



COUNCIL MEETING, SEPTEMBER 14, 2005

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:35 p.m. and in open session at 8:40 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present: Councillors D. Alexander, P. Chiochio, M. Dzugan, P. Grenier, J. Larouche, S. O'Dell, B. Sharpe and J. Spadafora.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Manager T. Fitzpatrick

City Solicitor G. Banks (until 7:05 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz
(8:40 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (8:40 p.m.)

General Manager of Parks and Recreation B. LaPlante (8:40 p.m.)

Games Licensing Clerk L. Bubanko

General Manager of Planning and Development Services D. Thorpe (8:40 p.m.)

05-25 Moved by Grenier and Sharpe that Council meet in Committee-of-the-Whole, closed to the public at 6:35 p.m. to consider:

- a) the security of the property of the municipality; and
- b) personal matters about an identifiable individual, including municipal employees.

CARRIED

(Councillor Spadafora was not present during Committee-of-the-Whole discussions on: a security of property matter.)

05-25 Moved by Grenier and Sharpe that the Committee-of-the-Whole arise from its closed meeting at 7:05 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Larouche disclosed an interest in Ref. No. 06-45 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by an insurance brokerage firm.

Councillor Grenier disclosed an interest in Ref. No. 06-45 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by an insurance brokerage firm.

Councillor Chiochio disclosed an interest in Ref. No. 06-45 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his wife is employed by an insurance brokerage firm.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF SEPTEMBER 14, 2005:

02-35 – Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – EA Process Clare/Thorold and Thorold Road Operational Review.

02-85

05-26 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Accessibility Committee Sidewalk Improvements – Downtown.

03-139 – Gen. Mgr. Planning and Development Serv. D. Thorpe – Niagara Centre Developments Subdivision (File 26T-14-97003) – Request for Extension to Draft Approval.

04-89 - Gen. Mgr. Planning and Development Serv. D. Thorpe – Proposed Regional Policy Plan Amendment 187; A Healthy Landscape – Healthy Communities; New Environmental Policies for Niagara.

05-20

05-21

05-121 – Gen. Mgr. Parks and Recreation B. LaPlante – ‘TOWN’ – 2005 Food Festival.

05-21 – Joan Leblanc, Terry Fox Run Organizer – requesting City of Welland to dedicate a tree and plaque to Terry Fox.

05-21 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Division Street

road closure between Burgar Street and East Main Street.

05-22 – George Sitak, Shevchenko Senior Citizen Club – requesting a parking area adjacent to 342 Ontario Road.

05-26 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Contract for Sidewalk Condition Inspection.

05-46 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Request for authorization for the procurement of equipment and vehicles as per the 2005 Fleet Replacement Program.

05-98 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Assignment of Simpson Avenue Storm Sewer Repair.

05-125Z - Gen. Mgr. Planning and Development Serv. D. Thorpe – Revised - Proposed Amendment to By-law 2667 – Mitch and Shelley Gaudet, 377 Fitch Street (File 2005-08).

05-131 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Award of Contract for CCTV Camera Inspection of Gravity Sewers.

05-144 - Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Disposal of surplus vehicles and equipment.

06-45 – Gen. Mgr. Financial & Corp. Serv./Treasurer B. Silvestri – Insurance Renewal 2006.

02-35 Moved by Alexander and Dzugan

1. That the proposal for Engineering Services, received from Totten Sims Hubicki Associates, dated August 23, 2005, for the completion of the Thorold Road Corridor Study review, having an estimated cost of \$9,790 excluding G.S.T. be accepted, and
2. That the current Environmental Assessment for the Intersection Redesign of Thorold Road and Clare Avenue, be put on hold until the Corridor Study review is completed.

CARRIED

02-85

05-26 Moved by Alexander and Dzugan

1. That staff be directed to implement the curb-ramp and sidewalk improvements as requested by the City of Welland Accessibility Committee at an upset cost of \$20,000;
2. That funding for the completion of this work is taken from the carry-over of the 2004 Accessibility Committee budget; and
3. That the additional work be added to the existing sidewalk repair contract with Poulin Construction.

CARRIED

03-139 Moved by Alexander and Dzugan that Council approve an extension to Draft Approval for the Niagara Centre Developments Subdivision (File 26T-14-97003) for one (1) year to October 9, 2006 as requested by Mario Bevacqua.

CARRIED

04-89 Moved by Alexander and Dzugan

1. That Council requests the Regional Municipality of Niagara Planning and Development Department to review its proposed Regional Policy Plan Amendment 187 (Environmental Policies) considering the comments outlined in Report PDS-2005-68 dated September 14, 2005;
2. That Council authorizes City Staff to meet with Regional Staff to address areas of concern, affecting property owners in the City of Welland, regarding Regional Policy Plan Amendment 187 (Environmental Policies);
3. That the City Clerk be directed to send a copy of Report PDS-2005-68 to the Regional Municipality of Niagara Planning and Development Department for information purposes with the request that said Report be distributed to appropriate Staff as well as members of Regional Council; and

4. That the General Public be informed, through the local press, of the Regional Niagara Public Meeting being held on Thursday September 15, 2005 at Welland Civic Square commencing at 7:30 p.m.

CARRIED

05-20

05-21

05-121 Moved by Alexander and Dzugan

1. That the requests from Tourism of Welland Niagara (TOWN), with respect to Food Festival events to be held during September 23, 24 and 25, 2005 on Merritt Island as 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
- Boardwalk at the 'Viewing Platform'
- Cross Street at Boardwalk (north leg)
- Courthouse Lane at the Court House parking lot entrance (west leg)

- Friday, September 23, 2005 - 3:00 PM to 12:01 AM
- Saturday, September 24, 2005 - 10:00 AM to 12:01 AM
- Sunday, September 25, 2005 - 10:00 AM to 7:00 PM

(b) That the required hydrant fee in the amount of \$466 for the provision of potable water be waived; and

2. The authority to designate this event and any future Food Festival events as a community festival was previously delegated to the City Clerk for recommendation to the Liquor Control License Board of Ontario (LLBO/LCBO) as per Report P&R-2004-20.

CARRIED

05-21 Moved by Spadafora and Chiocchio that a tree and plaque be dedicated by the City of Welland in recognition of the 25th Anniversary of the Terry Fox Run and that this matter be referred to the Parks Department for determination of an appropriate location as well as to report on the other requests made by Joan LeBlanc, Terry Fox Run Welland Organizer, in her letter of August 25, 2005.

CARRIED

05-21 Moved by Alexander and Dzugan

1. That the road closure of Division Street between Burgar Street and East Main Street, Tuesday, October 4, 2005, 7am-4pm, be approved; and
2. That the closure be subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

05-22 Moved by Alexander and Dzugan that the letter from Shevchenko Senior Citizen Club dated July 17, 2004 requesting a parking area adjacent to their property at 342 Ontario Road be referred to staff for study and report.

CARRIED

05-26 Moved by Alexander and Dzugan

That Council approve the retention of Infrastructure Data Services Inc. for a two year agreement for 2005 and 2006 to perform Sidewalk Inspections and provide Condition Reports to document the condition of the sidewalk system and identify trip hazards for correction in order to ensure safer sidewalks, all at a cost \$14,000 plus tax per year.

CARRIED

05-46 Moved by Alexander and Dzugan

That Council approves the purchase of:

- ? One (1) 2006 Pickup Truck 4 X 4 complete with Snow Plow (Fire Department) from Performance Chrysler Dodge Jeep at a purchase price of \$33,987.10;
- ? One (1) 2006 Crew Cab Dual Wheel Chassis complete with Wilcox Service Body (Water Department) from Performance Chrysler Dodge Jeep at a purchase price of \$55,584.10;
- ? One (1) 2006 Cutaway Cube Van complete with 14' Body (Sewer Department) from Sheehan's Truck Centre Inc. at a purchase price of \$59,870.15;
- ? One (1) 2006 Cab & Chassis 41,000 GVW Dump Truck/Snow Plow/Sander/Liquid De-Ice Unit (Sewer Department) from Archer Truck Services Ltd. at a purchase price of \$204,800.52; and
- ? That the purchases be funded from the Fleet Reserve.

CARRIED

05-98 Moved by Alexander and Dzugan

1. That Council accepts the quotation of Nexterra Substructure Incorporated for the Simpson Avenue Storm Sewer Repair, as presented in report ENG-2005-32;
2. That the City Solicitor be directed to prepare all necessary and appropriate by-laws to extend the Lincoln Street Sewer Separation – Phase 6(B) contract with the said contractor, to include and to execute the construction, at the quoted price of \$25,099, plus applicable taxes; and
3. That financing of the project be from the revised 2005 Storm Sewers Capital Budget allocation of \$35,000.

CARRIED

05-125Z Moved by Alexander and Dzugan that City of Welland By-law 2667, as amended, be further amended for lands known municipally at 377 Fitch Street (Lot 98, Plan M-62) from RM1 – Multiple Dwelling – First Density Zone to a Site Specific RM1 Zone to permit a Group Home with up to seven (7) children with special needs.

CARRIED

05-131 Moved by Alexander and Dzugan

1. That Council accept the tender of Bob Robinson & Sons Construction of Port Robinson, Ontario for the CCTV Camera Inspection of Gravity Sewers, as presented in report ENG-2005-39;
2. That the City Solicitor be directed to prepare all necessary and appropriate by-laws to enter into an agreement with the said contractor to perform the inspection at the tender price of \$58,560.00, plus applicable taxes; and
3. That Council further authorizes staff to undertake supplementary CCTV inspection work, as required, at the unit prices bid but not to exceed the allocation in the 2005 Operating Budget of \$80,500.00, conditional to the successful completion of the tender prescribed work program; and
4. That financing of the project in the amount of \$80,500 be in accordance with the 2005 Sanitary Sewer Operating Budget.

CARRIED

05-144 Moved by Alexander and Dzugan

1. That Council authorize staff to dispose of the following surplus vehicles and equipment, via a commercial auction enterprise, through the auspices of Regional Niagara, for maximum compensation as can be arranged:

Vehicle #	Description
403-0	1997 White Snowblower 28"
112-4	1994 Wacker Water Pump
112-5	1994 Wacker Water Pump
125-0	1995 Stihl Gas Saw
127-1	1993 Red-D-Arc Generator
261-1	1993 Bomag Plate Tamper
273-0	1990 Hitchman Trailer
224-1	1993 Stihl Concrete Saw
302-6	1999 Chainsaw
302-7	1999 Chainsaw
302-8	1999 Chainsaw
302-9	1999 Chainsaw
302-16	1990 Chainsaw
308-25	2000 White Lawnmower
308-26	2000 White Lawnmower
308-27	2000 White Lawnmower
338-0-1	1992 John Deere Tractor with Wide Mower
348-6	1990 Tandem Trailer
350-15	2000 FS120 Trimmer
350-18	1998 FS120ST Trimmer
350-19	2000 FS120 Trimmer
350-21	2000 FS120 Trimmer
350-23	2000 FS120 Trimmer
018-0	1980 Mack Firetruck
217-0	1989 International Dump Truck with Plow
235-0	1990 International Dump Truck with Plow
310-0	1989 John Deere 210C Backhoe
111-0	1987 680K Case Backhoe
391-0	1995 Toro Lawnmower

2. That the proceeds from the sale of the equipment and vehicles be deposited in the Fleet Replacement Reserve Fund.

CARRIED**06-45** Moved by Alexander and Dzugan that Council directs the Clerk to prepare a Request for Proposal (RFP) for the City's 2006 insurance renewal; and

That Council engages RiskPro at a rate of \$3,000 plus \$1,500 per submission to review, report and recommend the RFP's submitted for the 2006 Insurance Renewal and that the consultant's costs be funded from the Insurance Premiums and Deductibles accounts as well as the General Contingency Fund.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

96-172 Moved by Grenier and Sharpe that Welland City Council accepts the offer of \$32,500 for Lot 22 in the Southwell Industrial Park from Gabmar Construction Ltd.

CARRIED

BY-LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE

BY-LAW PRESENTED FOR FIRST READING:

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

96-172

BYL 2005 – 128

A By-law to authorize the entering into an agreement of purchase and sale for the sale of City-Owned land located in Southwell Industrial Park, being Part 22 Plan 59R-1680, vacant land on Vaughan Road, to Gabmar Construction Ltd.

And that the same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Spadafora and Larouche that the By-law listed in the foregoing motion for first reading, 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

BY - LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

05-125Z

BYL 2005 – 129

A By-law to amend City of Welland Zoning By-law 2667 (Mitch and Shelley Gaudet – File 2005-08) 377 Fitch Street.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:**05-1**

BYL 2005-130

A By-law to adopt, ratify and confirm proceedings of a Special Council of the Corporation of the City of Welland at its meeting held on the 14th day of September, 2005.**CARRIED****BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

4. Moved by Alexander and Dzugan 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

Council adjourned at 8:45 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of September, 2005.

MAYOR

CLERK