Recreational Canal Waterways – Tariffs.
11	<u>04-95</u>	City Mgr., T. Fitzpatrick – Extension of Lease Agreement between the St. Lawrence Seaway Management Corporation and the City of Welland for a portion of the Old Welland Canal.
12	<u>04-94</u>	Gen. Mgr. of Planning and Development Services D. Thorpe – Forks Commons Subdivision (formerly Forks End Subdivision) (File 26T-97004) – Request for Extension of Draft Approval.
16	<u>04-83</u>	Actin g Gen. Mgr. Parks & Recreation R. Morwald – Tender – Weed Cutting.
18	<u>04-13</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Niagara South Hip Hip Hooray – Transportation.
21	<u>04-13</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – South Niagara Rowing Club – Bus Shuttle Request.
24	<u>04-85</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – CCTV Camera Inspection of Gravity Sewers.
27	<u>04-13</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Transit Study Implementation.
30	<u>04-81</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Supply and Application of Road Traffic Paint and Pavement Markings – 2004.
34	<u>03-84</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Authorization to Larvicide for West Nile Virus.



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4. New Business

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04-1

Mary-Lou Ambrose-Little, Community Recreation Coordinator, City of Welland Parks & Recreation Department on behalf of Welland Recreation Projects Association – requesting permission to hold a fireworks display at the Canada Day Celebration, on Thursday, July 1, 2004 at Memorial Park and on Sunday, August 1, 2004 at St. George Park for the annual Family Day.

Recommendation:

That subject to the supervision of the event by a properly licensed person, permission is hereby granted to the Welland Recreation Projects Association to hold a fireworks display at the Canada Day Celebration, on Thursday, July 1, 2004 at Memorial Park and on Sunday, August 1, 2004 at St. George Park for the annual Family Day.

That staff be directed to ensure that all fireworks used in the City sponsored display are not manufactured using child labour.

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04-4

Greg D'Amico, Chair, Welland Downtown BIA – 2004 Budget for the Welland Downtown Business Improvement Area.

Recommendation:

That the 2004 Budget from the Welland Downtown Business Improvement Area Board in the amount of \$50,000.00 be approved; and

That the General Manager Financial and Corporate Services/Treasurer be authorized to make arrangements to levy an amount of \$50,000.00 against the business operations within the defined area.

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04-4

John Clark, Chair, North Welland Business Improvement Area Association – 2004 Budget for the North Welland Business Improvement Area.



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Recommendation:

That the 2003 Budget from the North Welland Business Improvement Area Association in the amount of \$32,000.00 be approved; and
That the General Manager Financial and Corporate Services/Treasurer be authorized to make arrangements to levy an amount of \$32,000.00 against the business operations within the defined area.

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04-21

Jeannette Smith, Heart and Stroke Foundation of Ontario – requesting permission to hold its annual “**Pedal 100 for Heart and Stroke**” on August 1 4th, 2004.

Recommendation:

That Welland City Council approves the application of the Heart and Stroke Foundation of Ontario to hold its annual “**Pedal 100 for Heart and Stroke**” on August 1 4th, 2004 subject to the applicant’s completion of all conditions of the Policy of Road Use for Community Activities.

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04-6

Rick Hansen, President and CEO, Rick Hansen Wheels in Motion requesting the day of June 1 3th, 2004 be declared as “**Rick Hansen Wheels in Motion**”.

Recommendation:

That the Mayor declare the day of June 1 3th, 2004 as “**Rick Hansen Wheels in Motion**” in the City of Welland as requested by Rick Hansen.

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04- 93

Bobbi Tylor, Welland resident – requesting the expansion of toll free calling from Welland to Niagara Falls.

Recommendation:

That the letter from Bobbi Tylor requesting the expansion of toll free calling from Welland to Niagara Falls be supported and referred to Bell Canada for consideration and response.



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| 48 | 03-75
<u>04-20</u> | <p>Brian R. York, Welland Dragon Boat Festival - requesting that the Welland Dragon Boat Festival to be held on June 25 and June 26, 2004 be designated as a community festival.</p> <p><u>Recommendation:</u>
That the request by the Welland Dragon Boat Festival to hold a two day event on June 25 and 26, 2004 be referred to the Welland Recreational Canal Corporation for approval, and That Welland City Council designates the "Welland Dragon Boat Festival" as a community festival.</p> |
| 49 | <u>04-21</u> | <p>Brian R. York, Organizer, Welland Dragon Boat Festival – requesting closure of Colborne Street North during the "Welland Dragon Boat Festival" to be held June 25 and 6, 2004.</p> <p><u>Recommendation:</u>
That upon approval of the Welland Recreational Canal Corporation, Welland City Council has no objection for the temporary closure of the Canal Service Road north of Townline tunnel during the "Welland Dragon Boat Festival" to be held on June 25 and 26, 2004, subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.</p> |