



COUNCIL MEETING, APRIL 6, 2004

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 7:15 p.m. and in and in open session at 7:30 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 (7:30 p.m.), P. Grenier, M. A. Grimaldi, J. Larouche, S. O'Dell (7:20 p.m.), and B. Sharpe.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks (7:30 p.m.)

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah (7:30 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:30 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:30 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:30 p.m.)

Acting General Manager of Parks and Recreation R. Morwald (7:30 p.m.)

Executive Assistant to the Mayor and City Manager L. Ip (7:30 p.m.)

Regional Councillor J. Mastroianni (7:30 p.m.)

04-25 Moved by Belcastro and Chiocchio that Council meet in Committee-of-the-Whole, closed to the public at 7:15 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal employees.

CARRIED

04-25 Moved by Grenier and Chiocchio that the Committee-of-the-Whole arise from its closed meeting at 7:25 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Grimaldi disclosed an interest in Ref. Nos. 2000-79, 03-125, 04-46 and By-law 2004-32 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her husband is an employee in the Engineering Department in the City of Welland.

PUBLIC HEARING PURSUANT TO THE MUNICIPAL ACT

97-85

02-98 To consider changes to the water rates with respect to water haulage.

The following people were present to speak on the proposed amendments:

Guy Swartz, Chambers Water Haulage

There being no other submissions the hearing was concluded.

DELEGATIONS:

04-6 Denis Letourneau, Principal and student Lauren Scott of Centennial Secondary School; Mary Ulisko, Principal and students Chris Gotch and Katie Moore of Princess Elizabeth Elementary School addressed Council regarding activities planned for April 2004 during "**Education Month**".

04-32 Regional Councillor Bruce Timms and Dr. Roberta Styran, President of the Canadian Canal Society addressed Council regarding the World Canal Conference 2004, to celebrate the 175th Anniversary of the Opening of the First Welland Canal.

01-83 Rob Neill, Director and Liz Palmieri, Executive Director, Niagara Community Foundation updated Council on the Foundation's accomplishments and impact in the Community.

04-5

04-32 Shane Sargant, Director and Greg D'Amico, Chair, Tourism of Welland Niagara updated Council on the Tourism Strategy and requested immediate consideration of their 2004 grant request.

04-15 Steve Dube, Welland Volunteer Fire Company #1 addressed Council regarding waiving of service fees for the Easter Egg Hunt event scheduled for April 10, 2004.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

04-22 Review the needs and priorities for traffic lights at various intersections.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

97-85

02-98 City Mgr. T. Fitzpatrick – Retail Water Rates for Water Haulage Stations.

97-85

02-98 A By-law to establish Retail Water Rates for Water Haulage Stations and to repeal By-law 2004-18.

98-82 City Mgr. T. Fitzpatrick – Terms of Reference – Civic Square Committee.

2000-79 A By-law to authorize the entering into an Agreement with Wiebe Engineering Group Inc. to provide engineering services for the Lincoln Street combined Sewer Separation Project (Phases V and VI), parts of Oxford-Atlas-Wellington Area Sewer Separation.

01-83 Rob Neill, Director and Liz Palmieri, Executive Director, Niagara Community Foundation - Update and impact on the Community.

01-126 John Hogg, President/CEO, CLT Canada – requesting to support, by way of a resolution, the concept of a competitive property assessment system in Ontario.

01-155 John K. Bice, City Clerk, Corporation of the City of Thorold –Resolution regarding the Pesticide and Herbicide Use.

03-31 Proposal to develop a facility at Maple Park.

03-125 Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Empress Avenue Roadway Reconstruction from Lincoln Street to Harrison Avenue.

03-133

04-4 City Mgr. T. Fitzpatrick – Retention of Redevelopment Concepts International to provide consulting services for application for a Green Municipal enabling fund grant to the Federation of Canadian Municipalities.

03-145 Niagara Region Inter-Municipal Transit Strategy.

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 9th day of March, 2004, the 23rd day of March, 2004, the 29th day of March, 2004 and the 6th day of April, 2004.

04-4 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - Ontario Municipal Economic Infrastructure Financing Authority Loan Approval.

04-4 A By-law to authorize certain Capital Works of the Corporation of the City of Welland (The "Municipality"); to authorize the submission of an application to the Ontario Municipal Economic Infrastructure Financing Authority ("OMEIFA") for financing such works and certain other ongoing works; to authorize temporary borrowing from OMEIFA to meet expenditures made in connection with such works; and to authorize long term borrowing for such works through the issue of debentures by the Regional Municipality of Niagara (the "Upper-Tier Municipality") to OMEIFA.

04-5

04-32 Shane Sargent, Director and Greg D'Amico, Chair, Tourism of Welland Niagara – Tourism Strategy update and 2004 Grant immediate consideration.

04-6 Denis Letourneau, Principal and student Lauren Scott of Centennial Secondary School, Mary Ulisko, Principal and students Chris Gotsch and Katie Moore of Princess Elizabeth Elementary School - to advise of activities planned for April 2004 and to request Council to declare the month of April as "**Education Month**".

04-6 Bernadette Dalingwater, President, Cornelia de Lange Syndrome Canada – requesting the day of May 8th, 2004 be declared as "**Cornelia de Lange Syndrome Awareness Day**".

04-6 Minister John Gerretsen, Minister Responsible for Seniors – requesting the month of June be declared as "Seniors' Month".

04-7 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - Accounts Payable – March 16, 2004 to March 30, 2004.

- 04-14** City Mgr. T. Fitzpatrick – 2004 Conference Report.
- 04-15** Steve Dube, Welland Volunteer Fire Company #1- In kind service costs for the Easter Egg Hunt event.
- 04-15** Agreement with St. Lawrence Seaway Management Corporation and the City of Welland to provide fire protection and other services to ships on the Welland Ship Canal.
- 04-21** Keith Levere, Parade Chair 2004 requesting permission to hold the 43rd Annual Rose Festival Parade on Sunday, June 13th, 2004.
- 04-21** Mark Brogno, Coordinator, Multiple Sclerosis Society of Canada, Ontario Division requesting permission to hold the Super Cities Walk for MS on Sunday, April 18th, 2004.
- 04-22** A By-law to amend Schedules “C1” and “W” of By-law 89-2000, being a By-law regulating Traffic and Parking on City Streets.
- 04-32** Mr. Bruce Timms and Dr. Roberta Styran, President of the Canal Society – World Canal Conference 2004, to celebrate the 175th Anniversary of the Opening of the First Welland Canal.
- 04-46** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Retention of specific vehicles designated for disposal for assignment for temporary light duty uses.
- 04-60** John K. Bice, City Clerk, Corporation of the City of Thorold – requesting support of its resolution: Federal Government’s Sharing of Gas Tax Revenue with Municipalities.
- 04-60** Janet Beckett, City Clerk, City of Port Colborne – Requesting support of its resolution: Municipalities receive a portion of the gas tax.
- 04-65** A By-law to authorize the entering into a contract with 1405221 Ontario Inc. (D&D Trucking & Construction) for Street Sweeping Rentals.

04-1 Moved by Dzugan and Grenier that the Minutes of the Regular Council Meeting of March 2, 2004 and Special Council Meetings of March 9, 23, and 29, 2004 be and the same are hereby approved and adopted as circulated.

CARRIED

97-85

02-98 Moved by Beaudoin and Belcastro that City of Welland By-law 2004-18 being a By-law to Establish Water Rates for water haulage stations be repealed and that the provisions of City of Welland By-law 2003-38 be reinstated.

CARRIED

98-82 Moved by Belcastro and Larouche that Welland Council confirms the existing Terms of Reference of the Civic Square Committee and approves expanded Terms of Reference as follows:

- To oversee the completion of the Civic Square Project; (existing)
- To oversee the landscaping of City owned lands immediately in the facility of the Civic Square Project; (existing)
- To review the City of Welland Downtown Welland Improvement Incentive Programs and to make recommendations to Council concerning same; (expanded)
- To provide advice to Welland Council on the disposition of the buildings which will become vacant as a consequence of the construction of the New Civic Square.(expanded)

CARRIED

01-83 Moved by Fortier and Grimaldi that the presentation by Rob Neill, Director and Liz Palmieri, Executive Director, regarding the Niagara Community Foundation and its accomplishments, be received for information.

CARRIED

01-126 Moved by Belcastro and Larouche that the letter from CLT Canada requesting to support, by way of a resolution, the concept of a competitive property assessment system in Ontario be referred to staff for study and report.

CARRIED

01-155 Moved by Belcastro and Larouche that the letter from the Corporation of the City of Thorold regarding the Pesticide and Herbicide Use resolution be received and referred to staff for inclusion in the pesticide report.

CARRIED

01-155 Moved by Fortier and Chiocchio that the Notice of Motion by Councillor Fortier with respect to pesticide use be referred to staff to be included in the staff report for the April 27th, 2004 General Committee Meeting.

CARRIED

03-31 Moved by Belcastro and Larouche that the proposal to develop a facility at Maple Park including meetings with the Sherwood Activity Centre to expedite the needs of the group be again referred to staff for study and report.

CARRIED

03-125 Moved by Dzugan and Beaudoin that the cost of construction of a roadway on Empress Avenue from Lincoln Street to Harrison Avenue including concrete curbs and gutters, asphalt pavement and driveway entrances, and sodded boulevards be assessed to immediate property owners under Section 400 of the Municipal Act 2001 O. Reg. 119/03 (formerly Section 11 Local Improvement Act), as amended; and That Council include the roadway reconstruction project in the 2005 Capital Budget after the underground works on Empress Avenue are constructed in 2004; and further That the affected residents on Empress Avenue be notified accordingly.

CARRIED

03-133

04-4

Moved by Alexander and Fortier

1. That the City of Welland retain Redevelopment Concepts International at an upset cost of \$4,500 to prepare an application on behalf of the City of Welland to the Federation of Canadian Municipalities for a Green Municipal Enabling Fund Grant; and further
2. That the cost of the services be funded by Development Charges.

CARRIED

03-145 Moved by Belcastro and Larouche that the matter regarding the Niagara Region Inter-Municipal Transit Strategy be again referred to staff for study and report.

CARRIED

04-4

Moved by Fortier and Larouche

1. That the City Clerk be authorized to re-apply through the Regional Municipality of Niagara for loans from the Ontario Municipal Economic Infrastructure Financing Authority (OMEIFA) to finance capital infrastructure projects in the City of Welland; and further

2. That the City Solicitor be directed to prepare the necessary By-law.

CARRIED

04-5

04-32 Moved by Belcastro and Fortier that immediate consideration of Tourism Welland Niagara's (TOWN) 2004 Grant request in the amount of \$75,000.00 (\$45,000.00 representing last year's grant amount and \$30,000.00 representing special investment opportunity grant) be approved; and further That a comprehensive report be presented by TOWN at the end of 2004 on the success of the investment in terms of obtaining upper government funding as well as a review of the economic impact achieved.

CARRIED

04-6

Moved by Larouche and Grenier that the presentation by Denis Letourneau, Principal and student Lauren Scott of Centennial Secondary School; Mary Ulisko, Principal and students Chris Gotch and Katie Moore of Princess Elizabeth Elementary School to advise of activities planned for April 2004, be received for information; and further That the Mayor declare the month of April as "**Education Month**" in the City of Welland as requested by the District School Board of Niagara.

CARRIED

04-6

Moved by Belcastro and Larouche that the Mayor declare the day of May 8th, 2004 as "**Cornelia de Lange Syndrome Awareness Day**" in the City of Welland as requested by the CdLS Canada.

CARRIED

04-6

Moved by Belcastro and Larouche that the Mayor declare the month of June as "**Seniors' Month**" in the City of Welland as requested by the Minister Responsible for Seniors.

CARRIED

04-7

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

1	18-Mar-04	\$	935,936.90
2	19-Mar-04		4,642,711.36
3	24-Mar-04		183,980.67
4	29-Mar-04		66,356.63
5	30-Mar-04		<u>205,870.37</u>
	Total	\$	6,034,855.93

CARRIED

04-14

Moved by Beaudoin and Chiocchio that the 2004 Conference Reports from individual City departments attached to Report CM-2004-09 be referred to the next Budget Review Committee Meeting.

CARRIED

04-15

Moved by O'Dell and Grimaldi that Council waives fees for use of City equipment for the Easter Egg Hunt event on April 10, 2004 as requested by the Welland Volunteer Fire Company #1.

CARRIED

04-15 Moved by Belcastro and Larouche that the Fire Chief be again directed to continue negotiations/discussions with the St. Lawrence Seaway Management Corporation in an effort to effect a new Agreement for the City of Welland, to provide fire protection and other services to ships on the Welland Ship Canal.

CARRIED

04-21 Moved by Chiocchio and Grimaldi that Welland City Council approves the application of the Multiple Sclerosis Society of Canada, Ontario Division to hold its "**Super Cities Walk for MS**" on Sunday, April 18th, 2004 subject to the applicant's completion of all conditions of the policy of Road Use for Community Activities.

CARRIED

04-21 Moved by Belcastro and Chiocchio that the application of the Welland Rose Festival to hold its 43rd Annual Rose Festival Parade on Sunday, June 13th, 2004 be referred to staff to discuss with the Rose Festival Committee for report at the next Regular Council Meeting of April 20th, 2004.

CARRIED

04-32 Moved by Grenier and Chiocchio that the presentation by Regional Councillor Bruce Timms and Dr. Roberta Styran, President of the Canadian Canal Society regarding the hosting of the World Canal Conference 2004 to celebrate the 175th Anniversary of the Opening of the First Welland Canal be received for information.

CARRIED

04-32 Moved by Sharpe and Larouche that the Tourism of Welland Niagara (TOWN) Final Draft Business Plan dated April 5, 2004 be received for information; and further That the presentation by Shane Sargant, Director, and Greg D'Amico, Chair, regarding Tourism Strategy updates be received for information.

CARRIED

04-46 Moved by Dzugan and Fortier that Council authorize staff to retain six (6) vehicles designated for disposal consisting to two (2) pickup trucks, two (2) cargo vans and one (1) compact car, one (1) five-ton dump truck for temporary light duty uses.

CARRIED

04-60 Moved by Belcastro and Larouche that City Council supports the resolutions from the Cities of Thorold and Port Colborne to request the Federal and Provincial Governments to provide a portion of the gas tax revenue to Municipalities to aid in the funding of the aging infrastructure; and further That the City Clerk advise the proper authorities accordingly.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

04-10 Moved by Grenier and Chiochio that Council appoint Mary Mollica to the Local Architectural Conservation Advisory Committee to replace Janet Booth.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

97-85

02-98

BYL 2004 - 31

A By-law to establish Retail Water Rates for Water Haulage Stations and to repeal By-law 2004-18.

2000-79

BYL 2004 - 32

A By-law to authorize the entering into an Agreement with Wiebe Engineering Group Inc. to provide engineering services for the Lincoln Street combined Sewer Separation Project (Phases V and VI), parts of Oxford-Atlas-Wellington Area Sewer Separation.

04-4

BYL 2004 - 33

A By-law to authorize certain Capital Works of the Corporation of the City of Welland (The "Municipality"); to authorize the submission of an application to the Ontario Municipal Economic Infrastructure Financing Authority ("OMEIFA") for financing such works and certain other ongoing works; to authorize temporary borrowing from OMEIFA to meet expenditures made in connection with such works; and to authorize long term borrowing for such works through the issue of debentures by the Regional Municipality of Niagara (the "Upper-Tier Municipality") to OMEIFA.

04-22

BYL 2004 - 34

A By-law to amend Schedules "C" and "C1" of By-law 89-2000, being a By-law regulating Traffic and Parking on City Streets.

04-65

BYL 2004 - 35

A By-law to authorize the entering into a contract with 1405221 Ontario Inc. (D&D Trucking & Construction) for Street Sweeping Rentals.

04-1

BYL 2004 - 36

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 9th day of March, 2004, the 23rd day of March, 2004, the 29th day of March, 2004 and the 6th day of April, 2004.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Beaudoin 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, April 14, 2004 for inclusion on the April 20, 2004 Regular Council Meeting Agenda.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of April, 2004.

MAYOR

CLERK