



GENERAL COMMITTEE MEETING

Tuesday, February 24th, 2004
7:00 P.M.
COUNCIL CHAMBERS - CITY HALL

Meeting Number G.C. 2004 - 03

Members present: Mayor Damian Goulbourne

Councillors:

D. Alexander
D. Beaudoin
M. Belcastro
P. Chiocchio
M. Dzugan
D. Fortier

P. Grenier
M.A. Grimaldi
J. Larouche
S. O'Dell
B. Sharpe

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger
City Manager T. Fitzpatrick
Chief, Fire & Emergency Services P. Olah
Community Fire Safety Officer/Deputy Fire Chief K. Roach
Acting General Manager, Parks & Recreation R. Morwald
General Manager Financial and Corporate Services / Treasurer B. Silvestri
General Manager, Planning & Development Services D. Thorpe
Manager, Engineering Services L. Ventresca
Recording Secretary, Games Licensing Clerk S. Stirling

Others Present:

04-62Z

Douglas P. Reitsma

Re: Proposed Amendment to Zoning By-law 2667 – Lincoln Crowland (No. 1) Ltd. and Lincoln Crowland (No. 2) Ltd. – 390 Lincoln Street (File 2003-17)

(PDS-2004-12)

04-63Z

Steven Kaiser

Re: Proposed Amendment to Zoning By-law 2667 – 1276343 Ontario Limited – 100 Daimler Parkway – The Highlands Subdivision (File 2004-01).



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(PDS-2004-13)

03-132

Ronald M. Hobgen, 26 Miranda Court, Welland L3C 7C7
Re: Dog By-law 10715

04-19

Ron Kiers, Welland District Slo-Pitch League Inc.
Re: The League's fees for light usage.

02-170

Jerry Blazetich, Secretary, Croatian Hall, 6 Broadway Avenue
Re: The discontinuation of weekly recycling collection on April 1st, 2004.

Mayor Goulbourne called the General Committee Meeting to order at 7:05 p.m.

1. ADDITIONS/DELETIONS TO AGENDA: NIL

2. DISCLOSURE OF INTEREST:

Councillor Grimaldi disclosed an interest in the matter of Item 04-29/05-29, 04-33 and did not take part in the consideration and discussion of same; and refrained from voting thereon as her husband is an employee of the City of Welland.

Councillor Grimaldi disclosed an interest in the matter of Item 2000-79 and did not take part in the consideration and discussion of same; and refrained from voting thereon as her husband is an employee of the City of Welland.

3. ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF JANUARY 13th, 2004

Moved by Councillor Dzugan that the Minutes of the General Committee Meeting of January 13th, 2004 be and the same are hereby approved and adopted as circulated.

CARRIED

4. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS:



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Councillor O'Dell questioned staff as to when the costs associated with the Strategic Planning Meeting would be received as was requested by Council. Mr. Fitzpatrick advised that the final draft from the consultants would be received shortly and a report will be submitted for Council's information at the March 9th General Committee. He also informed members of Council that the consultants will be in attendance at that meeting.

5. (A) Mayor Goulbourne recessed the General Committee Meeting to convene the Special Council Meeting at 7:15 p.m. for Statutory Public Hearings, chaired by Councillor O'Dell, pursuant to The Planning Act.
- (B) The Special Council Meeting adjourned at 7:30 p.m. to re-convene the General Committee Meeting. The Minutes of the Special Council Meeting are recorded separately and filed with the Clerk.

6. DELEGATIONS:

93 - 132 - Ronald M. Hobgen, 26 Miranda Court addressed Council regarding the Dog By-law 10715.

Mr. Hobgen supplied written documentation and gave Council some background on the event that occurred on December 22, 2003 when Mr. Simon's German Shepherd dog bit him. Mr. Hobgen outlined his suggestions for inclusion in By-law 10715. Mr. Thorpe was directed to look into the issue of amending the existing dog by-law and he advised Council that, as soon as a new Chief Building Official is hired, the matter would be examined and the proposal from the Humane Society for changes to the by-law would be reviewed. Councillor Fortier then advised that it is important to have an appointed member of City Council on the Humane Society Committee. The Mayor informed members that the Humane Society did not wish to have a Council appointee this year and Councillor Fortier responded that it is not acceptable for the organization to advise the City that they do not want a member of Council on their Committee. He stressed that the City grants money to the Humane Society and a representative should sit on the Committee. Mr. Fitzpatrick will review the agreement with the Humane Society to determine if it states that a representative from City Council is required to be appointed to their Committee. Councillor Fortier requested that a letter be sent to the Humane Society requesting that they supply staff with suggestions for amendments to the current dog by-law. Staff will then report back to Council. Councillor Alexander requested that Council start to receive incident reports showing the owner of the animal, the person attacked and the result showing that both parties received satisfactory action.

Moved by Councillor Beaudoin

That the presentation to General Committee on February 24th, 2004 by Ronald M. Hobgen regarding Dog By-law 10715 be referred to staff for report to Council.

CARRIED

04-19 - Ron Kiers, Welland District Slo-Pitch League Inc. addressed Council regarding the league's fees for light usage.



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Mr. Kiers explained to Council the history of the light user fees charged to his league over the last number of years. He detailed his conversations and correspondence with Ian Smith and then more recently with Richard Morwald. He explained that the annual fee of \$8,000 charged has always included the GST but the City now indicates that the GST is on top of that figure. He continued that, at present, Mr. Morwald concludes that the Slo-Pitch League owes the City \$4,750 for GST. The executive of the Slo-Pitch League believes the City of Welland owes them \$5,458.11 that they overpaid because they have been overcharged for several years. Mr. Kiers referred to page 15 of the agenda where it is indicated that the GST is not extra. Mr. Kiers explained that the league was charged \$8,000 for lights and that figure was obtained by calculating a per team rate. The number of teams has steadily declined over the years but the \$8,000 fee has not been reduced. Councillor Fortier inquired as to whether a resolution to this discrepancy could be reached during the league's meetings with Mr. Morwald and Mr. Kiers responded that Ian Smith admitted the City had made errors and suggested ways to recoup the money but when the league met with Mr. Morwald for the second time he indicated that the GST was owed by the league going back a number of years. Mr. Morwald explained that he became involved in this matter in June, 2003 and he has determined, through his investigation, that the rate of \$8,000 for lights charged to the league was a flat rate and was not based on a per team figure. He indicated that Council continued to approve a flat fee of \$8,000 for the league and it was paid every year. He acknowledged that staff had made an error in invoicing the league with the GST backed out of the \$8,000 figure. He concluded that it was clear that staff did not administer the GST properly and, therefore, offered the league a credit of \$1,253 on their account this season. Councillor Grenier suggested that both parties meet again and return to Council with a compromise and a proper fee structure based on the number of participants. Mr. Morwald informed Council that the current executive of the Slo-Pitch League and City staff were not the parties that took part in the original discussions and agreement. He indicated that he can only follow the paper trail in the City's files to determine the history of this matter.

Moved by Councillor Grenier

That the presentation to General Committee on February 24th, 2004 by the Welland Slo-Pitch League be referred back to staff for further discussion and compromise between the parties for report to the March 9th, 2004 General Committee.

CARRIED

02-170 - Jerry Blazetich, Secretary, Croatian Hall, 6 Broadway Avenue, addressed Council regarding the discontinuation of weekly recycling collection on April 1st, 2004.

Mr. Blazetich introduced himself to Council and addressed the issue of the stoppage of the recycling collection at halls in the City of Welland on April 1, 2004. He indicated that once the service of recycling collection ceases in April it is going to be very difficult to drag the numerous containers and bags the 100 metres to the curb at the Croatian Hall. He expressed his concerns that Council should be encouraging residents and businesses to recycle by making it easier for them and not more difficult. He indicated that he felt the \$41,000 it would cost the city to continue the collection of recycling would be a worthy investment and asked Council to show leadership and commitment in recycling and reconsider the stoppage of collection. Councillor Grenier suggested that Council reconsider the introduction of these services and review Engineering report ENG-2004-03 before the new service begins on April 1st, 2004. Councillor O'Dell stressed that the Region



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should be responsible for continuing this service at no extra cost and should not be downloading the issue back to the municipalities. For this reason he indicated that he could not support the suggestion from Councillor Grenier to reconsider the Engineering report.

Moved by Councillor Belcastro

That Council reconsider Report ENG-2004-03 with respect to Notice of Change in Level of Service for Waste Collection in 2004.

CARRIED

7. STAFF REPORTS:

(A) COMMUNITY SERVICES - Councillor S. O'Dell, Chair

Planning and Development Services

Planning Division

04-62Z - Proposed Amendment to Zoning By-law 2667 – Lincoln Crowland (No. 1) Ltd. and Lincoln Crowland (No. 2) Ltd. - 390 Lincoln Street (File 2003-17) (PDS-2004-12)

Moved by Councillor Dzugan

1. That Zoning By-law 2667, as amended, be further amended for 390 Lincoln Street (Part of Block 'HH', Plan 1649 being Parts 1, 2 and 3, Plan 59R-10634) from the C2 Zone to a Site Specific C3-X6 Zone to permit C3 uses while retaining the C2 Zone provisions; and
2. That Staff be authorized to prepare the necessary By-law.

CARRIED

04-63Z- Proposed Amendment to Zoning By-law 2667 – 1276343 Ontario Limited – 100 Daimler Parkway – The Highlands Subdivision (File 2004-01). (PDS-2004-13)

Moved by Councillor Dzugan



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1. That Zoning By-law 2667, as amended, be further amended for lands on the west side of Daimler Parkway (part of Block 142, Plan 59M-269) being Parts 1 through 6, inclusive, Plan 59R-11933 from the C1-X5 Zone to the R3 Zone;
2. That Zoning By-law 2667, as amended, be further amended for lands on the west side of Daimler Parkway (part of Block 142, Plan 59M-269) being Part 7, Plan 59R-11933 from the C1-X5 Zone to the OS3-X2 Zone;
3. That the C1-X5 Zone be repealed; and
4. That Staff be authorized to prepare the necessary By-law.

CARRIED

Fire and Emergency Services Department

04-15 - Welland Fire and Emergency Services Master Plan. (F&ES-2004-02)

Councillor Grimaldi asked that this matter be deferred to the next General Committee meeting so that Council will have enough time to thoroughly review the documentation supplied.

Moved by Councillor Grimaldi

That Report F&ES-2004-02 regarding the Welland Fire and Emergency Services Master Plan be referred to the March 9th, 2004 General Committee Meeting.

CARRIED

Parks & Recreation Department

04-19 - Written Request for the Supply of Annual Flowers. (P&R-04-02)

Councillor Alexander referred to page 61 of the agenda where this report indicates that flowers will bring people to the City of Welland. He asked for confirmation that backs up this comment. Mr. Fitzpatrick responded that the Parks Department receives calls from the public and outside residents inquiring as to when the display beds will be ready for viewing so they can go and see them. Mr. Morwald also added that his department receives phone calls from residents commenting on the nice job they have done with the flowers in the City.

Moved by Councillor Alexander

That Council accepts the quotation from Rice Road Greenhouses Ltd. for the supply of annual flowers at a cost of \$9669.32 plus applicable taxes, this being the lowest two quotations received that meet the required specifications.



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CARRIED

(B) CORPORATE SERVICES - Councillor M. Belcastro, Chair

Clerk's Division

**04-59 - Ward Redistribution Implementation Timelines
(CLK-2004-01)**

A discussion took place in regards to the number of voters in each of the six wards in the City with the Mayor indicating that Wards 1 and 2 represent half the voters in the City. Councillor Fortier inquired as to what the purpose or intent of the redistribution was. He questioned if Council's desire was to level out the number of voters in each ward or change the ward boundaries. Councillor Chiochio requested that staff obtain feed back and report back to Council on other communities that have Council run at large. Councillor Sharpe indicated that he could understand a redistribution that equalizes the number of voters in each ward but disagreed with changing the boundaries as trusts have been formed between the voters and their Council representative. Councillor Dzugan stressed that Council's job is to represent the people of Welland and he has not heard any complaints that they feel they are not being represented well. Councillor Grenier pointed out that Ward 1 currently has more voters than Wards 4 and 5 combined and he feels there should be six equal communities of interest and the inequities in numbers of voters should be addressed.

Moved by Councillor Larouche

1. That Repot CLK 2004 - 01Re: Ward Redistribution Implementation Timelines be received for information.
2. That staff prepare a report to assist Council to determine the following:
 - Whether the size of Council should be reduced/enlarged or left as is (and if changed to what number)?
 - What is the optimum number of electors per representative?
 - Whether there is a benefit to having both wards and at large representation or whether it should be one or the other?

CARRIED

04-29

05-29

**04-33 - Council Meeting Dates and 2004 Christmas Closure.
(CLK-2004-04)**

Moved by Councillor Beaudoin

That the Christmas closure at City Hall be from Monday, December 27th to Friday, December 31st, 2004 inclusive; and
That the regular Council Meeting of January 4th, 2005 be cancelled.



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CARRIED

Office of the City Manager

04-18 - January 2004 Departmental Reports. (CM-2004-03)

Council Alexander requested information on how the City of Welland performance relates to other municipalities. He also indicated that he would like additional information included on future monthly reports in regards to the number of By-law enforcement cases that were closed that month. In addition, he would like a financial report that included what organizations the City funds and requested that these groups provide information to the City. Councillor Alexander stated the he would also like to see the monthly report address the issue of whether the City's customer service is getting better and where the problem areas are. He indicated that he would like to compare the statistics from this report year to year so it can be determined if a month was good compared to January in other years. Mr. Fitzpatrick explained that he will contact other municipalities to obtain a comparison for Council. He indicated that in 2005 the reports will contain the figures from 2004 for each month so a comparison will more easily be observed. He stated that this first report is just a start and it will evolve over the months. Councillor Sharpe indicated that he felt this report was a good step especially for new members of Council and that he would like to see information on the City's website in regards to Municipal performance indicators. Mr. Fitzpatrick responded by indicating that the Treasurer prepares an annual report on the municipality's performance. Councillor Fortier then added that he would like the problem areas identified and then they can be focused on to improve the service to the community.

Moved by Councillor Beaudoin

That Report CM-2004-03, January 2004 Departmental Reports be received for information.

CARRIED

(C) OPERATIONAL SERVICES - Councillor Dzugan, Chair

Engineering Division

2000-79 - Engineering Services for the Lincoln Street Combined Sewer Separation Project Phases V & VI, Parts of Oxford-Atlas-Wellington Area Sewer Separation. (ENG-2004-05)

Moved by Councillor Chiochio

That the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with the retaining of Wiebe Engineering Group Inc. of Welland, to provide engineering services for the Lincoln Street Combined Sewer Separation Project –



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Phases V & VI, as detailed in the Design Report, prepared by Wiebe Engineering Group Inc., dated February 16, 2000, being parts of the overall Oxford-Atlas-Wellington Area Sewer Separation initiative, as presented in report ENG-2004-05;

That the estimated consulting fees of \$100,000.00 be funded by means of Capital Budget allocation of \$1,550,000.00, as in the approved 2004 Sanitary Sewer Capital Budget for the Oxford-Atlas-Wellington Area Sewer separation project Lincoln Street separation phases III, V, VI, jointly financed by Superbuild Infrastructure Program, Regional Niagara, and the City of Welland;

That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

CARRIED

Traffic Division

**04-22 - All-Way Stop – Lancaster Drive/St. Lawrence Drive and Quaker Road.
(TRAF-2004-03)**

Councillor Alexander inquired about the attachment to this report that indicated there was an existing 4 way stop at the corner of Lancaster and Bridgewater as he is not aware of it. Mr. Ventresca indicated that a 4 way stop had been approved by Council shortly after the subdivision for Bridgewater Court was approved but the signs have not been installed yet. He stated that when it is completed Council will be notified. Councillor Beaudoin stressed that he wanted to see the stop signs erected immediately because he feels it is a hazardous situation due to lack of visibility with the curve in the road.

Moved by Councillor Alexander

- 1) That an All-way Stop be installed at the intersection of Lancaster Drive/St.Lawrence Drive and Quaker Road; and,
- 2) That the City Solicitor be directed to prepare a By-law to amend Through Highways, Schedule "N" of By-law 89-2000 by:
 - i) ADDING the following:

COLUMN 1	COLUMN 2
HIGHWAY	BETWEEN
Lancaster Drive	The east limit of Niagara Street and the south limit of Bridgewater Court/Willowlanding Court
Lancaster Drive	The south limit of Jefferson Court West/Jefferson Court East and the north limit of Madison Court West/Madison Court East.
St. Lawrence Drive	The south limit of Castlefield Court and the west limit of Hansler Road

- 3) That the City Solicitor be directed to prepare a By-law to amend Stop Signs at Intersections, Schedule "P" of By-law 89-2000 by:
 - i) DELETING the following:

COLUMN 1	COLUMN 2	COLUMN 3
HIGHWAY	AT	FACING TRAFFIC
Jefferson Court East	Lancaster Drive	westbound on Jefferson Court East
Jefferson Court West	Lancaster Drive	Eastbound on Jefferson Court West



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COLUMN 1	COLUMN 2	COLUMN 3
HIGHWAY	AT	FACING TRAFFIC
Jackson Court East	Lancaster Drive	westbound on Jackson Court West
Jefferson Court West	Lancaster Drive	Eastbound on Jackson Court East
Madison Court East	Lancaster Drive	westbound on Madison Court East
Madison Court West	Lancaster Drive	Eastbound on Madison Court West
Gretel Drive	St. Lawrence Drive	westbound on Gretel Avenue
St. Lawrence Drive	Quaker Road	southbound on St. Lawrence Drive
Lancaster Drive	Quaker Road	northbound on Lancaster Drive
Bridgewater Court	Lancaster Drive	westbound on Bridgewater Court
Willowlanding Court	Lancaster Drive	Westbound on Willowlanding Court
Lancaster Drive	Bridgewater Court	southbound on Lancaster Drive
Lancaster Drive	Willow Landing Court	Northbound on Lancaster Drive

ii) ADDING the following:

COLUMN 1	COLUMN 2	COLUMN 3
HIGHWAY	AT	FACING TRAFFIC
Bridgewater Court/Willowlanding Court	Lancaster Drive	eastbound on Bridgewater Court
Bridgewater Court/Willowlanding Court	Lancaster Drive	westbound on Willowlanding Court
Bridgewater Court/Willowlanding Court	Lancaster Drive	southbound on Lancaster Drive
Bridgewater Court/Willowlanding Court	Lancaster Drive	northbound on Lancaster Drive
Lancaster Drive/St. Lawrence Drive	Quaker Road	southbound on St. Lawrence Drive
Lancaster Drive/St. Lawrence Drive	Quaker Road	northbound on Lancaster Drive
Lancaster Drive/St. Lawrence Drive	Quaker Road	eastbound on Quaker Road
Lancaster Drive/St. Lawrence Drive	Quaker Road	westbound on Quaker Road

CARRIED

**04-22 - Parking Concerns – McAlpine Avenue and Major Street.
(TRAF-2004-05)**

Councillor Fortier stated that he believed there was already an agreement between Galaxy and Mitech to work out their differences in regards to this parking issue. Mr. Ventresca responded that Mr. Ferguson indicated that this request came forward from Mitech, the owner of 201 Major Street. Councillor Fortier expressed his concerns that if Council approved this recommendation that the owner of Galaxy would not be satisfied and the matter would be ongoing. Mayor Goulbourne indicated that Mr. Ferguson did speak with both parties prior to preparing the report so both are aware of the recommendation. Councillor O'Dell requested that this matter be deferred to the March 9th General Committee meeting until discussions have taken place with both owners involved and their comments are received.



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Moved by Councillor O'Dell

That Traffic Report TRAF-2004-05 regarding parking concerns – McAlpine Avenue and Major Street be referred to the March 9th, 2004 General Committee Meeting after comments are received from both parties.

CARRIED

**04-22 - Parking Restriction Exemptions During Snow Clearing Operations.
(TRAF-2004-06)**

Councillor O'Dell began the discussion by stating that he feels the snow removal by-law is not working. Councillor Grenier referred to the last paragraph of this report that indicated the process should be improved for next winter and he agreed that Mr. Ferguson should develop a plan before next season. Councillor Fortier suggested that Mr. Ferguson should investigate permit parking. He indicated that, with this system, there would be an initial cost to the municipality for signage but that it would pay for itself. Councillor O'Dell also mentioned that there should be exemptions for some areas of the City because the older areas do not have driveways to park their cars in.

Moved by Councillor Sharpe

- 1) That the City Solicitor be requested to prepare a By-law to amend Schedule 'C1' of By-law 89-2000 by:
 - i) ADDING the following:

Column 1	Column 2	
Highway	From	To
Cozy Street	Crowland Avenue	Empire Street
Duncan Street	Hagar Street	East Main Street
Ross Street	East Main Street	Bruce Street

CARRIED

**04-22 - Parking Restrictions – Chapel Hill Crescent.
(TRAF-2004-07)**

Moved by Councillor Chiochio

- 1) That the City Solicitor be requested to prepare a By-law to amend Schedule 'C' of By-law 89-2000 by:
 - i) ADDING the following:

Column 1	Column 2	Column 3		Column 4
Street	Side	From	To	Period (Times/Day)



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Chapel Hill Crescent	South/East/North (odd numbered dwellings)	Bridlewood Drive (north intersection)	Bridlewood Drive (south intersection)	At No Time
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CARRIED

8. NEW BUSINESS: NIL

9. OUTSTANDING ITEMS REFERRED TO COMMITTEE:

Mayor and Council reviewed with staff the status of the outstanding items.

10. The General Committee Meeting adjourned at 10:40 p.m.