



COUNCIL MEETING AGENDA

Tuesday, December 7, 2004
7:30 P.M.
COUNCIL CHAMBERS - CITY HALL

1. **COMMITTEE-OF-THE-WHOLE (IN CAMERA) (5:30 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 November 16, 2004 and
Special Council Meetings of November 23, 2004 and
November 30, 2004.
(Previously Distributed)
 - 3.6 **CALL UPON THE CLERK TO REVIEW AGENDA INDEX
INCLUDING BY-LAWS 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 PRESENTATION:

Presentation of plaque by Councillor Dzugan on behalf of Welland City Council to Mr. Joseph Ivancak in recognition on receiving the Croatian Fraternal Union of America Man of the Year Award.

4.4 DELEGATIONS

05-36 Paul Nieweglowski, Niagara District Manager, Ontario Ministry of the Environment – Environmental Assessment on the clean up of contaminated sediments located in the area of Lyons' Creek East and West.

Backound information provided in Council Members' Agenda Packages.

04-28 Liz Martin, Eastdale Secondary School student – Donate sculpture to the new Civic Square.

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

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Notices of Motion (previously submitted for discussion)

(Councillor Belcastro)

05-43 That staff be instructed to proceed with the demolition of the house located at 58 Sixth Street that the City has acquired through tax arrears, and that the City pay the cost.



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- 7.2 **Notices of Motion (for introduction)**
- 7.3 **Councillor issues discussed with staff and not yet resolved.**

- a. **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:**

- 04-132** That staff be again directed to review and report on the advisability of revising the Fence By-law to measure the "visibility triangle" from the intersection as defined in the Highway Traffic Act, rather than the property line:
That the properties at 88 Edgar and 54 Parkway be reviewed by the Traffic Engineer to determine if a 12' x 12' visibility triangle should be recommended as an exemption to the existing by-law (as was approved by Council in November 2002 for 85 Aqueduct Street; and
That each of these properties be given a "stay of execution" for their hedges until May 1, 2005.

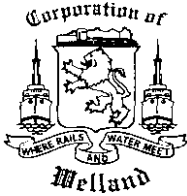
B **ITEMS REFERRED FROM PREVIOUS MEETING OF NOVEMBER 16, 2004 FOR
DISCUSSION:**

97-67

- 98-57** That the staff report on negotiations with the Downtown Business Improvement Area Board to establish for the 2004-2005 winter season, a cost sharing arrangement for the clearing of snow from sidewalks with the BIA be referred to the December 14, 2004 General Committee Meeting.

2. **COMMITTEE AND STAFF REPORTS**

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



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2. General Committee Report of November 23, 2004.

Community Services

- 1** **04-1152** Proposed Amendment to Zoning By-law 1538 – Larry Creighton, north side of Buchner Road, west side of Unopened Matthews Road (File 2004-02).
- 04-1542** Proposed Amendment to Zoning By-law 2667, as amended by By-law 10534 for the City of Welland, 74 Vaughan Road (File 2004-06).

Corporate Services

- 04-4** September 2004 Financial Statements.
- 04-4** Acceptance of Banking Services Proposal.
- 05-45** 2005 Insurance for Municipal, Transit and Welland Recreational Canal Corporation.

Operational Services

- 05-42** City of Welland Transportation Planning Study.
- 04-45** Implementation of the "SWAP" Program. (Sewer Water Alleviation Program).
- 04-46** Procurement of one (1) new Extended Cab and Chassis, 15,000 G.V.W. Truck complete with a Del 9' Job Boss Dump Body Model DJBHD8909.
- 04-142** Quotation for Water and Sewer Operating Materials.
- 04-22** Parking Operations – Church Street.
- 04-22** Designated Truck Routes



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- 04-22** MTO Agreement – Transfer of Light Standard, Highway 140
- 04-13** Welland Harvest Kitchen – Bus Transportation.
- 3. Staff Reports**
- 3** **04-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri-
Accounts Payable – November 10, 2004 to November 29, 2004
- 6** **04-149** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri-
Assessment Pooling.
- 8** **04-137** C.A. Stirtzinger, Civil Marriage Solemnization Authority –
Delegation to Clerk.
- 14** **04-18** City Mgr., T. Fitzpatrick – October 2004 Department Reports.
- 38** **03-156** 2000-68 Gen. Mgr. of Planning and Development Services D. Thorpe –
Proposed Subdivider's Agreement with Ravenda & Ravenda
03-1 562 Construction Limited; sale of Block 15, Plan M-86 and Lifting of
Holding "H" Symbol – Stonegate Estates Subdivision
(File 26T-14-20001 and File 2003-12) East side of Colbeck
Drive, south of Endicott Terrace.
- 42** **04-13**
04-22 Gen. Mgr. Engineering, Public Works & Transp. Serv. /City
Engineer D. Shantz – Award of Tender – Coin Sorter and
Coin Wrapper – Transit and Parking Operations.
- 45** **04-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City
Engineer D. Shantz – Update on Feasibility study for replacement
of the Drapers Creek culvert on Colbeck Drive.
- 47** **03-100** Gen. Mgr. Engineering, Public Works & Transp. Serv./City
Engineer D. Shantz -Summit Avenue area watermain replacement
– Phase 2 supplementary report – Linwood Drive and Laughlin
Place.



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| | | <p><u>Recommendation:</u>
That the letter from R. Brian Miller, Leon Taylor & Fazari on behalf of Mr. Creighton requesting a deferral of rezoning application for property on Buchner Road be received and filed.</p> |
| 62 | <u>04-3</u> | <p>Diana Borowski, Director, Canadian Red Cross - requesting permission to sell raffle tickets in the City of Welland.</p> <p><u>Recommendation:</u>
That permission is hereby granted to The Canadian Red Cross to sell raffle tickets in the City of Welland under authority of Lottery License PO42148; subject to the receipt of a \$25.00 administration fee for processing this request.</p> |
| 63 | <u>04-3</u> | <p>Julie Sneek, Multiple Sclerosis Society requesting permission to sell raffle tickets in the City of Welland.</p> <p><u>Recommendation:</u>
That permission is hereby granted to the Multiple Sclerosis Society, to sell raffle tickets in the City of Welland under authority of Lottery License M410555; subject to the receipt of a \$25.00 administration fee for processing this request.</p> |
| 64 | <u>05-49</u> | <p>Susan M. Daniels, Deputy City Clerk, City of Thorold – Opening of schools to Community Groups after hours.</p> <p><u>Recommendation:</u>
That Council endorses the resolution from the City of Thorold to strongly encourage every local school board to enter into a Community Recreation and Use Agreement with the Ministry of Tourism and Recreation which will provide funds to school boards that open their schools to not-for-profit community groups for after-hours recreation and community activities year round; and further That the City Clerk advise the proper authorities accordingly.</p> |
| 66 | <u>05-50</u> | <p>Nora A. Reid, Secretary, Welland Local Architectural Conservation Advisory Committee – name change.</p> |



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Recommendation:

That the letter from the Local Architectural Conservation Advisory Committee advising of its name change to the Welland Heritage Committee effective January 1, 2005 in accordance with amendments to Ontario's Heritage Act under the Government Efficiency Act, 2002 be approved; and further
That the City Solicitor be directed to make the necessary by-law changes to implement this amendment.

67

04-57

Tim Hudak, MPP, Erie-Lincoln – Proposed Timelines for the proposed Greenbelt Act.

Recommendation:

That Council supports the concerns of MPP Tim Hudak, Erie-Lincoln, to extend the timelines for public consultation on the Greenbelt legislation and that the legislation be sent to an all party Legislative Committee prior to legislation being passed: and further
That the City Clerk advise the proper authorities accordingly.

5. *BY-LAWS*

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

- 2000-68** A By-law to authorize the signing of a Subdivider's Agreement with Ravenda & Ravenda Construction Limited with respect to the Development of Stonegate Estates.
- 2000-68** A By-law to lay out, establish and name part of Block 16, Plan M-86 being Part 15, Plan 59R-_____, being a 0.3 metre reserve for the City of Welland as part of Stormm Court.
- 2000-68** A By-law to repeal City of Welland By-law 2004-151 – being a By-law to exempt part of Block 14, Plan M-86 (Part 26, Plan 59R-10738) from Part Lot Control.
- 02-137** A By-law to lay out, establish, assume and name as a public highway for road widening purposes Parts 1, 4 and 7, Plan 59R-12548 as part of Ross Street.



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- 02-137** A By-law to authorize conveyance of city-owned lands located on the south side of Ross Street, east of Cooper Road to Leonard and Carole Eybel being Part 3, Plan 59R-12548.
- 02-137** A By-law to authorize the entering into a pleasure easement agreement with Leonard Eybel and Carole Eybel to provide seasonal access from Ross Street (formerly Downs Drive) across a portion of Part 2, Plan 59R-12548.
- 03-156** A By-law to authorize conveyance of Block 15, Plan M-86 to Ravenda & Ravenda Construction Limited (Stonegate Estates Subdivision).
- 03-156** A By-law to exempt certain lands from Part-Lot Control – East side of Colbeck Drive, south of Endicott Terrace, in the Stonegate Estates (Plan 59M-), City of Welland.
- 03-156** A By-law to amend Zoning By-law 2667 upon the application of the Corporation of the City of Welland to remove the holding symbol “H” from certain lands on the east side of Colbeck Drive, south of Endicott Terrace.
- 03-156** A By-law to accept the transfer of an easement(s) for sanitary sewers from Ravenda & Ravenda Construction Limited to the Corporation of the City of Welland in the Stonegate Estates Subdivision.
- 04-12** A By-law to appoint certain Members of Council as Vice-Mayor for three (3) month terms of office, commencing December 1st, 2004 to November 30th, 2005.
- 04-154Z** A By-law to amend City of Welland Zoning By-law 2667 (Michael Wayne Losier – File 2004-06).
- 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 23rd and 30th day of November, 2004 and 7th day of December, 2004.