



COUNCIL MEETING, SEPTEMBER 17, 2002

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 6:05 p.m. and in open session at 7:50 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, J. Irvine, J. Mastroianni and S. O'Dell.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

Manager, Environmental & Traffic Services D. Cook (6:30 p.m.)

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah (7:50 p.m.)

General Manager Parks & Recreation I. Smith (7:50 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri

Clerk Steno III B. Gallaccio (7:50 p.m.)

Manager, Engineering Services L. Ventresca (7:50 p.m.)

Manager, Development Planning/Real Estate D. Thorpe (7:50 p.m.)

(John Tidball, Contract Solicitor, Miller Thompson, was present in Committee-of-the-Whole regarding a matter of solicitor, client privilege).

(Les Andrew, Architect Consultant, was present in Committee-of-the-Whole regarding a security of property matter.)

02-25 Moved by Mastroianni and Irvine that Council meet in Committee-of-the-Whole, closed to the public at 6:05 p.m. to consider:

- a) the security of the property of the municipality;
- b) personal matters about an identifiable individual, including municipal employees;
- c) labour relations or employee negotiations; and
- d) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

(Councillor Eybel was not present during Committee-of-the-Whole discussions on a labour relations matter).

02-25 Moved by Irvine and Mastroianni that the Committee-of-the-Whole arise from its closed meeting at 7:45 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Eybel disclosed an interest in Ref. Nos. 02-15 and 02-15 (Committee-of-the-Whole) and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her daughter is a member of the Welland Volunteer Fire Fighters.

PUBLIC HEARING PURSUANT TO SECTION 442-TAX WRITE OFFS

- No one spoke

PUBLIC HEARING PURSUANT TO THE DEVELOPMENT CHARGES ACT

- No one spoke

DELEGATION:

02-22 Rob Neill, Durward Jones Barkwell & Company LLP addressed Council regarding loss of parking due to Division Street becoming a two-lane roadway.

02-138 Bruno Carusetta, Rex Hotel Limited, addressed Council regarding parking behind the Rex Hotel.

THE FOLLOWING CORRESPONDENCE WAS READ:

02-22 A By-law to authorize the purchase of three mini buses for Welland Transit.

02-138 Letter from Bruno Carusetta, Rex Hotel Limited, address Council regarding parking behind the Rex Hotel.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

- 02-136** Letter from Andre Larabie regarding Draft Report – Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-Term Waste Disposal Options.
- 02-123** Report from General Manager, Parks & Recreation I Smith re Electrical Services Tender for City Facilities and Other Needs.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 93-66** City Manager T. Fitzpatrick – Provision of Service Agreement of OEB International Ltd.
- 95-103** Mgr., Development Planning/Real Estate D. Thorpe – Towpath Village Extension Subdivision – Ashton Homes (Western) Limited – Request for exemption from Part Lot Control – Lots 31 and 33, Plan 59M-286.
- 95-103** A By-law to exempt certain lands from Part-Lot Control west side of Hansler Road, south of St. Lawrence Drive, City of Welland.
- 96-48** City Manager T. Fitzpatrick – Proposed amendment to City of Welland Development Charges By-law 1999-142.
- 01-108** Charges By-law 1999-142.
- 96-48** A By-law to amend City of Welland Development Charges By-law 1999-142 (Downtown Core Exemption).
- 97-77**
- 02-31** Usage of baseball facilities – Niagara Rebels Baseball Club.
- 97-85** Mgr., Development Planning/Real Estate D. Thorpe – Request to stop up and close part **02-98** of Nidel's Crescent.
- 98-04**
- 99-04**
- 01-04** Gen. Mgr. Financial & Corp. Serv./Treasurer B. Silvestri – Application for Tax Write-offs-Section 442.
- 02-04**
- 98-152** Council Remuneration – one third expense allowance.
- 99-38** Mgr., Development Planning/Real Estate D. Thorpe – Urban Area Expansion South of Webber Road.
- 99-117** A By-law to amend By-law 10011, being a By-law to designate Fire Routes in the City of Welland.
- 99-117** A By-law to amend By-law 11135, being a By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland for the purpose of enforcing By-law 9840, being **02-22** the Handicapped By-law, By-law 10011, being the Fire Route By-law, and By-law 89-2000, being the Traffic and Parking on City Streets By-law which includes parking regulations for the Seaway Mall, 800 Niagara Street.
- 99-140** Brady and Associates requesting the initiation of a planning study of North Welland in order to extend the northerly boundary of the City's urban area.
- 2000-47** Mgr., Development Planning/Real Estate D. Thorpe – Acceptance of Transfer of Easement and request to remove 0.3 metre reserve and lay-out, establish and name Block 77, Plan 59M-277 as part of Green Pointe Drive – Sterling Realty (Niagara) Inc. – East side of Green Pointe Drive, North of Beatty Avenue.
- 2000-47** A By-law to accept the transfer of an easement(s) for storm sewers from Sterling Realty (Niagara) Inc. to the Corporation of the City of Welland on the east side of Green Pointe Drive, north of Beatty Avenue.
- 2000-47** A By-law to lay-out, establish and name Block 77, Plan 59M-277 being a 0.3 metre reserve for the City of Welland as part of Green Pointe Drive.
- 2000-69** Mgr., Development Planning/Real Estate D. Thorpe – Acceptance of Transfer of Easement – Vincent Policella Masonry Contractor Limited – South side of Hunter Drive, West of Clare Avenue (Parts 2 and 3, Plan 59R-11745).

- 2000-69** A By-law to accept the transfer of an easement(s) for storm sewers from Vincent Policella Masonry Contractor Limited to the Corporation of the City of Welland on the south side of Hunter Drive, West of Clare Avenue Subdivision.
- 2000-83** Review of City's Lot Grading & Drainage for Subdivisions Policy.
- 01-22** Staff responses on parking principles as detailed by Council in General Committee – June 11, 2002.
- 01-120** Town of Pelham – request appt. of an engineer to maintain the section of Big Creek Drain in the City of Welland.
- 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 17th day of September, 2002.
- 02-6** The Honourable Denis Coderre, Minister of Citizenship and Immigration – requesting the week of October 14 to 20, 2002 be declared as “**Canada's Citizenship Week 2002**”.
- 02-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri – Accounts Payable Report – August 27, 2002 to September 10, 2002.
- 02-13** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello – Request for authorization for the procurement of three mini buses as per the 2002 Capital Budget.
- 02-13** A By-law to authorize the purchase of three mini buses for Welland Transit.
- 02-13** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello – Request to renew transit bench advertising agreement.
- 02-15** Bill 30 - to protect from union sanctions those full-time firefighters who choose to volunteer for their local community fire departments (Two-Hatters).
- 02-15** Joint Emergency and Preparedness Program (JEPP) Application for funding for power supply generator for new City Hall.
- 02-22** Calming traffic on East Main and Division Streets.
- 02-22** Rob Neill – loss of parking due to Division Street becoming a two-lane roadway.
- 02-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer G. Marcello – Increase Fines – By-Law 9840 – Handicapped Parking.
- 02-22** A By-law to amend Schedule “C” of By-law 89-2000, being a By-law regulating traffic and parking on city streets.
- 02-22** A By-law to terminate the appointment of a By-law Enforcement Officer of the Corporation of the City of Welland.
- 02-24** A By-law to amend By-law 10176, being a By-law to establish a Comprehensive Policy for all non-union employees of the Corporation of the City of Welland respecting certain terms and conditions of employment.
- 02-120** Youth Pastor Phil Smith, Faith Tabernacle Church re the possibility of the City of Welland and the City of Cadereyta becoming twin cities.
- 02-123** Gen. Mgr. Parks & Recreation I. Smith – Electrical Services Tender for City Facilities and Other Needs.
- 02-128** Quotation for Water and Sewer Operating Materials.
- 02-129** A By-law to accept the proposal from Niagara College Applied Research Services Division Centre for Advanced Visualization.
- 02-135** Gen. Mgr. Parks & Recreation – I. Smith – Food Festival – Waiving of fees.
- 02-136** Andre Larabie – Draft Report – Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-Term Waste Disposal Options.
- 02-136** Region's Draft Report – Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-term Disposal Options.
- 02-136** Region's Draft Report – Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-term Disposal Options.
- 02-140** Dain City Area Watermain Replacement Phase 1.
- 02-140** A By-law to authorize the Dain City Area Watermain Replacement (Phase 1).
- 02-150** Terry Mester, requesting a By-law to prohibit people from shoveling, sweeping, washing or otherwise placing snow, leaves, sand, dirt or any other material on the City Street in front of another person's property or onto the City portion of that person's property.

02-1 Moved by Alakas and Dmytrow-Bilboe that the Minutes of the Regular Council Meeting of September 3, 2002 be and the same are hereby approved and adopted as circulated.

CARRIED

92-94 Moved by Fortier and Mastroianni that Council review its Notice of Motion Procedure with respect to the ownership of a notice of motion and the length of time a notice of motion can remain on notice without action.

CARRIED

92-94 Moved by Fortier and Mastroianni that the right to move a Notice of Motion shall be deemed to be that of the Councillor who introduced the Notice with the following limitations:

At the regular meeting following Notice of Motion being given, the Councillor who presented said Notice will have the right to move the Notice as a motion for debate. If the Notice of Motion is not moved at said meeting or the next regular meeting or unless withdrawn voluntarily by the mover before that time, the Clerk shall remove the Notice from any future agenda.

A Notice of Motion may not be re-introduced for a six (6) month period by the same mover after it has been removed from the agenda by the Clerk.

That the clarification be included in the Procedural By-law of Council.

CARRIED

93-66

02-152 Moved by Dmytrow-Bilboe and Mastroianni

1. That the City of Welland enter into an agreement with OEB International Ltd. for the provision of public relations/public affairs services in the amount of \$12, 500 plus G.S.T.; and
2. That the funding for the services be taken from the City Promotions portion of the Economic Development Budget.

CARRIED

(Councillor O'Dell asked to be recorded as opposed to this Resolution.)

95-103 Moved by Beaudoin and Dzugan

1. That the City Of Welland adopt a By-law to exempt Lots 31 and 33, Plan 59M-286 from Part Lot Control in order to create ten (10) street townhouse properties; and
2. That the By-law to exempt Part Lot Control be repealed and discharged from Title once all parts on the requisite Reference Plan have been conveyed.

CARRIED

96-48

01-108 Moved by Mastroianni and Dmytrow-Bilboe that City of Welland Development Charges By-law 1999-142 be amended to exempt newly created residential units in the Downtown Core and adjacent areas from the payment of Development Charges.

CARRIED**97-77****02-31**

Moved by Beaudoin and Dzugan that the information presented by the Niagara Rebels Baseball Club be received and referred to the Sports Complex Committee for review and recommendation and that staff be directed to follow up and report on this matter; and further

That permission is hereby granted to the Niagara Rebels Baseball Club for use of the Sports Complex on September 12th, 20th and 21st in the interim.

CARRIED**97-85****02-98**

Moved by Beaudoin and Dzugan

1. That the City of Welland transfer Nidel's Crescent being Parts 8, 15, 18 and 19, Plan 59R-3972 to the Regional Municipality of Niagara at no cost; and
2. That Regional Niagara transfer to The Corporation of the City of Welland certain lands adjacent to Part 8, Plan 59R-3972 at no cost for the construction of a Water Haulage Station; and
3. That Regional Niagara transfer to the City of Welland that part of Nidel's Crescent which will remain as a Public Highway at such time as the road allowance has been reconfigured and the Region has determined its land requirements.

CARRIED**98-4****98-4**

Moved by Fortier and Irvine that pursuant to Section 442 of the Municipal Act, R.S.O.

99-4

1990, C.M. 45, Council approves the write-off of taxes in the amount of \$50,805.56

01-4

as contained in the attached report listing the reasons for reduction or cancellation and

02-4

values.

CARRIED**98-82****02-15**

Moved by Beaudoin and Dzugan that Council approves the inclusion of a power supply generator in the plans for the new City Hall, and that a specific area of the building be designated as an Emergency Operations Center, equipped with appropriate telecommunications equipment and other associated materials, and that staff be authorized to apply for federal funding through the Joint Emergency and Preparedness Program, to offset the cost.

CARRIED**98-152**

Moved by Beaudoin and Dzugan that pursuant to the passing of the Municipal Act 2001 Welland Council states its intention that on and after January 1, 2003, one-third of the remuneration paid to elected members of Council shall be as expenses incident to the discharge of their duties as members of Council.

CARRIED

99-38 Moved by Beaudoin and Fortier that Council requests the Regional Municipality of Niagara to amend its Regional Policy Plan to incorporate the lands south of Webber Road to approximately 130 metres south of Gaiser Road between the Welland River to the east and the municipal boundary with the Town of Pelham to the west within the urban area of the City of Welland.

CARRIED

99-140 Moved by Beaudoin and Dzugan that the request from Richard F. Brady of Brady and Associates requesting the initiation of a planning study of North Welland in order to extend the northerly boundary of the City of Welland's urban area, be again referred to Development Services staff for study and review.

CARRIED

2000-47 Moved by Beaudoin and Dzugan

1. That Council accepts a Transfer of Easement for Storm Sewer purposes over Part of Lot 241, former Township of Thorold, now in the City of Welland being Parts 3 and 4, Plan 59R-11783; and
2. That Block 77, Plan 59M-277 being a 0.3 metre Reserve be Layed Out, Established and Named as part of Green Pointe Drive, and
3. That Staff be authorized to prepare the necessary By-law.

CARRIED

2000-69 Moved by Beaudoin and Dzugan

1. That Council accepts a Transfer of Easement for Storm Sewer purposes over Part of Lot 1, Plan 59M-288 being Parts 2 and 3, Plan 59R-11745 for Storm Sewer purposes; and
2. That Staff be authorized to prepare the necessary By-law.

CARRIED

2000-83 Moved by Beaudoin and Dzugan that staff be again directed to review the City's Lot Grading & Drainage for Subdivisions Policy SER-007-0004 to provide for improvement enforcement procedures; and That Council again direct staff to review the need to deal with lot grading and drainage issues with new and existing subdivisions.

CARRIED

01-120 Moved by Beaudoin and Dzugan that the letter from the Town of Pelham requesting the appointment of an engineer to maintain the section of Big Creek Drain located in the City of Welland, be again referred to the Operational Services staff for study and review.

CARRIED

02-06 Moved by Beaudoin and Dzugan that the Mayor proclaim the week of October 14 to 20, 2002 as "**Canada's Citizenship Week 2002**" in the City of Welland as requested by the Minister of Citizenship and Immigration.

CARRIED

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

| | | |
|----|--------------|----------------------|
| 1 | 27-Aug-02 | \$ 25,162.79 |
| 2 | 28-Aug-02 | 16,829.74 |
| 3 | 29-Aug-02 | 73,461.10 |
| 4 | 30-Aug-02 | 8,861.36 |
| 5 | 03-Sep-02 | 164,682.13 |
| 6 | 04-Sep-02 | 14,733.90 |
| 7 | 05-Sep-02 | 48,376.69 |
| 8 | 06-Sep-02 | 57,509.71 |
| 9 | 09-Sep-02 | 831.00 |
| 10 | 10-Sep-02 | <u>361,478.99</u> |
| | Total | \$ 771,927.41 |

CARRIED

02-13 Moved by Eybel and Irvine

1. That Council approves the purchase of Two (2) 27' - 2002 Conventional Accessible Buses from Crestline Coach Limited, at the tendered price of \$163,350.00 for both buses and One (1) 27' - 2002 Specialized Bus from Crestline Coach Limited, at the tendered price of \$83,035.00 these being the lowest of five (5) tender submissions received meeting the tender specifications.
2. That the City Solicitor be directed to prepare the necessary By-law to enter into a contract with Crestline Coach Limited for the manufacture/supply and delivery of the three buses for the total tendered amount of \$246,385.00 including applicable taxes.

CARRIED

02-13 Moved by Fortier and Eybel that Report Trans-2002-11 re: Request to Renew Transit Bench Advertising Agreement be referred to the October 1st, 2002 Council Meeting for clarification on the advertising policy.

CARRIED

02-15 Moved by Beaudoin and Dzugan that report F&ES-2002-03, regarding Bill 30 (proposes to protect from Union sanctions those full-time firefighters who choose to volunteer for their local community fire departments - - two hatters) be received; and That for the reasons set out in Report F&ES -2002 -03 that City of Welland not support the Resolution of Thorold City Council in its efforts to have the Fire Protection and Prevention Act amended to allow firefighters to work in other municipalities.

CARRIED

02-22 Moved by O'Dell and Belcastro that the presentation by Bruno Carusetta, Rex Hotel Limited, objecting to the metered off street parking behind the Rex Hotel be received for information.

CARRIED

02-22 Moved by Eybel and Dmytrow-Bilboe that City lot behind the Blue Star restaurant be totally free parking until all parking issues are resolved.

LOST

02-22 Moved by Beaudoin and Dzugan that the presentation by Rob Neill, Durward Jones Barkwell & Company LLP, regarding the repainting of Division Street as a two-lane roadway resulting in loss of parking be received for information.

CARRIED

02-22 Moved by Beaudoin and Dzugan that staff prepare a report with respect to calming traffic on East Main and Division Streets.

CARRIED

02-22 Moved by Irvine and Beaudoin that subject to the discussions and direction of Council on matters 1 to 9 as outlined in Report TRAF 2002-21 dated September 10, 2002, staff be authorized to undertake the following:

PRINCIPLE 1 - TREAT 'ON STREET' PARKING DIFFERENT - DOWNTOWN

- (i) That the City Solicitor be requested to prepare a By-law to amend By-law 89-2000 (Traffic and Parking, Schedule 'G' - Parking Meter Control), to incorporate changes to fees, maximum period, times/days as outlined in Report TRAF 2002-21 with amendment to be Monday to Friday only.
- (ii) That Region of Niagara be requested to amend Regional By-law 89-2000 (Traffic and Parking – Schedule 'G' - Parking Meter Control), to incorporate changes to fees, maximum period, times/days as outlined in Report TRAF 2002-21 with amendment to be Monday to Friday only, pertaining to Regional Roads with amendment to be Monday to Friday only.
- (iii) That the Manager of Environment and Traffic Services be authorized to proceed with the upgrade/replacement of Mechanical Parking Meters with electronic mechanisms in heavy duty vaults, secure coin cans and collection cart to an upset limit of \$47,500 including taxes.

PRINCIPLE 2 - CONTINUE PAY FOR USE IN PARKING LOTS

That the City Solicitor be requested to prepare a By-law to amend By-law 10721 - Parking Lots - Schedule 'A' to incorporate changes to, Control, Fee, Maximum Time, Time of Day, as outlined in Schedule 'B' attached to report TRAF 2002-21 with amendment to be Monday to Friday only 8:00 a.m. to 6:00 p.m.

PRINCIPLE 3 - FREE PARKING CITY HALL

That the Region of Niagara be requested to prepare a By-law to amend Regional By-law 89-2000 (Traffic and Parking) - Schedule 'G' Parking Meter Control - deleting the following:

PRINCIPLE 4 - PAY FOR USE PARKING ON CITY STREETS

That the Manager of Environmental and Traffic Services be requested to prepare a report, for the further consideration of Council, which outlines other areas of the City where Metered Parking Control could be considered.

PRINCIPLE 5 - VARIABLE MAXIMUM PERIODS

That the City Solicitor be requested to incorporate 'Maximum' periods of different durations to reflect adjacent land uses at 'On-Street' metered parking stalls as identified in Report TRAF 2002-21 - September 10, 2002.

PRINCIPLE 6 - CONTINUE USE OF 'PAY AND DISPLAY' MACHINES IN PARKING LOTS

- (i) That the Manager of Environmental and Traffic Services incorporate the procurement and/or replacement of 'Pay and Display' parking machines in municipal parking lots, in the five (5) year Capital Budget forecast 2003-2007.
- (ii) That the General Manager of Engineering, Public Works and Transportation Services be authorized to proceed with the procurement and installation of a 'Pay and Display' parking machine in the Park Street Parking Lot at an estimated cost of \$11,100.00.

...continued...

02-22... Cont'd.**PRINCIPLE 7 - ENHANCED ENFORCEMENT**

- (i) That the City Manager, Manager of Human Resources, and Manager of Environmental and Traffic Services prepare a report for the consideration of Council, which outlines the Human Resources needs for enhancing parking enforcement.
- (ii) That the City Solicitor be requested to prepare a By-law which appoints the General Foremen and Working Foremen in the Public Works Department, as By-law Enforcement Officers - Parking, to enforce 'No Parking' provisions of By-law 89-2000 related to 'No Parking' on any City street as if affects snow clearing and public works operations.

8. FEE DIFFERENTIAL - ON TO OFF STREET PARKING

NOTE: Covered in recommendations under Principle 1.

9. RESIDENTIAL PERMIT PARKING

That the Manager of Environmental and Traffic Services, with the assistance of the City Solicitor prepare Policies and Procedures for consideration of Council, for the implementation of an 'On-Street Parking Permit.

CARRIED

(Councillor Eybel asked to be recorded as opposed to Principles 1, 2, 4, 5, 6, and 8 of this resolution).

02-22

Moved by Beaudoin and Dzugan that the City Solicitor be requested to prepare a By-law to:

1. Repeal By-law 2001-106 – Established Current Set Fine of \$150.00; and
2. Increase the penalty provisions of By-law 9840 – Handicapped Parking from current 'Set Fine' of \$150.00 to \$300.00.

CARRIED**02-99Z**

Moved by Belcastro and Mastroianni that staff be directed to review the current By-law 2667; and

That Section 5.3 (D) be changed to include all finished areas of the main building; and further

That Section 2.14, Section 2.27 & Section 2.61, of the definitions be deleted to avoid any further confusion.

CARRIED

02-120 Moved by Beaudoin and Dzugan that the matter regarding the City of Cadereyta becoming twin cities with the City of Welland be again referred to staff for study and review.

CARRIED

02-128 Moved by Beaudoin and Dzugan that Council accepts the quotation of Vancor Supply, Gladding Sales Agency Ltd., Evans Supply Ltd., Emco and Hygrade Precast Concrete in the amounts of \$3,764.70, \$11,087.26, \$32,271.94, \$13,816.82 and \$2,166.96 respectively for a total expenditure of \$63,107.68 for the Supply of Water and Sewer Materials as these were the lowest of the seven (7) quotations submitted.

CARRIED

02-135 Moved by Fortier and Belcastro that Report P&R-02-34 concerning granting approval to waive fees for the Food Festival 2002 by the Welland Recreational Canal Corporation be received.

CARRIED

02-136 Moved by Beaudoin and Dzugan that the Region of Niagara be advised that Welland City Council will require additional time beyond the September 30th deadline to properly respond to the Region's Draft Report entitled "Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-Term Waste Disposal Options".

CARRIED

02-136 Moved by Beaudoin and Dzugan that staff be instructed to prepare a report on the Region of Niagara's Draft Report entitled "Identification of Preferred Alternative Environmental Assessment Level Review of Regional Mid-Term Waste Disposal Options".

CARRIED

02-140 Moved by Beaudoin and Dzugan that the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with the preparation of plans, specifications and calling of tenders for the replacement of watermains on the following roadways, referred to be Dain City Area Watermain Replacement Phase I:

Crescent Drive - full length

Glenwood Parkway - between Crescent Drive and Thornton Avenue

Thornton Avenue - between Glenwood Parkway and Stanley Street;

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

That funding of the project shall be \$150,000 from the Operating Budget and \$190,000 from debenture.

CARRIED

02-150 Moved by Eybel and Dmytrow-Bilboe that Council review its Notice of Motion Procedure with respect to the ownership of a notice of motion and the length of time a notice of motion can remain on notice without action.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

98-82 Moved by Mastroianni and Dmytrow-Bilboe that Council return to the process of the 3 remaining previously short-listed Architect teams to make public presentation to Council for the purpose of selecting an Architect for the City Hall/Library project; and
That Council retain the services of Les Andrew, Architect Consultant, to assist in this process.

CARRIED

02-15 Moved by Mastroianni and Irvine that the City of Welland Municipal Fire Services Review, January 2002, prepared by the Office of the Ontario Fire Marshal be received for information; and further
That the following responses to the Review be received for information:

- Municipal Fire & Emergency Services, prepared by Fire Chief Paul Olah and Deputy Chief Kevin Roach.
- Welland Professional Fire Fighters Association's comments to Council on the Fire Marshal's Master Community Fire Safety Plan.
- Welland Professional Fire Fighters Association's Service Delivery Options.

CARRIED

02-24 Moved by Irvine and Dmytrow-Bilboe that the City Solicitor's retainer be increased by 3% effective July 1, 2002.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

95-103

BYL 2002- 145

A By-law to exempt certain lands from Part-Lot Control west side of Hansler Road, south of St. Lawrence Drive, City of Welland.

96-48

BYL 2002-146

A By-law to amend City of Welland Development Charges By-law 1999-142 (Downtown Core Exemption).

99-117

BYL 2002-147

A By-law to amend By-law 10011, being a By-law to designate Fire Routes in the City of Welland.

99-117

02-10

02-22

BYL 2002-148

A By-law to amend By-law 11135, being a By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland for the purpose of enforcing By-law 9840, being the Handicapped By-law, By-law 10011, being the Fire Route By-law, and By-law 89-2000, being the Traffic and Parking on City Streets By-law which includes parking regulations for the Seaway Mall, 800 Niagara Street.

2000-47

BYL 2002-149

A By-law to accept the transfer of an easement(s) for storm sewers from Sterling Realty (Niagara) Inc. to the Corporation of the City of Welland on the east side of Green Pointe Drive, north of Beatty Avenue.

2000-47

BYL 2002-150

A By-law to lay-out, establish and name Block 77, Plan 59M-277 being a 0.3 metre reserve for the City of Welland as part of Green Pointe Drive.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:**2000-69**

BYL 2002-151

A By-law to accept the transfer of an easement(s) for storm sewers from Vincent Policella Masonry Contractor Limited to the Corporation of the City of Welland on the south side of Hunter Drive, West of Clare Avenue Subdivision.

02-24

BYL 2002-152

A By-law to amend By-law 10176, being a By-law to establish a Comprehensive Policy for all non-union employees of the Corporation of the City of Welland respecting certain terms and conditions of employment.

02-22

BYL 2002-153

A By-law to amend Schedule "C" of By-law 89-2000, being a By-law regulating traffic and parking on city streets.

02-22

BYL 2002-154

A By-law to terminate the appointment of a By-law Enforcement Officer of the Corporation of the City of Welland.

02-129

BYL 2002-155

A By-law to accept the proposal from Niagara College Applied Research Services Division Centre for Advanced Visualization.

02-140

BYL 2002-156

A By-law to authorize the Dain City Area Watermain Replacement (Phase 1).

02-13

BYL 2002-157

A By-law to authorize the purchase of three mini buses for Welland Transit.

02-1

BYL 2002-158

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 17th day of September, 2002.

And that the same be now read a first time.

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

2. Moved by Dzugan and Eybel that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, as amended, having been read a first time and considered, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED**NOTICE OF MOTION**

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16, 2001, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, September 25, 2002 for inclusion on the next Regular Council Meeting Agenda.

Council adjourned at 9:40 p.m.

These Minutes approved and adopted by Motion of Council this 1st day of October, 2002.

MAYOR

CLERK