



## COUNCIL MEETING, MARCH 21, 2000

### CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 6:30 p.m. and in open session at 7:30 p.m. on the above date.

Vice Mayor J. Larouche in the Chair.

The open meeting commenced with the playing of the National Anthem.

**Members Present:** Councillors D. Beaudoin, M. Belcastro (until 9:00 p.m.), V. Bellantino, F. Champion, C. Forster, D. Fortier (until 9:50 p.m.), J.L. MacLellan, C. McQueen (7:30 p.m.), S. O'Dell, J. Spadafora, and L. Van Vliet (7:30 p.m.).

**Members of the Staff and Others Present:**

Chief Administrative Officer V. Kersch

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

Director of Development Services T. Fitzpatrick

Director of Operational Services G. Marcello

Community Services Director I. Smith

Deputy City Treasurer B. Silvestri (7:30 p.m.)

Assistant Clerk D. Vettori

Fleet Manager N. Wilde (7:30 p.m.)

IS Manager / Network Administrator S. Barnes (7:30 p.m.)

**2000-25** Moved by Campion and MacLellan that Council meet in Committee-of-the-Whole, closed to the public at 6:30 p.m. to consider:

- a) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**CARRIED**

**2000-25** Moved by Campion and MacLellan that the Committee-of-the-Whole arise from its closed meeting at 7:15 p.m. without report.

**CARRIED**

### **DISCLOSURE OF INTEREST:**

Councillor Van Vliet disclosed an interest in Ref. No. 98-63 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by the Region of Niagara.

Councillor McQueen disclosed an interest in Ref. No. 98-63 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by the Region of Niagara.

Councillor Bellantino disclosed an interest in Ref. No. 98-82 and By-law 2000-27 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property adjacent to the proposed Civic Centre Project.

Councillor Spadafora disclosed an interest in Ref. No. 98-82 and By-law 2000-27 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his company may bid on the proposed Civic Centre Project.

### **DELEGATIONS:**

**99-43** Ms. Claire Gerenscer, "Eyes on City Hall" Committee and Mr. Jim Arvay (former Hydro Commissioner) addressed Council regarding Welland Hydro Restructuring.

### **THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**98-63** Development Services Report from Dec. 21/99 in Committee-of-the-Whole regarding sale of property to Vermeer Greenhouses - South Pelham Road

**98-82** A By-law to authorize the entering into a contract with PRW Excavating Contractors Ltd. for the asbestos abatement, demolition and removal of City-owned buildings located 2,4,6 East Main Street, and 72 East Main Street.

**99-22** A By-law to amend Schedule "P" of By-law 89-2000.

**99-31**

**99-158** Dir. of Dev. Services T. Fitzpatrick - Surplus Lands -Maple Park.

**99-53**

**99-145** Dir. of Dev. Services T. Fitzpatrick - City of Welland Internet Site.

- 99-66** Comm. Services Dir. I. Smith - Feasibility Study - City and Community Facilities.
- 2000-1** 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 21st day of March, 2000.
- 2000-3** Assistant City Clerk D. Vettori - Lottery License.
- 2000-4** Greg D'Amico, Chrmn., Welland Downtown Business Improvement Area Board - 2000 Budget.
- 2000-4** Leo Robbins, North Welland Business Improvement Area Association - 2000 Annual Budget.
- 2000-7** City Treas. R. Perron - Accounts Payable Report - Mar. 2-15/00.
- 99-13** A By-law to Repeal By-law 11318, being a By-law to authorize the entering into a Rental Agreement with Claire's Delivery Services Limited to rent a garage bay at Welland Transit Building.
- 2000-20** Bert Roy, Captain, Welland Volunteer Fire Co. #4 - request for a Special Occasion Permit.
- 2000-21** Janice Petri Shaw, Great Pyrenees Club of Central Ontario (GPCCO, Treasurer - request permission to hold an Annual Spring Walk.
- 2000-53** Dir. of Oper. Services G. Marcello - Tender award for supply of top soil.
- 2000-53** Dir. of Oper. Services G. Marcello - Tender award for supply of stone.
- 2000-53** Dir. of Oper. Services G. Marcello - Tender award for supply of asphaltic materials.
- 2000-54** Dir. of Oper. Services G. Marcello - Tender award for supply of RS1.
- 2000-54** Dir. of Oper. Services G. Marcello - Tender award for supply and application of road surface treatment materials.
- 2000-57** Dir. of Oper. Services G. Marcello - Tender award for the refurbishing of the trailer.
- 2000-58** A By-law to authorize the replacement of various sanitary service laterals within the City of Welland.

**2000-1** Moved by Forster and Belcastro that the Minutes of the Regular Council Meeting of March 7, 2000 and Council be and the same are hereby approved and adopted as circulated.

**CARRIED**

**95-175** Moved by Spadafora and Bellantino that the City of Welland indicate strong objections to the current three-city model for future governance in Niagara since the vertical north-south separation of municipalities ignores communities of interest and infrastructure servicing connections across the Welland Canal for all of the cities along the canal, as well as servicing ties to the west for St. Catharines (Jordan) and Welland (Pelham); and  
That the City of Welland reiterate its support for the four-city model previously submitted to the Berkeley Group since the four-city model more realistically reflects infrastructure servicing patterns and geographic and urban growth trends.

**CARRIED**

**96-48** Moved by MacLellan and Spadafora that staff revisit the Policy on Development Charges as to when the fee is set (i.e. is it as the time of applications or at the time of issuance of the building permit).  
**CARRIED**

**98-63** Moved by Beaudoin and Campion

1. That the City of Welland agree to sell Part of Lot 246, former Township of Thorold, now City of Welland designated as Parts 2, 3, 4 and 7 on Plan 59R-5331 to Vermeer Greenhouses for \$40,000.00 subject to the retention of a Drainage Easement along the southerly 26 feet of the noted property with the transaction to close in April 2000;
2. That funds received from the transfer be credited to the M.I.G. Reserve Fund;
3. That the City of Welland agree to waive Rezoning and Site Plan fees relative to the Conveyed lands with respect to any Application made respecting those lands by Vermeer Greenhouses; and
4. That the Mayor and Clerk are hereby authorized to execute the necessary documents.

**CARRIED**

**98-82** Moved by O'Dell and Forster that Council make public, all past, present and proposed costs and financing plans related to the Civic Centre Complex.

**CARRIED**

**YEAS:** Councillors MacLellan, Van Vliet, Beaudoin, Fortier,  
O'Dell, McQueen, Campion, Forster, and Vice Mayor Larouche.

**NAYS:** None.

**99-30-29** Moved by Beaudoin and Campion that the letter from Mario and Lorraine Gallaccio regarding their concerns about the quality of drinking water as a result of the aging water distribution system at 4 Hobson Avenue, be again referred to Operational Services staff for study and review.

**CARRIED**

**99-31**

**99-158** Moved by Beaudoin and Campion

1. That Welland Council declare the portion of Maple Park west of Draper's Creek north of the access driveway to the Park surplus and offer the lands for sale in accordance with City of Welland By-law 10570 and Ontario Regulation 815/94; and
2. That the net funds received from the sale of the lands be deposited in the Parkland Reserve Fund Account.

**CARRIED**

**99-43** Moved by Fortier and Spadafora that the presentation by Ms. Claire Gerenscer, "Eyes on City Hall Committee" and Mr. Jim Arvay (former Hydro Commissioner), regarding Welland Hydro Restructuring, be received for information.

**CARRIED**

**99-43** Moved by Fortier and Spadafora

1. That all future meetings of the Welland Hydro Restructuring Committee be held in public except those allowed under Rules of Committee-of-the-Whole as prescribed in the Municipal Act; and further
2. That all members of the Welland Hydro Commission Board be included as part of the Welland Hydro Restructuring Committee.

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**99-43** Moved by Campion and Van Vliet that the matter of Welland Hydro Restructuring Committee holding all future meetings open to the public and including members of the Hydro Commission as part of the Restructuring Committee be referred until after Council accepts and approves a motion to remove Councillor Campion as Chair of the Welland Hydro Restructuring Committee.

**LOST**

**YEAS:** Councillors Van Vliet, and Campion.

**NAYS:** Councillors Belcastro, MacLellan, Beaudoin, Fortier, O'Dell, McQueen, Forster, Spadafora, and Vice Mayor Larouche.

***FOLLOWING THE VOTE ON THE REFERRAL MOTION, THE MAIN MOTION WAS THEN PUT AND VOTED ON AS TWO (2) SEPARATE SUB MOTIONS OF THE MAIN MOTION AS FOLLOWS:***

1. **SUB MOTION OF THE MAIN MOTION:**

**That all future meetings of the Welland Hydro Restructuring Committee be held in public except those allowed under Rules of Committee-of-the-Whole as prescribed in the Municipal Act.**

**LOST**

**YEAS:** Councillors Bellantino, Beaudoin, Fortier, O'Dell, Forster, and Spadafora.

**NAYS:** Councillors Belcastro, MacLellan, Van Vliet, McQueen, Campion and Vice Mayor Larouche.

2. **SUB MOTION OF THE MAIN MOTION**

**That all members of the Welland Hydro Commission Board be included as part of the Welland Hydro Restructuring Committee.**

**CARRIED**

**YEAS:** Councillors Belcastro, MacLellan, Van Vliet, Bellantino, Beaudoin, Fortier, O'Dell, McQueen, Campion, Forster, Spadafora and Vice Mayor Larouche.

**NAYS:** None.

**99-53**

**99-145** Moved by Beaudoin and Campion that Development Services Report DSD-2000-15 dated March 21, 2000 regarding City of Welland Internet Site, be received for information.

**CARRIED****99-66**

Moved by Spadafora and MacLellan that Report CSD-10-00, re: Feasibility Study - City and Community Facilities, to review community use in the present City Hall, Niagara College, the Mews and other community facilities be received for information and filed.

**CARRIED**

*(Councillor Fortier asked to be recorded as opposed to this Resolution.)*

**99-140**

Moved by Beaudoin and Campion that the request from Richard F. Brady of Brady and Associates requesting the initiation of a planning study of North Welland in order to extend the northerly boundary of the City of Welland's urban area, be again referred to Development Services staff for study and review.

**CARRIED****2000-3**

Moved by Beaudoin and Campion that a Lottery License be granted to the following: The Niagara Francophone Community Health Centre - Nevada.

**CARRIED****2000-4**

Moved by Beaudoin and Campion that the 2000 Budget from the Welland Downtown Business Improvement Area Board be approved; and  
That the City Treasurer be authorized to make arrangements to levy an amount of \$42,750.00 against the business operations within the defined area.

**CARRIED****2000-4**

Moved by Beaudoin and Campion that the 2000 Budget from the North Welland Business Improvement Area Association be approved; and  
That the City Treasurer be authorized to make arrangements to levy an amount of \$32,000.00 against the business operations within the defined area.

**CARRIED****2000-7**

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

1	02-Mar-00	\$ 60,310.29
2	03-Mar-00	117,727.22
3	07-Mar-00	5,564,431.18
4	08-Mar-00	145,561.44
5	09-Mar-00	84,241.35
6	10-Mar-00	26,182.91
7	13-Mar-00	900,657.47
8	14-Mar-00	235,632.65
9	15-Mar-00	<u>92,553.83</u>

**Total** **\$7,227,298.34**

**CARRIED**

**2000-9** Moved by Beaudoin and Campion that the letter from Doreen Calarco requesting installation of street light in front of 130 Gadsby Avenue, be received and referred to Operational Services staff for study and review.

**CARRIED**

**2000-20** Moved by Beaudoin and Campion that Welland City Council has no objection to the issuance of a Special Occasion Permit to the Welland Volunteer Fire Co. No. 4 for the annual BBQ and outdoor dance to be held at Fire Hall #4, Schisler Road, on June 10, 2000.

**CARRIED**

**2000-21** Moved by Beaudoin and Campion that Welland City Council approve the application of the Great Pyrenees Club of Central Ontario, to hold the "***Great Pyrenees Club of Central Ontario Spring Walk 2000***" on Saturday, April 29, 2000 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

**CARRIED**

**2000-22** Moved by MacLellan and Van Vliet that the petition from the residents of Kennedy Street to limit parking to 4 hours on both sides of Kennedy Street from the corner of Margery Road to the corner of Ross Street, be received and referred to staff for study and review.

**CARRIED**

**2000-53** Moved by Spadafora and Van Vliet that the tender for the provision of top soil be referred to the April 4<sup>th</sup> Regular Council Meeting for clarification of the type of top soil being provided.

**CARRIED**

**2000-53** Moved by Beaudoin and Campion that Council accept the tenders of Hard Rock Paving, Port Colborne Quarries and Blue Circle Aggregates for the Supply of Stone at the tendered prices of \$1,419.68, \$66,955.42 and \$911.00 respectively, using the lowest tendered price for each stone category in the corresponding Trucking Areas.

**CARRIED**

**2000-53** Moved by Beaudoin and Campion that Council accept the tenders of Welland Paving Company Limited for the supply of Hot Mix Materials at the tendered price of \$51,530.00, and The GH Company for the supply of Cold Mix at the tendered price of \$14,025.00, as these were the lowest of the six (6) tenders submitted.

**CARRIED**

**2000-54** Moved by Beaudoin and Campion that Council accept the tenders of Norjohn Limited Emulsion Division for the supply of RS1 or HF150S Asphalt Emulsion at the quoted price of \$20,000.00, as this was the lowest of the two (2) quotations submitted.

**CARRIED**

**2000-54** Moved by Beaudoin and Campion that Council that Council accept the tenders of Norjohn Limited Emulsion Division for the supply and application of Road Surface Treatment Materials for the total price of \$50,520.00, as this was the only quotation submitted.

**CARRIED**

**2000-57** Moved by Beaudoin and Campion that Council accepts Option "A" tender in the amount of \$27,926.60, taxes included, for the refurbishing of the Showmobile Trailer.

**CARRIED**

### **BY-LAWS**

#### **BY-LAWS PRESENTED FOR FIRST READING:**

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

**98-82**

BYL 2000-27

A By-law to authorize the entering into a contract with PRW Excavating Contractors Ltd. for the asbestos abatement, demolition and removal of City-owned buildings located 2,4,6 East Main Street, and 72 East Main Street.

**99-13**

BYL 2000-28

A By-law to Repeal By-law 11318, being a By-law to authorize the entering into a Rental Agreement with Claire's Delivery Services Limited to rent a garage bay at Welland Transit Building.

**99-22**

BYL 2000-29

A By-law to amend Schedule "P" of By-law 89-2000.

**2000-58**

BYL 2000-30

A By-law to authorize the replacement of various sanitary service laterals within the City of Welland.

**2000-1**

BYL 2000-31

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 21st day of March, 2000.

And that the same be now read a first time.

**CARRIED**

***(Councillor Beaudoin asked to be recorded as opposed to By-law 2000-27.)***

**BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Campion and McQueen 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**

*(Councillor Beaudoin asked to be recorded as opposed to By-law 2000-27.)*

Council adjourned at 10:00 p.m.

These Minutes approved and adopted by Motion of Council this 4<sup>th</sup> day of April, 2000.

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**MAYOR**

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**CLERK**