



COUNCIL MEETING, JULY 16, 2002

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 5:15 p.m. and in open session at 7:10 p.m. on the above date.

Her Worship Mayor Cindy Forster in the Chair.

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

Members Present: Councillors R. Alakas, D. Beaudoin, M. Belcastro, N. Dmytrow Bilboe, M. Dzugan, T. Eybel, D. Fortier, D. Grenier (6:05 p.m.), J. Irvine, J. Mastroianni, S. O'Dell and J. Spadafora (5:30 p.m.).

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Manager T. Fitzpatrick

City Solicitor G. Banks (6:00 p.m.)

Manager, Environmental & Traffic Services D. Cook (7:10 p.m.)

Chief, Fire & Emergency Services P. Olah (7:10 p.m.)

General Manager Engineering, Public Works & Transportation Services G. Marcello (7:10 p.m.)

Manager, Leisure Services R. Morwald (7:10 p.m.)

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

Manager Human Resources R. Beaumont (until 7:05 p.m.)

Manager, Engineering Services L. Ventresca (7:10 p.m.)

Acting Clerk Steno III C. Viger

Manager, Information Systems S. Barnes (7:10 p.m. to 7:30 p.m.)

(Janet Booth, C.E.O. and Tony Mete, Welland Public Library Board were present during Committee-of-the-Whole discussions on a Security of Property Matter.)

02-25 Moved by Mastroianni and Belcastro that Council meet in Committee-of-the-Whole, closed to the public at 5:15 p.m. to consider:

- a) the security of the property of the municipality; and
- b) personal matters about an identifiable individual, including municipal employees.

CARRIED

(Councillor Spadafora was not present during Committee-of-the-Whole discussions on a Security of Property Matter.)

02-25 Moved by Belcastro and Mastroianni that the Committee-of-the-Whole arise from its closed meeting at 7:05 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Fortier disclosed an interest in Ref. No. 02-20 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is the Fundraising Co Chair for Help A Child Smile Campaign.

Councillor Belcastro disclosed an interest in Ref. No. 99-117 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by the Seaway Mall.

Councillor Eybel disclosed an interest in Ref. No. 02-20 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as she is the Fundraising Director for Help A Child Smile.

PUBLIC HEARING PURSUANT TO THE PLANNING ACT

Mayor Forster presided as Chair of the Public Hearing.

01-108 The City of Welland has initiated an Official Plan Amendment pertaining to its Downtown area. The purpose of this Amendment is to establish the boundaries of the Downtown and to provide policies to guide development/redevelopment in this area by reinforcing, from a land use perspective, the strategy and approach to community improvement set out in the City's Downtown Community Improvement Plan and in Official Plan Amendment Number 84. Policies outlined in this proposed Amendment are to be applied in conjunction with the policies contained in both the Downtown Community Improvement Plan and in Official Plan Amendment Number 84.

Mayor Forster outlined the procedures of the Public Hearings as required by the Planning Act. The City Manager T. Fitzpatrick confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the application:

In support of the application:

No one spoke to the application.

In opposition to the application:

No one spoke to the application.

There being no other submissions the hearing was concluded.

DELEGATIONS:

- 02-124** Wendell Wilks, President; Tracy Wilks, Station Manager and Al Lutchin, VP, Marketing, WXL Technologies Inc. addressed Council regarding a new Niagara based television station.
- 02-125** Jeff Burch and Stephanie Loller, Representatives, Service Employees International Union Local 204, addressed Council regarding the need for increased funding for Community Living Programs by the Ontario Government.
- 02-28** Greg D'Amico , Chair, Tourism of Welland Niagara (T.O.W.N.) addressed Council regarding information concerning T.O.W.N., BIA, Food Festival and Festival of Arts.
- 02-28** Damian Goulborne, President, Welland Chamber of Commerce, updated Council on the Chamber's activities.
- 97-85**
02-98 Residents John Garrett, Heather Dolan, Ron Pace, Roger Elliott, Lonny Petrachenko, Brian Pye; and Rick Florio (South Niagara Rowing Club) addressed Council regarding water issues in Dain City.

THE FOLLOWING CORRESPONDENCE WAS READ:

- 02-13** Letter from Kyle Berketo, Vice President, Events, South Niagara Rowing Club, requesting bus transportation during the Ontario Rowing Championships on July 27 & 28, 2002 and the 4th Annual Regatta of the Americas for August 3 and 4, 2002.
- 02-127** Letter from John Rizzo, Project Manager Transportation Engineering, Regional Municipality of Niagara, Public Works Department requesting an exemption to Noise

By-law 10204 for reconstruction of roadway project to be completed at the intersection of Prince Charles Drive and Lincoln Street on July 17, and 18, 2002.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 94-71** Gen. Mgr. Engineering, Public Works & Transp. Serv. G. Marcello - Retention of Consultant - Lincoln Street Corridor Study.
- 97-85**
- 02-98** Roger Elliott and Loony Petrachenko - water issues in Dain City.
- 97-85**
- 02-98** Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Location of Water Haulage Station - Dain City on Kingsway.
- 98-152** A By-law to amend By-law 11325, being a By-law to provide for paying remuneration to the Members of the Council and extended medical benefits to the Mayor.
- 99-92** A By-law to authorize the City Manager to enter into Engineering Services Agreements **01-46** with Conlin Associates Limited and AWS Engineers & Planners Corp. respecting Enterprise Subdivision and One Forty Industrial Subdivision.
- 99-117** Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Amendment to By-law 10011 Fire Lanes - Schedule 'A-7' - 800 Niagara Street, Seaway Mall.
- 01-2** Review of City's current Business Licensing By-laws.
- 01-23** Human Resources Manager R. Beaumont - Proposed Corporate Hiring Policy.
- 01-35** Thomas R. Hollick, Regional Clerk, regarding its meeting of June 20, 2002 - Niagara's Transportation Strategy
- 01-108** City Manager T. Fitzpatrick - Proposed Incentive Programs.
- 01-108** City Manager, T. Fitzpatrick - Official Plan Amendment No. 106 - Downtown Revitalization Draft Official Plan Policies.
- 01-108** A By-law to authorize the signing of Official Plan Amendment No. 106.
- 01-154** Staff to review By-law from West Lincoln re sexual exploitation of children & child pornography.
- 02-1** 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 25th day of June and the 16th day of July, 2002.
- 02-3** Clerk's Department 2001 Statistical Summary.
- 02-3** City Clerk C.A. Stirtzinger - Lottery License.
- 02-3** Thomas R. Hollick, Regional Clerk, regarding its meeting of June 20, 2002 - Policy to Provide Tax Rebates to Charities.
- 02-3** Jackie Crow, Administrative Coordinator, Marshville Heritage Society Inc. requesting permission to sell raffle tickets in the City of Welland.
- 02-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - May 2002 Financial Statements.
- 02-4** City Manager T. Fitzpatrick - Cost Savings Committee Report.
- 02-6** Peter Hogeterp, Welland Farmers' Market Vendors Association - Requesting the week of August 10 - 17, 2002 be declared as "**Farmer's Market Week**".
- 02-13** Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Macello - The Torre Dei Nolfi/Campo Di Fano Club - Request for bus transportation.
- 02-13** Letter from Kyle Berketo, Vice President, Event, South Niagara Rowing Club requesting bus transportation for the Ontario Rowing Championships and for the annual Regatta of the Americas.
- 02-18** Gen. Mgr. Parks and Recreation/I. Smith - Letter of Understanding - City of Welland & District School Board of Niagara.
- 02-20** Rick Goupil, Waterball Chairman, Welland Volunteer Fire Company No. 3- requesting Special Occasion Permit.
- 02-20** Daniel Fortier, Help A Child Smile - requesting Special Occasion Permit.

02-20

02-21 Nancy Goulborne, Secretary - permission to hold a religious procession - "47 Annual Feast of the Assumption".

02-21 Ron Laroche, 7th Welland Scouts - permission to host a Soap Box Derby for Scouts on Wednesday, July 17, 2002.

02-22 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Amendments to Text By-law 89-2000 - Traffic and Parking - City of Welland.

02-22 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Amendments to Text By-law 10721 - Municipal Parking Lots - City of Welland.

02-22 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Amendment to By-law 89-2000 - No Parking Restrictions - Kingsway - South of Forks Road - Colborne Street - North of Forks Road.

02-26 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Installation of stone **02-119** walkways on the north side of Quaker Road between Rice Road and Montgomery Road and on the southerly portion of Memorial Park Drive.

02-28 Greg D'Amico, Chair, T.O.W.N. - information concerning T.O.W.N., BIA, Food Festival and Festival of Arts.

02-31 326 Aqueduct - Tree.

02-36 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Tenders for the procurement of one (1) Tailgate spreader; One (1) Rubber Tired Roller.

02-38 A By-law to designate 103 State Street in the City of Welland, known as the "Lobosco-Foote House" of historic or architectural value or interest.

02-41 A By-law to designate 111 Victoria Street in the City of Welland, known as the "Vaughan Seed Company" of historic or architectural value or interest.

02-79 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Street name Signage - Plymouth Cordage Heritage District.

02-80 Riverside Drive Sanitary Sewer Extension.

02-82 Development of a joint accessibility plan between City and the Library Board.

02-88 Proposed Wide Area Network Improvement Project.

02-107 A By-law to authorize the purchase of Lots 27 and 28, and Part Lane, Plan 949, from Anthony Mete and the Estate of Sarah Mete, being vacant land south of the unopened Phillip Street Road allowance.

02-111 A By-law to accept the proposal from St. Catharines Techno Solutions Inc. operating as MicroAge Niagara, for installation of a 60 Mbps point-to multipoint wireless link from City Hall to the Arena and Firehall, a fibre-optic link between Senior Centre and Arena, and 45 Mbps point-to-point connecting City Hall to Public Works.

02-112 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Roadway Resurfacing Program 2002.

02-116 Request for exemption to Fence By-law 10545 at 88 Marc Boulevard.

02-121 Gen. Mgr. Engineering, Public Works & Transp./Serv. G. Marcello - Summerlea Subdivision Watermain Replacement.

02-124 Wendell Wilks, President; Tracy Wilks, Station Manager and Al Lutchin, VP, Marketing, WXL Technologies Inc. - proposed new Niagara based television station.

02-126 Louise Gartshore, City Clerk, City of Woodstock, requesting support of its resolution regarding increase of minimum wage in Ontario.

02-127 Letter from John Rizzo, Project Manager, Transportation Engineering, Regional Municipality of Niagara, Public Works Department requesting an exemption to the Noise By-law 10204 for reconstruction of roadway project to be completed at the intersection of Prince Charles Drive and Lincoln Street on July 17 and 18, 2002.

02-1 Moved by Eybel and Fortier that the Minutes of the Regular Council Meeting of June 18, 2002, and Special Council Meeting of June 25, 2002 be and the same are hereby approved and adopted as circulated.

CARRIED

94-71 Moved by Fortier and Mastroianni

1. That the proposal for Engineering Services, received from Delcan Corporation, dated June 7, 2002, for the undertaking of the 'Lincoln Street Traffic Operations and Safety Review - Prince Charles Drive to Wellington Street', having an estimated cost of \$44,960.00 excluding G.S.T. be accepted, and
2. That the City Solicitor be requested to prepare the necessary by-law(s) to enter into an agreement with Delcan Corporation for the undertaking of this assignment.

CARRIED

97-49 Moved by Dmytrow-Bilboe and Irvine that the Government of Ontario be urged to address the many and various issues restricting Ontario trained doctors to return to Ontario to practice stemming from limitations in: current legislation; membership in medical associations; and current numbers of doctors in the health system; and
That this resolution be circulated to all Ontario municipalities for endorsement.

CARRIED

97-85

02-98 Moved by O'Dell and Eybel that Report No. ENG-2002-33 Re: Location of Water Haulage Station Dain City on Kingsway be rejected.

CARRIED

97-85

02-98 Moved by O'Dell and Eybel that the presentation by residents of Dain City and the South Niagara Rowing Club regarding water issues in Dain City be received for information.

CARRIED

99-117 Moved by Spadafora and Irvine that the City Solicitor prepare a By-law to amend Schedule 'A' and specifically Schedule A-7 as appended to By-law 10011 Fire Routes by:

1. **Deleting**

| SCHEDULE NO. | STREET ADDRESS | COMMON NAME | SKETCH |
|--------------|--------------------|-------------|-----------|
| A-7 | 800 Niagara Street | Seaway Mall | 22-May-97 |

2. **Adding**

| SCHEDULE NO. | STREET ADDRESS | COMMON NAME | SKETCH |
|--------------|--------------------|-------------|--------------|
| A-7 | 800 Niagara Street | Seaway Mall | July 2, 2002 |

CARRIED

01-2 Moved by Spadafora and Irvine that staff be again directed to review the City's current Business Licensing By-law in accordance with Council's directive; and That Councillors Dianne Grenier and Mike Belcastro be included in the review process.

CARRIED

01-23 Moved by Spadafora and Irvine that Council approve Hiring Policy HUM-001-003 and that the Policy be placed in the City Policy Manual replacing the existing Employment Policy dated 5 November, 1968.

CARRIED

01-35 Moved by Spadafora and Irvine that the letter from the Regional Municipality of Niagara regarding the approval of the recommendation of the Public Works and Utilities Committee on June 20, 2002 concerning the Niagara's Transportation Strategy (Report PWA 110-2002) be received for information.

CARRIED

01-108 Moved by Belcastro and Beaudoin

1. That Welland Council approve the following incentive programs relative to downtown revitalization:
 - a) Façade Restoration and Improvement Loan Program
 - b) Development Charge Waivers/Exemption Program
 - c) Refund of City Planning and Building Fees Program
 - d) Parking Requirements Reduction Program
 - e) Residential Conversion and Intensification Program
 - f) Property Rehabilitation and Redevelopment Tax Incentive Grant Program;
2. That the Municipal Incentive Grant Reserve Fund be utilized to fund the Façade Restoration and Improvement Loan Program and the Residential Conversion and Intensification Loan Program;
3. That staff be directed to amend the City's Development Charges By-law to implement the Development Charge Waiver/Exemption Program;
4. That the incentive programs be administered by the Planning and Development Services Department; and
5. That staff be directed to formalize program requirements and develop appropriate application forms for the various incentive programs, including potential joint application forms with Regional Niagara.

CARRIED

01-108 Moved by Belcastro and Beaudoin that the City of Welland adopt Official Plan Amendment No. 106 respecting the Downtown area by providing objectives, goals and policies to encourage its revitalization.

CARRIED

01-154 Moved by Spadafora and Irvine that the Licensing By-law from West Lincoln regarding the sexual exploitation of children and the devastating effects of pornography on society be again referred to staff for review.

CARRIED

02-3 Moved by Spadafora and Irvine that the 2001 Statistical Summary of the City Clerk's Department be received for information.

CARRIED

02-3 Moved by Spadafora and Irvine that a Lottery License be granted to the following:
Croatian National Home - Single Bingo.

CARRIED

02-3 Moved by Fortier and Mastroianni that the letter from the Regional Municipality of Niagara regarding the approval of the recommendation of the Corporate and Financial Services Committee (Report CSD 81-2002) on June 20, 2002 concerning the Policy to Provide Tax Rebates to Charities - Organizations Under Section 207(62) of the Municipal Act, be received for information; and further That the Gen. Mgr. Financial & Corporate Services/Treasurer be instructed to implement same for the taxation year 2002 and beyond.

CARRIED

02-3 Moved by Spadafora and Irvine that permission is hereby granted to the Marshville Heritage Society Inc. to sell lottery tickets in the City of Welland under authority of Lottery License M32969, subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

02-4 Moved by Spadafora and Irvine that the financial reports for the period ending May 31, 2002 be received.

CARRIED

02-4 Moved by Spadafora and Irvine that the Cost Savings Report from the Cost Savings Committee dated March 19, 2002 be received and referred to staff for further review and recommendation to Council during the 2003 Current and Capital Budget process.

CARRIED

02-6 Moved by Spadafora and Irvine that the Mayor proclaim the week of August 10 - 17, 2002 as "**Farmer's Market Week**" in the City of Welland as requested by the Welland Farmer's Market Vendors Association.

CARRIED

02-7 Moved by Spadafora and Irvine that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

| | | | |
|---|-----------|----|--------------|
| 1 | 12-Jun-02 | \$ | 185,843.08 |
| 2 | 13-Jun-02 | | 350,867.69 |
| 3 | 14-Jun-02 | | 26,258.99 |
| 4 | 18-Jun-02 | | 1,419,964.74 |
| 5 | 19-Jun-02 | | 144,085.80 |
| 6 | 20-Jun-02 | | 94,481.22 |
| 7 | 21-Jun-02 | | 1,646.48 |
| 8 | 24-Jun-02 | | 264,796.44 |
| 9 | 25-Jun-02 | | 3,736,082.88 |

| | | |
|----|-----------|------------------|
| 10 | 26-Jun-02 | 39,207.24 |
| 11 | 27-Jun-02 | 27,075.24 |
| 12 | 02-Jul-02 | 49,973.45 |
| 13 | 03-Jul-02 | 21,068.02 |
| 14 | 04-Jul-02 | 49,087.27 |
| 15 | 05-Jul-02 | <u>77,819.15</u> |

Total **\$ 6,488,257. 69**

CARRIED

02-8 Moved by Dmytrow-Bilboe and Spadafora that staff be directed to reassess the order of road repair, making arterial & collector roads the priority, regardless of ward status, and instead using the rule that needs of the whole, and the extent of the deterioration of these be the determining guidelines; unless residential and lesser used roads are in such a state that any further delay would be detrimental.

CARRIED

02-13 Moved by Spadafora and Irvine

1. That Council supports the request from the Torre Dei Nolfi/Campo Di Fano Club for the provision of bus transportation to tour Welland and the Thorold Locks on Saturday, July 27th, 2002; and
2. That, as per Council's Policy, the financial consideration of \$ 73.75 be approved on a cost sharing basis for the in-kind service request.

CARRIED

02-13 Moved by Spadafora and Irvine

1. That Council approve the request from the South Niagara Rowing Club for the provision of bus shuttle service for the Ontario Rowing Championships being held on July 27th and July 28th and the annual Regatta of the Americas on August 3rd and 4th, 2002; and
2. That, as per Council's Policy, the financial consideration of \$1,335.59 be approved on a cost sharing basis for the in-kind service request.

CARRIED

02-18 Moved by Spadafora and Irvine that Council authorize the Mayor and Clerk to sign a Letter of Understanding between the City of Welland and the District School Board of Niagara in regards to access to District School Board of Niagara - Glendale School property outside of regular school hours.

CARRIED

02-20 Moved by Spadafora and Irvine that Welland City Council has no objection to the issuance of a Special Occasion Permit to the Welland Volunteer Fire Co. #3 for the annual waterball event scheduled for September 8, 2002 at Chippawa Park; subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

CARRIED

02-20 Moved by Spadafora and Irvine that Welland City Council has no objection to the issuance of a Special Occasion Permit to Help A Child Smile for a fundraising event scheduled at Auberge Richelieu, River Road on Saturday, August 31, 2002; subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and designates the event as municipally significant.

CARRIED

02-20

02-21 Moved by Spadafora and Irvine that Welland City Council approves the application for the **"47th Annual Feast of the Assumption"** on Saturday, August 10, 2002 and Sunday, August 11, 2002 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities; and

That Welland City Council has no objection to the issuance of a Special Occasion Permit to the 47th Annual Feast of the Assumption for events scheduled at the Welland Market Square on August 10th and August 12th, 2002 subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and designates the event as municipally significant.

CARRIED

02-21

Moved by Spadafora and Irvine that Welland City Council approves the application of the 7th Welland Scouts for a **"Soap Box Derby"** on Wednesday, July 17, 2002 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

02-22

Moved by Eybel and Mastroianni

1. That the City Solicitor be requested to prepare a By-law to repeal By-law 89-2000 being a By-law to Regulate Traffic and Parking on City streets, as passed by Council on the 5th Day of June 1990 and further;
2. To re-enact By-law 89-2000, which incorporates amendments to the text and Schedules of By-law 89-2000, as suggested by the Ministry of the Attorney General, (MAG) with the proviso that the 'Office Consolidation' not come into effect and force until such time, as same, has been approved by the Ministry of the Attorney General.

CARRIED

02-22

Moved by Spadafora and Eybel

1. That the City Solicitor be requested to prepare a By-law to repeal By-law 10721, being a By-law to Provide for Regulating, Supervising and Governing the Parking of Vehicles in various Municipal Parking Lots as passed by Council on the 27th Day of February 1996, and further
2. To re-enact By-law 10721, which incorporates amendments to the Text and Schedules of By-law 10721 as suggested by the Ministry of the Attorney General (MAG), with the proviso, that the 'Office Consolidation' not come into effect and force until such time as same has been approved by the Ministry of the Attorney General.

CARRIED

02-22

Moved by O'Dell and Alakas

1. That the City Solicitor be requested to prepare a By-law to amend Schedule 'C' - Parking Prohibitions (Specified Places, With Signs) of By-law 89-2000 by adding:

| COLUMN 1 STREET | COLUMN 2 SIDE | COLUMN 3 | | COLUMN 4 PERIOD (TIMES PER DAY) |
|--------------------|------------------|------------|-----------------------|------------------------------------|
| | | FROM | TO | |
| KINGSWAY | WEST SIDE | FORKS ROAD | SOUTHERLY TERMINATION | AT NO TIME |
| COLBORNE STREET | EAST SIDE | FORKS ROAD | NORTHERLY TERMINATION | AT NO TIME |

2. That the General Manager, Engineering, Public Works and Transportation Services be requested to

install the necessary signage in accordance with the Highway Traffic Act.

CARRIED

02-22 Moved by Dmytrow-Bilboe and Mastroianni that staff be directed to reassess the status of Fitch St. and devise a plan of action forthwith to initiate its repair.

CARRIED

02-22 Moved by Dzugan and Mastroianni that due to the incidence of transport trucks and other commercial vehicles parking on Lincoln Street east of Southworth Street in the predominantly residential area, the City Solicitor be requested to prepare a By-law to amend Schedule 'C' of By-law 89-2000 - parking prohibitions with Signs, by adding:

| COLUMN 1 STREET | COLUMN 2 SIDE | COLUMN 3 | | COLUMN 4 PERIOD |
|--------------------|------------------|----------------|-------------------|--------------------|
| | | FROM | TO | |
| Lincoln Street | North Side | Camrose Avenue | Scholfield Avenue | At All Times |

CARRIED

02-26

02-119 Moved by Alakas and Mastroianni

- a) That Council approve the installation of a stone walkway on Quaker Road from Rice Road to Montgomery Road within the current year 2002 at an estimated cost of \$5,000.00 funded within the 2002 Sidewalk Operating Budget.
- b) That the request for a stone walkway along the south end of Memorial park Drive be referred to the 2003 Budget process for incorporation in the 2003 Sidewalk Operating Budget.

CARRIED

02-28 Moved by Mastroianni and Dzugan that the presentation by Greg D'Amico, Chair, Tourism of Welland Niagara (T.O.W.N.) regarding information concerning T.O.W.N., BIA, Food Festival and Festival of Arts be received for information.

CARRIED

02-31 Moved by Spadafora and Irvine that Council direct staff to inform the owner of 326 Aqueduct that the tree blocking his driveway will remain in place with periodic inspections and maintenance as scheduled by City Forestry Staff.

CARRIED

02-36 Moved by Spadafora and Irvine that Council waive the requirement for the "minimum three (3) bids for the procurement of one (1) Tailgate Spreader and one (1) Rubber Tired Roller, due to the fact that three (3) tenders were not received for the specified units.

CARRIED

02-79 Moved by Spadafora and Irvine

1. That Council approve the installation of 'Street Name' Signage in the Plymouth Cordage Heritage District, which incorporates the 'Logo' developed in co-operation with the LACAC Committee;

2. That costs of sign production be recovered from the LACAC Committee, with the City absorbing the costs of installation.

CARRIED

02-80 Moved by Spadafora and Irvine that the General Manager, Engineering, Public Works and Transportation Services be directed to issue a 'Petition for Local Improvement' for the extension of sanitary sewer service on Riverside Drive from Waterview Court to approximately 275m southerly for circulation amongst the affected residents;

That part of the cost of construction be assessed to abutting property owners, except those previously assessed, under the provisions of Section 11 of the Local Improvement Act of Ontario, as amended, following submission of a sufficiently signed petition for sanitary sewer construction by affected residents.

CARRIED

02-85 Moved by Spadafora and Irvine that the letter from Welland Public Library Board regarding Ontarians with Disabilities Act, 2001 and a proposal to explore the development of a joint accessibility plan between the City and the Library Board be received and referred to Community Services staff for study and review.

CARRIED

02-88 Moved by Spadafora and Irvine that Council approve the implementation by St. Catharines Techno Solutions Inc. operating as MicroAge Niagara of a shared 60 Mbps point-to-multipoint wireless link from City Hall to the Arena and Fire Hall, a fibre-optick link between Senior Center and Arena and a 45 Mbps point-to-point connecting City Hall to Public Works at a cost of \$85,699 plus taxes.

CARRIED

02-112 Moved by Spadafora and Irvine

That the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with the preparation of plans, specifications and the calling of tenders for the asphalt repairing and resurfacing of various roadways, as presented in Report ENG-2002-35;

That the 'minimum three (3) bids" requirement be waived for this specific tender due to historically low bidder response, and as well specialized pavement rehabilitation technology proposed;

That the project be funded from the approved allocation in the 2002 Roadways Capital Budget with \$140,000 coming from the Current Operating Budget and \$525,000 being raised by debenture.

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

CARRIED

02-116 Moved by Spadafora and Irvine that the request from Helen and Geri Kerekes for an exemption to the height requirement of the Fence By-law be denied.

CARRIED

02-121 Moved by Alakas and Beaudoin that the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with the preparation of plans, specifications and the calling of tenders for the replacement of watermains on Summerlea Avenue, Montgomery Road, Topham Blvd., and Crerar Avenue, as presented in Report ENG-2002-34;

That the approved 2002 Water Works Capital Budget be revised and approved as proposed in Report ENG-2002-34;

That the project be funded from the allocation in the 2002 Water Works Capital Budget, as amended with \$505,000 coming from the Water Works Current Operating Budget and \$95,000 being raised by debenture.

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

CARRIED

02-124 Moved by Mastroianni and Grenier that the presentation by Wendell Wilks, President; Tracy Wilks, Station Manager and Al Lutchin, VP, Marketing, WLX Technologies regarding a new Niagara based television station be received for information.

CARRIED

02-125 Moved by O'Dell and Grenier that Welland City Council endorses the resolution from the Service Employees International Union (SEIU) Local 204 requesting increased funding for Community Living Programs by the Ontario Government.

CARRIED

02-126 Moved by Spadafora and Irvine that Welland City Council endorses the resolution from the City of Woodstock requesting the Government of Ontario to increase the minimum wage to \$8.00 per hour and to index the minimum wage to the Consumer Price Index yearly; and
That the Clerk advise the proper authorities accordingly.

CARRIED

02-127 Moved by Spadafora and Irvine that the Regional Municipality of Niagara, Public Works Department be exempted from the provision of By-law 10204, being a By-law to prevent certain noises calculated to disturb the inhabitants of the City and to repeal By-law 7124, in order for reconstruction of roadway project to be completed at the intersection of Prince Charles Drive and Lincoln Street on July 17 and 18, 2002.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

01-45 Moved by Dzugan and Beaudoin that the 2001 Summary of Insurance Claims made against the City be received for information and filed under Freedom of Information and Solicitor/Client Privilege rules.

CARRIED

01-108 Moved by Dmytrow-Bilboe and Mastroianni

1. That City staff be authorized to prepare a Request for Proposal for the redevelopment of 17 East Main Street; and
2. That upon completion of the Request for Proposal that it be brought back to Council for approval.

CARRIED

02-15 Moved by Belcastro and Dzugan that Council amend the Gazda Holne Salary Grid Structure approved by Council on October 3, 2000 (Resolution No. 2000-24) with the revisions contained in the Grid dated and effective July 1, 2002 denoting changes in the Status of Fire Chief and Deputy Fire Chief relative to the Welland Professional Firefighters Association Salary grid, and further That the Solicitor be instructed to amend By-law 10176 (Comprehension Policy for Non Union Employees) accordingly.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

98-152

BYL 2002-119

A By-law to amend By-law 11325, being a By-law to provide for paying remuneration to the Members of the Council and extended medical benefits to the Mayor.

99-92

01-46

BYL 2002-120

A By-law to authorize the City Manager to enter into Engineering Services Agreements with Conlin Associates Limited and AWS Engineers & Planners Corp. respecting Enterprise Subdivision and One Forty Industrial Subdivision.

01-108

BYL 2002-121

A By-law to authorize the signing of Official Plan Amendment No. 106.

02-38

BYL 2002-122

A By-law to designate 103 State Street in the City of Welland, known as the "Lobosco-Foote House" of historic or architectural value or interest.

02-41

BYL 2002-123

A By-law to designate 111 Victoria Street in the City of Welland, known as the "Vaughan Seed Company" of historic or architectural value or interest.

02-107

BYL 2002-124

A By-law to authorize the purchase of Lots 27 and 28, and Part Lane, Plan 949, from Anthony Mete and the Estate of Sarah Mete, being vacant land south of the unopened Phillip Street Road allowance.

02-111

BYL 2002-115

A By-law to accept the proposal from St. Catharines Techno Solutions Inc. operating as MicroAge Niagara, for installation of a 60 Mbps point-to-multipoint wireless link

from City Hall to the Arena and Firehall, a fibre-optic link between Senior Centre and Arena, and 45 Mbps point-to-point connecting City Hall to Public Works.

02-1

BYL 2002-125

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 25th day of June and the 16th day of July, 2002.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Mastroianni and Spadafora 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

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 7, 2002 for inclusion on the next Regular Council Meeting Agenda.

Councillor Fortier gave Notice of Motion of the following issue to be presented to Council at the August 13th, 2002 Regular Council Meeting.

01-108

That staff be directed to implement a Façade Restoration Incentive Program specific to Welland Heritage Building located at 26 East Main Street; and

That staff initiate a joint meeting with the executive committee at the Heritage Council for August 13, 2002 Council Meeting.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 13th day of August, 2002.

MAYOR

CLERK