



COUNCIL MEETING, DECEMBER 7, 2004

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:45 p.m. and in open session at 7:40 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. Alexander, M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier, M. A. Grimaldi, J. Larouche, S. O'Dell (until 10:35 p.m.), B. Sharpe (6:25 p.m.) and J. Spadafora (7:40 p.m. – 10:15 p.m.).

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

City Manager T. Fitzpatrick

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

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:40 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:40 p.m.)

General Manager of Planning and Development Services D. Thorpe (7:40 p.m.)

General Manager of Parks and Recreation B. LaPlante

Regional Councillor J. Mastroianni (7:40 p.m.)

During his Regional Council report, Regional Councillor Mastroianni introduced Mr. Tony D'Amario, Director, Water Management of the Niagara Peninsula Conservation Authority who spoke Re: Welland River Water Fluctuation from Ontario Power Generation (OPG).

04-25 Moved by Grenier and Alexander that Council meet in Committee-of-the-Whole, closed to the public at 5:45 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

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

CARRIED

DISCLOSURE OF INTEREST:

Councillor Grenier disclosed an interest in Ref. No. 05-43 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his father's property adjoins the subject property.

Councillor Fortier disclosed an interest in Ref. No. 2000-68; By-laws 2004-160, 2004-161, 2004-162; and Ref. No. 03-156 By-laws 2004-166, 2004-167, 2004-168, 2004-168 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property adjacent to the affected property.

PRESENTATION:

Presentation of plaque by Councillor Dzugan on behalf of Welland City Council to Mr. Joseph Ivancak in recognition of receiving the Croatian Fraternal Union of America Man of the Year Award.

DELEGATIONS:

05-36 Paul Nieweglowski, Niagara District Manager, Ontario Ministry of the Environment addressed Council regarding the Environmental Assessment on the clean up of contaminated sediments located in the area of Lyons Creek East and West.

05-28 Liz Martin, Eastdale Secondary School student and Tom Molyneaux, teacher addressed Council regarding the donation of Liz's sculpture to the new Civic Square.

THE FOLLOWING CORRESPONDENCE WAS READ:

01-35 Notice of Motion from Councillor Mark Dzugan – That Welland City Council petitions the Province of Ontario to urgently commence plans for the construction of the twinning of Highway 406 in the

Cities of Thorold and Welland for reasons of safety and economic viability for the Region of Niagara and its area municipalities.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

97-67

98-57 Downtown Business Improvement Area Board – to establish for the 2004-2005 winter season, a cost sharing arrangement for the clearing of snow from sidewalks with the BIA.

99-99 George Nicholson, Senior Policy Coordination Planner, Planning and Development Department, The Regional Municipality of Niagara - Possible Heritage Designation for the Welland Canals Corridor.

2000-68 Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed Subdivider's

03-156 Agreement with Ravenda & Ravenda Construction Limited; sale of Block 15, Plan M-86

03-156Z and Lifting of Holding "H" Symbol – Stonegate Estates Subdivision (File 26T-14-20001 and File 2003-12) East side of Colbeck Drive, south of Endicott Terrace.

2000-68 A By-law to authorize the signing of a Subdivider's Agreement with Ravenda & Ravenda Construction Limited with respect to the development of Stonegate Estates subdivision.

2000-68 A By-law to lay out, establish and name part of Block 16, Plan M-86 being Part 15, Plan 59R-_____ being a 0.3 metre reserve for the City of Welland as part of Stormm Court.

2000-68 A By-law to repeal City of Welland By-law 2004-151 being a By-law to exempt part of Block 14, Plan M-86 (Part 26, Plan 59R-10738) from Part Lot Control.

02-137 A By-law to lay out, establish, assume and name as a public highway for road widening purposes Parts 1, 4 and 7, Plan 59R-12548 as part of Ross Street.

02-137 A By-law to authorize conveyance of city-owned lands located on the south side of Ross Street, east of Cooper Road to Leonard and Carole Eybel being Part 3, Plan 59R-12548.

02-137 A By-law to authorize the granting of a pleasure easement agreement to Leonard Eybel and Carole Eybel to provide seasonal access from Ross Street across a portion of Part 2, Plan 59R-12548.

02-170 Pam Gilroy, Regional Clerk/Associate Director Corporate Strategy, the Regional Municipality of Niagara - Waste Management Financing Options – 2005 Cost Apportionment.

03-88 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Update on Feasibility study for replacement of the Drapers Creek culvert on Colbeck Drive.

03-100 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz –Summit Avenue area watermain replacement Phase 2 supplementary report – Linwood Drive and Laughlin Place.

03-156 A By-law to authorize conveyance of Block 15, Plan M-86 to Ravenda & Ravenda Construction Limited (Stonegate Estates Subdivision).

03-156 A By-law to exempt certain lands from Part-Lot Control – East side of Colbeck Drive, south of Endicott Terrace, in the Stonegate Estates (Plan59M-), City of Welland.

03 – 156 A By-law to amend Zoning By-law 2667 upon the application of the Corporation of the City of Welland to remove the holding symbol "H" from certain lands on the east side of Colbeck Drive, south of Endicott Terrace.

03-156 A By-law to accept the transfer of an easement(s) for sanitary sewers from Ravenda & Ravenda Construction Limited to the Corporation of the City of Welland in the Stonegate Estates Subdivision.

04-1 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 23rd and 30th day of November, 2004 and 7th day of December, 2004.

04-3 Diana Borowski, Director, Canadian Red Cross - requesting permission to sell raffle tickets in the City of Welland.

04-3 Julie Sneek, Multiple Sclerosis Society - requesting permission to sell raffle tickets in the City of Welland.

04-4 September 2004 Financial Statements.

04-4 Acceptance of Banking Services Proposal.

04-7 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable –

November 10, 2004 to November 29, 2004.

04-12 A By-law to appoint certain Members of Council as Vice-Mayor for three (3) month terms of office, commencing December 1st, 2004 to November 30th, 2005.

04-13 Welland Harvest Kitchen – Bus Transportation.

04-13

04-22 Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Coin Sorter and Coin Wrapper – Transit and Parking Operations.

04-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Tender – Supply of Transit Uniforms.

04-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Welland Winter Lights 2004.

04-18 City Mgr., T. Fitzpatrick – October 2004 Department Reports.

04-22 Parking Operations – Church Street.

04-22 Designated Truck Routes

04-22 MTO Agreement – Transfer of Light Standard, Highway 140.

04-28 Liz Martin, Eastdale Secondary School student – Donate sculpture to the new Civic Square.

04-46 Procurement of one (1) new Extended Cab and Chassis, 15,000 G.V.W. Truck complete with a Del 9' Job Boss Dump Body Model DJBHD8909.

04-115Z Proposed Amendment to Zoning By-law 1538 – Larry Creighton, north side of Buchner Road, west side of Unopened Matthews Road (File 2004-02).

04-115ZR. Brian Miller, Leon Taylor & Fazari – Request for deferral of Creighton Rezoning Application – Buchner Road, Cook's Mills.

04-132 Revisions of the Fence By-law.

04-137 C.A. Stirtzinger, Civil Marriage Solemnization Authority – Delegation to Clerk.

04-142 Quotation for Water and Sewer Operating Materials.

04-149 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Assessment Pooling.

04-154Z Proposed Amendment to Zoning By-law 2667, as amended by By-law 10534 for the City of Welland, 74 Vaughan Road (File 2004-06).

04-154ZA By-law to amend City of Welland Zoning By-law 2667 (Michael Wayne Losier – File 2004-06).

05-21 Keith Levere, Parade Chair, Welland Rose Festival – requesting permission to hold the 44th Annual Rose Festival Parade on Sunday, June 12th, 2005.

05-36 Paul Nieweglowski, Niagara District Manager, Ontario Ministry of the Environment – Environmental Assessment on the clean up of contaminated sediments located in the area of Lyons' Creek East and West.

05-41 Letters from Mike Walsh, Publisher & General Manager, The Tribune and John Clark, North Welland Business Improvement Area Association – Possibility of partnering with the City of Welland in replacing existing gateway signage.

05-42 City of Welland Transportation Planning Study.

05-45 2005 Insurance for Municipal, Transit and Welland Recreational Canal Corporation.

05-47 Pam Gilroy, Regional Clerk/Associate Director Corporate Strategy, the Regional Municipality of Niagara - Project Beacon - General Motors of Canada Limited.

05-48 Carolyn J. Kett, Town Clerk, Town of Fort Erie – Requesting Region of Niagara to defer 2005 Water and Sewer Rates.

05-49 Susan M. Daniels, Deputy City Clerk, City of Thorold – Opening of schools to Community Groups after hours.

05-50 Nora A. Reid, Secretary, Welland Local Architectural Conservation Advisory Committee – name change.

05-53 Implementation of the "SWAP" Program. (Sewer Water Alleviation Program).

05-57 Tim Hudak, MPP, Erie-Lincoln – Proposed Timelines for the proposed Greenbelt Act.

04-1 Moved by Dzugan and Grenier that the Minutes of the Regular Council Meeting of November 16, 2004 and Special Council Meetings of November 23, 2004 and November 30, 2004 be and the same are hereby approved and adopted as circulated.

CARRIED

97-67

98-57 Moved by Alexander and Larouche that staff report on negotiations with the Downtown Business Improvement Area Board to establish for the 2004-2005 winter season, a cost sharing arrangement for the clearing of snow from sidewalks with the BIA be referred to the December 14, 2004 General Committee Meeting.

CARRIED

99-99 Moved by Alexander and Larouche that the letter from the Regional Municipality of Niagara regarding possible heritage designation for the Welland Canals Corridor be received and referred to staff and the Local Architectural Conservation Advisory Committee for study and report.

CARRIED

2000-68

03-156

03-156Z Moved by Alexander and Larouche

1. That the City of Welland enter into a Subdivider's Agreement with Ravenda & Ravenda Construction Limited with respect to the development of a seven (7) lot residential Subdivision (Stonegate Estates) located on the east side of Colbeck Drive, south of Endicott Terrace;
2. That the Mayor and Clerk be authorized to execute all necessary documents associated with the development;
3. That the Mayor be authorized to sign the Final Plan of Subdivision to allow the Plan to be registered once all Conditions of Draft Approval have been met and the Plan has been checked for conformity;
4. That the Holding Symbol (H) established by City of Welland By-law 2003-175 for the R1 Zone affecting lands on the east side of Colbeck Drive, south of Endicott Terrace being part of Block 15, Plan M-86 be removed; and
5. That Staff be authorized to prepare the necessary By-laws to finalize the Subdivision and to transfer Block 15, Plan M-86 to Ravenda & Ravenda Construction Limited in accordance with Council's Resolution of April 1, 2003.

CARRIED

01-35

02-160 Moved by Dzugan and Belcastro that Council suspends the rules to permit the introduction and vote, later this evening, on an urgent notice of motion which pertains to the widening of Highway 406 in the Cities of Thorold and Welland.

**CARRIED
2/3 MAJORITY**

01-35 Moved by Dzugan and Alexander that, in light of the April 27, 2004 Trade Corridors Conference at White Oaks, Niagara-on-the-Lake and subsequent correspondence between Niagara Regional Chair, Peter Partington and Minister of Transportation, the Honourable Harinder Takhar, Welland City

Council urges the Province of Ontario to provide an up to date status report on the plans for the construction of the twinning of Highway 406 in the Cities of Thorold and Welland; and further That this resolution be forwarded to the Region of Niagara and its area municipalities for support, as well as the Niagara Members of the Legislative Assembly, and the Niagara Members of Parliament.

**CARRIED
UNANIMOUSLY**

02-170 Moved by Alexander and Larouche that the letter from the Regional Municipality of Niagara regarding Report PWA 196-2004 (CSD 153-2004), November 9, 2004, respecting the Waste Management Financing Options, 2005 Cost Apportionment be received and referred to staff for study and report.

CARRIED

03-88 Moved by Grenier and Alexander that Council approve a revision in the contract with Ellis Engineering Inc. to complete a feasibility study report for the structure replacement on Colbeck Drive and the creek restoration work downstream of the culvert to an amount of \$18,675.20 plus applicable taxes.

CARRIED

03-100 Moved by Alexander and Larouche

1. That the General Manager, Engineering, Public Works and Transportation Services be authorized to finalize the details for the extension of the Summit Avenue Watermain Replacement – Phase 2, to include the section of watermain on Linwood Drive from Summit Ave to Laughlin Place & on Laughlin Place from Summit Avenue to First Avenue with Vic Vatr Contracting Limited;
2. That the additional expenditure of approximately \$55,000 be expensed within the Summit Avenue Phase 2 Project 2004 Waterworks Capital Budget allocation of \$380,000; and
3. That the City Solicitor be directed to prepare all necessary by-laws to execute same.

CARRIED

04-3 Moved by Alexander and Larouche that permission is hereby granted to The Canadian Red Cross to sell raffle tickets in the City of Welland under authority of Lottery License P042148; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

04-3 Moved by Alexander and Larouche that permission is hereby granted to the Multiple Sclerosis Society, to sell raffle tickets in the City of Welland under authority of Lottery License M410555; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

04-4 Moved by Alexander and Larouche that the financial reports for the period ending September 30, 2004 be received.

CARRIED

04-4 Moved by Alexander and Larouche that the proposal by RBC Royal Bank to provide banking services to the City of Welland, being the highest net revenue position of the five proposals received, be accepted and that the City Solicitor be requested to prepare the necessary by-law to enter into a contract for a 3-year term commencing in early 2005, with an option to extend up to 2 additional years on a mutually acceptable basis.

CARRIED

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

1	16-Nov-04	\$	360,688.93
2	17-Nov-04		694,219.89
3	19-Nov-04		1,268,730.64
4	22-Nov-04		904,708.63
5	23-Nov-04		229,919.29
6	25-Nov-04		1,164,457.65
7	30-Nov-04		<u>245,403.32</u>
	Total	\$	4,868,128.35

CARRIED

04-13

04-22 Moved by Alexander and Larouche that the tender for the Supply of one coin sorter and one coin wrapper for Transit and Parking Operations, be awarded to Gemsys, in the amount of \$29,026.50 including applicable taxes.

CARRIED

04-13

Moved by Alexander and Larouche that Council support the request from Reverend Robert Bond, Welland Harvest Kitchen Steering Committee for Transit bus passes from November 17th to March 31st, 2005.

CARRIED

04-13

Moved by Alexander and Larouche that Council approve the opening and consideration of Herzog's tender document for the supply of sixteen (16) Transit operator uniforms at an estimated expenditure of \$5,000.00.

CARRIED

04-13

Moved by Alexander and Larouche that Council approve a maximum fuel expenditure of \$500.00 to operate the Winter Lights Tours from December 13th to December 14th, 2004.

CARRIED

04-18

Moved by Fortier and Belcastro that Report CM-2004-42, reflecting Departmental Reports to the end of October 2004 be received for information.

CARRIED

04-22

Moved by Alexander and Larouche

1. That the City Solicitor be directed to prepare a By-law to amend Parking Prohibitions, Schedule "C" of By-law 89-2000 by:
 - i) ADDING the following:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE			PERIOD
		FROM	TO	(TIMES/ DAY)
Church Street	South	Niagara Street	Aqueduct Street	AT NO TIME

CARRIED

04-22 Moved by Alexander and Larouche that the City Solicitor be directed to prepare a By-law to amend Heavy Vehicle Prohibited, Schedule "S" of By-law 89-2000 as per attachment #1.

NOT PUT

04-22 Moved by O'Dell and Alexander that Report Traffic-2004-31 Re: Designated Truck Routes be referred to the December 14th, 2004 General Committee Meeting.

CARRIED

04-22 Moved by Fortier and Sharpe that the City Solicitor prepare an agreement to transfer the jurisdiction of the city owned light standard on the north east corner of Highway 140 and Silverthorn Court, to the Ministry of Transportation Ontario.

CARRIED

04-46 Moved by Alexander and Larouche that Council accept the quotation from Ed Learn Ford Sales Ltd. for the purchase of one (1) 2005 extended cab and chassis, 15,000 G.V.W. truck complete with a Del 9' Job Boss Body Model DJBHD8909, at a price of \$52,207.70 (including G.S.T.).

CARRIED

04-57 Moved by Alexander and Belcastro that Council supports the concerns of MPP Tim Hudak, Erie-Lincoln, to extend the timelines for public consultation on the Greenbelt legislation; and That the legislation be sent to an all party Legislative committee prior to legislation being passed; and further That the City Clerk advise the proper authorities accordingly.

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04-57 Moved by Fortier and O'Dell that the matter regarding the request from Tim Hudak, MPP Erie-Lincoln for an extension to the timelines for public consultation on the Greenbelt legislation be referred to April 2005.

LOST

FOLLOWING THE LOST VOTE ON THE REFERRAL MOTION, THE MAIN MOTION WAS THEN PUT IN ITS ORIGINAL FORM AND

LOST

04-115Z Moved by Larouche and Alexander 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 denied.

NOT PUT

04-115Z Moved by Larouche and Alexander that the matter of an application regarding a proposed amendment to Zoning By-law 1538, by Larry Creighton, north side of Buchner Road, west side of unopened Matthews Road be referred to the March 1st, 2005 Regular Council Meeting.

CARRIED

04-115Z Moved by Larouche and Alexander that the letter from R. Brian Miller, Leon Taylor & Fazari on behalf of Mr. Creighton requesting a deferral of rezoning application for property on Buchner Road be received and filed.

CARRIED

04-132 Moved by Alexander and Larouche that staff be again directed to review and report on the advisability of revising the Fence By-law to measure the visibility triangle from the intersection as defined in the Highway Traffic Act, rather than the property line;
That the properties at 88 Edgar and 54 Parkway be reviewed by the Traffic Engineer to determine if a 12' x 12' visibility triangle should be recommended as an exemption to the existing by-law (as was approved by Council in November 2002 for 85 Aqueduct Street; and
That each of these properties be given a "stay of execution" for their hedges until May 1, 2005.

CARRIED

04-137 Moved by Alexander and Larouche that the City Clerk invite comments from City of Welland clergy with respect to civil marriage solemnization.

CARRIED

04-142 Moved by Alexander and Larouche that Council accept the quotations from Vancor Supply, Evans Supply Ltd., and Emco Supply in the amounts of \$5,520.76, \$65,216.23, and \$43,680.65 respectively for a total expenditure of \$114,417.64 for the Supply of Water and Sewer Materials as these were the lowest of the six (6) quotations submitted.

CARRIED

04-149 Moved by Alexander and Sharpe that the City of Welland advise the Region of Niagara that it is opposed to the concept of assessment pooling and that the request for proposals to retain consultants to further study the issue not proceed.

CARRIED

04-154Z Moved by Alexander and Larouche

1. That Zoning By-law 2667, as amended, be further amended by adding mini warehouse and public storage as a use in the I1-X2 Zone; and
2. That Staff be authorized to prepare the necessary By-law.

CARRIED

05-21 Moved by Alexander and Larouche that Welland City Council approves the application of the Welland Rose Festival to hold its "**44th Annual Rose Festival Parade**" on Sunday, June 12th, 2005 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

05-28 Moved by Dzugan and Grenier that the presentation by Liz Martin, Eastdale Secondary School student regarding the donation of her sculpture to the new Civic Square be received and gratefully accepted.

CARRIED

05-28 Moved by Fortier and Spadafora that the oral report by Regional Councillor Mastroianni re: update on Regional matters be received for information.

CARRIED

05-28 Moved by O'Dell and Grenier that the oral report by Councillor Grimaldi on behalf of the Accessibility Advisory Committee be received for information.

CARRIED

05-36 Moved by Dzugan and Sharpe that the presentation by Paul Nieweglowski, Niagara District Manager, Ontario Ministry of the Environment regarding the Environmental Assessment on the clean up of contaminated sediments located in the area of Lyons Creek East and West be received for information.

CARRIED

05-53 Moved by Sharpe and Grenier

1. That Council approve the proposed Sewer Water Alleviation Program (SWAP) Policy and Procedures, and that the program be implemented as such, and
2. That a further allocation of \$100,000 for the SWAP program be included in the 2005 Operating Budget for further applications.

CARRIED

05-41 Moved by Fortier and Alexander that the letters from Mike Walsh, Publisher & General Manager, The Tribune and John Clark, North Welland Business Improvement Area Association regarding the possibility of partnering with the City of Welland in replacing existing gateway signage be received and referred to staff for study and report.

CARRIED

05-42 Moved by Alexander and Larouche that the oral presentation at the November 28, 2004 General Committee Meeting by Nick Palomba, Delcan, regarding the April 2001 City of Welland Transportation Planning Study be received for information.

CARRIED

05-43 Moved by Grenier and Dzugan that staff be instructed to proceed with the demolition of the house located at 58 Sixth Street that the City has acquired through tax arrears, and that the City pay the cost.

CARRIED

05-45 Moved by Alexander and Larouche that the City's General and Transit Insurance and the Welland Recreational Canal Corporation (WRCC) Insurance be renewed for a 12 month period December 31, 2004 to December 31, 2005 with Frank Cowan Company with annual premiums (plus applicable taxes) as follows:

General	\$480,002
Transit	<u>\$75,625</u>
MUNICIPAL TOTAL	\$555,627

Welland Recreational Canal Corporation \$13,166; and

...continued...

05-45...Cont'd.

That the City's Insurance include accident coverage for the following groups:

- Accessibility Advisory Committee
- Committee of Adjustment
- Court of Revision
- Local Architectural Conservation Advisory Committee
- Property Standards Committee
- Transit Advisory Committee

for a premium of \$1632; and further

That the Welland Development Commission be included in this coverage and removed from the Councillors' coverage for a premium savings of \$112.00.

CARRIED

05-47 Moved by Alexander and Larouche that Welland City Council supports the resolution from the Regional Municipality of Niagara encouraging the Ontario and Federal Governments to partner and financially support General Motors of Canada Limited's Project Beacon, and further That the City Clerk advise the proper authorities accordingly.

NOT PUT

05-47 Moved by O'Dell and Alexander that the matter regarding the request from Regional Niagara to encourage the Ontario and Federal Governments to partner and financially support the Project Beacon – General Motors of Canada be referred to staff for report in February, 2005.

CARRIED

05-48 Moved by O'Dell and Chiocchio that the letter from the Town of Fort Erie requesting support of its resolution to request the Regional Municipality of Niagara to defer the effective date of the 2005 Water and Sewer Rates from January 1, 2005 to March 1, 2005 be endorsed.

CARRIED

05-49 Moved by Alexander and Larouche that Council endorses the resolution from the City of

Thorold to strongly encourage every local school board to enter into a Community Recreation and Use Agreement with the Ministry of Tourism and Recreation which will provide funds to school boards that open their schools to not-for-profit community groups for after-hours recreation and community activities year round; and further
That the City Clerk advise the proper authorities accordingly.

CARRIED

05-50 Moved by Alexander and Larouche that the letter from the Local Architectural Conservation Advisory Committee advising of its name change to the Welland Heritage Committee effective January 1, 2005 in accordance with amendments to Ontario's Heritage Act under the Government Efficiency Act, 2002 be approved; and further
That the City Solicitor be directed to make the necessary by-law changes to implement this amendment.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

98-82 Moved by O'Dell and Chiocchio

1. That staff be authorized to negotiate the purchase of refurbished work stations for the new City Hall at an upset price of \$135,000.00 inclusive of delivery and installation, plus applicable taxes; and
2. That Council hereby exempts this acquisition from the City's Purchasing Policy.

CARRIED

98-82 Moved by O'Dell and Larouche that the City of Welland retain Mr. Doug Mathews to act as Project Manager for the installation of communications solutions for the new Civic Square Complex to an upset of \$15,000.00 plus G.S.T. as set out in his proposal of 12 November, 2004.

CARRIED

98-82 Moved by Dzugan and Fortier that the City of Welland enter into an agreement with Roberto's Food and Beverage Services for the provision of food services at the new Civic Square as set out in Report No. CM-2004-40.

CARRIED

04-48 Moved by Belcastro and Grenier that the Agreement to resolve outstanding issues between Centre Properties (Welland) Ltd. ("Atlas") and the City of Welland, dated December 3, 2004 be received for information.

CARRIED

04-58 Moved by Fortier and Belcastro that the General Manager, Engineering, Public Works and Transportation Services be authorized to assign to Provincial Construction Limited the substitution of works in Lincoln Street Combined Sewer Separation Phase 2 & 4, replacing it with the section of sanitary sewer on Sutherland Avenue being part of Phase 3, 5, 6 of the same project, which is also approved as part of the 2004 Sanitary Sewer Capital Budget; and
That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

CARRIED

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

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

2000-68

BYL 2004 - 160

A By-law to authorize the signing of a Subdivider's Agreement with Ravenda & Ravenda Construction Limited with respect to the development of Stonegate Estates Subdivision.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:**2000-68**

BYL 2004- 161

A By-law to lay out, establish and name part of Block 16, Plan M-86 being Part 15, Plan 59R-_____ being a 0.3 metre reserve for the City of Welland as part of Stormm Court.

2000-68

BYL 2004 - 162

A By-law to repeal City of Welland By-law 2004-151 being a By-law to exempt part of Block 14, Plan M-86 (Part 26, Plan 59R-10738) from Part Lot Control.

02-137

BYL 2004 - 163

A By-law to lay out, establish, assume and name as a public highway for road widening purposes Parts 1, 4 and 7, Plan 59R-12548 as part of Ross Street.

02-137

BYL 2004 - 164

A By-law to authorize conveyance of city-owned lands located on the south side of Ross Street, east of Cooper Road to Leonard and Carole Eybel being Part 3, Plan 59R-12548.

02-137

BYL 2004 - 165

A By-law to authorize the granting of a Pleasure Easement Agreement to Leonard Eybel and Carole Eybel to provide seasonal access from Ross Street across a portion of Part 2, Plan 59R-12548.

03-156

BYL 2004 - 166

A By-law to authorize conveyance of Block 15, Plan M-86 to Ravenda

& Ravenda Construction Limited (Stonegate Estates Subdivision).

03-156

BYL 2004 - 167

A By-law to exempt certain lands from Part-Lot Control – East side of Colbeck Drive, south of Endicott Terrace, in the Stonegate Estates (Plan59M-), City of Welland.

03 - 156

BYL 2004 - 168

A By-law to amend Zoning By-law 2667 upon the application of the Corporation of the City of Welland to remove the holding symbol “H” from certain lands on the east side of Colbeck Drive, south of Endicott Terrace.

03-156

BYL 2004 - 169

A By-law to accept the transfer of an easement(s) for sanitary sewers from Ravenda & Ravenda Construction Limited to the Corporation of the City of Welland in the Stonegate Estates Subdivision.

...continued...

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

04-12

BYL 2004 - 170

A By-law to appoint certain Members of Council as Vice-Mayor for three (3) month terms of office, commencing December 1st, 2004 to November 30th, 2005.

04-154Z

BYL 2004 - 171

A By-law to amend City of Welland Zoning By-law 2667 (Michael Wayne Losier – File 2004-06).

04-1

BYL 2004 - 172

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 23rd and 30th day of November, 2004 and 7th day of December, 2004.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Alexander and Larouche 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, December 15, 2004 for inclusion on the next Regular Council Meeting Agenda of December 21, 2004.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of December, 2004.

MAYOR

CLERK