



COUNCIL MEETING, DECEMBER 17, 2002

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 6:10 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, M. Belcastro, N. Dmytrow Bilboe, M. Dzugan, T. Eybel (6:50 p.m.), D. Fortier, J. Irvine, J. Mastroianni, S. O'Dell and J. Spadafora .

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah

General Manager Engineering, Public Works & Transportation Services G. Marcello (7:30 p.m.)

General Manager Parks & Recreation I. Smith (7:30 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:30 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:30 p.m.)

Manager, Development Planning/Real Estate D. Thorpe (7:00 p.m.)

Community Fire Safety Officer/Deputy Fire Chief K. Roach

(Jacques Carrier (6:15 p.m.) and Domenic Faragali (7:15 p.m.) were present during Committee-of-the-Whole discussions on Personal and Security of Property Matters.)

02-25 Moved by Mastroianni and Dmytrow Bilboe that Council meet in Committee-of-the-Whole, closed to the public at 6:10 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.)

(Councillor Eybel was not present during Committee-of-the-Whole discussions on Personal and Security of Property Matters.)

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

CARRIED

DISCLOSURE OF INTEREST:

Councillor Eybel disclosed an interest in Ref. Nos. 02-15 and 03-15 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 HEARING PURSUANT TO SECTION 442 – TAX WRITE-OFFS

No one requested to speak

DELEGATIONS:

02-120 Pastor Philip Smith, Faith Tabernacle Church addressed Council regarding the possibility of the City of Welland and the City of Cadereyta becoming twin cities.

02-15 Jacques Carrier, Awareness Committee Chairman addressed Council regarding compliment of Volunteer Firefighters and create an objective and constructive committee compromised of members.

97-49 Drs. Hsu and Bonsu, Paediatricians addressed Council requesting the Ministry of Health and Long Term Care to suspend further Medical Review Committee reviews.

THE FOLLOWING CORRESPONDENCE WAS READ:

02-15 Letter from Jacques Carrier, Volunteer Firefighter, Awareness Committee Chairman regarding a change of directions of the Awareness Committee.

97-49 Letter from Drs. Hsu and Bonsu, Paediatricians requesting the Ministry of Health and Long Term Care to suspend further the reviews of doctors by the Medical Review Committee.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

94-102

97-35 A By-law to amend By-law 10894 (Water Management By-law) to set a flat rate fee for hydrant use permits and to repeal By-law 2002-63.

97-49 Ken Todd, Director of Corporate Support Services, City of St. Catharines – requesting support of its resolution to petition the Government to alleviate the present medical professional shortage and to disallow financial incentives to recruit Medical Professionals .

97-85

02-98 Retail Water Rate, Water Haulage Stations.

99-38 Mgr., Development Planning/Real Estate D. Thorpe – Sanitary Sewer and Trunk Watermain Extension – Phase 2 – Colbeck Drive to Webber Road.

99-49 Ken Todd, Director of Corporate Support Services, City of St. Catharines – requesting support of its resolution regarding Municipally-Owned Electric Utility Corporations.

99-117

03-10

03-22 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.

01-2 Review the City's current Business Licensing By-law.

01-154 Review By-law from West Lincoln re sexual exploitation of children & child pornography.

02-4 Use of Reserves and Reserve Funds.

02-4 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Application for Tax Write-Offs – Section 442.

02-22 Amendments to Schedule 'G': By-law 89-2000 – Parking Meter Control.

02-22 A By-law to amend Schedule "G" of By-law 89-2000, being a By-law Regulating Traffic and Parking on City Streets.

02-149 Amendment to Record Retention By-law 9314.

02-149 A By-law to amend By-law 9314, being a By-law to establish a Record Retention Schedule for various documents.

02-120 Pastor Philip Smith, Faith Tabernacle Church – matter regarding the possibility of the City of Welland and the City of Cadereyta becoming twin cities.

02-174 A By-law to accept the proposal of Kerry T. Howe Engineering Limited to provide engineering services for the Hellems/Burgar Sewer Separation Program.

03-1 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 17th day of December, 2002.

03-3 Gord Wallen, Manager, Fund Raising, Lions Foundation of Canada Dog Guides – requesting permission to sell raffle tickets in the City of Welland.

03-3 Sharon Flashford, The Canadian National Institute for the Blind, Ontario Division – requesting permission to sell raffle tickets in the City of Welland.

03-4 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- City of Welland Services and User Fees.

03-4

03-37 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- 2003 Water/Sanitary Sewer Operations/Capital Budgets and Rate Structure.

03-4 Gen. Mgr. Parks and Recreation I. Smith – Re-allocation of funds – Building Operations.

03-4 A By-law authorizing the borrowing of \$6,000,000.00 to meet current expenditures until the 2003 taxes are collected.

- 03-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable Report – November 28, 2002 – December 9, 2002
- 03-15** Fire Chief P. Olah – Flashover Training Unit Purchase.
- 03-15** Fire Chief P. Olah – Firefighter Defibrillation Purchase.
- 03-15** Norm Sisler, Secretary, Fort Erie LaFrance Association – endorsing the establishment of a fire museum in the vintage 1920 firehall located at Hellems Avenue and Division St.
- 03-22** A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-laws 2002-103 and 2002-172.
- 03-31** Maple Park Project.
- 03-31** Gen. Mgr. Parks and Recreation I. Smith – First Night Celebration Noise By-law.
- 03-35** Policy on Staff Identification Cards
- 03-36** Building Lease – Welland Snowmobile Club.
- 03-37** A By-law to provide for the fixing of water and sanitary services rates to be paid by consumers for public benefits for the billing period commencing January 1, 2003 to December 31, 2003.
- 03-38** A By-law to establish fees for services and business licensing in accordance with the Municipal Act, 2001.
- 03-42** Gen. Mgr. Engineering, Public Works & Transportation Service/City Engineer G. Marcello – Fitch Street Pumping Station Extraneous Flow Study.

02-1 Moved by Dzugan and O'Dell that the Minutes of the Regular Council Meeting of December 3, 2002 be and the same are hereby approved and adopted as circulated.

CARRIED

97-49 Moved by Alakas and Dmytrow Bilboe that Welland City Council supports the concerns of Welland's paediatricians and family physicians as presented by Drs. Hsu and Bonsu and strongly urges the Minister of Health and Long Term Care to suspend further reviews of physicians by the Medical Review Committee pending a negotiated agreement with representatives of all physicians which respects fairness, proper legal safeguards, and due judicial process; and
That this resolution be circulated to the area municipalities and the Regional Municipality of Niagara for support.

CARRIED

97-49 Moved by Fortier and Dmytrow Bilboe that Welland City Council supports the resolution from the City of St. Catharines to request the Provincial Government to disallow communities from engaging in the practice of providing financial incentives to lure medical professionals, effective immediately and to begin to aggressively work towards alleviating the present medical professional shortage; and
That the City Clerk advise the proper authorities accordingly.

CARRIED

97-85

02-98 Moved by Irvine and Alakas that the City Solicitor be requested to prepare a By-law, to establish a 'Retail Water Rate' for the taking of water at City owned/operated Water Haulage Stations, equal to the Region of Niagara 'Wholesale Water Rate' plus 35% for operation/maintenance/ equipment replacement to the next highest penny.

CARRIED

99-38

Moved by Irvine and Alakas

1. That the City of Welland Development Charges portion of the sanitary sewer works for the extension

of the trunk sanitary sewer from Colbeck Drive along Hillsdale Road to Webber Road in the estimated amount of \$400,000.00, be funded from the Development Charges Reserve Fund; and

2. That the City of Welland Development Charges portion of the trunk watermain (oversizing portion) from Colbeck Drive to Webber Road in the estimated amount of \$78,000.00 be funded from the Development Charges Reserve Fund.

CARRIED

99-49 Moved by Irvine and Alakas that the letter from the City of St. Catharines requesting support of its resolution regarding the strategic consolidation and partnerships of municipally-owned hydro electric utility corporations within Regional Niagara be received and referred to staff and the Welland Hydro Electric Corporation for study and review.

CARRIED

01-2 Moved by Irvine and Alakas 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

01-154 Moved by Irvine and Alakas 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

02-4 Moved by Irvine and Alakas that Council endorse Report FIN 02-22 to re-establish all of the municipality's Reserves and Reserve Funds together with the authorized use of each Reserve as specified in Schedule 'A'; and
That the following new Reserve Funds be established and that funding of said Reserves begin with allocations in the 2004 Budget year or earlier if unexpected funding sources become available:

1. Insurance
2. Unfunded Benefit Liabilities
3. Parking Reserve; and further

That any contribution to or use of Reserves be clearly identified in the recommendation section of staff reports and be approved by Council.

CARRIED

02-4 Moved by Belcastro and Mastroianni that pursuant to Section 442 of the Municipal Act, R.S.O. 1990, C.M. 45, Council approve the write off of taxes in the amount of \$4,941.34 as contained in the attached report listing the reasons for reduction or cancellation and assessment values.

CARRIED

02-15 Moved by Dzugan and Fortier that the presentation by Jacques Carrier, Volunteer Firefighter, Awareness Committee Chairman regarding its new direction be received for information.

CARRIED

02-15 That, as a first response to the Fire Safety Plan Recommendation Review Decisions made at Committee-of-the-Whole (open to the public) on December 3, 2002, Council approve the following: (CHANGES MADE BY COUNCIL TO ORIGINAL RECOMMENDATIONS ARE SHOW IN CAPITAL TYPE):

1. That the City and the Firefighters, through negotiation, make a concerted effort to come to an

accommodation that is in the fire safety interests of the citizens.

2. That the Fire Chief be directed to prepare a Master Fire Plan designed to implement the approved recommendations in this Report.
3. That Council direct the Fire Chief to prepare and submit an Annual Report of the activities of the Fire Department, including its various Divisions.

...continued...

02-15...CONT'D.

4. That the existing Establishing and Regulating (E&R) BY-LAW 1258 be repealed and a new establishing and Regulatory By-law be adopted to give direction and guidance to the administration of the Fire Department.
 5. That the Fire Chief develop a set of rules and regulations to give direction to the Firefighters.
 6. That By-law 1787, BEING A BY-LAW TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF THOROLD FOR THE USE OF FIRE EQUIPMENT, By-law 1809 BEING A BY-LAW FOR AGREEMENT WITH JOHN DEERE PLOW CO. LTD. RESPECTING THE USE OF CITY'S FIRE EQUIPMENT BY THE COMPANY, By-law 7423, BEING A BY-LAW TO AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN THE CITY OF WELLAND AND THE TOWN OF PELHAM RESPECTING FIRE DISPATCH SERVICE, By-law 4989, BEING A BY-LAW TO AUTHORIZE THE ENTERING AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF WELLAND AND THE CORPORATION OF THE CITY OF NIAGARA FALLS RESPECTING FIRE PROTECTION be ALL repealed AND THAT A REPLACEMENT BY-LAW BE IMPLEMENTED FOR BY-LAW 4989 TO REFLECT CURRENT PRACTICE.
 7. That an Advisory Committee be formed to assist the Chief and Deputy in setting the direction and coordination of the Fire Department activities, CONSISTING OF THE FIRE CHIEF OR DEPUTY FIRE CHIEF, ONE PLATOON CHIEF (SELECTED BY THE PLATOON CHIEFS), THE SENIOR FIRE PREVENTION OFFICER, THE TRAINING OFFICER AND A REPRESENTATIVE OF THE VOLUNTEER FIREFIGHTER OFFICERS.
 8. That a subcommittee of the advisory committee be tasked to review all existing policies and to prepare new drafts for Council's consideration and that the City Solicitor review these draft policies.
 9. That a subcommittee of the advisory committee be tasked to review all existing Operating Guidelines and to make amendments as required for the fire Chief's approval.
 10. That all Operating Guidelines undergo a review and revision on a stated cycle i.e. every two years.
 11. That the minutes of resolved issues from the advisory committee be posted in all the Fire Stations.
 12. That the Deputy Chief, OR CHIEF meet with the senior captain the first morning of the start of a new shift for briefings.
 13. That all instructions to crews from the administration be put in the form of a written memo and these memos may be the prelude to an operating guideline.
 14. That a reserve fund be maintained for the replacement of Fire Department vehicles and/or capital expenditures.
 15. That training be provided to Volunteer Firefighters FOR FIRE SUPPRESSION.
 18. That each breathing apparatus be equipped with a 60-minute cylinder, where practical, to provide a higher margin of safety for Firefighters.
 19. That the Senior Captain and his vehicle be assigned to Station #2 to interface directly with management on a day-to-day basis and to provide training to staff.
 20. That a new FDM (FIRE DEPARTMENT MANAGEMENT) program be INVESTIGATED to facilitate data capture and information sharing.
 22. That the air storage system be reconfigured to a cascade system and train all Firefighters on the use of the new design; and
- That, as a second response to the Fire Safety Plan Recommendation Review Decisions considered by Committee-of-the-Whole (open to the public) on December 10, 2002, and now recommended for Council approval this 17th day of December, 2002 Council approve the following:
(CHANGES MADE BY COUNCIL TO ORIGINAL RECOMMENDATIONS ARE SHOW IN CAPITAL TYPE):
23. That when the new E & R bylaw is passed, fire prevention and public education will be among the activities that Council desires from the Fire Department.

24. That a policy be developed outlining the services to be offered by the Fire Prevention and Public Education Division that will include fire cause determination.
25. That the Fire Department Administration develop written operating guidelines for the numbers and types of activities for Fire Prevention and Public Education as specified in Council's policy.
26. That adequate record keeping mechanisms be developed to capture the required information that is required to show compliance with the FPPA and that this data be captured.

...continued...

02-15

27. That Fire Safety Public Education Programs be implemented for those properties that have the most potential for risk as determined by building, occupancy, and fire information used in this review; That these programs and any others designed and implemented must include a data gathering mechanism to evaluate whether or not the program is achieving the desired results; and

That the following Programs be considered:

- Kitchen/cooking fire safety
- Campaign to prevent fires caused by the misuse of alcohol and smokers' materials
- Education program to reduce the number of fires caused by vandalism
- Partnership fire safety education programs for the ethnic populations
- A program for seniors i.e. Older and Wiser
- An industry fire safety program

Fire Services staff concur with this recommendation.

28. That the fire loss data be reviewed as part of the risk assessment.
29. That the suppression crews be taught basic fire prevention inspection procedures in conjunction with the smoke alarm program and that these crews would then do in-service inspections of small business located on the same streets they are canvassing for smoke alarm compliance.
30. That programs be provided to address high-risk occupancies and buildings requiring retrofit OR INSPECTIONS.
31. That the Fire Prevention Division prepare a breakdown of costs for inclusion in the budget and to prepare an Annual Report of the Fire Prevention public education activities for inclusion in the Chief's Report to Council.
32. That an Operating Guideline be developed to record and control the training aids and to develop a mechanism to ensure adherence to the guideline. i.e. requisitions.
33. That an Operating Guideline be developed for both the incident management system and the accountability systems and that these Operating Guidelines be compatible with the system used for mutual aid calls within the Region.
34. That Firefighter qualifications be developed for each class from fourth to first class. (Reference, Ontario Fire Service Standards for Firefighter)³
35. That all fulltime captains or acting captains attend and complete the Officer Training Courses at the Ontario Fire College.
38. That a job description for the position of training officer be developed to define the roles and responsibilities. (Reference, Ontario Fire Service Standards, Training Officer).
39. That the Training Officer prepare an annual report to the Fire Chief to be included in the annual report to Council.

CARRIED

02-22

Moved by Irvine and Alakas

1. That the City Solicitor be requested to prepare a By-law to amend Schedule 'G', of By-law 89-2000 as appended to Report TRAF 2002-27.
2. That the Region of Niagara be requested to amend Schedule 'G' - Parking Meter Control, as outlined in Schedule 'G1' - Region, appended to Report TRAF 2002-27.
3. That the Region of Niagara be requested to amend Schedule 'AC' of Regional Niagara By-law 89-2000 to incorporate 'Revised Penalties for infractions to Regional Niagara By-law 89-2000 to

correspond to penalty provisions of City of Welland By-law 89-2000 as approved by the Ministry of the Attorney General.

CARRIED

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

02-120 Moved by Spadafora and Mastroianni that the presentation by Pastor Phil Smith, Faith Tabernacle Church regarding the possibility of the City of Welland and the City of Cadereyta becoming twin cities be referred to staff for study and review.

CARRIED

02-149 Moved by Irvine and Alakas that By-law 9314, being a by-law to establish a Record Retention Schedule for various City departments be revised subject to approval of the City's Auditor to include Retention Schedule "B" specific to the Human Resources Department.

CARRIED

03-3 Moved by Irvine and Alakas that permission is hereby granted to the Lions Foundation of Canada Dog Guides to sell raffle tickets in the City of Welland under authority of Lottery License M271823; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

03-3 Moved by Irvine and Alakas that permission is hereby granted to the Canadian National Institute for the Blind, Ontario Division to sell raffle tickets in the City of Welland under authority of Lottery License P022521; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

03-4 Moved by Irvine and Alakas that Welland City Council confirms the Schedule of Services/User Fees attached to Report FIN-02-24 as required under the Municipal Act and that the fees be deemed adopted by the Confirmatory By-law.

CARRIED

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

03-4

03-37 Moved by Fortier and Mastroianni that Council approves and adopts Report FIN 02-23 dated December 17, 2002 as amended at the December 16, 2002 Budget Review Committee Meeting as follows:

1. Water/Sanitary Sewer Billing Rate Structure as set out in Schedule 'A', effective January 1, 2003. This results in a non-metered quarterly rate of \$131.97, a 3.80% increase over 2002.
2. Municipal Revenue and Expenditures Budget estimates (Schedules 'B' and 'C'), and the Capital Budget forecast (Schedules 'D' and 'E') with respect to Water and Sanitary Sewer Operations.
3. That the City Solicitor be directed to prepare the by-law to provide for establishing the water/sanitary sewer billing rates for the fiscal year 2003.

CARRIED

03-4 Moved by Irvine and Alakas that Council authorize staff to re-allocate funds from the Parks and Recreation Department 2002 Operating Budget Account 58058-20-430-000 Building Capital provision to:
 54000-10-440-851 - amount \$24,870.16 - City Hall and
 54000-20-432-000 - amount \$13,200.82 – Arena

CARRIED

03-7 Moved by Irvine and Alakas that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

| | | | |
|---|--------------|-----------|---------------------|
| 1 | 28-Nov-02 | \$ | 91,057.34 |
| 2 | 29-Nov-02 | | 93,482.05 |
| 3 | 2-Dec-02 | | 2,137.50 |
| 4 | 3-Dec-02 | | 47,474.40 |
| 5 | 4-Dec-02 | | 1,343.06 |
| 6 | 5-Dec-02 | | 142,426.36 |
| 7 | 6-Dec-02 | | 72,433.09 |
| 8 | 9-Dec-02 | | <u>4,051,149.53</u> |
| | Total | \$ | 4,501,503.33 |

CARRIED

03-15 Moved by Irvine and Alakas that

1. That the City of Welland enter into an agreement with the City of Niagara Falls and the City of St. Catharines, for the joint purchase of a Flashover Training Unit from John Butler of Mississauga at an upset price of \$25,000.
2. That funding for Welland's portion of the purchase price be funded from the 2002 Fire & Emergency Services Capital Budget, as approved by Council.

CARRIED

03-15 Moved by Irvine and Alakas

1. That the Fire & Emergency Services Department be authorized to proceed with the purchase of four (4) Laerdal Heartstart 4000 AED-Manual Monitor, Defibrillators, with Pulse Oxymetry (PN 4001) at a cost of \$10,925 per unit, for a total cost of \$43,700 including taxes;
2. That funding for the replacement of the four (4) defibrillators be expensed to the 2002 Fire & Emergency Services Capital Budget;
3. That the Region of Niagara be requested to reimburse the City of Welland for the full or partial cost of the equipment.

CARRIED

03-15 Moved by Irvine and Alakas that the letter from Norm Sisler, Secretary, Fort Erie LaFrance Association endorsing the establishment of a fire museum in the vintage 1920 firehall located at Hellems Avenue and Division Street be received and referred to staff for study and report as part of the Fire Department Review.

CARRIED

03-31 Moved by Irvine and Alakas that Council accept the plans for the re-development of Maple Park at an estimated cost of \$300,000 and the following actions be undertaken:

- a) The project will be undertaken into two phases over 2003 and 2004.

- b) Phase 1 will include work on the roadways, removal of the tennis court and pond. Also in Phase 1, safety barriers on all access points into the park and installation of play equipment will be installed at a cost not to exceed \$150,000.00.
- c) Phase 2 of the project will be undertaken in 2004 with installation of the water play area, washrooms, pavilions and finalization of the walking path in the park at a cost not to a total cost of \$150,000; and further
- d) That, as part of the Capital Budget Review, the matter of the tennis court and skating rink be reviewed by the Landscape Architect.

CARRIED

03-31 Moved by Irvine and Alakas that the City of Welland's First Night Celebration to be held in Chippawa Park on Tuesday, December 31, 2002 that from 7:00 p.m. to Wednesday, January 1, 2003 at 12:30 a.m. be exempt from the City Noise By-law.

CARRIED

03-35 Moved by Irvine and Alakas that the Policy on Staff Identification Cards be approved and placed in the City Policy Manual.

CARRIED

03-36 Moved by Irvine and Alakas

1. That the City of Welland extend the existing lease agreement between the City and the Welland Snowmobile Club for use of the City owned building located at 205 Memorial Park Drive;
2. That the building be leased to the Welland Snowmobile Club at a cost of \$1000.00 (plus GST) for the year 2003 and \$1000.00 plus CPI increases (plus GST) for each year of the remaining 6 year term;
3. That all operating and maintenance expenditures associated with the operation of this building be assumed by the Welland Snowmobile Club; and
4. That the City Solicitor be requested to prepare the necessary lease documents.

CARRIED

03-42 Moved by Irvine and Alakas that the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with retaining EarthTech Canada to undertake an Extraneous Flow Study of the Fitch Street Pumping Station Drainage Area.
That the City Solicitor be directed to prepare all necessary and appropriate By-laws to execute the same.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

98-82

03-10 Moved by Belcastro and Mastroianni that Greg D'Amico be appointed to the Civic Square Project Committee as a representative of the Welland Downtown Business Improvement Area.

CARRIED

03-29 Moved by Mastroianni and Dzugan that a Special Council Meeting be called for Wednesday, January 8, 2003 at 6:00 p.m. to discuss Personal and Security of Property Matters in Committee-of-the-Whole (closed to the public).

CARRIED

03-41 Moved by Fortier and Spadafora that the unsigned offer from Mr. Ronald Gauthier to purchase City-owned lands on the south side of East Main Street east of Moyer Road (Part Lot 12, Concession 4 (Part 1, RD246, Part 1, 59R-3290)) for a building lot be rejected.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

94-102

97-35

BYL 2002 - 200

A By-law to amend By-law 10894 (Water Management By-law) to set a flat rate fee for hydrant use permits and to repeal By-law 2002-63.

99-117

03-10

03-22

BYL 2002 - 201

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.

02-22

BYL 2002 - 202

A By-law to amend Schedule "G" of By-law 89-2000, being a By-law Regulating Traffic and Parking on City Streets.

02-149

BYL 2002 - 203

A By-law to amend By-law 9314, being a By-law to establish a Record Retention Schedule for various documents.

02-174

BYL 2002 - 204

A By-law to accept the proposal of Kerry T. Howe Engineering Limited to provide engineering services for the Hellems/Burgar Sewer Separation Program.

03-4

BYL 2002 - 205

A By-law authorizing the borrowing of \$6,000,000.00 to meet current expenditures until the 2003 taxes are collected.

03-22

BYL 2002 - 206

A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-laws 2002-103 and 2002-172.

...continued...

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

03-37

BYL 2002 - 207

A By-law to provide for the fixing of water and sanitary services rates to be paid by consumers for public benefits for the billing period commencing January 1, 2003 to December 31, 2003.

03-38

BYL 2002 - 208

A By-law to establish fees for services and business licensing in accordance with the Municipal Act, 2001.

03-1

BYL 2002 - 209

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 December, 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 Irvine 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, January 15, 2003 for inclusion on the next Regular Council Meeting Agenda.

Council adjourned at 8:50 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of January, 2003.

MAYOR

CLERK