



COUNCIL MEETING AGENDA

**Tuesday, August 19, 2008
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:15 p.m.)
(See yellow tab)**
 - Security of property matter.
 - For the purpose of training and educating Members of Council concerning:
Water meters.
 - Proposed or pending acquisition or disposition of land by the municipality or local board matter.
 - Personal matters.

- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:55 p.m.)**

- 3. OPEN COUNCIL MEETING (7:00 p.m.)**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 DISCLOSURE OF INTEREST**
 - 3.5 ADOPTION OF MINUTES**

Regular Council Meeting of July 15, 2008.
(Previously Distributed)
 - 3.6 CALL UPON THE DEPUTY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS TO BE ADDED TO BLOCK**
 - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE OF THE WHOLE (OPEN)
(See pink tab)**



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4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATION(S)

4.2 DELEGATION(S) (maximum 5/10/5 policy): nil

4.3 STATUTORY PUBLIC HEARING PURSUANT TO THE PLANNING ACT.

08-133

08-133Z Applications has been made by BOBBY KOZJAN on behalf of ADRIANUS JOHANNES DEHAAN for Approval of a Plan of Subdivision and to rezone Part Township Lot 233, former Township of Thorold, now in the City of Welland for lands at 597 First Avenue from the existing R2-Single-Detached Dwelling – Second Density Zone By-law 2667 to a RM2 – Multiple Dwelling – Second Density Zone By-law 2667. The purpose of the amendment is to permit the development a residential Plan of Subdivision consisting of four (4) lots for the construction of eight (8) semi-detached dwelling units. The Official Plan designation is NO COVERAGE.

(See Staff Report PDS-2008-45 – pages 20 to 27).

(Adjourn Statutory Public Hearing and convene Council Meeting)

4.4 PUBLIC MEETING PURSUANT TO THE MUNICIPAL ACT, 2001.

Re: Water Rates.

(See Report ENG-2008-31 – pages 88 to 97).

(Adjourn Public Meeting to reconvene Council Meeting)

4.5 BOARDS, AGENCIES, COMMISSIONS REPORT(S)

Audit Review Committee – Meeting of August 19, 2008.

08-4 James Brennan, CA Principal, Grant Thornton LLP, Consolidated financial statements for the year ended December 31, 2007.
Consolidated Financial Report and Audit Concluding Memorandum included with Council Members' agenda packages.



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5. COMMITTEE OF THE WHOLE (OPEN)
(to discuss items removed from Agenda Block)

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes.

7.2 Notices of Motion (previously submitted for discussion)

(Councillor Van Vliet)

04-37 THAT THE COUNCIL OF THE CITY OF WELLAND commences to bill the Tenant directly on water bills. The tenant will be required to place a deposit with the City for water the same as hydro, gas, and telephone. Amount of deposit to be determined.

7.3 Notices of Motion (for introduction)

8. CORPORATION REPORTS

8.1 Councillor Activities Report

8.2 Mayor's Report

8.3 City Manager's Report

9. ADJOURNMENT



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AGENDA BLOCK

1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee of the Whole (closed)

2. General Committee Report (NIL)

3. Staff Reports

- | | | |
|--------------------------|-----------------------|--|
| 1 | <u>99-43</u> | Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri – Request \$100,000 Dividend from Hydro. |
| 3 | <u>02-85</u> | Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Accessibility Advisory Committee – Revised terms of Reference. |
| 10 | <u>05-158</u> | Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Engineering Consultant Services for Woodlawn Sportsplex Phase 1 South of Woodlawn Road East of River. |
| 13 | <u>08-19</u> | Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Procedure for firewood disposal from tree removals. |
| 15 | <u>06-84</u> | Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Senior Citizens Advisory Committee – Revised Terms of Reference. |
| 20 | <u>08-133</u> | |
| Remove from Block | <u>08-133Z</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Application for approval of Draft Plan of Subdivision (File 26T-14-08003) and application for Zoning By-law Amendment (2008-08) Adrianus Johannes Dehaan, Part of Township Lot 233, former Township of Thorold, now in the City of Welland, west side of First Avenue, south of Quaker Road (municipally known as 597 First Avenue). |



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| 28 | <u>07-100</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Part Lot Control Exemption – Part Block E, Plan 574 being Parts 1, 2 and 3, Plan 59R-13720 – municipally known as 46 Fourth Street. |
| 31 | <u>08-59</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Semi-Annual Subdivision Status Report – June 30, 2008. |
| 52 | <u>07-135Z</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed By-law to remove the Holding (H) Symbol from lands on the north side of Woodlawn Road, west of Brown Road (Calloway Reit (Welland) Inc. – Rona) (File 2006-20). |
| 56
Remove from Block | <u>02-157</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Niagara 2031 – The Niagara Growth Strategy – Assessment of three growth options for Niagara. |
| 81 | <u>07-22</u> | Gen. Mgr., Engineering, Public Works and Transp. Serv./City Engineer, Sal Iannello – Aqueduct Street North – Traffic Calming. |
| 88
Remove from Block | <u>04-37</u>
<u>04-124</u> | Gen. Mgr., Engineering, Public Works and Transp. Serv./City Engineer, Sal Iannello – Universal water metering program plan for completions. |

3. NEW BUSINESS

- | | | |
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| 98 | <u>97-49</u> | Melanie Hogeveen, Deputy Clerk, Municipality of Kincardine – Physician Shortage. |
|----|--------------|--|

Recommendation:

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the Municipality of Kincardine regarding physician shortages in Ontario and the need to remove barriers for internal medical doctors as per the Report by MPP Lauren Broten, Parliament Assistant to the Ministry of Health and Long Term Care.



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08-3

Margaret R. Robertson, Chair, Marshville Heritage Festival – requesting to sell lottery tickets in the City of Welland.

Recommendation:

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Marshville Heritage Festival to sell raffle tickets in the City of Welland under authority of Lottery Licenses M395883 and M395876; subject to the receipt of a \$25.00 administration fee for processing this request.

100

99-90

08-10

Greg D'Amico Sr., Chair, Welland Downtown Business Improvement Area Board of Management – Appointment of Members to the Board.

Recommendation

THAT THE COUNCIL OF THE CITY OF WELLAND appoints the following members to replace the former Welland Downtown Business Improvement Area Board of Management (WDBIA) as per the recommendation of WDBIA dated July 28, 2008: Carl Damude; Domenic Ferrusi; Karri Constantino; Kevin Nash, Vice Chair; Leeann Arcaro-King; Nancy Campbell, Treasurer; Sandy Valleriani; Steve Talosi, Secretary; and Greg D'Amico, Chair.

102

08-5

08-134

Alastair Davis, Chief Executive Officer, Habitat for Humanity Niagara – requesting the waiving of all costs for Development Charges, Building Permit Fees and Servicing Fees for the development of 11 Michigan Street.

(Recommendation and/or report to be distributed at Council Meeting).

103

99-43

Stephen Fischer, Business & Operations Manager, Welland Recreational Canal Corporation re: Host the 2010 Commonwealth Rowing Championships.

Recommendation:

THAT THE COUNCIL OF THE CITY OF WELLAND supports and endorses the Welland Recreational Canal Corporation's bid and funding application to host the 2010 Commonwealth Rowing Championships.

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08-135

Barbara Henderson, Mayor, Township of Wainfleet – Requesting use of showmobile for Wainfleet fall fair.



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Recommendation:

THAT THE COUNCIL OF THE CITY OF WELLAND waives the policy restriction for use of the showmobile to within the City of Welland limits; and further

THAT Welland City Council grants approval for use of the showmobile by the Township of Wainfleet on September 18, 19 & 20, 2008 and that associated showmobile rental fees and use will be in accordance with City of Welland Policy SER-015-0001.

- 06-150** Nicole Smith, Event Organizer, Well And Alive Festival – exemption to Noise By-law for event held on September 6, 2008.

Recommendation:

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the exemption to City of Welland Noise By-law 10204 for the Saturday, September 6, 2008 (1:00 p.m. to midnight) Well and Alive Festival event being held at the Market Square.

4. BY-LAWS

MAY BE VIEWED AT THE CLERK'S DEPARTMENT PRIOR TO THE MEETING IF DESIRED.

- 98-62** A By-law to accept easements for water service purposes over Part Blocks 142, 146, 150 and Part Lot 120, Plan 59M-269 (The Highlands Subdivision) and over Part Lot 21, Plan 59M-326 (The Masters Subdivision) and to reduce the easement/right-of-way over Part Lots 1 to 5, Plan 59M-326 (The Masters Subdivision).
- 01-108** A By-law to repeal by-law 2006-169, being a By-law to authorize acceptance of an offer to purchase from Dakstar Nanticoke Ltd. for the sale of Parts Lots 2 and 3, Plan 574, municipally known as 17-19 East Main Street.
- 01-108** A By-law to authorize acceptance of an offer to purchase from Royton Industries Ltd. for the sale of City-owned property known as 17-19 East Main Street.
- 01-174** A By-law to authorize the entering into an extension agreement with John Deere Company; and to amend By-law 2002-101.
- 06-75** A By-law to authorize the acceptance of tender and the entering into a contract with Watson & Associates Economists Ltd. to update the Development Charge Background Study and By-law.



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- 06-154**
07-70 A By-law to assume the South Pelham Subdivision, Registered Plan 59M-246.
- 08-9** A By-law to authorize the entering into a contract with CRS Electronics for the procurement of LED streetlights.
- 08-19** A By-law to accept the tender from Resurface Corp. for the purchase of an Ice Resurfacer.
- 08-22** A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall; and to repeal By-law 2008-115.
- 08-24** A By-law to authorize the appointment of a City Clerk for the Corporation of the City of Welland.
- 08-24** A By-law to authorize the appointment of a General Manager, Engineering, Public Works and Transportation Services/City Engineer.
- 08-24** A By-law to authorize the appointment of a City Manager for the Corporation of the City of Welland.
- 08-85** A By-law to accept the tender of Clarifica Incorporated to provide Flow Monitoring Services for the Government Drain Study.
- 08-85** A By-law to authorize the retention of Kerry T. Howe Engineering Limited to provide final design services for the Government Drain.
- 08-120** A By-law to authorize the acceptance of tender and the entering into a contract with Rankin Construction Inc. for the Roadway Resurfacing Program 2008.
- 08-122** A By-law to authorize the acceptance of tender and the entering into a contract with Norjohn Contracting and Paving Ltd. for the Lyons Creek Culvert Replacement (2008 Municipal Road and Bridge Infrastructure Investment Project) and to retain Ellis Engineering Inc. to provide Engineering Services.
- 08-123** A By-law to authorize the acceptance of tender and entering into a contract with Norjohn Contracting and Paving Limited for the supply and application of road surface treatment materials.



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- 08-15** A By-law to authorize the purchase of a triple-combination fire pumper apparatus and associated equipment from Carrier Truck Center Inc. operating as Carrier Emergency Equipment for the Welland Fire Department.
- 08-13** A By-law to enter into an Agreement with the Town of Pelham for extension of Welland Transit Services.
- 07-108Z** A By-law to amend City of Welland Zoning By-law 2667 (Casey Holland – File 2007-02) 114 Crowland Avenue.
- 07-100** A By-law to exempt certain lands from part-Lot Control located on the north side of Fourth Street, west of King Street, municipally known as 46 Fourth Street, City of Welland (Parts 1, 2 and 3, 59R-13720).
- 07-135Z** A By-law to amend Zoning By-law 2667 upon the application of Calloway Reit (Welland) Inc. to remove the Holding Symbol “H” from certain lands on the north side of Woodlawn Road, west of Brown Road known municipally as 102 Primeway Drive (File 2006-20).
- 04-37**
- 04-124** A By-law to amend By-law 2004-119, being 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.
- 08-1** 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 19th day of August, 2008.