



**SPECIAL COUNCIL MEETING, MARCH 9, 2004**

**IN COMMITTEE-OF-THE-WHOLE TO CONSIDER  
A PERSONAL MATTER AND A PENDING ACQUISITION OF LAND MATTER; AND  
IN OPEN SESSION  
TO CONSIDER THE ITEMS AS OUTLINED IN THE SPECIAL COUNCIL AGENDA.**

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

Council met in Committee-of-the-Whole at 6:35 p.m. and in open session at 7:35 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

**Members Present:** Councillors D. Alexander, D. Beaudoin, M. Belcastro, P. Chiocchio,  
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 (until 7:30 p.m.)  
City Manager T. Fitzpatrick  
Chief, Fire & Emergency Services P. Olah  
General Manager Engineering, Public Works & Transportation Services D. Shantz  
General Manager Financial & Corporate Services/Treasurer B. Silvestri  
Administrative Assistant/Deputy Clerk B. Gallaccio  
General Manager of Planning and Development Services D. Thorpe  
Acting General Manager of Parks and Recreation R. Morwald  
Executive Assistant to the Mayor and City Manager L. Ip  
Community Fire Safety Officer/Deputy Fire Chief K. Roach  
Manager, Budgets and Financial Reporting/Deputy Treasurer S. Nagel

**04-25** Moved by Belcastro and Chiocchio that Council meet in Committee-of-the-Whole, closed to the public at 6:35 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal employees; and
- b) a proposed or pending acquisition of land for municipal purposes.

**CARRIED**

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

**04-25** Moved by Belcastro and Chiocchio 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 Council Resolution 03-139/03-139Z and By-law 2004-25 and By-law 2004-25 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Doral Holdings.

Councillor Dzugan disclosed an interest in Ref. No. 02-170 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is the Vice President of the Canadian Slovak League.

### **DELEGATIONS:**

**97-85** Guy and Charlene Swartz, Chambers Water Haulage addressed Council regarding the water tower located on Nidels Crescent and also the increase in their water costs.

**04-15** Dominic Faragalli and Bob Lawrence addressed Council regarding the Welland Fire and Emergency Services Master Plan.

**04-64** Jim Bruzzese of BMA Management Consulting Inc. addressed Council regarding 2003 Municipal Study.

**93-66** Greg Owen addressed Council regarding the City of Welland Strategic Plan.

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

**02-170** Report from Gen. Mgr. Engineering, Public Works and Transp. Serv./City Engineer D. Shantz  
- Addition of Recycle Cart Collection.

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

**01-2** A By-law to amend By-law 8324, being a By-law to license and regulate plumbers; and to repeal  
By-law 10760.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**93-66** Greg Owen and Rick Dykstra to address Council regarding the City of Welland Strategic Plan.

**93-66** City Manager T. Fitzpatrick – City of Welland Strategic Plan.

**97-85**

**02-98** Guy and Charlene Swartz, Chambers Water Haulage to address Council regarding the water tower located on Nidels Crescent and also the increase in their water costs.

**96-58** Committee of Council, staff and representatives of the public be created to review snow clearing operations and policies at the end of this snow season.

**2000-79** Gen. Mgr. Engineering, Public Works and Transp. Serv./City Engineer D. Shantz – Engineering Services for the Lincoln Street Combined Sewer Separation Project Phases V & VI, Parts of Oxford-Atlas-Wellington Area Sewer Separation.

**01-2** A By-law to amend By-law 8324, being a By-law to license and regulate plumbers; and to repeal By-law 10760.

**03-139** A By-law to authorize the signing of Official Plan Amendment No. 113.

**03-139Z** A By-law to amend City of Welland Zoning By-law 2667 (Niagara Centre Land Development Limited – File 2003-07) north side of Woodlawn Road, east of Brown Road.

**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 24<sup>th</sup> day of February, 2004 and 2<sup>nd</sup> day of March, 2004.

**04-4** Gen. Mgr. Financial & Corporate Services/Treasurer B. Silvestri – Grant Thornton 2003 Audit Plan.

**04-4** Letter from Janet Beckett, City Clerk, City of Port Colborne – Resolution re: New Revenue Streams for Municipalities.

**04-15** Dominic Faragalli and Bob Lawrence to address Council regarding the Welland Fire and Emergency Services Master Plan.

**04-15** Welland Fire and Emergency Services Master Plan.

**04-19** Welland Slo-Pitch League Light User Fees.

**04-19** Acting General Manager, Parks & Recreation - Recommendation to Credit the Welland District Slo-Pitch League for Lighting Fees

**04-22** Parking Concerns – McAlpine Avenue and Major Street.

**04-22** Gen. Mgr. Engineering, Public Works and Transp. Serv./City Engineer D. Shantz – Parking Concerns – McAlpine Avenue and Major Street.

**04-22** Gen. Mgr. Engineering, Public Works and Transp. Serv./City Engineer D. Shantz – All-Way Stop – Lancaster Drive/St. Lawrence Drive and Quaker Road.

**04-56** A By-law to repeal By-law 10438, being a By-law to authorize an Agreement with the City of Port Colborne to provide for a Joint Board of Management for a rowing club facility on and adjacent to the Old Welland Canal.

**04-59** City Clerk C. Stirtzinger – Elaboration of Ward Redistribution Options.

**04-62Z** A By-law to amend City of Welland Zoning By-law 2667 Lincoln Crowland No. 1 Ltd. and Lincoln Crowland No. 2 Ltd. – File 2003-17) 390 Lincoln Street.

**04-63Z** A By-law to amend City of Welland Zoning By-law 2667 (1276343 Ontario Limited – File 2004-01) 100 Daimler Parkway.

**04-64** Jim Bruzzese of BMA Management Consulting Inc. to address Council regarding the Regional Tax Study.

**04-65** Gen. Mgr. Engineering, Public Works and Transp. Serv./City Engineer D. Shantz - Tender – Supply of Street Sweepers for Spring Clean-up.

**04-67** City Manager T. Fitzpatrick – Purchase of Service Agreement with Niagara Economic and Tourism Corporation.

**93-66** Moved by Spadafora and Dzugan that the presentation by Greg Owen regarding the City of Welland Strategic Plan be received for information.

**CARRIED**

**93-66** Moved by Beaudoin and Alexander that Report CM-2004-05 re: Strategic Plan for the City of Welland be referred to the March 23, 2004 Special Council Meeting.

**LOST**

**93-66** Moved by Spadafora and Beaudoin that Report CM-2004-05 re: Strategic Plan for the City of Welland be referred to the General Committee Meeting of April 13, 2004.

**CARRIED**

**96-58** Moved by Chiocchio and Alexander that a committee of Council, staff and representatives of the public be created to review snow clearing operations and policies at the end of this snow season.

**CARRIED**

**97-85**

**02-98** Moved by Spadafora and Fortier that the presentation by Guy and Charlene Swartz, Chambers Water Haulage Inc. regarding the water tower located on Nidels Crescent and increase in water costs be received for information; and

That staff be directed to give notice to the public of Council's intent to consider an amendment to the 2004 Budget with respect to water haulage water rates at the April 6 Council Meeting.

**CARRIED**

**2000-79** Moved by Fortier and Belcastro that the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with the retaining of Wiebe Engineering Group Inc. of Welland, to provide engineering services for the Lincoln Street Combined Sewer Separation Project – Phases V & VI, as detailed in the Design Report, prepared by Wiebe Engineering Group Inc., dated February 16, 2000, being parts of the overall Oxford-Atlas-Wellington Area Sewer Separation initiative, as presented in report ENG-2004-05; and

That the estimated consulting fees of \$100,000.00 be funded by means of Capital Budget allocation of \$1,550,000.00, as in the approved 2004 Sanitary Sewer Capital Budget for the Oxford-Atlas-Wellington Area Sewer separation project Lincoln Street separation phases III, V, VI, jointly financed by Superbuild Infrastructure Program, Regional Niagara, and the City of Welland; and further

That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

**CARRIED**

**02-170** Moved by Sharpe and Grenier that Council approves the addition of Recycle Cart Service to the waste collection services provided by the Region of Niagara, at a total price of \$45,600.00.

**CARRIED**

***(Councillors O'Dell, Fortier Beaudoin and Spadafora asked to be recorded***

*as opposed to this Resolution.)*

**03-139**

**03-139Z** Moved by Spadafora and Fortier that the By-laws pertaining to Niagara Centre Land Development be deferred until 9:30 p.m. this evening.

**LOST**

**04-4**

Moved by Fortier and Grimaldi that Welland City Council supports the resolution from the City of Port Colborne to petition Prime Minister Martin and Premier McGuinty to immediately instruct their respective administrations to develop, in consultation with municipalities, the necessary legislative framework for a comprehensive new financial deal that will assist municipalities with their funding dilemma both in the 2004 budget year and the long term; and  
That the Clerk advise the proper authorities accordingly.

**CARRIED**

**04-4**

Moved by Spadafora and Dzugan that Council accept the 2003 Audit Planning Memorandum from its external auditor, Grant Thornton LLP as set out in the City of Welland 2003 Audit Plan attached to Report FIN 2004-06.

**CARRIED**

**04-15**

Moved by Spadafora and Dzugan that the presentations by Dominic Faragalli and Bob Lawrence regarding the Welland Fire and Emergency Services Master Plan be received for information.

**CARRIED**

**04-15**

Moved by Spadafora and Dzugan

1. That Council accept the Welland Fire and Emergency Services Master Plan in principle;
2. That Council plan to annually review and revise the Welland Fire and Emergency Services Master Plan as required;
3. That Council direct staff to implement, subject to budget allocations, the provisions of the Welland Fire and Emergency Services Master Plan.

**CARRIED**

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

**04-19**

Moved by Sharpe and Larouche that Council authorizes staff to apply a credit of \$2,729.00 to the account of Welland District Slo-Pitch League Inc.

**CARRIED**

**04-22**

Moved by Beaudoin and Sharpe

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

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD

McAlpine Avenue	West Side	Major Street,	Cohoe Street	2 hours
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...continued...

**04-22...CONT'D.**

ii) ADDING the following:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD
McAlpine Avenue	West Side	A point 15 meters south of Major Street	A point 25 meters south of Major Street	30 minutes
McAlpine Avenue	West Side	A point 25 meters south of Major Street	Cohoe Street	2 hours
Major Street	South Side	McAlpine Avenue	Myrtle Avenue	2 hours

2) That the City Solicitor be directed to prepare a By-law to amend Loading Zones, schedule "M" of By-law 89-2000 by:

i) DELETING the following:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD (TIMES/DAY)
Major Street	South Side	10.5+/- m west of McAlpine Avenue	63.5+/- m west of McAlpine Avenue	AT ALL TIMES

**CARRIED****04-22** Moved by Beaudoin and Grimaldi

1. That an All-way Stop be installed at the intersection of Lancaster Drive/St.Lawrence Drive and Quaker Road; and,
- 2) That the City Solicitor be directed to prepare a By-law to amend Through Highways, Schedule "N" of By-law 89-2000 by:

i) ADDING the following:

COLUMN 1	COLUMN 2
HIGHWAY	BETWEEN
Lancaster Drive	The east limit of Niagara Street and the south limit of Bridgewater Court/Willowlanding Court
Lancaster Drive	The south limit of Jefferson Court West/Jefferson Court East and the north limit of Madison Court West/Madison Court East.
St. Lawrence Drive	The south limit of Castlefield Court and the west limit of Hansler Road

3) That the City Solicitor be directed to prepare a By-law to amend Stop Signs at Intersections, Schedule "P" of By-law 89-2000 by:

i) DELETING the following:

COLUMN 1	COLUMN 2	COLUMN 3
HIGHWAY	AT	FACING TRAFFIC
<b>Jefferson Court East</b>	<b>Lancaster Drive</b>	<b>westbound on Jefferson Court East</b>
<b>Jefferson Court West</b>	<b>Lancaster Drive</b>	<b>Eastbound on Jefferson Court West</b>
<b>Jackson Court East</b>	<b>Lancaster Drive</b>	<b>westbound on Jackson Court West</b>
<b>Jefferson Court West</b>	<b>Lancaster Drive</b>	<b>Eastbound on Jackson Court East</b>
<b>Madison Court East</b>	<b>Lancaster Drive</b>	<b>westbound on Madison Court East</b>
<b>Madison Court West</b>	<b>Lancaster Drive</b>	<b>Eastbound on Madison Court West</b>
<b>Gretel Drive</b>	<b>St. Lawrence Drive</b>	<b>westbound on Gretel Avenue</b>
<b>St. Lawrence Drive</b>	<b>Quaker Road</b>	<b>southbound on St. Lawrence Drive</b>

...continued...

**04-22...CONT'D.:**

Lancaster Drive	Quaker Road	northbound on Lancaster Drive
Bridgewater Court	Lancaster Drive	westbound on Bridgewater Court
Willowlanding Court	Lancaster Drive	Westbound on Willowlanding Court
Lancaster Drive	Bridgewater Court	southbound on Lancaster Drive
Lancaster Drive	Willow Landing Court	Northbound on Lancaster Drive
Jefferson Court East	Lancaster Drive	westbound on Jefferson Court East
Jefferson Court West	Lancaster Drive	Eastbound on Jefferson Court West
Jackson Court East	Lancaster Drive	westbound on Jackson Court West
Jefferson Court West	Lancaster Drive	Eastbound on Jackson Court East
Madison Court East	Lancaster Drive	westbound on Madison Court East
Madison Court West	Lancaster Drive	Eastbound on Madison Court West
Gretel Drive	St. Lawrence Drive	westbound on Gretel Avenue
St. Lawrence Drive	Quaker Road	southbound on St. Lawrence Drive
Lancaster Drive	Quaker Road	northbound on Lancaster Drive
Bridgewater Court	Lancaster Drive	westbound on Bridgewater Court
Willowlanding Court	Lancaster Drive	Westbound on Willowlanding Court
Lancaster Drive	Bridgewater Court	southbound on Lancaster Drive
Lancaster Drive	Willow Landing Court	Northbound on Lancaster Drive

ii) ADDING the following:

COLUMN 1	COLUMN 2	COLUMN 3
HIGHWAY	AT	FACING TRAFFIC
Bridgewater Court/Willowlanding Court	Lancaster Drive	eastbound on Bridgewater Court
Bridgewater Court/Willowlanding Court	Lancaster Drive	westbound on Willowlanding Court
Bridgewater Court/Willowlanding Court	Lancaster Drive	southbound on Lancaster Drive
Bridgewater Court/Willowlanding Court	Lancaster Drive	northbound on Lancaster Drive
Lancaster Drive/St. Lawrence Drive	Quaker Road	southbound on St. Lawrence Drive
Lancaster Drive/St. Lawrence Drive	Quaker Road	northbound on Lancaster Drive
Lancaster Drive/St. Lawrence Drive	Quaker Road	eastbound on Quaker Road
Lancaster Drive/St. Lawrence Drive	Quaker Road	westbound on Quaker Road

**CARRIED**

**04-64** Moved by Spadafora and Dzugan that the presentation by Jim Bruzzese of BMA Management Consulting Inc. regarding the 2003 Municipal Study be received for information.

**CARRIED**

**04-65** Moved by Spadafora and Dzugan that Council accept the tender of 1405221 Ontario Inc. (D&D Trucking & Construction) for the rental of Street Sweepers at the tendered price of \$69.00/hour, GST extra, this being the lowest price of the three (3) tenders submitted.

**CARRIED**

**04-67** Moved by Fortier and Spadafora that the City of Welland enter into a purchase of service agreement with Niagara Economic and Tourism Corporation (NETCORP) for the provision of services to research best practice models and successful community transformations in order to create an appropriate

model of community development for the City of Welland that builds upon its strengths and opportunities for employment growth as set out in the City's approved HRDC proposal entitled "The City Of Welland: Building The Community Strategy For The Way Forward".

**CARRIED**

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

**04-10**

**04-37** Moved by Spadafora and Dzugan that Council appoint the following representatives to the Water and Sewer Ad Hoc Committee:

Industrial Sector: Mike Seguin

Commercial Sector: John Irvine

Multi-Residential Sector: Mark Viger

Small Multi-Residential Sector: Mary Jane Weatherhead

Residential Sector: Jocelyn Fish, Michael Morra and Albert R. Smith

Councillors: Dan Beaudoin, Mary Ann Grimaldi, Paul Grenier, Barry Sharpe, Daniel Fortier and David Alexander.

**CARRIED**

### **BY-LAWS**

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

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

**03-139**

BYL 2004 - 25

A By-law to authorize the signing of Official Plan Amendment No. 113.

**03-139Z**

BYL 2004 - 26

A By-law to amend City of Welland Zoning By-law 2667 (Niagara Centre Land Development Limited – File 2003-07) north side of Woodlawn Road, east of Brown Road.

And that the same be now read a first time.

**CARRIED**

***(Councillor Beaudoin asked to be recorded as opposed to these By-laws)***

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

2. Moved by Grenier and Grimaldi 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**

*(Councillor Beaudoin asked to be recorded as opposed to these By-laws)*

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

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

**04-56**

BYL 2004 - 27

A By-law to repeal By-law 10438, being a By-law to authorize an agreement with the City of Port Colborne to provide for a Joint Board of Management for a rowing club facility on and adjacent to the Old Welland Canal.

**04-62Z**

BYL 2004 - 28

A By-law to amend City of Welland Zoning By-law 2667 (Lincoln Crowland No. 1 Ltd. and Lincoln Crowland No. 2 Ltd. - File 2003-17) 390 Lincoln Street.

**04-63Z**

BYL 2004 - 29

A By-law to amend City of Welland Zoning By-law 2667 and By-law 11232 (1276343 Ontario Limited - File 2004-01) 100 Daimler Parkway.

**04-1**

BYL 2004 - 30

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 24th day of February and 2nd day of March, 2004.

And that the same be now read a first time.

**CARRIED**

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

4. Moved by Grenier and Sharpe that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, as amended, 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**

**CURFEW**

Due to curfew, the following item was not addressed and is to be rescheduled at the Special Council Meeting of March 23, 2004.

**04-59** Report CLK-2004-05 – Elaboration of Ward Redistribution Options.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 6<sup>th</sup> day of April, 2004.

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**MAYOR**

**CLERK**