



COUNCIL MEETING, OCTOBER 7, 2003

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 7:00 p.m. and in open session at 7:35 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, D. Fortier, D. Grenier (7:35 p.m.), J. Irvine, J. Mastroianni, and S. O'Dell.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks (8:00 p.m.)

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah (7:35 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:35 p.m.)

Manager Human Resources R. Beaumont (until 7:30 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:35 p.m.)

Manager, Development Planning/Real Estate D. Thorpe

Transit Office Co-ordinator M. Fortin (7:35 p.m.)

03-25 Moved by Mastroianni and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 7:00 p.m. to consider:

- a) the security of the property of the municipality;
- b) personal matters about an identifiable individual, including municipal employees; and
- c) labour relations or employee negotiations.

CARRIED

03-25 Moved by Dzugan and Mastroianni that the Committee-of-the-Whole arise from its closed meeting at 7:30 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Belcastro disclosed an interest in Ref. No. 03-139Z and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer, Doral Holdings is affected by the proposed development.

PRESENTATIONS:

- (1) Mayor Forster presented plaques to the Welland Select Mustangs - Ontario Baseball Association Bantam Majors – 2003 Division “B” Champions:
Players: Jon Hiller, Geoff Strong, Justin Young, Mike Haslam, Robert Nixon, Dan Cavasin, Rodney Inglis, Mike Stone, Thomas Longland, Jason Brochu, Eddie Dagenais, and Adam Crumb .
Coaches: Rick Young, Greg Strong and Steve Hiller.
- (2) Mayor Forster presented to Bill Lewis a certificate and congratulated him in recognition of his historical contribution to the City on his latest publication entitled Aqueduct- Merrittsville and Welland – A History of the City of Welland – Volume 3 – The 20th Century.

DELEGATIONS:

03-28 Shirley Perron addressed Council regarding the **“2003 Welland Food Drive”**, to be held on Saturday, November 1, 2003.

99-99 Holly Seebach, Welland Recreational Canal Corporation addressed Council regarding the Canal Corporation Strategic Planning output.

01-13 Bill O’Brien, Paradigm Transportation Solutions Ltd., addressed Council regarding the Niagara Region Inter- Municipal Transit Strategy.

03-141 Ninetta Gallant addressed Council regarding the watermain at 200 Moyer.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

- 03-23** Report from Mgr., Human Resources R. Beaumont – Proposed employee suggestion policy.
- 03-23** Report from Mgr., Human Resources R. Beaumont – Modified work policy for temporary accommodation of injured/ill workers.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 94-172** Mgr., Development Planning / Real Estate D. Thorpe – Bridgewater Court Subdivision – Ravenda Homes Ltd. – Request for exemption for Part Lot Control – Lots 1 through 10 inclusive, Plan 59M-311.
- 94-172** A By-law to exempt certain lands from Part-Lot Control Lots 1-10, Plan 59M-311 located on Bridgewater Court in the Bridgewater Court Subdivision, City of Welland.
- 96-177** South Pelham South Subdivision – Lea Silvestri Investments Ltd. and 248812 Ontario Limited – Request for exemption from Part Lot Control – Lots 155 and 156 and Block 154, Plan 59M-246.
- 96-177** A By-law to exempt certain lands from Part-Lot Control Block 154, Lots 155 and 156, Plan 59M-146 located on Autumn Crescent and Foxtail Avenue in the South Pelham Subdivision, City of Welland.
- 99-99** A By-law to authorize the entering into an agreement with Wiebe Engineering Group Inc. to provide consulting services for property along Melissa Crescent and the Canal Lands.
- 01-118** A By-law to designate and deem Block D, not to be part of registered Plan of Subdivision Plan M-46.
- 02-151** A By-law to authorize the retention of Bob Robinson and Son Construction to provide CCTV Camera Inspection of Gravity Sewers.
- 03-3** City Clerk C.A. Stirtzinger – Lottery License.
- 03-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – September 10, 2003 to September 30, 2003.
- 03-10** A By-law to appoint a Chief Building Official, Inspectors and Officers under the Building Code Act and to repeal By-law 2002-71.
- 03-21** Khayyam Syne, Principal, Notre Dame College School –requesting permission to hold *“Notre Dame’s 28th Annual Pilgrimage”*.
- 03-22** A By-law to amend By-law 2003-11, being a By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland.
- 03-22**
- 03-28** Proposals for a metered parking grace period and free parking in the easterly portion of the Market Square parking lot.
- 03-23** Manager, Human Resources R. Beaumont – Proposed employee suggestion policy.
- 03-23** Manager, Human Resources R. Beaumont – Modified work policy for temporary accommodation of injured/ill workers.
- 03-31** Proposal to develop a facility at Maple Park.
- 03-139Z** Edmond Helstab, Helstab Enterprises Ltd. – Objecting to the proposed shopping centre – First Pro, Hwy. 406 and Woodlawn Road, Welland.
- 03-140Z** A By-law to amend City of Welland Zoning By-law 2667 (Helga Townsend – File 2003-08) 92 Ridge Road.
- 03-146** A By-law to appoint John Krajcovic as a By-law Enforcement Officer of the Corporation of the City of Welland.

03-1 Moved by Alakas and Mastroianni that the Minutes of the Regular Council Meeting of September 16, 2003 be amended to change: the seconder "Dmytrow-Bilboe" of Resolution 03-58 to "Mastroianni".

CARRIED

03-1 Moved by Alakas and Mastroianni that the minutes of the Regular Council Meeting of September 16, 2003 be approved as amended.

CARRIED

03-1 Moved by Alakas and Mastroianni that the Special Council Meeting of September 23, 2003 be and the same are hereby approved and adopted as circulated.

CARRIED

94-172 Moved by Dmytrow-Bilboe and Dzugan

1. That the City of Welland adopt a By-law to exempt Lots 1 through 10 inclusive, Plan 59M-311 (Bridgewater Court Subdivision) from Part Lot Control in order to create twenty (20) semi-detached dwellings; and
2. That the By-law to exempt Part Lot Control be repealed and discharged from Title once all parts on the requisite Reference Plans have been conveyed.

CARRIED

96-177 Moved by Dmytrow-Bilboe and Dzugan

1. That the City of Welland adopt a By-law to exempt Lots 155 and 156 and Block 154, Plan 59M-246 (South Pelham Subdivision) from Part Lot Control in order to create four (4) semi-detached and several street townhouse dwellings; 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

99-99 Moved by Fortier and Dzugan that the presentation by Holly Seebach regarding the Welland Recreational Canal Corporation Strategic Planning Session "Creating the Vision through Strategic Planning" be received for information.

CARRIED

03-3 Moved by Dmytrow-Bilboe and Dzugan that a Lottery License be granted to the following: Crowland Presbyterian Church – Raffle and Eastside Lanes YBC - Raffle.

CARRIED

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

1	10-Sep-03	34,833.12
2	12-Sep-03	609,207.94
3	16-Sep-03	179,706.30
4	18-Sep-03	231,332.01
5	22-Sep-03	166,377.68
6	23-Sep-03	3,133,256.64
7	24-Sep-03	58,379.48
8	25-Sep-03	3,571,432.07
9	26-Sep-03	70,161.18
10	29-Sep-03	3,825,213.82
11	30-Sep-03	<u>310,551.62</u>
	Total	\$ 12,190,451.86

CARRIED

03-21 Moved by Dmytrow-Bilboe and Dzugan that Welland City Council approves the application for "*Notre Dame's 28th Annual Pilgrimage*" for the Third World on Sunday, October 26, 2003 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

03-22 Moved Dmytrow-Bilboe and Dzugan that the proposals for a metered parking grace period and free parking in the easterly portion of the Market Square parking lot be again referred to staff for study and report.

CARRIED

03-28 Moved by Dmytrow-Bilboe and Dzugan that the presentation by Shirley Perron regarding the Annual City-wide Food Drive on Saturday, November 1, 2003 be received for information and that Councillors and citizens be encouraged to participate in this community event.

CARRIED

03-31 Moved by Dmytrow-Bilboe and Dzugan that the proposal to develop a facility at Maple Park including meetings with the Sherwood Activity Centre to expedite the needs of the group be again referred to staff for study and report.

CARRIED

03-139Z Moved by Mastroianni and Dzugan that the letter from Edmond Helstab, Helstab Enterprises Ltd. regarding the objection to the proposed Shopping Centre – First Pro Hwy. 406 and Woodlawn Road, Welland be received for information; and That the request for all notices of proceedings be referred to the Development Services and Clerks Departments for their information and action.

CARRIED

03-141 Moved by O'Dell and Alakas that the presentation by Ninetta Gallant regarding the watermain at 200 Moyer Road be received and referred to staff for study and report at the next Council Meeting.

CARRIED

03-145 Moved by Mastroianni and Dzugan that the presentation by Bill O'Brien, Paradigm Transportation Solutions Ltd. regarding the Niagara Region Inter-Municipal Transit Strategy be received and referred to staff for study and report.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

02-45 Moved by Mastroianni and Dmytrow-Bilboe that the 2002 Summary of Insurance Claims made against the City be received for information and filed under Freedom of Information and Solicitor/Client Privilege rules.

CARRIED

03-102 Moved by Belcastro and Mastroianni

1. That Council agrees to the request from Habitat for Humanity Niagara to pay for the Martin Street lot being sold to Habitat for Humanity in three payments as set out in its letter of 26 September, 2003.
2. That Council agrees to exempt Habitat for Humanity Niagara from City Development Charges with respect to the moving of the dwelling unit from Niagara Street to the Martin Street lot and that staff be directed to take necessary actions to ensure that Habitat for Humanity Niagara is exempt from the payment of City Development Charges.

CARRIED

03-132 Moved by Dmytrow-Bilboe and Dzugan

1. That the City of Welland advise Regional Niagara that it is not interested in purchasing Sunset Haven located at 163 First Avenue (west side of First Avenue south of Thorold Road), more specifically described as Lots 59 to 62 and Part Block A, Plan 70, and Lots 27 to 30 and north part of Lot 31, Plan 32); and
2. That the City of Welland advise Regional Niagara that it has no comments concerning the sale of the lands at 163 First Avenue.

CARRIED

03-142 Moved by Belcastro and Dmytrow-Bilboe that Employee #00414 be offered a financial incentive to take early retirement as of the end of November of 2003 and further, that the amount of such financial incentive would be based on the formula: 2% of current annual salary X numbers of years of service with the Corporation of the City of Welland.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

03-143 Moved by Alakas and O'Dell

1. That Report 2003-73 of the Planning and Development Services dated October 7, 2003 regarding the request of Mr. Merton Smith to purchase City-owned lands on the west side of Marshall Avenue north of St. George Street (Lot 2398, Plan 19) be received;
2. That Council declare surplus to the City's needs lands on the west side of Marshall Avenue north of St. George Street (Lot 2398, Plan 19);
3. That Council direct Planning and Development Services Staff to have the lands on the west side of Marshall Avenue north of St. George Street (Lot 2398, Plan 19) declared surplus and appraised; and,
4. That any subsequent sale of lands on the west side of Marshall Avenue north of St. George Street (Lot 2398, Plan 19) be carried out in accordance with the Municipal Act and City Policy.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

94-172

BYL 2003 – 154

A By-law to exempt certain lands from Part-Lot Control Lots 1-10, Plan 59M-311 located on Bridgewater Court in the Bridgewater Court Subdivision, City of Welland.

96-177

BYL 2003 – 155

A By-law to exempt certain lands from Part-Lot Control Block 154, Lots 155 and 156, Plan 59M-146 located on Autumn Crescent and Foxtail Avenue in the South Pelham Subdivision, City of Welland.

99-99

BYL 2003 – 156

A By-law to authorize the entering into an agreement with Wiebe Engineering Group Inc. to provide consulting services for property along Melissa Crescent and the Canal Lands.

01-118

BYL 2003 – 157

A By-law to designate and deem Block D, not to be part of registered Plan of Subdivision Plan M-46.

02-151

BYL 2003 – 158

A By-law to authorize the retention of Bob Robinson and Son Construction to provide CCTV Camera Inspection of Gravity Sewers.

...continued...

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

03-10

BYL 2003 – 159

A By-law to appoint a Chief Building Official, Inspectors and Officers under the Building Code Act and to repeal By-law 2002-71.

03-22

BYL 2003 – 160

A By-law to amend By-law 2003-11, being a By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland.

03-146

BYL 2003 – 161

A By-law to appoint John Krajcovic as a By-law Enforcement Officer of the Corporation of the City of Welland.

03-140Z

BYL 2003 – 162

A By-law to amend City of Welland Zoning By-law 2667 (Helga Townsend – File 2003-08) 92 Ridge Road.

03-1

BYL 2003 - 163

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 7th day of October, 2003.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Beaudoin 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, October 15, 2003 for inclusion on the next Regular Council Meeting Agenda.

Council adjourned at 9:45 p.m.

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

MAYOR

CLERK