



## GENERAL COMMITTEE MEETING

Tuesday, April 27<sup>th</sup>, 2004  
7:00 P.M.  
COUNCIL CHAMBERS - CITY HALL

Meeting Number G.C. 2004 - 05

**Members present:** Mayor Damian Goulbourne

Councillors:

D. Alexander  
P. Chiocchio  
M. Dzugan  
D. Fortier  
P. Grenier

M.A. Grimaldi  
J. Larouche  
S. O'Dell  
B. Sharpe  
J. Spadafora

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

City Clerk C.A. Stirtzinger  
General Manager Engineering, Public Works and Transportation Services D. Shantz  
Acting General Manager, Parks & Recreation R. Morwald  
General Manager Financial and Corporate Services/Treasurer B. Silvestri and Acting City Manager  
General Manager, Planning & Development Services D. Thorpe  
Recording Secretary, Games Licensing Clerk S. Stirling

**Others Present:**

**01-155**

Anne and John Schattmann, owners, Weed Man (Niagara Region)

Re: Use of Pesticides on parks and home lawns.

**(P&R- 2004-09)**

**01-155**

Deborah Conlin, Canadian Urban Pest Management Council

Re: Use of Pesticides in the City of Welland.

**(P&R- 2004-09)**



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Mayor Goulbourne called the General Committee Meeting to order at 7:10 p.m.

**1. ADDITION TO AGENDA:**

**(A) COMMUNITY SERVICES**

**01-155**

Deborah Conlin, Canadian Urban Pest Management Council addressed Council regarding the use of pesticides in the City of Welland.

**2. DISCLOSURE OF INTEREST:**

Councillor Alexander disclosed an interest in the matter of Item 03-84 and did not take part in the consideration and discussion of same; and refrained from voting thereon as he owns property affected by the Standing Water By-law.

Councillor Grimaldi disclosed an interest in the matter of Item 96-58 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.

**3. ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF APRIL 13<sup>th</sup>, 2004**

Moved by Councillor Spadafora that the Minutes of the General Committee Meeting of April 13<sup>th</sup>, 2004 be and the same are hereby approved and adopted as circulated.

**CARRIED**

**4. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS:**

**(A) COMMUNITY SERVICES**

**Parks & Recreation Department**

**01-155 - Use of Pesticides in the City of Welland.**

**(See Parks & Recreation Department Report P&R-2004-09 – Use of Pesticides in the City of Welland)**



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**(B) CORPORATE SERVICES**

**Clerk's Division**

**02-160 - Review of the Procedural By-law.**

Councillor Sharpe expressed his concern that, at present, matters can be debated three times by Council and explained that that is why the original motion was brought forward to Council. Councillor O'Dell expressed concern that this motion would only allow the Councillor who pulled an item to offer his/her opinion and other Councillors may have concerns on that issue also. He indicated that a good chair will allow Councillors to express freely their opinions and will know when to stop the discussion.

**Moved by Councillor Sharpe**

That Council adhere to the rules of meeting procedure as contained in the Procedural By-law 9972, as amended and Bourinot's Rules of Order requiring that a motion be duly moved and seconded before debate occurs on all business before Council. It is understood that certain sections of the Agenda, specifically Oral Reports and Delegations, would be exempt. However, once a presentation and questions of clarification have been completed, a motion is required before any discussion or debate takes place.

**Amendment Moved by Councillor Spadafora**

That the above motion be amended by deleting "requiring that a motion be duly moved and seconded before debate occurs on all business before Council. It is understood that certain sections of the Agenda, specifically Oral Reports and Delegations, would be exempt. However, once a presentation and questions of clarification have been completed, a motion is required before any discussion or debate takes place".

(In speaking to the amendment, Councillor Spadafora inquired as to whether the current procedures are the same as Bourinot's Rules of Order and the City Clerk responded that the by-law does intend that purpose. Councillor Spadafora then suggested that the original Motion is not necessary and the motion should simply state to follow the entire Bourinot's Rules of Order and it should be the Chair's responsibility to enforce these rules.)

The amendment was put and  
**CARRIED** .....

The main motion was then put as amended as follows:

That Council adhere to the rules of meeting procedure as contained in the Procedural By-law 9972, as amended and Bourinot's Rules of Order.

**CARRIED**



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**5. PUBLIC HEARINGS: NIL**

**6. DELEGATIONS AND PRESENTATIONS:**

**01-155 - Anne and John Schattmann, owners, Weed Man (Niagara Region) addressed Council regarding the use of pesticides on parks and home lawns.**

Anne and John Schattmann stated to Council that their company created 18 jobs in the City and have 650 customers in Welland. They expressed their concern that these employees do not lose their jobs. They explained that they use six products in their business and four of these products can be bought for personal lawn use at local stores. Mr. Schattman used the cities of Hudson, Quebec and Halifax, Nova Scotia as examples of places where a by-law was implemented that prohibits residents from using pesticides but does not prohibit the retail sale of these pesticides to residents. He indicated that this by-law only transfers the application of pesticides from licensed professionals to home owners. Mr. Schattmann explained that the sale of pesticides to home owners increased by 300% after the by-law was implemented in these municipalities. He stressed that if pesticides are banned then the provincial government must remove the products from the store shelves. Council was advised that pesticides are only one tool to maintain a healthy lawn. It was explained that his company could change to a more expensive organic treatment but this does not work as well on lawns.

**01-155 - Deborah Conlin, Canadian Urban Pest Management Council addressed Council regarding the use of pesticides in the City of Welland.**

Ms. Conlin indicated to Council that she represents the pesticide manufacturing companies and stressed that they take their responsibility to the environment very seriously. She explained that it takes approximately ten years and \$300 million to get a product to market. Before a product is registered in Canada it must have no acceptable risk to the environment or to health. If there is any risk at all the product is unacceptable and not registered in Canada. Ms. Conlin indicated that the Ministry of the Environment regulates pesticides and applicators and urged Council to invite Health Canada and the Ministry of the Environment to brief them on the regulations in place. The discussion continued with Councillors asking Ms. Conlin and Mr. Schattmann questions on the types of studies that have been performed on the products to determine their effects over a period of time.

**Moved by Councillor Alexander**

That the presentations to General Committee on April 27<sup>th</sup>, 2004 by Ann and John Schattmann, owners of Weed Man, and Deborah Conlin of the Canadian Urban Pest Management Council concerning the use of pesticides be received for information.



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CARRIED

### 7. STAFF REPORTS:

#### (A) COMMUNITY SERVICES - Councillor S. O'Dell, Chair

##### Planning and Development Services

##### Planning Division

**04-84 - Stopping up, closing and conveyance of that portion of Clare Avenue Road Allowance south of Gaiser Road lying between former Thorold Township Lots 259 and 260.**

**(PDS-2004-18)**

##### **Moved by Councillor Fortier**

1. That Council stop up, close and declare surplus that portion of the Clare Avenue Road Allowance south of Gaiser Road lying between former Thorold Township Lots 259 & 260 referred to as Parts 2 and 5 on the attached sketch dated March 18, 2004, prepared by William A. Mascoe Surveying Ltd.;
2. That Council authorize Staff to prepare the necessary By-law; and,
3. That Council authorize Staff to advertise the stopping up, closing, declaring surplus and conveyance of that portion of Clare Avenue Road Allowance south of Gaiser Road lying between former Thorold Township Lots 259 & 260.

CARRIED

**04-86 - Construction of sidewalk – Promenade Richelieu – Eastdale Neighbourhood.**

**(PDS-2004-19)**

##### **Moved by Councillor Spadafora**

1. That Council authorize the construction of a sidewalk on the north side of Promenade Richelieu from Wellington Street easterly approximately 63 metres; and



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2. That funding for this sidewalk, in the estimated amount of \$6,000.00, be debited from the Municipal Incentive Grant Fund (MIG).

**CARRIED**

### **Parks & Recreation Department**

#### **01-155 - Use of Pesticides in the City of Welland. (P&R-2004-09)**

Councillor Spadafora strongly suggested that Council meet with the City Solicitor prior to making a decision on this matter. He asked that this matter be deferred until a meeting in Committee-of-the-Whole with the City Solicitor occurs.

#### **Moved by Councillor Spadafora**

That the matter of Report P&R-2004-09 concerning the Use of Pesticides in the City of Welland be referred to the City Solicitor for report back to Council in Committee-of-the-Whole as a matter of Solicitor/Client Privilege.

**CARRIED**

### **(B) OPERATIONAL SERVICES - Councillor M. Dzugan, Chair**

#### **Engineering, Public Works and Transportation Services**

##### **Traffic Division**

#### **02-22 - Traffic Operations Concerns – East Main Street and Division Street. (TRAF-2004-09)**

Councillor Grenier indicated his concern that this matter will need to be dealt with again once the City Hall operations are moved to the new Civic Square and the impact of the new Civic Square was not taken into account. Councillor Fortier mentioned that the Delcan Report did address and account for the increase in traffic with the Civic Square being built downtown. Councillor O'Dell inquired as to whether there would be bicycle lanes on both sides of the street or just one. He suggested that lanes on both sides would prove to be more user friendly for the riders. Mr. Shantz agreed and indicated that the Region will come back to the City with their proposal for lane stripping in this area. Councillor Grenier requested that a copy of Report TRAF-2004-09 be put in his package this week for circulation to the Downtown BIA for its next meeting.

#### **Moved by Councillor Sharpe**



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- 1) That the current posted speed limit and by-law (50Km/h) on East Main Street and Division Street be confirmed; and,
- 2) That city staff continue to work with the Regional Municipality of Niagara for the implementation of bicycle lane markings on Division Street to assist in narrowing lane widths and to assist in reducing sporadic vehicle speeds; and,
- 3) That the current roadway network on East Main Street and Division Street (One-way), be confirmed; and,
- 4) That City staff continue to review the implementation of aesthetic improvements within the downtown core (curb-bulb outs, pedestrian areas, tree/flower planting, etc.) as part of the City of Welland Downtown Revitalization program.

**CARRIED**

**04-22 - Heavy Vehicle Restrictions – River Road and Ross Street.  
(TRAF-2004-10)**

Councillor Fortier commended Mr. Ferguson on the issues that are being resolved and the reports that are coming before Council. He inquired as to what the next step in this process is after passing this recommendation and how does the City solicit support from the Niagara Regional Police. Mr. Shantz responded that it was found that the previous By-law was unenforceable and informed Council that deliveries to GDX and Hicks Lumber will be exempt from this truck restriction. He indicated that the City will be seeking voluntary use by trucks of another entrance off East Main Street and not Woodlawn Road from these companies. Councillor Fortier initiated a discussion on heavy trucks and damage on River Road. Mr. Shantz explained that current budget only allows for touch up repairs to River Road at this time. He clarified that if the City was to use all the available money for road repairs in the most destructed area there would not be any left to fix many other areas in the City. This has resulted in only spot touching to be done on River Road so that other roads can be fixed as well. Councillor Fortier indicated his concern in regards to the impact truck traffic and noise levels have on Ross Road and the deterioration that has resulted from the heavy truck traffic. Mr. Shantz responded that currently there are no specific plans for Ross Street and the City is looking into another route for trucks to access GDX and Hicks Lumber. Councillor O'Dell recommended that it is time to develop a truck route through the City of Welland that is built to handle heavy trucks as the City cannot continue to allow heavy trucks to go anywhere in the City causing damage to all the roads. Councillor Spadafora responded that River Road was never built to carry a heavy flow of traffic and agreed it was time for direction to be given to staff to begin looking at removing the barriers at River Road and making it two-way traffic that is restricted to cars only. Councillor Alexander expressed that he would prefer the truck routes to overlap with school bus routes and perhaps refer the matter to the Safety Committee.

**Moved by Councillor Fortier**

- 1) That the City Solicitor be directed to prepare a By-law to amend Heavy Vehicle Restriction, Schedule "S" of By-law 89-2000 by:
  - i) ADDING the following:

COLUMN 1	COLUMN 2		COLUMN 3
HIGHWAY	FROM	TO	PERIOD
Dorothy Street	River Road	Ross Street	Any Time
Evan Street	River Road	Ross Street	Any Time
McMaster Avenue	River Road	Ross Street	Any Time
John Street	River Road	Ross Street	Any Time



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Kennedy Street	River Road	Ross Street	Any Time
Bruce Street	River Road	Ross Street	Any Time
River Road	Dorothy Street	Woodlawn Road	Any Time
Ross Street	A point 40 meters south of Almond Street	River Road	Any Time

ii) DELETING the following:

COLUMN 1	COLUMN 2		COLUMN 3
HIGHWAY	FROM	TO	PERIOD
River Road	Dorothy Street	Almond Street	At No Time

2) That the City Solicitor be directed to prepare a By-law to amend Reduced Load on Highways (5 tonnes per axle), During March and April, Schedule "Y" of By-law 89-2000 by:

i) DELETING the following:

COLUMN 1	COLUMN 2	
HIGHWAY	FROM	TO
River Road	Ross Street	Woodlawn Road

3) That the City Solicitor be directed to prepare a By-law to amend Reduced Load on Highways (5 tonnes per axle), During Entire Year, Schedule "Z" of By-law 89-2000 by:

i) DELETING the following:

COLUMN 1	COLUMN 2	
HIGHWAY	FROM	TO
River Road	Ross Street	Dorothy Street

4) That Traffic and Parking Operations staff provide area businesses (GDX & Hicks Lumber and Builder Supply) with correspondence informing them of the approved Heavy Vehicle Restrictions and appropriate heavy vehicle routes that should be utilized.

**CARRIED**

**04-22 - Parking Operations – Dain Avenue.  
(TRAF-2004-11)**

Councillor O'Dell questioned what this report was correcting since two hour parking is the normal parking rules that exist throughout the City. Mr. Shantz responded that there was not adequate signage to support enforcement of the By-law and Mr. Ferguson had the signage postage after feedback from residents and workers in the Dain Avenue area. He indicated that a questionnaire was sent to residents and their response indicated that there was not a need for and it was not desirable to them to have two hour parking in this area.

**Moved by Councillor O'Dell**

1) That the City Solicitor be directed to prepare a By-law to amend Limited Parking, Schedule "E" of By-law 89-2000 by:

iii) DELETING the following:

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
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HIGHWAY	SIDE	FROM	TO	PERIOD	TIMES/DAYS
Dain Avenue	East Side	Ontario Road	Southerly termination	2 hours	

iv) ADDING the following:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5
HIGHWAY	SIDE	FROM	TO	PERIOD	TIMES/DAYS
Dain Avenue	East	Ontario Road	Avon Street	2 hours	Anytime

**CARRIED**

### **04-22 - Parking Operations/Safety Concerns – Ross School / Notre Dame College Area.**

**(TRAF-2004-12)**

Councillor Alexander indicated that the additions in this report will increase the safety issues around the Ross School area. He expressed his desire to work with the School Board to restrict parents from driving on school property to drop off and pick up their children. He also discussed surveying the crossing guards for input on how to improve the safety around the school, restricting lane access for snow removal and instructing parents to shut off their engines when picking up their children to assist with smog control. Councillor O'Dell also indicated his concern with the area around St. Augustine School at the end of each school day and cars parking along both sides of the street.

### **Moved by Councillor Alexander**

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

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD
Beechwood Avenue	North	Aqueduct Street	Connaught Avenue	8am-5pm Monday-Friday
Birch Street	North	Connaught Avenue	Niagara Street	8am-5pm Monday-Friday
Cedar Street	North	Connaught Avenue	Niagara Street	8am-5pm Monday-Friday
Connaught Avenue	West	Thorold Road	South limit of roadway	8am-5pm Monday-Friday
Gadsby Avenue	West	Thorold Road	Margaret Street	8am-5pm Monday-Friday
Margaret Street	North	Aqueduct Street	Nye Avenue	8am-5pm Monday-Friday
Nye Avenue	West	Thorold Road	South limit of roadway	8am-5pm Monday-Friday
Rosewood	North	Aqueduct Street	Connaught Avenue	8am-5pm



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Avenue				Monday-Friday
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**CARRIED**

**8. NEW BUSINESS: NIL**

**9. OUTSTANDING ITEMS REFERRED TO COMMITTEE:**

Mayor and Council reviewed with staff the status of the outstanding items.

**10.** The General Committee Meeting adjourned at 9:15 p.m.