



GENERAL COMMITTEE

Tuesday, May 23rd, 2000

7:05 P.M.

COUNCIL CHAMBERS - CITY HALL

MINUTES OF MEETING # G.C. 2000 - 09

Members Present: Mayor J. Richard Reuter

Councillors:

D. Beaudoin
V. Bellantino
F. Campion
C. Forster
D. Fortier

J. Larouche
J. MacLellan
C. McQueen
S. O'Dell (7:10 p.m.)
J. Spadafora
L. Van Vliet

Members of the Staff and Others Present:

Chief Administrative Officer	V. Kerschl
City Solicitor	G. Banks (until 7:30 p.m.)
Director of Development Services	T. Fitzpatrick
Fire Chief	P. Olah
City Engineer	G. Marcello
Deputy City Treasurer	B. Silvestri (7:10 p.m.)
Community Services Director	I. Smith (7:20 p.m.)
Environmental Services Engineer	D. Cook
Assistant Clerk	D. Vettori
Recording Secretary	J. Kozuh

Others Present: Chris Chappelle, Public Relations - Welland Water Ski Club
Re: License of Occupation
Ref. No. 99-99

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



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2. **DISCLOSURE OF INTEREST:**

The Councillor listed below disclosed an interest in the matter shown and did not take part in the consideration and discussion of same and refrained from voting thereon for the reasons described:

Councillor Spadafora disclosed interest in Report CSD-00-22 dealing with the Millennium Project re: Lighting of Main Street Bridge / Merritt Park, as Mr. Spadafora's company may bid on same if approved.

3. **ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF May 9th, 2000:**

Moved by Councillor MacLellan that the Minutes of the General Committee Meeting of May 9th, 2000 be and the same are hereby approved and adopted as circulated.

4. **BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS:** Nil

5. **PUBLIC HEARINGS:** Nil

6. **DELEGATION:**

Ref. No. 99-99 - Welland Water Ski Club - License of Occupation Chris Chappelle to make presentation
(Background information included in Council packages)

Mr. Chris Chappelle read the presentation brief which had been previously provided in Council's Agenda packages. Some of the items outlined in the brief are as follows:

- a) Number of participants and tournaments worldwide;
- b) Number of countries participating in the sport;
- c) Federal recognition;
- d) Canada's number 1 World Ranking for six (6) consecutive years;
- e) The history of the Welland Water Ski Club (non-profit);
- f) Hours of operation;
- g) Certified water-skiing Trainers;
- h) Outline of Regional, Provincial and World events which have taken place at the facility;
- i) Safety of the use of the Club's portion of the Welland Canal (1.2 kilometers);
- j) Use of the Welland site as a satellite training facility if Toronto is awarded the 2008 Olympic Summer Games;
- k) The City of St. Catharines' commitment of 4 million dollars for kayaking competition;
- l) 44% increase in leasing costs (from Year 1999), etc.



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Mr. Chappelle estimated that membership stands between 85-90; however, he is unaware of the percentage of Welland members. Membership fees are the same for Welland residents and out-of-towners. Persons wishing to enrol for water-ski lessons need only show up at the Club during its hours of operation.

Mr. Chappelle confirmed that the other water sport referred to in the brief is the Welland Rowing Club. With respect to same, Mr. Banks advised that the City has the sole lease which includes property in Welland and Port Colborne. The Rowing Commission is an agent representing the Welland Rowing Club who is the licensee.

The current value of the Welland Water Ski Club's lease is \$2,000. Councillor McQueen noted that for \$400 per month, the Club occupies the best portion of the Canal for the majority of the summer. His request is that Council re-consider the lease amount.

Councillors Larouche and Fortier's concern related to the Club's hours of operations as set out on page five (5) of the current agreement. He suggested that there be negotiations to establish a more suitable schedule which would not restrict Community usage. Councillor Fortier suggested that the present timetable from May 13th to June 30th for Monday to Friday be changed to 8:00 a.m. to Noon. Staff was directed to have these concerns addressed. Mr. Chappelle countered that the Canal is the site of their sport. The Club uses the water, not the land and their usage involves a very small portion of the waterway (1.2 kilometres). The Club's prime target time is Friday after 4:00 p.m. and from 8:00 a.m. until Noon on weekends. The area used by the Club is a safe environment which provides training for tournament skiing. In 1999 the Club spent a considerable amount of money to have the area surveyed, in order that the facility could be deemed worthy for World competition.

Councillor Spadafora's concern related to justification of the use of this area by a very small portion of Welland's population and referred to the Club as private. He presented that persons not wishing to take water-ski lessons are forced to ski in the balance of the Canal waterway, which is more dangerous. Mr. Chappelle indicated that the Club, which is not private, limits itself to two boats to ensure safety. He agrees that the Club's perception as private is probably due to a lack of advertising. He also pointed out that during its 1999 season Council was invited for a ski; however, no one attended.

Councillor Van Vliet spoke in favour of the \$2,000 lease amount. He indicated that any boater in the Canal is well aware of the hours of operation of the Club, as it is posted at the entrance of the Club's area. Usage from 8:00 a.m. to Noon on Saturdays and Sundays leaves plenty of open time for boats to enter that zone. The Club's ability to teach water-skiing promotes safety in the sport. With respect to comments that this part of the waterway and surrounding lands is the most beautiful, this is due to the Club's upkeep and policing.

Since the Welland Water Ski Club's Licence of Occupation is up for renewal, Councillor McQueen put forth a Motion that the contract be renewed pro-rated until September 29, 2000, with review to take place at the



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end of the season. Mr. Fitzpatrick suggested a report be brought back at the end of the tournament year. This will allow Staff to review the full tournament schedule.

In response to Councillor Champion's inquiry, Mr. Chappelle advised that he has heard that there have been complaints; however, the City has never contacted them.

Councillor Forster requested that Staff investigate whether the City is covered for the added liability in the event that someone is injured using the 1.2 km portion of the waterway during public access.

(DIRECTION)

MOVED BY COUNCILLOR MCQUEEN:

That the Welland Water Ski Club's Licence of Occupation be renewed pro-rated until September 29, 2000; with review and report by Staff to Council at its initial meeting in October 2000.

CARRIED

7. STAFF REPORTS:

(A) COMMUNITY SERVICES - Councillor Spadafora, Chair

Community Services Department

Ref. No. 2000-32 - Capital Project - Arena Glass
(CSD 2000-15)

In regards to the long-term plan for the Arena, Councillor Beaudoin queried whether the new glass could be retained for use with flexible boards, which may be purchased in the future. Mr. Smith anticipates that the proposed glass will last a number of years. Flexible boards are not an option due to Arena configuration. It is hoped that the boards will be replaced in the future. Currently spot repairs are done to same.

MOVED BY COUNCILLOR MACLELLAN:

That Council accept the quote for the replacement and installation of safety glass (5 feet high - 72 pieces) in the Welland Arena from 'Aimcon', Orillia, Ontario, at a cost of \$23,100.00 plus GST (Quote #234 C), with funding for the project from the 2000 Community Services Capital Budget.

CARRIED

Ref. No. 2000-32 - Main Street Bridge Lighting/ Merritt Park - Millennium Project
(CSD 2000-22)



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At the commencement of discussion of this issue, Chair Spadafora declared a conflict of interest. Mayor Reuter took over as Chair. He indicated that a few years ago, depending on the type of lighting used, costs for this project were \$75,000 - \$125,000.

Mr. Smith advised that the plan is for the bridge to be lit year round. Councillor O'Dell queried the yearly maintenance and operation costs. Mr. Smith advised that filaments would be used in place of bulbs. This will greatly reduce operational costs and vandalism. Electrical costs will be approximately \$1,200 per year.

Councillor Van Vliet queried the origin of the funding for the project. Mayor Reuter advised that since taking over the Canal, Council has allocated \$270,000 - \$300,000 for maintenance. The requested funding will come from interest on the monies in the fund. Mr. Fitzpatrick advised that the Canal Parkways By-law makes reference to maintenance and improvements of the reserve lands. Mr. Kerschl advised that the funds have not been used for anything other than maintenance.

With respect to the Federal Government's response that the Main Street Bridge has not being officially designated as a historical site, Councillor Van Vliet queried whether Council should move ahead regarding same. Staff advised the bridge has already been designated by L.A.C.A.C. in April of 1994. Mr. Smith has since informed the funding agency of same, and if the agency agrees, it may reduce the City's share of funding.

Councillor Fortier advised Councillor Bellantino that the W.D.B.I.A. has committed and significantly budgeted for this project. He will determine the amount and advise Council of same. Mr. Smith advised that the report deals with funding to date; however, discussions are ongoing with various groups and individuals and more funding may be received.

MOVED BY COUNCILLOR MACLELLAN:

That City Council supports the project of Lighting the Main Street Bridge/ Merritt Park as a 50-50 partner with a number of community groups. The cost of the project is \$51,500.00 with the City's share - \$25,750.00, from the Canal Funds - Yearly Maintenance Account.

CARRIED

Development Services Department

Planning Division



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**Ref. No. 2000-95 - Former CNR Caboose, Prince Charles Drive at West Main Street
(DSD 2000-47)**

Mr. Fitzpatrick advised Committee that there has been no discussion with Trillium Railway Co. Ltd. with respect to restoration (backfill and sodding). Other discussions to date have involved City payment for its removal, with the lowest costing at \$2,300, excluding site restoration. Councillor Van Vliet cautioned that it takes specialized equipment to remove the caboose. Councillor Spadafora suggested that restoration be a condition of the sale.

Reference was made to a gentleman who recently purchased property to the west and who is also interested in purchasing the property occupied by the caboose. Councillor MacLellan queried why this inquiry, along with another, has not been mentioned in the report. Mr. Fitzpatrick confirmed that the gentleman was interested in this land. His request was circulated to various internal departments. Easements in favor of the City plus an appraisal would be required. If the person then wished to proceed, he would have to apply for a zoning by-law amendment. A letter was forwarded to this person outlining the above. To date the City has received no response.

Trillium Railway, following alteration, intends to use the caboose as a flat car.

Councillor Beaudoin suggested a friendly amendment that upon removal, Trillium be required to landscape the property to its original condition. Councillor Van Vliet rejected same.

MOVED BY COUNCILLOR VAN VLIET:

- 1) That the City of Welland agree to sell the caboose at Prince Charles Drive and West Main Street to Trillium Railway Co. Ltd., for the sum of \$1.00 subject to the caboose, wheels and track materials being removed from the site within 60 days of the approval of the sale.
- 2) That all works will be covered by the Liability Insurance of the said railway.

CARRIED

Councillors Beaudoin and MacLellan asked to be recorded as opposed.

(B) CORPORATE SERVICES - Councillor Fortier, Chair

Treasury Department

**Ref. No. 2000-23 - 2000 Reimbursable Mileage Rate
(TR 2000-21)**



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Councillor Fortier advised that the Federal Government pays 38 cents per kilometer. Mr. Silvestri indicated that the proposed change is just below a 9% increase. The estimated cost for an entire year is \$2,500 to \$2,900. Since the recommendation is not retroactive, the costs from June 1, 2000 to December 31, 2000 would be approximately \$1,500.

Mayor Reuter advised that this reimbursable mileage rate relates to Council and City Staff; however, Council's amount (not outlined in the report) would be very minimal.

MOVED BY COUNCILLOR BELLANTINO:

That Council approve:

1. The reimbursable mileage rate payable to City of Welland Members of Council and Employees who use their personal automobiles on Municipal business be established at \$ 0.377 per kilometer, and
2. That the rate listed above be effective as of June 1, 2000, and
3. That in the future, the rate be increased effective the 1st of the month concurring with the passing of the amended rate structure approved by the Region of Niagara.

CARRIED

(C) OPERATIONAL SERVICES - Councillor Campion, Chair

Engineer Division

Ref. No. 96-100 - River Road Reconstruction - Ross Street to Woodlawn Road - City of Welland
(ENG 2000-26)

MOVED BY COUNCILLOR CAMPION:

That the matter of the reconstruction of River Road between Ross Street and Woodlawn Road be referred to the June 13th General Committee meeting.

CARRIED

Councillors Beaudoin, Bellantino and Fortier asked to be recorded as opposed.

Ref. No. 97-41 - Decommissioning UCAR Property - 65 Canal Bank Street - City of Welland
(ENG 2000-27)

Mr. Fitzpatrick has advised Mr. Smeardon (UCAR) that before applications of consent come before the City for approval, copies of all environmental information and drawings of existing drainage systems must be provided. The Committee of Adjustment's decision would require that a Phase II Environment Study be



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implemented prior to any consent being finalized. If UCAR does not meet the requirements, they cannot parcel off the property for sale purposes. If an application to consent to severe is received, a Phase II report will be required. In any case, MOE can put a control order on the property.

As recently as 6-8 weeks ago, Mr. Slattery, Mr. Cook and Mr. Fitzpatrick conducted a tour of the demolition process at the site. Storm water management facilities at the south end must be maintained. It is necessary to have discussion with Mr. Smeardon regarding mutual interest in the Pump House. UCAR must also maintain the landfill site. It would be prudent for Mr. Smeardon to obtain a Developer Solicitor to peruse City's requests.

With respect to a final report, Mr. Fitzpatrick advised Councillor O'Dell that he is unable to provide a firm timeline. An overall environmental report has been provided to the City along with some Phase II information regarding the northerly portion of the site.

In regards to discharge, the only discharge that the City became aware of after the fact was the oil spill which was reported in the newspaper. Following this incident, Mr. Smeardon contacted the Region. We have advised him that the City should also have been contacted.

Councillor Van Vliet queried what would happen if UCAR were to pull up and walk out due to City's strict conditions. Mr. Banks has advised Mr. Fitzpatrick that the City would be able to launch a cause of action (Statement of Claim) against UCAR in United States jurisdiction. There is a common corporate ownership production process for a company that still has assets. Chair Campion requested that a report be forthcoming from Solicitor Banks and that Messrs. Cook, Marcello and Fitzpatrick keep Council informed on a regular basis.

(ACTION)

With respect to the Phase II report, Councillor Van Vliet's information is that it is complete and is in MOE's hands, but the report is being fed to the City in a piecemeal fashion.

Councillor O'Dell raised concerns regarding land flipping which can be a hard trail to trace. He made reference to the closing of GM's plant in Scarborough. The law at that time held the person removing the buildings, responsible for environmental cleanup. Mr. Fitzpatrick advised that with respect to UCAR, there was an application for demolition but he is not aware of any requirement to force the Company to clean up the property. Councillor Van Vliet advised that the rules are different, depending on the end use of the property.

Mr. Fitzpatrick advised that purchasers are instructed by the City to obtain a Phase II report, along with other areas of concern such as storm water management and fire flows.

With respect to leasing, if the lease is 21 years, minus one day, consent to sever is required. Mr. Fitzpatrick also pointed out that Fire Chief Olah has some concerns under the fire code.

MOVED BY MAYOR REUTER:



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That Report ENG-2000-27 concerning the decommissioning of the UCAR property at 65 Canal Bank Street, dated May 23, 2000 be received for the information of Council.

CARRIED

Parking & Traffic Division

Ref. No. 2000-22 - Imposition of Parking Restrictions - Empire Street - Hagar Street to 98m North of Hagar Street - City of Welland (TRAF 2000-07)

Mr. Cook confirmed that input from Canada Forge was received.

MOVED BY COUNCILLOR MCQUEEN:

1. That the City solicitor be requested to prepare a By-law to amend Schedule 'C' of By-law 89-2000 by adding:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
STREET	SIDE	FROM	TO	PERIOD (TIMES/DAYS)
Empire Street	West Side	Hagar Street	98m North	At No Time

2. That the Director of Operational Services be requested to install the necessary signage in accordance with the Highway Traffic Act.

CARRIED

Ref. No. 2000-22 - Installation of 'Stop' Conditions - Chippawa Street at Thorold Road - Amendment of Schedule 'P' - By-law 89-2000 - City of Welland (TRAF 2000-08)

Councillor Bellantino directed staff to include maps for such future requests.

(DIRECTION)

MOVED BY COUNCILLOR FORSTER:

1. That the City Solicitor be requested to prepare a By-law to amend Schedule 'P' of By-law 89-2000 by adding the following:

COLUMN 1	COLUMN 2	COLUMN 3
HIGHWAY	SIDE	FACING TRAFFIC



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Chippawa Street	Thorold Road	Northbound on Chippawa Street
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2. That the Director of Operational Services be requested to install the necessary signage in accordance with the Highway Traffic Act,
3. That a copy of the By-law authorizing the installation of 'Stop' Controls on Chippawa Street at Thorold Road be forwarded to the Region of Niagara for approval.

CARRIED

Ref. No. 2000-22 - Designation of Court House Lane as Public Street and Installation of Parking Restrictions - Amendment to Schedule 'C' By-Law 89-2000 - City of Welland (TRAF 2000-09)

Mr. Cook advised Councillor Bellantino that curbing on the north side would restrict drainage to the Welland River. Construction of a new outlet would involve environmental assessment. Mr. Cook confirmed there is no parking on either side, as this would impede visibility. There is no future possibility of constructing a sidewalk along the north side of the road as it would also interfere with natural drainage.

MOVED BY COUNCILLOR BELLANTINO:

1. That the City solicitor be requested to prepare a By-law naming that portion of the roadway between Dorothy Street and Cross Street as "Court House Lane";
2. That the City Solicitor be requested to prepare a By-law to amend Schedule 'C' of By-law 89-2000 by adding the following:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
STREET	SIDE	FROM	TO	PERIOD (TIMES/DAYS)
Court House Lane	North and South Sides	Cross Street	Dorothy Street	At No Time



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3. That the Director of Operational Services be requested to install the Street Name signage and 'No Parking' signage as per City Policy and the Highway Traffic Act.

CARRIED

Public Works Department

**Ref. No. 2000-93 - Replacement of one (1) two-way Dump/Spreader Body
(ENG 2000-24)**

Council's main concern was the source of funding for the replacement body. The replacement should have been budgeted as a fleet expense (capital project) or under the general maintenance of the fleet. Mr. Marcello responded that it was only recently determined that the two-way dump/spreader body was not safe. The Snow Clearing Reserve is the closest reserve related to what the spreader is used for. This 1998 reserve is comprised of overtime savings for that year and is listed in the general reserves. The reserve was initiated as a result of Councillor Forster's request.

Councillors commented that Budget deliberations were only a few months ago. They queried how the fleet manager could not be aware of the condition of the body when calculating \$600,000 for fleet management. Mr. Marcello advised that the fleet management allocation is for replacement of new vehicles and equipment, not for repairs. Upon inquiry, Mr. Silvestri advised that spending to the end of April 2000 is \$110,000. He cannot project at this point in time where the funds will stand in November. Mr. Marcello advised that presently we are within budget; however, quotations will be received on June 15, 2000 for the balance of all equipment and vehicles for Year 2000. He predicts that these quotes will be close to the allocation. The Capital Budget passed was for \$586,000.

Mr. Marcello advised that the snow-clearing budget is based on an average over a five (5) year period.

Mr. Van Vliet requested that a local company who supplies Municipalities with snow clearing equipment be contacted.

MOVED BY MAYOR REUTER:

That the matter of the purchase of one (1) two-way dump/spreader body be referred to the Director of Operational Services for further report to the June 13th General Committee meeting on the impact of purchasing this item from the Fleet Management Budget.

CARRIED

8. NEW BUSINESS:



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Allegations by Niagara Falls Fire Chief

Councillor Forster queried the steps taken by Fire Chief Olah in regards to an e-mail which was circulated throughout the Province by Fire Chief Peter Corfield in Niagara Falls. In the e-mail Mr. Corfield made allegations that paid City of Welland Fire Fighters slashed the tires of a Welland Volunteer Fireman who also volunteers in Niagara Falls. Chief Olah advised that he asked Mr. Corfield why this e-mail was forwarded without verification by the Welland Department. Chief Olah also spoke to Mayor Reuter in regards to setting up a meeting for clarification purposes. It is Chief Olah's understanding that a subsequent e-mail has been circulated wherein Mr. Corfield acknowledged that he made an error.

Subdivision Grading By-Laws

This issue was raised by Councillor Van Vliet following an incident where a resident residing in a subdivision erected a 4.5 foot concrete retaining wall and then placed a six (6) foot concrete fence on top. Following inquiry, Staff advised Councillor Van Vliet currently the City has a grading policy, but that it is not enforceable. Staff is directed to review same.

(DIRECTION)

Mr. Fitzpatrick advised that 6 - 8 weeks ago, Council approved a report for staff to prepare a site alteration by-law, which will be forthcoming. In the instance that Councillor Van Vliet is referring to, the construction does not interfere with the grading. Breach of policy is a matter to be dealt with between two (2) individuals.

Mr. Fitzpatrick advised that the lot grading policy is enforced by a subdividers agreement which requires a \$1,000 deposit. Councillor Spadafora opined that this amount is not enough of a deterrent and suggested that it should be raised to \$10,000.

A **NOTICE OF MOTION** by Councillor Spadafora will be placed on the next Council Meeting Agenda; "That Staff be directed to review the City's Lot Grading and Drainage for Subdivisions Policy SER-007-0004 to provide for improved enforcement procedures."

(ACTION)

Condition of Hydro Property Between Golden Boulevard

Mr. McQueen has received complaints regarding the height of the grass on this portion of land. He requested that Staff forward a letter to Welland Hydro, with a carbon copy to himself. Councillor Bellantino advised that he has contacted Mr. Darryl Toms at Ontario Hydro. They have marked the matter as priority.



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Streetlight - Cope Road

Mr. Marcello advised Councillor McQueen that this matter is an outstanding item. Staff has contacted Welland Hydro regarding same.

Maple Leaf Park Disturbances

Councillor O'Dell indicated that fences on Chaffey and Beatrice are not complete, leaving approximately 20 meters open. Complaints indicate that cars are pulling into the lighted section near the basketball court to conduct parties. He also queried the location of the other basketball net. Mr. Smith indicated that he would get back to Councillor O'Dell with some answers. This problem has been occurring throughout the City. Another result of same is tire tracks on green spaces.

ACTION

Mini-Regatta Rowing Event

Following this event, which occurred over the Victoria Day weekend, Councillor Larouche has attended the area and is very disappointed with the condition of the grass. Some of the ruts left by vehicles are eighteen (18) inches deep. He suggested that Staff contact the Rowing Club regarding same. Mr. Smith advised that he too has viewed the destruction and has already passed the information onto Mr. Kerschl. A report will be forthcoming.

ACTION

River Road - Ross Street - Neighbourhood Plan

Mr. Fitzpatrick advised Councillor Fortier that there is no official neighbourhood plan for the River Road - Ross Street area. Such a plan will be part of the Transportation Study. A Public Open House is set for May 31, 2000 at the Welland Arena.

8. The General Committee Meeting adjourned 9:30p.m.