



SPECIAL COUNCIL MEETING, JULY 20, 2005

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in open session at 5:05 p.m. on the above date to complete the agenda items that were unfinished due to curfew of the regular Council Meeting held on July 19, 2005.

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, P. Chiocchio, M. Dzugan, D. Fortier (until 6:30 p.m.), P. Grenier (5:10 p.m.), M. A. Grimaldi (5:20 p.m.), J. Larouche, S. O'Dell (5:20 p.m.), and B. Sharpe.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Manager T. Fitzpatrick

General Manager Engineering, Public Works & Transportation Services D. Shantz

General Manager Financial & Corporate Services/Treasurer B. Silvestri (until 6:00 p.m.)

General Manager of Planning and Development Services D. Thorpe (until 6:30 p.m.)

99-110 Moved by O'Dell and Larouche that the letter from George Nicholson, Planning and Development Department, Region of Niagara requesting signing of the East Side Trail Agreement be referred to staff for report to Council.

CARRIED

03-125 Moved by Dzugan and Grenier

1. That Local improvement charges be assessed for the cost of construction of a roadway on Empress Avenue from Lincoln Street to Harrison Avenue including concrete curbs and gutters, asphalt pavement and drive approaches, and sodded boulevards to properties abutting on the work in accordance to Ontario Regulation 119/03, made under the Municipal Act, 2001, Local Improvement Charges – Priority Lien Status, as amended;
2. That, of the total construction estimate of \$250,000 for Empress Avenue roadway construction, approximately \$105,000 is to be borne by property owners, and remaining balance of \$145,000, to be borne by the Corporation;
3. That the City Solicitor be directed to prepare a Local Improvement Charges by-law to reflect the cost distributions stated above.

CARRIED

03-158 Moved by O'Dell and Larouche that Welland City Council reaffirms its support for the construction of a new Hospital/Cancer Care Centre, and supports the City of Thorold resolution that the new hospital be financed and procured publicly and that the management, lands, operation and administration of our hospital remain public and non-profit under the direct control of our local hospital board; and further That the City Clerk advise the appropriate authorities accordingly.

CARRIED

04-61 Moved by Dzugan and Sharpe that the City of Welland discontinue watering restrictions as per By-law 2004-23 for the 2005 season; and
That staff review By-law 2004-23 in this context; and
That the Water Conservation Committee be requested to review the intent of water restrictions and education.

CARRIED

04-149 Moved by Grenier and Chiochio that the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with retaining Kerry T. Howe Engineering Limited to undertake a joint Extraneous Flow Study of the Ontario Road Pumping Station Sanitary Sewer Drainage Area with the Region of Niagara.

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

CARRIED**05-10****05-118** Moved by Fortier and Sharpe

1. That the City of Welland implement its water conservation program as proposed in REPORT ENG-2005-20; and
2. That a Conservation Program Committee be formed consisting of 3 members of Council (one to be Chair), a Welland Hydro representative, an Enbridge Gas representative, and the Manager of Engineering Services and 3 additional residents to be recruited by the Committee for inclusion in its membership.
3. That Council appoint Councillors Alexander, Grenier and O'Dell to serve on the Conservation Program Committee; and further
4. That Staff be authorized to contact Residential Citizen members of the Water Rate Review Committee, Welland Hydro, and Enbridge Gas, to identify committee members to serve on the Conservation Program Committee.

CARRIED

05-13 Moved by Beaudoin and Chiochio that Council receive for information Report TRANS 2005-05 on the operation of a trial charter shuttle to provide service between Port Colborne and Niagara Falls as proposed for the period of June 6, 2005 through September 30, 2005.

CARRIED

05-94 Moved by Fortier and Grenier that the letter from the Regional Municipality of Niagara regarding new capping options for 2005 and funding the 2005 capping program be received and referred to staff for study and report.

CARRIED

05-94 Moved by Larouche and Dzugan that Council support the elimination of all capping programs for the 2006 and that the Region of Niagara be so advised.

CARRIED

05-122 Moved by Alexander and Chiochio that the City of Welland integrate and apply the Leadership in Energy and Environmental Design (LEED) Certification programs to current and planned development projects; and That the City of Welland request the Regional Municipality of Niagara to also consider a motion to adopt the LEED Certification programs as development standards and to facilitate the creation of a Niagara Chapter of the Canada Green Building Council.

CARRIED

05-123 Moved by Grenier and Larouche that the City of Welland petition the Honourable Anne McCelland, Minister of Public Safety, to select Welland as a site for a Customs Bonded Warehouse in the Highway 140 corridor; and further That the Economic Development Officer appear at the November 1, 2005 Council Meeting to report on the process and progress of this request.

CARRIED

05-134 Moved by Grenier and Grimaldi

1. That Council authorize a five (5) year agreement with Hertz Equipment for the rental of four (4) John Deere Front End Loaders, complete with snow plow attachments, commencing November 15th to March 15th each year for winter control purposes at a per unit cost of \$5,000.00 per unit per month plus applicable taxes; and
2. That the City Solicitor be directed to prepare the necessary documents and by-law for Council approval.

CARRIED

BY-LAWS

BY-LAW PRESENTED FOR SECOND AND THRID READING:

1. Moved by Grenier and Larouche that the following proposed By-law, having been given first reading on the 21st day of June, 2005:

99-99

BYL 2005 - 92

A By-law to adopt a 'Go Quiet' Policy and 'Urban Fishing Initiative' respecting the use of the Welland Recreational Canal Waterway; and to repeal By-law 2003-77.

Be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED

(Councillor Grimaldi asked to be recorded as opposed to By-law 2005-92)

BY-LAWS PRESENTED FOR FIRST READING:

2. Moved by Grenier and Larouche that leave now be given to introduce the following proposed By-laws entitled:

99-111

BYL 2005 - 94

A By-law to permit an encroachment under South Pelham Road and Colbeck Drive, for the purpose of irrigation lines for Sparrow Lakes Golf Course.

01-42

BYL 2005 - 95

A By-law to Lay Out, Establish and Name Block 86, Plan 59M-320 being a 0.3 metre reserve for the City of Welland as part of Wellbrook Boulevard.

01-43

01-44

BYL 2005 - 96

A By-law to Lay Out, Establish and Name Part of Block 83, Plan 59M-299 being Part 2, Plan 59R-12572 and Block 21, Plan 59M-301 being a 0.3 metre reserve for the City of Welland as part of Colbeck Drive.

01-84

BYL 2005- 97

A By-law to designate 271 Division Street in the City of Welland, known as the Brookfield-Cupido House, of Historic or Architectural Value or Interest.

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:**03-114**

BYL 2005 - 98

A By-law to authorize acceptance of an offer to purchase from Tina Deluca and Leo Aita for the sale of Part of Closed Trufal Avenue.

03-125

BYL 2005 - 99

A Local Improvement By-law for the Empress Avenue Roadway.

03-125**05-117**

BYL 2005 - 100

A By-law to authorize the entering into a contract with Hard-Rock Construction Inc. for the Roadway Resurfacing Program 2005; and the Empress Avenue Roadway Construction.

03-132

BYL 2005 - 101

A By-law to authorize the adoption of Official Plan Amendment No. 116.

03-132Z

BYL 2005 - 102

A By-law to amend City of Welland Zoning By-law 2667 (Bakus Investments Inc. - File 2005-12) 163 First Avenue.

05-15

BYL 2005 - 103

A By-law to authorize an amendment to the existing agreement with the City of St. Catharines for Computer-Aided Dispatch Services for the Welland Fire Department.

05-26

BYL 2005 - 104

A By-law to accept the tender and to enter into a contract with A. Poulin Curb Construction Ltd. for the Sidewalk Repair and Replacement Program 2005.

05-106

BYL 2005 - 105

A By-law to authorize the acceptance of tender and the entering into a contract with Serianni Construction Ltd. for the Utility Cut Final Reinstatement 2005.

05-111

BYL 2005 - 106

A By-law to designate 400 King Street in the City of Welland, known as the Mizpah Mission/Italian Pentecostal Church of Historic or Architectural Value or Interest.

05-112

BYL 2005 - 107

A By-law to establish Part 2, Plan 59R-12696 as Part of Forks Road.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:

05-112

BYL 2005 - 108

A By-law to establish Part 2, Plan 59R-12466 as Part of Lincoln Street.

05-125Z

BYL 2005 - 109

A By-law to amend City of Welland Zoning By-law 2667 (Mitch and Shelley Gaudet - File 2005-08) 377 Fitch Street.

05-126Z

BYL 2005 - 110

A By-law to amend City of Welland Zoning By-law 2667 (Columbus Club of Welland - File 2005-11) 344 Avon Street.

05-127

BYL 2005 - 111

A By-law to authorize the Stopping-Up, and Closing of that portion of the unopened Wilson Road Allowance, designated as Parts 1 to 5 and 9 to 12, Plan 59R-12793.

05-127

BYL 2005 - 112

A By-law to authorize conveyance of that portion of the unopened Willson Road Allowance, as Stopped-up and Closed, and designated as Parts 3, 4, 5, 10, 12 and 13, Plan 59R-12793.

05-127

BYL 2005 - 113

A By-law to Lay Out, Establish and Name Lot 91, Plan N.S. 14 being a 0.3 metre reserve for the City of Welland as part of Winter Drive.

05-127

BYL 2005 - 114

A By-law to Name a Public Highway located on the south side of Endicott Terrace, west of Willson Road as Winter Drive.

05-128

BYL 2005 - 115

A By-law to authorize the Stopping-Up, Closing and Conveying of that portion of unopened Colbeck Drive, south of Webber Road and east of opened Colbeck Drive, designated as Part 17, Plan RD-104.

01-42

BYL 2005 - 116

A By-law to Lay Out, Establish and Name Block 87, Plan 59M-320 being a 0.3 metre reserve for the City of Welland as part of Draper's Street.

05-1

BYL 2005 - 117

A By-law to Adopt, Ratify and Confirm Proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 19th day of July, 2005.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

3. Moved by Grenier and Larouche that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, as amended, 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, August 17, 2005 for inclusion on the next Regular Council Meeting Agenda of August 23, 2005.

05-14 Councillor O'Dell gave Notice of Motion of the following issue to be presented to Council at the August 23, 2005 Regular Council Meeting.

THAT Welland City Council discontinue sending any delegates to conferences for the duration of the present term of office.

Council adjourned at 7:30 p.m.

These Minutes approved and adopted by Motion of Council this 23rd day of August, 2005.

MAYOR

CLERK