



COUNCIL MEETING AGENDA

Tuesday, April 5, 2005
7:30 P.M.
COUNCIL CHAMBERS - CITY HALL

1. **COMMITTEE-OF-THE-WHOLE (IN CAMERA) (7:00 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 March 1, 2005 and
Special Council Meeting of March 22, 2005.
(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**



COUNCIL MEETING AGENDA - Page 2

**Tuesday, April 5, 2005
7:30 P.M.
COUNCIL CHAMBERS - CITY HALL**

4.3 DELEGATION:

- 2000-88 Pat Heidebrecht, Director, Children's Services, Regional Municipality of Niagara-presentation "Investing in our Future 2004-2007" - Niagara Children's Charter.
Background information provided in Council Members' Packages.

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 Fortier)

- 05-4** That staff be directed to provide the following:
- . A list of services provided in the water and sewer budget in order of priority, identifying what is essential including a dollar value for these itemized services; and
 - . A detailed report to be reviewed by the Budget Committee and Council.



COUNCIL MEETING AGENDA - Page 3

**Tuesday, April 5, 2005
7:30 P.M.**

COUNCIL CHAMBERS - CITY HALL

(Mayor Goulbourne)

05-90 That Council accept a code of conduct based on the following principles (taken from Sunnyvale California Model):

All council members should:

- Fully participate in council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- Prepare in advance of council meetings and be familiar with issues on the agenda.
Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Demonstrate honesty and integrity in every action and statement.

The chair of the meetings should:

Maintain order, decorum and the fair and equitable treatment of all speakers.

Keep discussion and questions focused on the specific agenda item under consideration.

Council Conduct With One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and future of the community. In all cases, this common goal should be acknowledged even as council may "agree to disagree" on contentious issues.

In Public meetings:

- Practice civility and decorum in discussion and debate.
Honour the role of the Chair in maintaining order.
Avoid personal comments that could offend any members of council.
Demonstrate effective problem-solving approaches

In private encounters:

Continue respectful behaviour in private.



COUNCIL MEETING AGENDA - Page 4

Tuesday, April 5, 2005

7:30 P.M.

COUNCIL CHAMBERS - CITY HALL

- Be aware of the insecurity of written notes, voice mail messages, and e-mail.
Even private conversations can have a public presence. Assume that you are almost always "in the public eye"

Council Conduct With Municipal Staff

- Treat all staff as professionals.
- Limit contact to specific municipal staff. Observe the chain of command.
- Do not disrupt municipal staff from their jobs
Never publicly criticize an individual employee.
Do not get involved in administrative functions
- Limit requests for staff support. Such requests should be made through the City Manager, who is responsible for allocation resources so as to maintain a well run municipality.
- Do not solicit political support from staff.

Council Conduct With the Public

In public meetings:

- Be welcoming to speakers and treat them with care and gentleness.
- Be fair and equitable in allocating public hearing time to individual speakers.
- Give the appearance of active listening.
Ask for clarification, but avoid debate and argument with the public.
No personal attacks of any kind, under any circumstances.

In unofficial settings:

Make no promises on behalf of council (or the staff).

Make no personal comment about other members of council.

Remember that your municipality is a small community. Your actions are observed. Your behaviour and comments serve as a model (good or bad).

Be clear about representing the municipality or personal interests in your appearance before other people or bodies. If you are representing the municipality, you must advocate the position taken by the council, not your personal position.

In a similar vein, municipal letterhead should not be used for correspondence conveying a personal view or a dissenting view from the council position.



COUNCIL MEETING AGENDA - Page 5

Tuesday, April 5, 2005

7:30 P.M.

COUNCIL CHAMBERS - CITY HALL

Council Conduct With the Media

- Best advice for dealing with the media is never to go "off the record"
The Mayor is the official spokesperson for the municipality.
- Choose words carefully and cautiously.

SUMMARY

It all comes down to respect

Respect for one another as individuals ... respect for the validity of different opinions... respect for the democratic process ... respect for the community that you serve.

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

a.2 Mayor's Report

a.3 City Manager's Report

9. ADJOURNMENT



COUNCIL MEETING AGENDA INDEX - Page 2

Tuesday, April 5, 2005

7:30 P.M.

COUNCIL CHAMBERS - CITY HALL

Page No.

- 19 **98-82** Gen. Mgr. of Parks and Recreation – Tender – Uniformed Security Guard and Patrol Services at the New Civic Square.
- 22 **02-165** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Safe Drinking Water Act, 2002 Ontario Regulation 170/03 – Summary Report.
- 02-111** City Mgr. T. Fitzpatrick – Fibre Connections between City Facilities. **(To be distributed at meeting).**

4. **New Business**

- 25 **05-3** Petra Scott, Manager, Heart and Stroke Foundation of Ontario – requesting to sell raffle tickets in the City of Welland.
- Recommendation:**
That permission is hereby granted to the Heart and Stroke Foundation of Ontario to sell raffle tickets in the City of Welland under authority of Lottery License P050295; subject to the receipt of a \$25.00 administration fee for processing this request.
- 26 **05-21** Ken Hancock – requesting permission to hold the “**Annual Niagara Region Walk Against Male Violence**” to be held on April 26, 2005.
- Recommendation:**
That Welland City Council approves the application for the “**Annual Niagara Region Walk Against Male Violence**” to be held on April 26, 2005 subject to the applicant’s completion of all conditions of the Policy of Road Use for Community Activities.
- 28 **05-21** William A. Coyle, Criterium Chairman on behalf of the St. Catharines Cycling Club requesting permission to hold the “**Rose Festival Criterium**” (bicycle race) on June 5, 2005.



COUNCIL MEETING AGENDA INDEX - Page 3

Tuesday, April 5, 2005

7:30 P.M.

COUNCIL CHAMBERS - CITY HALL

Page No.

Recommendation:

That Welland City Council approves the application of the St. Catharines Cycling Club to hold the "Rose **Festival Criterium**" (Bicycle race) on June 5, 2005 subject to the applicant's completion of all conditions of the policy of Road use for Community Activities and a favorable response from the Rose Festival Committee.

05-89

Endorse the nomination bid of Councillor David Alexander for the position of Provincial Board Director – Ontario for the Federation of Canadian Municipalities.

Recommendation:

That Welland City Council endorse the nomination bid of Councillor David Alexander for the position of Provincial Board Director – Ontario for the Federation of Canadian Municipalities (F.C.M.).

30

05-90

Sara Premi, Sullivan-Mahoney, Barristers & Solicitors – Adult Entertainment Licensing By-law.

Recommendation:

That the letter from Sullivan-Mahoney, Solicitors to the Police Services Board regarding standardization of adult entertainment licencing throughout the Region be received and referred to the Planning Development Services for study and report.

32

05-91

Kathryn J. Vout, Town Clerk, Town of Grimsby – Private Members Bill 7, The VQA Wine Stores Act, 2003.

Recommendation:

That Welland City Council endorse the resolution from the Town of Grimsby to support the establishment of VQA stores to showcase VQA wines and endorse Private Members Bill 7, 'The VQA Wine Stores Act, 2003'; and
That the City Clerk advise the appropriate authorities accordingly.



COUNCIL MEETING AGENDA INDEX - Page 4

Tuesday, April 5, 2005
7:30 P.M.

COUNCIL CHAMBERS - CITY HALL

Page No.

- | | | |
|----|--|--|
| 34 | <u>02-166</u> | <p>Kenneth R. Todd, Director of Corporate Support Services, City of St. Catharines – requesting Regional Niagara to establish a System of representation which corresponds to population distribution.</p> <p><u>Recommendation:</u>
That the letter from the City of St. Catharines requesting the Region of Niagara to establish a system of representation which corresponds to population distribution with a view to not increase the size of Regional Council be received and referred to staff for report.</p> |
| 36 | <u>05-20</u>
<u>05-21</u>
<u>05-92</u> | <p>Marcel Turpin, Chair, Welland Dragon Boat Festival requesting that the Welland Dragon Boat Festival to be held on Saturday June 18, 2005 be designated as a community festival and requesting closure of roadway for this event.</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 18, 2005, subject to the applicant’s completion of all conditions of the Policy of Road Use for Community Activities; and further
That Welland City Council designates the “<i>Welland Dragon Boat Festival</i>” as a community festival, subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.</p> |
| 39 | <u>05-94</u> | <p>Tony Derro, Secretary, the Association of Municipal Tax Collectors of Ontario – requesting support of its resolution to modify tax capping program to achieve taxation based on CVA.</p> |



COUNCIL MEETING AGENDA INDEX - Page 5

Tuesday, April 5, 2005

7:30 P.M.

COUNCIL CHAMBERS - CITY HALL

Page No.

Recommendation:

That Welland City Council endorse the resolution from the Association of Municipal Tax Collectors of Ontario to strongly urge the Province of Ontario to amend the legislation commencing for the 2006 taxation year, to specify that once a property reaches CVA taxation, it remains at CVA taxes, regardless of the result of future assessments; and further That the City Clerk advise the appropriate authorities,

40

05-95

William J. Kolasa, Director of Corporate Services/Clerk, Town of Lincoln – Local Emergency Services Responding to the Queen Elizabeth Way (Niagara).

Recommendation:

That Welland City Council endorse the resolution from the Town of Lincoln urging the Province of Ontario to reinstate full funding to municipalities for all municipal emergency service responses on Provincial Highways; 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.

98-82

A By-law to grant a License of Occupation to Roberto's Food and Beverage Services for the provision of food services at the Civic Square.

01-44

A By-law to authorize conveyance of a portion of Colbeck Drive being Part 6, Plan 59R-12572, and Block 20, Plan 59M-301, to 1372708 Ontario Inc.

01-44

A By-law to authorize conveyance of a portion of Colbeck Drive being Parts 1 and 3, Plan 59R-12572, and Block 83, Plan 59M-199, to Harvest Investment Corp.

03-92

A By-law to authorize acceptance of an offer to purchase from Baiocco Development Corporation for the sale of Parts 1 to 5, 11 and 12, Plan 59R-12520 (vacant land adjacent to Draper's Creek Subdivision).



COUNCIL MEETING AGENDA INDEX - Page 6

**Tuesday, April 5, 2005
7:30 P.M.**

COUNCIL CHAMBERS - CITY HALL

Page No.

- 03-92** A By-law to authorize acceptance of an offer to purchase from Harvest Investment Corp. for the sale of Parts 6, 7, 13 and 14, Plan 59R-12520 (vacant land adjacent to Harvest Estates Subdivision).
- 04-1 14** A By-law to authorize acceptance of an offer to purchase from Laurent Viger Construction Limited for the sale of lands north of Promenade Richelieu, east of Wellington Street, being Parts 1 to 5, 9 to 14 and 17 to 19, Plan 59R-7976, and Roxborough Street, as closed by By-law 2005-37.
- 05-85**
- 04-1 24** A By-law to amend By-law 2004-1 19, being a By-law to provide for the supply and delivery of water and to provide for the maintenance and management of waterworks and the imposition and collection of water rates.
- 04-129**
- 05-24** A By-law to authorize the appointment of an Acting Deputy Treasurer of the Corporation of the City of Welland.
- 05-82** A By-law to authorize the adoption of Official Plan Amendment No. 115.
- 05-82Z** A By-law to amend City of Welland Zoning By-law 2667 (Bruno and Jason Vottero – File 2005-03) 447 Niagara Street.
- 05-83Z** A By-law to amend City of Welland Zoning By-law 2667 (Larry James Whitaker, Ross Henry Templain, L & S Roofing Inc. and Port Colborne Harbour and Marine Limited – File 2005-01) south side of Woodlawn Road, east of South Pelham Road.
- 05-84Z** A By-law to amend City of Welland Zoning By-law 2667 (Frank James Lock and Louise Marie Lock – File 2005-02) 594 Gaiser Road.
- 05-1** 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 22nd day of March, 2005 and 5th day of April, 2005.