



COUNCIL MEETING AGENDA

**Tuesday, July 20, 2004
7:00 P.M.
COUNCIL CHAMBERS - CITY HALL**

1. **COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:15 p.m.)**
(See yellow tab)
2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (7:00 p.m.)**
3. **OPEN COUNCIL MEETING (7:00 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 June 15, 2004 and
Special Council Meeting of June 29, 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 **ACCESSIBILITY ADVISORY COMMITTEE REPORT**



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4.3 STATUTORY PUBLIC HEARING PURSUANT TO THE PLANNING ACT.

04-I 15Z (See letter page 1 from Phil Fisher requesting to defer the Public Hearing regarding the amendment to By-Law 1538 north side of Buchner Road to the Council Meeting of August 17, 2004).

4.4 STATUTORY PUBLIC HEARING PURSUANT TO THE DEVELOPMENT CHARGES ACT

To consider the Development Charges Background Study

96-48 (See Report PDS-2004-35 New City of Wetland Development Charge By-law – Pages 112 to 119).

4.5 STATUTORY PUBLIC HEARING PURSUANT TO THE MUNICIPAL ACT.

To consider the City of Welland 2004 Budget for the Welland Recreational Canal Corporation.

99-99 (See Report CM-2004-30 – Approval of 2004 We/land Recreational
04-4 Canal Corporation Budget – Panes 17 to 18).

4.6 DELEGATIONS

98-82 Bell Canada regarding communications for the Civic Square.
(Background Information included in Council Members' Agenda Packages).

98-82 Greg D'Amico, Chair, Welland Downtown Improvement Area Board of Management – City landscaping proposal for downtown and Civic Square.

04-5 Dan Patterson, President, Niagara College - Update Progress and Plans of Niagara College.

04-I 5 Sean Bertleff, Regional Municipality of Niagara regarding emergency responsibilities.



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**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.***

- 04-22** A By-law to amend By-law 10721, being a By-law to provide for Regulating, Supervising and Governing the Parking of Vehicles in various Municipal Parking Facilities.
- 04-3** A By-law to amend By-law 10057, being a By-law providing for the Licensing of Charitable or Religious Organizations to conduct Bingo Lotteries, Raffle Lotteries, Break Open Ticket Lotteries, or Lottery Schemes held at Bazaars within The City of Welland; and to Repeal By-law 11139.
- 04-1** A By-law to authorize the entering into an Agreement with Streetseen Media to provide advertising on Welland Transit Conventional Fleet.
- 04-22** A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland, to enforce the provisions of the Handicapped By-law 9840 and the Fire Route By-law 10011 at the Welland County General Hospital, and to Repeal By-law 2003-I 81.
- 04-24** A By-law to amend By-law 10176, being a By-law to establish a comprehensive policy for all Non-Union Employees of the Corporation of the City Of Welland respecting certain terms and conditions of employment.
- 98-62** A By-law to authorize the signing of a Subdivider's Agreement with 1434386 Ontario Inc. with respect to the development of the Masters at Hunters Pointe – Phase 1 Subdivision.
- 98-62** A By-law to accept the transfer of certain 0.3 metre reserves and lands for open space purposes from 1434386 Ontario Inc. to the Corporation of the City of Welland in the Masters at Hunters Pointe – Phase 1, Subdivision (File 26T-14-97005)
- 01-42** A By-law to lay out, establish and name Blocks 81 and 85, Plan 59M-299
01-43 and Block 88, Plan 59M-320 as Hillsdale Road, Block 82, Plan 59M-299 as Carlisle Drive and Lot 112, Plan NS-20 as Lynbrook Lane and Wellbrook Boulevard.



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08-52 Law to amend By-law 11325, (as amended by By-laws 2000-I 69 and 2002-I 19) being a By-law to provide for paying remuneration to the Members of the Council and extended medical benefits to the Mayor.

04-1 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 29th day of June, 2004 and 20th day of July, 2004.

7. NOTICES OF MOTION

7.1 Notices of Motion (previously submitted for discussion)

(COUNCILLOR CHIOCCHIO)

That staff be directed to prepare a report for Council dealing with the matter of providing refunds to individuals who were required to pay for the installation of a water meter prior to January, 2004.

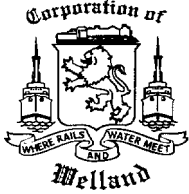
7.2 Notices of Motion (for introduction)

(COUNCILLOR GRIMALDI)

Whereas, The future of Niagara's Victorian Order of Nurses is in peril of ceasing operation in the Niagara area; and
Whereas, The Niagara Victorian Order of Nurses have been a community support group in Niagara for over fifty years; and
Whereas, Community Care Access Centre Niagara recently announced its acceptance of proposals from St. Elizabeth Health Care of Hamilton and Toronto and Care Partners of Windsor; and

Therefore, be it resolved that the City of Welland petition the Provincial Government to:

1. Halt the RFP process until a full and comprehensive review has been completed
2. That traditional non-profit public health care be reinstated as care givers and that competition for these vital services be abandoned; and
That a copy of the resolution be forwarded to Premier Dalton McGuinty; Minister of Health George Smitherman; MPP Peter Kormos; the Association of Municipalities of Ontario and all other Region of Niagara Municipalities for their endorsement.



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(COUNCILLOR GRENIER)

That City Council:

1. Task the Accessibility Committee to review sidewalks throughout the City of Welland and itemize capital improvements necessary to improve mobility for physically and mobility challenged citizens;
2. Further, that the Accessibility Committee prioritize those improvements, primarily curb cuts, that currently pose the most difficulty for passage;
3. That Council recommend these priority cuts be done in this budget year with Accessibility Fund money included in the 2004 budget; and
4. The remaining sidewalk, crosswalk and curb cuts as identified by the Accessibility Committee be forwarded to budget review for priority consideration in the 2005 Capital Budget.

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. **ITEMS REFERRED BACK TO STAFF:**
 - 2000-43** 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
2000-83 That Council again direct staff to review the need to deal with lot grading and drainage issues with new and existing subdivisions.
 - 04-1** That the matter of Conferences, including the number of conferences to be attended, any special considerations for City representation on association executives, the current regulating by-law be again referred to the Human Resources Committee for review and report to Council.
 - 04-82** That the letter from Gerb Sammut, S.N.S. Pavement Maintenance regarding poor road conditions and recommendation to prevent roads from further deterioration be again referred to the Public Works staff for report to Council.
 - 04-91** That the request from John Mastroianni, Chair, on behalf of the Board of Directors of the Welland Historical Museum requesting that the existing Carnegie Library building on King Street be made available as the future home of the Welland Museum after the Welland Library moves to the new Civic Centre be again referred to the City Manager for report to Council.



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04-92 That Council be again directed to review its sign by-law for the purposes of eliminating the posting of advertisements on utility poles and public places (unless designated) and providing for the location of designated signage facilities for public expression in areas such as:
City Transit Terminal
City walkway(s) near Niagara College and Seaway Mall
Canal Trails

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee of the Whole (closed)

2. General Committee Report (nil)

3. Staff Reports

2	<u>04-7</u>	Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – June 9, 2004 to July 13, 2004.
5	<u>04-37</u>	Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Water Rates Petition.
6	<u>01-46</u>	City Mgr., T. Fitzpatrick – Legal Agreement with Ministry of Transportation Ontario respecting Enterprise Subdivision improvements on Highway 140.
9	<u>01-53</u>	City Mgr., T. Fitzpatrick – Agreement with Regional Niagara concerning funding arrangements for the 2001 Round of Superbuild.
11 Remove from block	<u>98-82</u>	City Mgr., T. Fitzpatrick – Communications Solution for Civic Square and Off Site Locations.
13	<u>01-161</u>	City Mgr., T. Fitzpatrick – Update on Council Strategic Plan/Business Plan.
17 Remove from block	<u>99-99</u> <u>04-4</u>	City Mgr., T. Fitzpatrick – Approval of 2004 Welland Recreational Canal Corporation Budget.



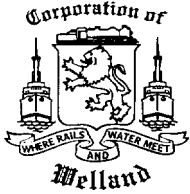
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| 19 | <u>04-1</u> | City Mgr., T. Fitzpatrick – May 2004 Departmental Reports. |
| 47 | <u>98-82</u> | City Mgr., T. Fitzpatrick – Proposal from Roberto's Food and Beverage Services. |
| 57 | <u>03-38</u> | City Mgr., T. Fitzpatrick – Proposed Amendments to the Municipal Act 2001. |
| 62
Remove from block | <u>98-82</u>
<u>99-99</u> | City Mgr., T. Fitzpatrick – Fee Proposal for Consulting Services – Canal Lands Landscaping, Canal Plaza and Parking Lot behind the new Civic Square.
<u>(Background information included in Council Members' Agenda Packages).</u>

<u>*(Representatives from CS&P and Janet Rosenberg to be in attendance to answer any questions).</u> |
| 70 | <u>04-13</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Engine Refurbishment of Transit Bus #118. |
| 72 | <u>04-13</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Chassis Refurbishment of Transit Bus #115 |
| 74 | <u>04-117</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Salt Management Plan Study. |
| 76 | <u>03-88</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Feasibility Study for replacement of the Drapers Creek Culvert on Colbeck Drive. |
| 80 | <u>04-104</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Roadway Resurfacing Program 2004. |
| 82 | <u>04-118</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Prince Charles Drive Bridge Rehabilitation – Regional Municipality of Niagara, between Lincoln Street and Ontario Road – Road Closure. |
| 84 | <u>02-85</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Project – Accessibility Review and Implementation Report. |



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| 87 | <u>04-26</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Sidewalk Repair and Replacement Program 2004 and Utility Cut Related Concrete Reinstatement. |
| 90 | <u>04-46</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Request for authorization for the procurement of vehicles and equipment as per the 2004 Fleet Replacement Program. |
| 93 | <u>03-100</u>
<u>04-120</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Engineering Services for Summit Area Watermain Replacement Phase 2 and Fitch Street Watermain Replacement Phase 1. |
| 95 | <u>04-15</u>
<u>04-19</u> | Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Engineering Services for Welland Arena and Prince Charles Drive Fire Hall Parking Lots. |
| 97 | <u>93-106</u>
<u>04-107</u> | Gen. Mgr. of Planning and Development Services D. Thorpe Request from residents on Talbot Avenue to delete requirements for sidewalks – Regatta Subdivision (Plan 59M-247) Phase 1. |
| 105 | <u>98-62</u> | Gen. Mgr. of Planning and Development Services D. Thorpe – The Highlands Subdivision, formerly St. Andrew's Terrace Subdivision (File 26T-12-97005) – Request for extension to Draft Approval. |
| 112
Remove from block | <u>96-48</u> | Gen. Mgr. of Planning and Development Services D. Thorpe – New City of Welland Development Charge By-law. |
| 120 | <u>03-80</u> | Gen. Mgr. of Planning and Development Services D. Thorpe – Red-Line Revision – Riverside West Subdivision (File 26T-14-02003) – Mac-Bri Developments Inc. – west side of Riverside Drive, south of Lincoln Street. |
| 129 | <u>98-62</u> | Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed Subdivider's Agreement with 1434386 Ontario Inc. – The Masters at Hunters Pointe – Phase 1 Subdivision (File 26T-14-97005). |
| 131 | 01-42
<u>01-43</u> | Gen. Mgr. of Planning and Development Services D. Thorpe – Lay -Out, Establish and Name Various 0.3 metre reserves with respect to the Draper's Creek and Harvest Estates Subdivisions. |



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- 132 ~~04-16~~ Mgr. of Parks and Recreation Department B. LaPlante - Procurement of one (1) John Deere Zero Turn Mower.
- 134 ~~04-19~~ Mgr. of Parks and Recreation Department B. LaPlante – Parks and Recreation Master Plan Process.
- 137 04-105 Gen. Mgr. of Parks and Recreation Department B. LaPlante – RFQ -Water treatment and preventative maintenance for boilers and towers.
- 139 04-15 Chief, Fire and Emergency Services P. Olah - Motorola Minitor IV Pagers.

4. **New Business**

- 140 04-116 George Chipman, Local Architectural Conservation Advisory Committee Chair – designation of the King-Hill House at 81 Bald Street as being of architectural and historical significance.

Recommendation:

That Welland City Council approves the processing of the structure and property referred to as the “**King-Hill House**” at 81 Bald Street for heritage designation pursuant to the provisions of Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

- 143 97-I 35 Gordon F. Marasco, Niagara Regional Broadband Network Limited – requesting a Rights of Way access agreement with the City of Welland.

(Mr. Gordon Marasco in attendance to answer any questions)

Recommendation:

That the letter from Niagara Regional Broadband Network Limited regarding the entering into a Rights of Way Access Agreement with the City of Welland for a fiber optics backbone network along local hydro utility poles be received and referred to staff for study and report to Council.

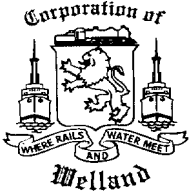


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- 144 04-1 Cahl Pominville, Clerk, Municipality of North Grenville – requesting support of resolution regarding Bill 52 an Act to Amend the Fire Protection and Prevention Act to protect the employment of volunteer firefighters.
- Recommendation:**
That Welland City Council supports the resolution from the Municipality of North Grenville regarding Bill 52 to protect the employment of volunteer firefighters; and
That the City Clerk advise the appropriate authorities accordingly.
- 146 04-20
 04-21
 04-1 19 Leya Poulouski, Tourism of Welland Niagara – requesting permission for the following:
Special Occasion Permit for September 24, 25 & 26, 2004; a fireworks display; exemption to the noise By-law and temporary street closures during the **“Niagara Food Festival”**.
- Recommendation:**
That the letter from Tourism of Welland Niagara requesting permission for a Special Occasion Permit, a fireworks display, exemption to the Noise By-law and temporary street closures during the **“Niagara Food Festival”** to be held on September 24, 25, and 26, 2004 be received and referred to staff for study and report.
- 148 04-1 22 John K. Bice, City Clerk, City of Thorold – Award of Various Contracts by Community Care Access Centre (CCAC).
- Recommendation:**
That Welland City Council supports the resolution from the City of Thorold to maintain the Victorian Order of Nurses (VON), Niagara Branch in their effort to overturn the decision by Community Care Access Centre (CCAC) Niagara to discontinue the short visit nursing care services provided by the VON; and
That the Clerk advise the proper authorities accordingly.



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97-49

Wendy Ward Grenier, on behalf of the Welland Physician Recruitment Committee – Development of Family Physician Turn-Key Clinic in Welland.

Recommendation:

That the letter from Wendy Ward Grenier on behalf of the Welland Physician Recruitment Committee regarding the potential site for a family physician clinic or office at the former arena location (501 King Street) be received and referred to staff for study and report.