



COUNCIL MEETING, AUGUST 13, 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 7:30 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 (5:55 p.m.), J. Irvine (until 10:00 p.m.) J. Mastroianni, S. O'Dell and J. Spadafora.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Manager T. Fitzpatrick

City Solicitor G. Banks (6:05 p.m.)

Manager, Environmental & Traffic Services D. Cook (7:30 p.m.)

Chief, Fire & Emergency Services P. Olah (until 6:10 p.m.)

General Manager Engineering, Public Works & Transportation Services G. Marcello (5:30 p.m.)

Manager Human Resources R. Beaumont (until 6:10 p.m.)

Clerk Steno III B. Gallaccio (7:30 p.m.)

Manager, Engineering Services L. Ventresca (7:30 p.m.)

Manager, Development Planning/Real Estate D. Thorpe (5:55 p.m.)

Community Fire Safety Officer/Deputy Fire Chief K. Roach (until 6:10 p.m.)

02-25 Moved by Dzugan and Irvine 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

(Councillors Eybel, Irvine, Mastroianni and Spadafora were not present during Committee-of-the-Whole discussions on a Security of Property Matter.)

02-25 Moved by Dzugan and Irvine that the Committee-of-the-Whole arise from its closed meeting at 7:15 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Mastroianni disclosed an interest in Ref. No. 98-82 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property in the downtown area in the vicinity of the City Hall/Library project proposal.

Councillor Spadafora disclosed an interest in Ref. No. 98-82 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his company may bid on the City Hall/Library project proposal.

Councillor Irvine disclosed an interest in Ref. No. 98-82 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property in the downtown area in the vicinity of the City Hall/Library project proposal.

Councillor Belcastro disclosed an interest in By-law 2002-133 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Doral Holdings.

Councillor Eybel disclosed an interest in Ref. No. 02-15 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her daughter is a volunteer firefighter.

PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Irvine presided as Chair of the Public Hearing.

02-130Z The City of Welland has received an Application (File 2002-06) to amend City of Welland Zoning By-law 2667 from TETHERWOOD DEVELOPMENTS INC. to rezone Lot 7, Plan 976 and Part of Lot 21 and 22, Concession 6, former Township of Crowland, now in the City of Welland for lands on the north side of Ontario Road, east of Southworth Street from the existing RM2 Zone and O1 Zone By-law 2667 to a Site Specific R3 Zone and O1 Zone By-law 2667. The purpose of the Amendment is to provide for small single-detached residential lots with a minimum frontage of 9.0 metres and a minimum lot area of 306 square metres to be developed by way of Plan of Subdivision. The Official Plan designation is RESIDENTIAL AND OPEN SPACE. The subject lands are also the subject of an Application for Draft Plan of Subdivision – File 26T-14-02001.

02-130 The City of Welland has received an Application (File 26T-14-02001) from TETHERWOOD DEVELOPMENTS INC. for approval of a Draft Plan of Subdivision for lands on the north side of Ontario Road, east of Southworth Street. The subject lands are designated as URBAN AREA by the Regional Policy Plan, as RESIDENTIAL AND OPEN SPACE by the City of Welland Official Plan and are zoned RM2 Zone and O1 Zone by By-law 2667. The lands are also the subject of an Application for Zoning By-law Amendment - File 2002-06. The Application proposes the development of 7.1 hectares of land for Residential purposes.

Councillor Irvine outlined the procedures of the Public Hearings as required by the Planning Act. D. Thorpe 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 applications:

- John Durand, 152 Classic Avenue, Welland.

In support of the applications:

- Steven Stapleton, agent on behalf of applicant.

In opposition of the applications:

- No one spoke.

There being no other submissions the hearing was concluded. The Mayor then resumed the Chair.

DELEGATION:

99-43 Mike Grimaldi, on behalf of Eyes on City Hall and the Welland & District Labour Council requested Council's support of a Private Member's Bill 168 introduced by Peter Kormos, MPP, (NDP), Niagara Centre, calling for the election of Board of Directors for the Welland Hydro Corporations.

THE FOLLOWING CORRESPONDENCE WAS READ:

- 02-139** Letter from Melanie Woronchak, Niagara Regional Agricultural Society requesting permission to hold a fireworks display at the Niagara Regional Exhibition on September 12, 2002.
- 02-112** A By-law to authorize the entering into a contract with Hard-Rock Paving Company Limited for the Roadways Resurfacing Program 2002.
- 99-110** A By-law to amend By-law 2000-175, being a By-law to prohibit the operation and use of vehicles on the Welland Canal Multi-Use Trail and adjacent lands.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 92-86Z** Mgr., Development Planning/Real Estate D. Thorpe - Removal of Holding Symbol - application by Residence Richelieu - 649 and 655 Tanguay Avenue, Welland (File 92-18).
- 92-86Z** A By-law to amend Zoning By-law 2667 upon the application of Residence Richelieu (Welland) Incorporated and Foyer Richelieu to remove the holding Symbol "H" from certain lands on the north side of Tanguay Avenue, west of Promenade Richelieu known municipally as 649 and 655 Tanguay Avenue.
- 99-110** A By-law to amend By-law 2000-175, being a By-law to prohibit the operation and use of vehicles on the Welland Canal Multi-Use Trail and adjacent lands.
- 99-43** Yvette Ward, Eyes on City Hall, presentation re election of Boards of Director for Hydro Corporations.
- 99-99**
- 02-97** A By-law to authorize an Agreement with Doral Holdings Limited respecting the conveyance and development of some 7.5 acres of land east of the Seaway Mall.
- 2000-108** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello - Thorold Road Roadway Reconstruction - Rice Road to South Pelham Road.
- 02-1** 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 13th day of August, 2002.
- 02-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - Final Tax Billing due dates for the Commercial, Industrial and Multi-Residential Tax Classes.
- 02-4**
- 02-137** Jack Layton, FCM Past President, Federation of Canadian Municipalities National Housing Policy Options Team - requesting a 1.5 cent per capita contribution for fiscal 2002/2003, to the FCM National Housing Policy Options Team.
- 02-7** Gen. Mgr. Financial and Corp. Serv./Treasurer B. Silvestri-Accounts Payable Report - July 9, 2002 to August 6, 2002.
- 02-13** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello - Request for Authorization to Call Tenders for the purchase of two conventional and one specialized bus as per the 2002 Capital Allocation.

- 02-20** Derek David, Event Chairman, Stop 19 Firefighters Club - requesting Special Occasion Permit.
- 02-20**
- 02-21**
- 02-135** Bryan Elliott, Director, Special Events, Tourism of Welland Niagara - requesting permission for the following: Special Occasion Permit for September 28 & 29, 2002; a fireworks display; and temporary street closures during the “**Niagara Food Festival**”.
- 02-21** Mark Belanger, Stinger Films (Independent) - requesting permission to film on Division and Cross Streets on August 21st, 2002 and on King Street at Merritt Park on August 23rd, 2002 and also requesting a waiver to the liability insurance.
- 02-22** A By-law to re-enact By-law Number 89-2000, being a By-law regulating Traffic and Parking on City streets.
- 02-22** A By-law to re-enact By-law 10721, being a By-law to provide for regulating, supervising and governing the parking of vehicles in various municipal parking facilities.
- 02-36** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello - Request for authorization for the procurement of equipment and vehicles as per the 2002 Fleet Replacement Program.
- 02-104** A By-law to authorize the purchase of Lots 285 and 286, Plan 946, from Naida Hudy, being vacant land on the west of the unopened McLaughlin Street Road Allowance.
- 02-106** A By-law to authorize the purchase of Lots 107 and 108, Plan 949, from Antonio Garofalo, being vacant land on the west of the unopened Santone Avenue Road Allowance.
- 02-112** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello - Award of Tender, Roadway Resurfacing Program 2002.
- 02-112** A By-law to authorize the repair and resurfacing of various roadways within the City of Welland (Roadway Resurfacing Program 2002).
- 02-112** A By-law to authorize the entering into a contract with Hard-Rock Paving Company Limited for the Roadways Resurfacing Program 2002.
- 02-121** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello - Award of Tender, Summerlea Subdivision Watermain Replacement.
- 02-121** A By-law to authorize the replacement of watermains on Summerlea Avenue, Montgomery Road, Topham Boulevard and Crerar Avenue.
- 02-121** A By-law to authorize the entering into a contract with Alfidome Construcion Ltd. for the replacement of watermains on Summerlea Avenue, Montgomery Road, Topham Boulevard and Crerar Avenue.
- 02-129** City Mgr. T. Fitzpatrick - Proposal from Niagara College Applied Research Services Division Centre for Advanced Visualization.
- 02-130**
- 02-130Z** Mgr., Development Planning/Real Estate D. Thorpe - Application for Draft Approval of Plan of Subdivision and Rezoning - Tetherwood Developments Inc. - north side of Ontario Road, east of Southworth Street (File 26T-14-02001) .
- 02-131** David A. Hart - opposing increase in annual rate and declining levels of service for seniors resident in long term care facilities.
- 02-131** Nancy Giles, Executive Administrative Assistant on behalf of the City Clerk, City of Port Colborne - requesting consideration and endorsement of the City of Port Colborne’s resolution regarding the proposed increase in Long Term Care fees.
- 02-132** G. Guitard, Major, Lincoln & Welland Regiment foundation - regarding the future of the militia and requesting financial consideration towards advertising.
- 02-133** Jayne Carman, Clerk, County of Brant, requesting support of its resolution regarding the protection of the environment and of potable drinking water.
- 02-134** Janet Beckett, City Clerk, City of Port Colborne - requesting support of its resolution regarding shortage of registered nurses in the Niagara Region.
- 02-136** Janine Ralph, Manager, Waste Policy and Planning, Public Works Department Waste Management Services, Regional Municipality of Niagara - Draft Report - Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-term Waste Disposal Options.

02-138 Chantelle Foreman, Shinerama Director, Niagara College 2002 Shinerama Campaign for Cystic Fibrosis - requesting permission for Niagara College students to hold car washes and shine shoes to raise money for Cystic Fibrosis on Saturday, September 7th.

02-139 Letter from Melanie Woronchak, Niagara Regional Agricultural Society requesting permission to hold a fireworks display at the Niagara Regional Exhibition on September 12, 2002.

02-1 Moved by Dzugan and Eybel that the Minutes of the Regular Council Meeting of July 16, 2002 be and the same are hereby approved and adopted as circulated.

CARRIED

92-86Z Moved by Eybel and Irvine that the Holding Symbol (H) established by Zoning By-law 10043 for the H-RM4-X1 Zone affecting 649 and 655 Tanguay Avenue be removed.

CARRIED

99-43 Moved by Spadafora and Mastroianni that the presentation by Mike Grimaldi requesting endorsement of the Private Member's Bill 168 introduced by Peter Kormos, MPP, (NDP), Niagara Centre to elect the Welland Hydro Board of Directors be received and referred to staff for study and review.

LOST

99-43 Moved by O'Dell and Grenier that Welland City Council urge the area municipalities and the Regional Municipality of Niagara to support the Private Member's Bill 168 introduced by Peter Kormos, MPP, (NDP), Niagara Centre to elect the Welland Hydro Board of Directors.

CARRIED

2000-108 Moved by Beaudoin and Fortier that the Thorold Road Roadway Reconstruction between Rice Road and South Pelham Road be deferred until funding allocation for the undertaking of the following prerequisite construction and/or reconstruction of underground services is considered and approved by Council during future budget deliberations:

- All combined sewers within the affected areas have been separated through the construction of storm sewers resulting in the elimination of open drainage water courses (i.e. ditches);
- Aging municipal infrastructure has been renewed (i.e. existing sanitary sewers and watermains) where required.

CARRIED

01-108 Moved by Fortier and Beaudoin 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.

CARRIED

02-4

02-137 Moved by Eybel and Irvine that the letter from the Federation of Canadian Municipalities requesting consideration of a 1.5 per cent per capita contribution for 2002/2003 to the FCM National Housing

Policy Options Team addressing the issues of housing and homelessness be referred to the Budget Review Committee.

CARRIED

02-4 Moved by Eybel and Irvine that the final tax installment in the Commercial, Industrial and Multi-Residential classes "Capped Classes" become due and payable on Tuesday, October 1, 2002 and that the City Solicitor be directed to prepare the necessary By-law.

CARRIED

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

1	9-Jul-02	367,058.57
2	10-Jul-02	4,765.29
3	11-Jul-02	362,471.88
4	15-Jul-02	35,450.76
5	16-Jul-02	46,121.42
6	17-Jul-02	212,758.61
7	18-Jul-02	69,375.71
8	19-Jul-02	72,972.85
9	22-Jul-02	1,145.05
10	23-Jul-02	1,169,169.96
11	24-Jul-02	1,370.00
12	25-Jul-02	261,703.45
13	29-Jul-02	52,825.86
14	30-Jul-02	101,856.74
15	31-Jul-02	194,472.66
16	1-Aug-02	1,604.22
17	2-Aug-02	177,913.31
18	6-Aug-02	<u>144,075.72</u>

Total **\$3,277,112.06**

CARRIED

02-10

02-118 That Councillor Spadafora be appointed to a Committee to meet with the Welland Recreation Canal Lands Corporation to review and report on the costs and revenues of establishing and operating a municipal golf course.

CARRIED

02-13

Moved by Eybel and Irvine that Council authorize the General Manager of Engineering, Public Works and Transportation Services to call tenders for the purchase of two (2) conventional buses and one specialized bus in compliance with Council's approved 2002 Capital Budget.

CARRIED

02-20

Moved by Eybel and Irvine that Welland City Council has no objection to the issuance of a Special Occasion Permit to Stop 19 Firefighters Club for a Golf Tournament & Bar-B-Que scheduled for

Saturday, August 24, 2002 at the Rose Avenue Fire Station; subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

CARRIED

02-20 Moved by Eybel and Irvine that Welland City Council has no objection to the issuance of a
02-21 Special Occasion Permit to Tourism of Welland Niagara for the "**Niagara Food Festival**"
02-135 to be held at Merritt Island on Saturday, September 28 and Sunday, September 29, 2002 and designates this event as a Community Festival subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and
 That the matters regarding a fireworks display, temporary street closure and waiving of \$1,000.00 fee for use of Merritt Island be referred to Staff and the Welland Recreational Canal Corporation for study and review.

CARRIED

02-21 Moved by Mastroianni and Beaudoin that Welland City Council approves the application of Stringer Films (Independent) to film on Division and Cross Streets on August 21st, 2002 and on King Street at Merritt Park on August 23rd, 2002 subject to the applicant's completion of all other conditions of the Policy of Road Use for Community Activities.

CARRIED

02-36 Moved by Eybel and Irvine that Council approve the purchase of:
 One (1) 2002/2003 New Full Size Van, Passenger Style from Gillespie Pontiac;
 Two (2) 2002/2003 New Pick Up Trucks, Extended Cab Style from Ed Learn Ford;
 Two (2) 2002/2003 New Vans, Cargo Style from Gillespie Pontiac; and
 One (1) Single Axle Dump Truck/Snow Plow/Sander from Freightliner;
 those being the lowest tender submissions meeting tender specifications.

CARRIED

02-112 Moved by Dmytrow-Bilboe and Mastroianni

1. That Council award the tender for Asphalt Repairs and Resurfacing on Various Roadways, as outlined in Report ENG 2002-35 dated July 16, 2002 to Hard-Rock Paving Company Limited in the amount of \$619,160.00 plus applicable G.S.T. being the lowest of two (2) tenders received.
2. That the City Solicitor be requested to prepare the necessary By-laws to enter into a contract with Hard Rock Paving Limited in the amount of \$619,000 plus applicable taxes with funding to be provided as follows:

Operating Budget	\$140,000
Debentures	<u>\$525,000</u>
Total Project Cost	\$665,000.

CARRIED

02-121 Moved by Dmytrow-Bilboe and Beaudoin

1. That Council award the tender for the replacement of watermain on Summerlea Avenue, Montgomery Road, Topham Boulevard and Crerar Avenue to Alfidome Construction Ltd. in the amount of \$469,317.50 plus applicable taxes, being the lowest of four (4) tenders received.
2. That the City Solicitor be requested to prepare the necessary By-laws to enter into a contract with Alfidome Construction Ltd. in the amount of \$469,317.50 plus applicable taxes, with funding to be provided as follows:

Operating Budget	\$505,000
Debentures	<u>\$ 95,000</u>
Total Project Cost	\$600,000

CARRIED

02-129 Moved by Beaudoin and Dzugan

1. That the City of Welland accept the proposal from Niagara College Applied Research Services Division for Advanced Visualization for the production of a 3-dimensional data base for the City of Welland at an upset cost of \$75,000;
2. That funding for the project be taken equally from the Industrial Development Reserve Fund, the Canal Lands Reserve Fund and the Civic Centre Reserve Fund; and
3. That staff be authorized to make applications for subsidy to assist in off-setting the cost of the project.

CARRIED**02-130**

02-130Z Moved by Eybel and Irvine that Report PDS-2002-64 regarding an Application for Draft Approval of Plan of Subdivision and Rezoning - Tetherwood Developments Inc. - north side of Ontario Road, east of Southworth Street be received for information.

CARRIED**02-131**

Moved by Eybel and Irvine that Welland City Council advises the Ministry of Health that it supports the concerns raised by Dave Hart concerning annual rate increases and declining levels of service for seniors who are residents in long-term care facilities.

CARRIED**02-131**

Moved by Eybel and Irvine that Welland City Council supports the resolution of the City of Port Colborne opposing the proposed increase in Long Term Care fees; and That the City Clerk advise the proper authorities accordingly.

CARRIED**02-132**

Moved by Dmytrow-Bilboe and Mastroianni that the letter from The Lincoln & Welland Regiment Foundation regarding the future of the militia and requesting financial support towards advertising be received and filed.

CARRIED**02-133**

Moved by Spadafora and Belcastro that the letter from the County of Brant requesting support of its resolution to petition the Ontario Ministry of the Environment and Energy to reconsider the criteria and reporting format for the evaluation of water systems be received for information.

CARRIED**02-134**

Moved by Alakas and Belcastro that the request from the City of Port Colborne to support its resolution to petition the Ministry of Training, Colleges and Universities to reinstate the Nursing Program at Niagara College be referred to the next regular Council Meeting of September 3, 2002.

CARRIED

02-136 Moved by Eybel and Irvine that the Draft Report - Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-term Waste Disposal Options from the Public Works Department Waste Management Services, Regional Niagara be received and referred to staff for study and review.

CARRIED

02-138 Moved by Eybel and Irvine that Council approves the "*Shinerama Campaign*" for Cystic Fibrosis by Niagara College students at the Market Square location only during September 7th, 2002.

CARRIED

02-139 Moved by Eybel and Irvine that subject to the supervision of the event by a properly licensed person, permission is hereby granted to the Niagara Regional Agricultural Society to hold a fireworks display on Thursday, September 12, 2002 as part of the "*150th Fair Celebrations*" at the Niagara Regional Exhibition.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

96-85 Moved by Belcastro and Mastroianni that Council authorize the appraisal and offer for sale Parts 3, 4 and 5, 59R-8889 (north side of Churchill Avenue east of Plymouth Road).

CARRIED

98-82 Moved by Dzugan and Belcastro that Welland Council approve, in principle, a City Hall/Library complex not to exceed 80,000 square feet in area to be constructed on the City owned lands (Municipal address 60 East Main Street) on the north side of East Main Street.

CARRIED

99-43

02-10 Moved by Mastroianni and Belcastro that the Corporation of the City of Welland, as the Sole Shareholder of the Welland Hydro Electric Holding Corporation (W.H.E.H.C.) approves the Resolution of the Sole Shareholder to appoint Mr. Ross Peever to replace Rimas Slavickas as a Director of the W.H.E.H.C. effective July 29, 2002 as long as he is the President and Chief Executive Officer of W.H.E.H.C.

CARRIED

99-43 Moved by Dmytrow-Bilboe and Mastroianni that the Corporation of the City of Welland, as the sole shareholder of the Welland Hydro Electric Holding Corporation approves the By-law to approve the short term loan to Ross Peever by Welland Hydro based on the terms described in the Term Sheet.

CARRIED

01-108 Moved by Mastroianni and Dzugan

1. That Council declare 17 East Main Street surplus to City requirements and offer the property for sale by way of a Request for Proposal process; and

2. That Council approve the Request for Proposal for 17 East Main Street as set out in Report No. CM-2002-26.

CARRIED

01-122 Moved by Mastroianni and Irvine

1. That Part 1, Plan 59R-11789 be sold to Mr. Camden, Owner of 100 Maureen Avenue at a value of \$1,430.00 with the properties merging in title and Mr. Camden be responsible for the construction of a fence along the east boundary of Part 1.
2. That Part 2, Plan 59R-11789 be sold to Mr. Samuel, Owner of 92 Maureen Avenue at a value of \$1,260.00 with the properties merging in title.

CARRIED

...continued...

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE...Cont'd.

- 01-136** Moved by Grenier and Fortier that Welland City Council approves a bilingual flag for the City of Welland, adding to the current flag the inscription "Ville de Welland"; and That the City Solicitor be instructed to prepare the necessary by-law.

CARRIED

YEAS: Councillors O'Dell, Mastroianni, Dzugan, Fortier, Beaudoin, Alakas, Dmytrow-Bilboe, Irvine, Grenier, Belcastro and Mayor Forster.

NAYS: Councillors Eybel and Spadafora.

02-10

02-85 Moved by Dzugan and Eybel

1. That Council establish an Ad Hoc Committee composed of Councillors Rick Alakas, John Mastroianni and Dianne Grenier to establish the terms of reference and to make recommendations to Council on the membership for a Municipal Advisory Committee under the Ontarians with Disabilities Act;
2. That staff be directed to seek candidates for the Municipal Advisory Committee and to present the list of candidates to the Ad Hoc Committee for review; and
3. That the City Manager appoint a staff member to act as support for the Ad Hoc Committee.

CARRIED

- 02-15** Moved by Dmytrow-Bilboe and Spadafora that Council receive the Municipal Fire Service Review, dated June 2002, and that copies of the review including options prepared by the Fire Chief be provided to the Welland Professional Fire Fighters Association and to the Welland Volunteer Fire Fighters, as represented by the Industrial, Wood & Allied Workers; and That Council (as General Committee) meet with the two organizations in Committee of the Whole In Camera on 10 September to receive comments on the review.

CARRIED

- 02-23** Moved by Eybel and O'Dell that Report PDS-2002-69 concerning the cost of a new By-law Enforcement Officer be received for information.

CARRIED**02-137** Moved by Dmytrow-Bilboe and Fortier

1. That Report 2002-66 of the Planning and Development Services Department dated August 13, 2002 regarding the request of Carole and Len Eybel, Chris and Peter Pizzacalla, and Ollie and Peter N. Pizzacalla to purchase City-owned lands on the south side of Ross Street north of Almond Street (Lots 4 to 11, Part Lots 12 and 13, Plan 58 (NP606)) be received;
2. That Council declare surplus to the City's needs lands on the south side of Ross Street north of Almond Street (Lots 4 to 11, Part Lots 12 and 13, Plan 58 (NP606));
3. That Council direct Planning and Development Services Staff to have the lands on the south side of Ross Street, north of Almond Street (Lots 4 to 11, Part Lots 12 and 13, Plan 58 (NP 606)) appraised;
4. That any subsequent sale of lands on the south side of Ross Street north of Almond Street (Lots 4 to 11, Part Lots 12 and 13, Plan 58, (NP606)) be carried out in accordance with the Municipal Act and in the manner described in Report 2002-66; and
5. That the next proceeds from any land sale be deposited in the Civic Centre Reserve Fund.

CARRIED**BY-LAW ARISING FROM COMMITTEE-OF-THE-WHOLE****BY-LAW PRESENTED FOR FIRST READING:**

1. Moved by Grenier and Fortier that leave now be given to introduce the following proposed By-law entitled:

01-136

BYL 2002-126

A By-law to adopt a bilingual flag for the Corporation of the City of Welland.

And that the same be now read a first time.

CARRIED*(Councillor Spadafora asked to be recorded as opposed to By-law 2002-126)***BY-LAW PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Grenier and Fortier that the By-law listed in the foregoing motion for first reading, 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 Spadafora asked to be recorded as opposed to By-law 2002-126)*

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

02-106

BYL 2002-127

A By-law to authorize the purchase of Lots 107 and 108, Plan 949, from Antonio Garofalo, being vacant land on the west of the unopened Santone Avenue Road Allowance.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...cont'd.:

02-104

BYL 2002-128

A By-law to authorize the purchase of Lots 285 and 286, Plan 946, from Naida Hudy, being vacant land on the west of the unopened McLaughlin Street Road Allowance.

02-112

BYL 2002-129

A By-law to authorize the repair and resurfacing of various roadways within the City of Welland (Roadway Resurfacing Program 2002).

02-22

BYL 89-2000 RE-ENACTED AUGUST 13, 2002

A By-law regulating Traffic and Parking on City streets.

02-22

BYL 10721 RE-ENACTED AUGUST 13, 2002

A By-law to provide for regulating, supervising and governing the parking of vehicles in various municipal parking facilities.

02-121

BYL 2002-130

A By-law to authorize the replacement of watermains on Summerlea Avenue, Montgomery Road, Topham Boulevard and Crerar Avenue.

02-121

BYL 2002-131

A By-law to authorize the entering into a contract with Alfidome Construction Ltd. for the replacement of watermains on Summerlea Avenue, Montgomery Road, Topham Boulevard and Crerar Avenue.

92-86Z

BYL 2002-132

A By-law to amend Zoning By-law 2667 upon the application of Residence Richelieu (Welland) Incorporated and Foyer Richelieu to remove the Holding Symbol "H" from certain lands on the north side of Tanguay Avenue, west of Promenade Richelieu known municipally as 649 and 655 Tanguay Avenue.

99-99**02-97****BYL 2002-133**

A By-law to authorize an Agreement with Doral Holdings Limited respecting the conveyance and development of some 7.5 acres of land east of the Seaway Mall.

99-110**BYL 2002-134**

A By-law to amend By-law 2000-175, being a By-law to prohibit the operation and use of vehicles on the Welland Canal Multi-Use Trail and adjacent lands.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...cont'd.:**02-112****BYL 2002-135**

A By-law to authorize the entering into a contract with Hard-Rock Paving Company Limited for the Roadways Resurfacing Program 2002.

02-1**BYL 2002-136**

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 13th day of August, 2002.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Mastroianni and Dmytrow-Bilboe 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

NOTICES 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 28, 2002 for inclusion on the next Regular Council Meeting Agenda.

Councillor O'Dell gave Notices of Motion of the following issues to be presented to Council at the September 3rd, 2002 Regular Council Meeting.

**97-85
02-98
03-4**

That the waterworks Capital Budget for the years 2003 and 2004 include sufficient funding to complete the replacement of all cast iron mains in the Dain City area.

**97-85
02-98
02-4**

That a feasibility study be done to determine benefits and costs to looping the Dain City water services to either Port Colborne on Elm Street or to Townline Road West Side Industrial Park area.

Council adjourned at 10:20 p.m.

These Minutes approved and adopted by Motion of Council this 3rd day of September, 2002.

MAYOR

CLERK