



## **COUNCIL MEETING, AUGUST 17, 2004**

### **CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:35 p.m. in open session at 7:25 p.m. and again in Committee-of-the-Whole closed to the public at 10:45 p.m. on the above date

His Worship Mayor Damian Goulbourne in the Chair.

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

**Members Present:** Councillors D. Beaudoin, M. Belcastro, P. Chiochio, M. Dzugan, D. Fortier, P. Grenier, M. A. Grimaldi, J. Larouche, S. O'Dell, B. Sharpe and J. Spadafora.

**Members of the Staff and Others Present:**

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

City Manager T. Fitzpatrick

Community Fire Safety Officer/Deputy Fire Chief K. Roach (7:25 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz

Administrative Assistant/Deputy Clerk B. Gallaccio (7:25 p.m.)

Manager, Budgets & Financial Reporting/Deputy Treasurer S. Nagel (7:25 p.m.)

General Manager of Parks and Recreation B. LaPlante (7:25 p.m.)

Community Planner R. DiFelice (7:25 p.m.)

Chief Building Official M. Mantesso (7:25 p.m.)

Manager, Public Works J. Boc (7:25 p.m.)

**04-25** Moved by Dzugan and Grenier that Council meet in Committee-of-the-Whole, closed to the public at 5:35 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) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**CARRIED**

*(Councillor Grimaldi was not present during Committee-of-the-Whole discussions on a personal matter).*

**04-25** Moved by Dzugan and Grenier that the Committee-of-the-Whole arise from its closed meeting at 7:20 p.m.

**CARRIED**

### **DISCLOSURE OF INTEREST:**

Councillor Grimaldi disclosed an interest in Ref. No. 04-24 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her husband is an employee of the City of Welland affected by this matter.

Councillor Belcastro disclosed an interest in Ref. No. 04-22 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Doral Holdings.

### **PRESENTATIONS**

Presentation of T-Shirts to Council by Keith A. Levere, Parade Chair, Welland Rose Festival in appreciation of Council's support during the Welland Rose Festival.

Presentation of a plaque to Cal Clutterbuck by Mayor Goulbourne in recognition of his gold medal performance as a member of Team Canada in the 2004 World Junior Cup Hockey Championship held in Czechoslovakia last week.

### **STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

**04-115Z** Mr. Phil Fisher applicant on behalf of Larry Creighton requested that the Public Hearing regarding a proposed amendment to Zoning By-law 1538 – north side Buchner Road, west side of unopened Matthews Road (File 2004-02) be deferred to a later date.

### **DELEGATIONS:**

**04-4** James Brennan, CA Principal, Assurance and Business Advisory, Grant Thornton, City's Auditors presented the City's Consolidated Financial Report for the year ended December 31, 2003 and Audit Concluding Memorandum.

- 04-32** Joe Krar addressed Council regarding the 175<sup>th</sup> Anniversary of the founding of the First Welland Canal.
- 02-87** Bob Steele, Project Coordinator, Water & Wastewater Services Division, The Regional Municipality of Niagara addressed Council regarding the Niagara Water Quality Protection Strategy (NWQPS).
- 99-123** Pat Ciolfi, 215 Doan's Ridge Road addressed Council regarding the Cooks Mills Development Area.
- 03-80** Claire Gerencser addressed Council regarding Planning Report PDS-2004-36 – West Side of Riverside Drive, South of Lincoln Street.

### **THE FOLLOWING CORRESPONDENCE WAS READ:**

- 03-80** Letter from Claire Gerencser requesting to appear as a delegation to discuss concerns on the revisions and plans regarding Planning Report PDS-2004-36 – West Side of Riverside Drive, South of Lincoln Street.
- 04-3** Letter from Doug Rollins, Niagara Grape & Wine Festival requesting permission to sell raffle tickets in the City of Welland.
- 99-110** Councillor Grenier presented a petition on behalf of users of the bike trail requesting improvements to the trail adjacent to the train tracks located along the Canal Trail.

### **THE FOLLOWING CORRESPONDENCE WAS DELETED:**

- 04-115Z** Report from Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed amendment to Zoning By-law 1538 – Larry Creighton, north side Buchner Road, west side of unopened Matthews Road (File 2004-02).

### **THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

- 96-48** Gen. Mgr. of Planning and Development Services D. Thorpe – Development Charges By-law.
- 94-102**
- 97-35** A By-law to provide for the supply and delivery of water and to provide for the maintenance and management of waterworks and the imposition and collection of water rates.
- 96-48** A By-law to establish Development Charges for the City of Welland for designated services in accordance with the Development Charges Act, 1997.
- 97-49** Development of Family Physician Turn-Key Clinic in Welland.
- 98-82** A By-law to accept the proposal from Bell Canada in partnership with Mitel for the communications solution for the new Civic Square Complex and Off-Site Locations.
- 98-82**

- 99-99** A By-law to authorize the entering into an agreement with Carruthers Shaw & Partners Limited Architects for consulting services for the design and inspection of the canal lands landscaping, canal plaza and parking lot behind the new Civic Square Complex.
- 99-123** Pat and Bev Ciolfi, 215 Doan's Ridge Road – Cooks Mills Development Area.
- 01-154** Staff to review By-law from West Lincoln re sexual exploitation of children & child pornography.
- 02-87** Bob Steele, Project Coordinator, Water & Wastewater Services Division, The Regional Municipality of Niagara – Niagara Water Quality Protection Strategy (NWQPS).
- 02-170** New recycling initiative proposal.
- 02-177** Gen. Mgr. Parks and Recreation B. LaPlante – Natural Gas Supplier – Five Year Contract.
- 03-4** James Brennan, CA Principal, Assurance and Business Advisory, of Grant Thornton – Consolidated financial report for the year ended December 31, 2003 and audit concluding memorandum.
- 03-75** Gen. Mgr. Parks and Recreation B. LaPlante – 2007 World Corporate Dragon Boat Championships.
- 03-80** Gen. Mgr. of Planning and Development Services D. Thorpe – Red-Line Revision – Riverside West Subdivision (File 26T-14-02003) – Mac-Bri Developments Inc. – west side of Riverside Drive, south of Lincoln Street.
- 03-88** A By-law to authorize the entering into an agreement with Ellis Engineering Inc. to provide a Feasibility Study for replacement of the Drapers Creek culvert on Colbeck Drive.
- 03-100**
- 04-120** A By-law to authorize the entering into a contract with Robert Martin Engineering Inc. to provide engineering services for the Summit Avenue Area Watermain Replacement Phase 2 and Fitch Street Watermain Replacement Phase 1.
- 03-114** A By-law to authorize conveyance of that portion of Trufal Avenue lying between Broadway and St. George Street.
- 04-2** Review of City's current Business Licensing By-law.
- 04-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Final tax billing due dates for the Commercial, Industrial and Large Industrial and Multi-Residential Tax Classes.
- 04-4** A By-law to amend By-law 2004-67, being a By-law to establish tax ratios and tax rates and to levy taxes for the year 2004.
- 04-4** A By-law to provide for the final 2004 Tax Levy, to provide for the payment of taxes against multi-residential, commercial, industrial and large industrial classes and to provide for penalty and interest.
- 04-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – July 14, 2004 to August 10, 2004.
- 04-15** Fire Chief P. Olah - North Grenville Request for Support of Resolution concerning Bill 52.
- 04-15** Bill 52 an Act to amend the Fire Protection and Prevention Act to protect the employment of volunteer firefighters.
- 04-15**
- 04-19** A By-law to authorize the entering into a contract with JMC Transportation Group to provide engineering services for parking lot rehabilitation at the Welland Arena and the Prince Charles Fire Hall Station No. 2.
- 04-19** Mary-Lou Ambrose-Little, Community Recreation Coordinator, City of Welland Parks & Recreation Department on behalf of Dain City Recreation – requesting to waive the permit fee for a fireworks display to be held at the Glenwood Park, on Sunday September 5, 2004.
- 04-20** Toni Eybel, Fundraising Director, Help A Child Smile - requesting Special Occasion Permit for a fundraising event scheduled at Auberge Richelieu on Saturday, September 4, 2004.
- 04-20**
- 04-21**
- 04-119** Gen. Mgr. Parks and Recreation B. LaPlante – TOWN – 2004 Food Festival.
- 04-22** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Traffic and Parking By-law 89-2000.
- 04-26** A By-law to accept the tender and to enter into contract with Serianni Construction Ltd. for

the Sidewalk Repair and Replacement Program 2004 and Utility Cut Related Concrete Reinstatement. A By-law to accept the tender and to enter into contract with Serianni Construction Ltd. for the Sidewalk Repair and Replacement Program 2004 and Utility Cut Related Concrete Reinstatement.

**04-32** Joe Krar, 175 Anniversary of the founding of the First Welland Canal.

**04-37** City Mgr., T. Fitzpatrick – Report from Ad Hoc Water and Sewer Rate Review Committee.

**04-37** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Ad Hoc Water and Sewer Rate Review Committee Report.

**04-45** City Mgr., T. Fitzpatrick – July 30 and 31 Storm Update.

**04-46** A By-law to authorize the purchase of vehicles and equipment as per the 2004 Fleet Replacement Program.

**04-57** Report from Niagara-on-The-Lake - Greenbelt Task Force Discussion Paper, Toward a Golden Horseshoe Greenbelt – Bill 27 Greenbelt Protection Act.

**04-92** Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed new Sign By-law.

**04-104** A By-law to accept the tender and to enter into a contract with Hard-Rock Construction Inc. for the Roadways Resurfacing Program 2004.

**04-105** A By-law to accept the tender and to enter into a contract with Chemaqua for Water Treatment and Preventative Maintenance for boilers and towers.

**04-115Z** Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed amendment to Zoning By-law 1538 – Larry Creighton, north side Buchner Road, west side of unopened Matthews Road (File 2004-02).

**04-117** A By-law to authorize the entering into an agreement with Ecoplans Limited to provide a Salt Management Plan Study.

**04-118** Prince Charles Drive Bridge Rehabilitation.

**04-121** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Wilton Avenue Sanitary Sewer and Watermain Replacement from Lincoln Street to Maple Avenue.

**04-123** Pam Gilroy, Acting Regional Clerk, The Regional Municipality of Niagara – Niagara-GTA Trade Corridor.

**04-124** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Retention of an Engineering Consultant for the Universal Metering Program.

**04-125** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Oxford-Atlas-Wellington Sewer Separation Project with Niagara Region.

**04-126** Ronald M. Hobgen regarding Dog By-law 10715.

**04-1** 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 August, 2004.

**04-1** Moved by Dzugan and Belcastro that the Minutes of the Regular Council Meeting of July 20, 2004 be and the same are hereby approved and adopted as circulated.

**CARRIED**

**96-48** Moved by Larouche and Grenier

1. That Council authorize Staff to prepare the necessary By-law to incorporate the new Development Charges effective September 1, 2004; and
2. That Council has determined that an additional Public Meeting regarding Development Charges is not required.

**CARRIED**

**99-110** Moved by Grenier and Larouche that the petition from Brad Taylor on behalf of users of the bike trails with respect to repairs to the trail adjacent to the train tracks on both sides of the train bridge be referred to staff for report to Council.

**CARRIED**

**99-123** Moved by O'Dell and Belcastro that the presentation by Pat Ciolfi of 215 Doan's Ridge Road regarding the Cooks Mills Development Area be received and referred to Development Services staff for consideration in the Official Plan process.

**CARRIED**

**01-154** Moved by Larouche and Grenier 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**

**02-87** Moved by Fortier and Chiochio that the presentation by Bob Steele, Project Coordinator, Water & Wastewater Services Division, The Regional Municipality of Niagara regarding the Niagara Water Quality Protection Strategy (NWQPS) be received for information.

**CARRIED**

**02-170** Moved by Larouche and Grenier that Council recommends that the Niagara Regional Government pursue lobbying the Provincial Government to investigate corporate initiatives in taking responsibility for their recyclable projects such as pop cans, wine and liquor bottles. Other provinces such as Nova Scotia, Quebec and British Columbia have their liquor control agencies cooperate in the recycling program by implementing a deposit fee upon purchasing their goods; and That the Region also investigates the possibility of a partnership with Corporate Ontario in creating possibilities for revenue generating opportunities; and further That the Region initiates discussions with AMO (Association of Municipalities of Ontario) in hopes that they may create a provincial mandate for change.

**CARRIED**

**02-177** Moved by Fortier and Dzugan

1. That Council authorizes the General Manager of Parks and Recreation to enter into an agreement with a Natural Gas Supplier for the supply of Natural Gas at a fixed rate for five years commencing in August 2004;
2. That the General Manager communicate that actual pricing to the City Manager prior to entering into this agreement as outlined in Report P&R-2004-19.

**CARRIED**

**03-4** Moved by Fortier and Larouche that the 2003 Auditor's Report of the Consolidated

Financial report and the Audit Concluding Memorandum for the fiscal year ending December 31, 2003, for the Corporation of the City of Welland be received for information.

**CARRIED**

**03-75** Moved by Larouche and Grenier

1. That Council accepts in principle the recommendation from the Welland Recreation Canal Corporation (WRCC) and the award of the International Dragon Boat Federation – IBDF that the City of Welland be the hosts of the 2007 World Corporate Dragon Boat Championships pending official confirmation from the IBDF; and
2. That this issue be referred to the WRCC and staff for review and report.

**CARRIED**

**03-80** Moved by Dzugan and Belcastro that the presentation by Clair Gerencser regarding concerns on the revisions and plans of Planning Report PDS-2004-36 - West Side of Riverside Drive, South of Lincoln Street be received for information.

**CARRIED**

**03-80** Moved by O'Dell and Spadafora that Report PDS-2004-36 Red-Lined Revision – Riverside West Subdivision (File 26T-14-02003) Mac-Bri Developments Inc. – West Side of Riverside Drive, South of Lincoln Street, be referred pending a meeting between the Developer, the residents and City Staff.

**CARRIED**

**04-2** Moved by Larouche and Grenier that staff be again directed to review the City's current Business Licensing By-law.

**CARRIED**

**04-3** Moved by Larouche and Grenier that permission is hereby granted to the Niagara Grape & Wine Festival to sell raffle tickets in the City of Welland under authority of Lottery License M410181; subject to the receipt of a \$25.00 administration fee for processing this request.

**CARRIED**

**04-4** Moved by Larouche and Grenier that the final tax installment in the Commercial, Industrial, Large Industrial and Multi-Residential classes "Capped Classes" become due and payable on Friday, October 1, 2004 and that the City Solicitor be directed to prepare the necessary By-law.

**CARRIED**

**04-7** Moved by Larouche and Grenier that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	15-Jul-04	\$	416,916.84
2	16-Jul-04		395,909.76
3	21-Jul-04		1,432,319.17
4	22-Jul-04		24,507.97
5	26-Jul-04		883,665.90
6.	27-Jul-04		5,537,230.43
7.	30-Jul-04		267,106.73
8.	30-Jun-04		85,560.43
9.	03-Aug-04		35,917.22
10.	05-Aug-04		173,405.51
11.	09-Aug-04		60,821.14

12 10-Aug-04 225,703.61  
Total \$ **9,539,064.71**

**CARRIED**

**04-15** Moved by Grenier and Sharpe

1. That Council support the resolution from North Grenville requesting support for Bill 52 which is "An Act to amend the Fire Protection and Prevention Act, 1997", protecting "two hatter fire fighters" and
2. That this resolution be forwarded to the Premier of Ontario, the Minister of Community Safety & Correctional Services and the local MPP.

**CARRIED**

**04-19** Moved by Larouche and Grenier that the request to waive the fee for a fireworks display from Mary-Lou Ambrose-Little, Community Recreation Coordinator on behalf of the Dain City Recreation Association be approved as this group conducts this activity on behalf of the City of Welland.

**CARRIED**

**04-20**

**04-21**

**04-119** Moved by Larouche and Grenier

1. That the requests from Tourism of Welland Niagara (TOWN), with respect to Food Festival events to be held during September 24, 25 and 26, 2004 on Merritt Island be approved as follows:
  - (a) Temporary road closures at the following locations (similar road closures as in previous years) subject to the applicant's completion of all conditions of the City of Welland's Policy of Road Use for Community Activities:
    - Boardwalk at East Main (Friday 12:00 p.m. - Sunday 6:00 p.m.)
    - Cross Street at Courthouse Lane, north leg (Friday 9:00 a.m. - Friday 5:30 p.m.)  
(This location will be relocated to Cross Street and East Main at 5:30 p.m. and closed until Sunday 6:00 p.m.)
    - Courthouse Lane at Cross Street (Friday 5:30 p.m. – Sunday 6:00 p.m.)
    - Chippawa Street from south of Smith Street to Thorold Road (Saturday evening only, 6:00 p.m. to end of fireworks display)
  - (b) Exemption of the event from the City Noise By-law from Saturday, September 25, 2004 at 8:00 p.m. to Sunday, September 26, 2004 at 12:00 a.m.
  - (c) That the hydrant fee for the provision of potable water be waived; and
2. That the authority to designate this event and any future Food Festival events as a community festival be delegated to the City Clerk for recommendation to the Liquor License Board of Ontario (LLBO).

**CARRIED**

**04-5**

**04-32** Moved by Spadafora and O'Dell that the presentation by Joe Krar, Chair regarding the 175th Anniversary of the founding of the First Welland Canal be received for information; and further That the grant request for \$18,750.00 be approved and paid out of the contingency fund.

**CARRIED**

**04-20** Moved by Larouche and Grenier that Welland City Council has no objection to the issuance of a Special Occasion Permit to Help A Child Smile for a fundraising event scheduled at Auberge Richelieu, River Road on Saturday, September 4, 2004; subject to the satisfactory completion of the Municipal

Application for Community Festivals and Special Occasion Permits; and designates the event as municipally significant.

**CARRIED**

**04-22** Moved by Grimaldi and Fortier

1. That the City Solicitor be directed to review and amend By-law 89-2000 in accordance with attachment #1 to Report TRAF-2004-19;
2. That the following Traffic and Parking control by-laws be repealed:
  - ? By-law 11027, Niagara College
  - ? By-law 10721, Municipal City Lots
  - ? By-law 9840, Handicapped

...continued...

**04-22...Cont'd.**

- ? By-law 10011, Fire Lane
- ? By-law 2000-117, Vehicles Parked on Municipal Property;
- and
- 3. That the City Solicitor be directed to amend the existing schedules of the various By-laws to correspond with the amended version of By-law 89-2000.

**CARRIED**

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

**04-37** Moved by Beaudoin and O'Dell that the City of Welland amend its Water and Sewer Rate structure to provide that 100% of all costs, fixed and variable, be recovered entirely through consumption/usage rates.

**NOT PUT**

**04-37** Moved by Spadafora and Dzugan that the recommendations for Water & Sewer Rate Structures be referred until such time that a meeting can be held between the Ad Hoc Committee and Council to allow the Committee to explain its findings and recommendations.

**CARRIED**

**04-45** Moved by O'Dell and Fortier that Report ENG 2004-39 regarding the Summary Report of Storm of July 31, 2004, be received for information.

**CARRIED**

**04-57** Moved by Larouche and Grenier that the report from Niagara-on-the-Lake regarding the Greenbelt Task Force Discussion Paper, Toward a Golden Horseshoe Greenbelt – Bill 27 Greenbelt Protection Act be referred to the Development Services staff for study and report.

**CARRIED**

**04-92** Moved by Beaudoin and Grimaldi that Report PDS-2004-42, Proposed New Sign By-law be referred to the September 14, 2004 General Committee Meeting.

**CARRIED**

**04-115Z** Moved by Larouche and Grenier that the request by Phil Fisher on behalf of Mr. Larry Creighton to rezone Part Lot 11, Concession 5, former Township of Crowland now in the City of Welland being Part 22, Plan 59R-7377 located on the north side of Buchner Road, west of unopened Matthews Road from RA to a Site Specific RA Zone to permit a minimum lot area of 0.4 hectares where the minimum requirement is currently 1.2 hectares be referred to staff to re-schedule the Public Hearing under the Planning Act as requested by the applicant.

**CARRIED**

**04-118** Moved by O'Dell and Spadafora that the Region of Niagara be advised that the re-routing of traffic during construction for rehabilitation of the Prince Charles Drive Bridge between Lincoln Street and Ontario Road be: Ontario Road, King Street and Lincoln Street.

**LOST**

**04-118** Moved by Spadafora and Belcastro that the Region of Niagara be advised that the re-routing of traffic during construction for rehabilitation of the Prince Charles Drive Bridge between Lincoln Street and Ontario Road be:

for north bound traffic: right on Ontario Road, left on King Street and left on Lincoln Street;

for south bound traffic: right on Lincoln Street, left on Riverside Drive, left on Broadway.

**CARRIED**

**04-126** Moved by Larouche and Grenier that the presentation to General Committee on February 24th, 2004 by Ronald M. Hobgen regarding Dog By-law 10715 be again referred to staff for report to Council.

**CARRIED**

**04-121** Moved by Larouche and Grenier that Council accept the tender of DeRose Bros. General Contracting Ltd. for the Wilton Avenue Sanitary Sewer and Watermain Replacement from Lincoln Street to Maple Avenue, as presented in report ENG-2004-40; and  
That the City Solicitor be directed to prepare all necessary and appropriate by-laws to enter into a contract with the said contractor, to execute the construction, at the tender price of \$693,830.15, plus applicable G.S.T.

**CARRIED**

**04-123** Moved by Larouche and Grenier that Welland City Council endorse the resolution from the Council of the Regional Municipality of Niagara requesting support from the Province to move forward as quickly as possible with the Niagara GTA Trade Corridor with a coordinated effort to address Southern Ontario's transportation requirements; and further supports the Regional Chairman's work to build inter-regional support for the development of the Niagara GTA Trade Corridor.

**CARRIED**

**04-124** Moved by Sharpe and Chiocchio that the City of Welland enter into an agreement with Associated Engineering (Ont.) Limited for Engineering Services in preparing water meter specifications, tender documents and project administration for the supply and installation of universal water meters in private residences in the City of Welland, all at a total estimated cost of \$20,240.00 plus tax.

**CARRIED**

*(Councillors O'Dell, Grimaldi and Beaudoin asked to be recorded as opposed to this Resolution).*

**04-125** Moved by Larouche and Grenier that Council approve participation with the Region of Niagara in a 55/45 Region/City split of costs for the East Main to River Road Trunk Sewer project and directs staff to include the project in the 2005 Capital Budget.

**CARRIED**

### **BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**96-58** Moved by Belcastro and Grimaldi that Council appoint the following to the Snow Clearing Review Committee: Councillors Mark Dzugan and Pat Chiocchio; and Randall Forder, Debbie Wicket-Pearce, Gail Grimaldi; with the Mayor as an ex-officio member.

**CARRIED**

**97-58** Moved by Belcastro and Chiocchio that Council appoint Councillor Paul Grenier to the Ad Hoc Mural Committee.

**CARRIED**

**99-99** Moved by Belcastro and Grenier that Council accept the resignation of Bill Summers from the Welland Recreational Canal Corporation and declare the position vacant to be filled at the end of this term when other vacancies are posted.

**CARRIED**

**04-24** Moved by Belcastro and Grenier that given current circumstances in the Engineering Department an appropriate short term supervisory position be established until March 1, 2005.

**CARRIED**

**04-91** Moved by Larouche and Sharpe that Council accept the resignation of Councillor Beaudoin from the Welland Historical Museum Board of Management and appoint Councillor Dan Fortier as his replacement.

**CARRIED**

### **BY-LAWS**

**BY-LAWS PRESENTED FOR FIRST READING:**

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

**04-4**

BYL 2004 - 105

A By-law to amend By-law 2004-67, being a By-law to establish tax ratios and tax rates and to levy taxes for the year 2004.

**04-4**

BYL 2004 - 106

A By-law to provide for the final 2004 Tax Levy, to provide for the payment of taxes against multi-residential, commercial, industrial and large industrial classes and to provide for penalty and interest.

...continued...

**BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:****96-48**

BYL 2004 - 107

A By-law to establish Development Charges for the City of Welland for designated services in accordance with the Development Charges Act, 1997.

**98-82**

BYL 2004 - 108

A By-law to accept the proposal from Bell Canada in partnership with Mitel for the communications solution for the new Civic Square Complex and Off-Site Locations.

**98-82****99-99**

BYL 2004 - 109

A By-law to authorize the entering into an agreement with Carruthers Shaw & Partners Limited Architects for consulting services for the design and inspection of the canal lands landscaping, canal plaza and parking lot behind the new Civic Square Complex.

**03-88**

BYL 2004 - 110

A By-law to authorize the entering into an agreement with Ellis Engineering Inc. to provide a Feasibility Study for replacement of the Drapers Creek culvert on Colbeck Drive.

**03-100****04-120**

BYL 2004 - 111

A By-law to authorize the entering into a contract with Robert Martin Engineering Inc. to provide engineering services for the Summit Avenue Area Watermain Replacement Phase 2 and Fitch Street Watermain Replacement Phase 1.

**03-114**

BYL 2004 - 112

A By-law to authorize conveyance of that portion of Trufal Avenue lying between Broadway and St. George Street.

**04-15****04-19**

BYL 2004 - 113

A By-law to authorize the entering into a contract with JMC Transportation Group to provide engineering services for parking lot rehabilitation at the Welland Arena and the Prince Charles Fire Hall Station No. 2.

**04-26**

BYL 2004 - 114

A By-law to accept the tender and to enter into contract with Serianni Construction Ltd. for the Sidewalk Repair and Replacement Program 2004.

...continued...

**BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:****04-46**

BYL 2004 - 115

A By-law to authorize the purchase of vehicles and equipment as per the 2004 Fleet Replacement Program.

**04-104**

BYL 2004 - 116

A By-law to accept the tender and to enter into a contract with Hard-Rock Construction Inc. for the Roadways Resurfacing Program 2004.

**04-105**

BYL 2004 - 117

A By-law to accept the tender and to enter into a contract with Chemaqua for Water Treatment and Preventative Maintenance for boilers and towers.

**04-117**

BYL 2004 - 118

A By-law to authorize the entering into an agreement with Ecoplans Limited to provide a Salt Management Plan Study.

**94-102****97-35**

BYL 2004 - 119

A By-law to provide for the supply and delivery of water and to provide for the maintenance and management of waterworks and the imposition and collection of water rates.

**04-1**

BYL 2004 -120

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 August, 2004.

And that the same be now read a first time.

**CARRIED**

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

2. Moved by Larouche and Grenier 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**

**04-25** Moved by Larouche and Belcastro that Council meet in Committee-of-the-Whole, closed to the public at 10:45 p.m. to consider:

a) the security of the property of the municipality.

**CARRIED**

**04-25** Moved by Belcastro and Larouche that the Committee-of-the-Whole arise from its closed meeting at 10:55 p.m.

**CARRIED**

**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**02-137** Moved by O'Dell and Belcastro

1. That Staff accept the Offer from Leonard and Carole Eybel for part of Lots 4 through 6, Plan 606 located on the south side of Ross Street, east of Cooper Road for a value of \$3,750.00 plus \$512.87 for the Appraisal, \$314.34 in associated costs and an estimated \$667.00 for the Reference Plan with the net proceeds being deposited to the Civic Square Reserve Fund in accordance with Policy SER-013-0011;
2. That the City provide for a seasonal access to Ross Street subject to an Easement Agreement; and
3. That the City Solicitor be authorized to prepare an Offer of Purchase and Sale and associated By-law to complete this transaction.

**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 1, 2004 for inclusion on the next Regular Council Meeting Agenda of September 7, 2004.**

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 7<sup>th</sup> day of September, 2004.

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**MAYOR**

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**CLERK**