



COUNCIL MEETING, MARCH 20, 2001

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 7:55 p.m. and again in Committee-of-the-Whole at 8:40 p.m. on the above date.

Her Worship Mayor Cindy Forster in the Chair.

The open meeting commenced with the playing of the National Anthem.

Members Present: Councillors D. Beaudoin, N. Dmytrow-Bilboe, T. Eybel, D. Fortier, D. Grenier, J. Irvine, J. Mastroianni, S. O'Dell and J. Spadafora.

Members of the Staff and Others Present:

Chief Administrative Officer V. Kerschl
City Clerk C.A. Stirtzinger
City Solicitor G. Banks
Director of Development Services T. Fitzpatrick
Fire Chief P. Olah
Director of Operational Services G. Marcello (7:55 p.m.)
Community Services Director I. Smith
Acting City Treasurer B. Silvestri
Assistant Clerk D. Vettori

Brian Colburn, Bujold Colburn Employee Benefits Agency was present during Committee-of-the-Whole discussions on a personal matter.

Henry Labenski, Guy Wilson, and Peter Voynovich of the Welland Professional Firefighters Association addressed Council in Committee-of-the-Whole on a labour relations matter.

01-25 Moved by Beaudoin and Mastroianni 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;
- b) personal matters about an identifiable individual, including municipal employees;
- c) labour relations or employee negotiations; and
- e) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

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

01-25 Moved by Beaudoin and Mastroianni that the Committee-of-the-Whole arise from its closed meeting at 7:50 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Eybel disclosed an interest in Ref. Nos. 01-15 and 97-15/01-15 and By-law 2001-25 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her daughter is a member of Welland Volunteer Fire Company #1.

THE FOLLOWING CORRESPONDENCE WAS READ:

01-3 Application to conduct a raffle lottery from the Fourth Welland Scouts.

99-99

01-47 Report from Community Services Director I. Smith re drag boat races - Recreational Canal.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

93-162

99-99 A By-law to authorize the entering into an Agreement with Stephens and Rankin Inc. to undertake the cleaning of the Welland River Syphon Sumps.

96-48 Acting City Treasurer B. Silvestri - Development Charges 2000 Year End Statement.

97-15

01-15 A By-law to authorize the entering into an amending Agreement with the City of St. Catharines for Fire Dispatch Services, for the Welland Fire Department.

97-38 Dir. of Development Services T. Fitzpatrick - Cash-in-Lieu of Parkland Dedication.

2000-23 City Clerk C. Stirtzinger - Public Sector Salary Disclosure Act.

01-1 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 20th day of March, 2001.

- 01-3** City Clerk C. Stirtzinger - Lottery License.
- 01-3** Margaret McFarland, Special Projects Coordinator, The Ontario Lung Association - request to sell lottery tickets in the City of Welland.
- 01-3** Lois Flemming, Dir., Fund Development, Canadian Red Cross - request to sell lottery tickets in the City of Welland.
- 01-7** Acting City Treasurer B. Silvestri - Accounts Payable Report - February 28 - March 21, 2001.
- 01-15** Fire Chief Olah - Ontario Association of Fire Chief (O AFC) - 2001 Provincial Budget Recommendations.
- 01-22** A By-law to amend Schedules "C", "S", and "X" of By-law 89-2000, being a By-law regulating Traffic and Parking on City Streets.
- 01-65** A By-law to authorize the entering into a contract with K & R Sweeping Service for the supply of street sweeping rentals.
- 01-67** Dir. of Operational Services G. Marcello - Tender - Supply and Application of Road Surface Treatment Materials.
- 01-71** A By-law to designate the Mayor as head of the Corporation of the City of Welland for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.
- 01-72** A By-law to appoint Stephen Yari as a By-law Enforcement Officer of the Corporation of the City of Welland.

01-1 Moved by Eybel and O'Dell that the Minutes of the Regular Council Meeting of March 6, 2001 be and the same are hereby approved and adopted as circulated.

CARRIED

96-48 Moved by Irvine and Beaudoin that the Treasurer's Statement attached to Report TR-01-10, in accordance with the Development Charges Act and O.R. 104/98, be received and the City Clerk be instructed to forward a copy of this Statement to the Minister of Municipal Affairs within 60 days of giving this report to Council as per Section 43(3).

CARRIED

97-38 Moved by Irvine and Beaudoin that Development Services Department Report DSD 2001-23 dated March 20, 2001, regarding cash-in-lieu of parkland dedication, be deferred until staff have met with the area developers.

CARRIED

99-99

01-47 Moved by Irvine and Beaudoin

1. That permission be given to Mr. Peter Coons to allow for the demonstration of up to 4 Drag Boats on the Welland Recreational Canal at no cost to the City of Welland and at a time of mutual convenience between the City and Mr. Coons, preferably during the Rose Festival activities.
2. That Mr. Coons provide a plan outlining safety practices, insurance, water control/access, dates, times, spectator safety and event information, prior to final approval of the demonstration the activities.

CARRIED

2000-23 Moved by Irvine and Beaudoin that the Record of Employees' Salaries and Benefits for the year 2000, dated March 20th, 2001, and made in accordance with the Public Sector Salary Disclosure Act 1996, be received, noted and filed in the City Clerk's Office for the information of the public; and That a copy of this record be filed with the Ministry of Municipal Affairs and Housing as well as the City's Auditors, as required.

CARRIED

01-3 Moved by Irvine and Beaudoin that Council has no objection to the issuance of a Raffle Lottery License to the Fourth Welland Scouts.

CARRIED

01-3 Moved by Irvine and Beaudoin that a Lottery License be granted to the following:
- Niagara Region Sexual Assault Centre - Nevada.

CARRIED

01-3 Moved by Irvine and Beaudoin that permission is hereby granted to the Ontario Lung Association to sell lottery tickets in the City of Welland under authority of Lottery License P010005, subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

01-3 Moved by Irvine and Beaudoin that permission is hereby granted to the Canadian Red Cross to sell lottery tickets in the City of Welland under authority of Lottery License P010004, subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

01-7 Moved by Irvine and Beaudoin that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	28-Feb-01	\$ 26,386.88
2	02-Mar-01	122,200.35
3	05-Mar-01	29,996.57
4	06-Mar-01	186,871.74
5	07-Mar-01	82,363.21
6	12-Mar-01	<u>174,657.53</u>

Total **\$622,476.28**

CARRIED

01-15 Moved by Irvine and Beaudoin that Council support and endorse the strategies and recommendations contained in the report prepared by the Ontario Association of Fire Chiefs entitled "Ontario Association of Fire Chiefs 2001 Provincial Budget Recommendations"; and That Council endorse the resolution attached to Report FIRE 2001-02 to petition the Provincial Government to initiate and fund a Provincial Fire Service Program to address the concerns outlined in the Fire Chiefs' Report, in the 2001 Provincial Budget; and further, That the Clerk forward this report and supporting resolution to Premier Mike Harris; Mr. Peter Kormos, M.L.A., and to the Association of Municipalities of Ontario for circulation of the **resolution only** to all Ontario Municipalities for support and endorsement.

CARRIED

01-15 Moved by Irvine and Beaudoin

WHEREAS the provision of fire services in Ontario is currently the financial responsibility of local municipal government, funded through municipal property taxes; and
WHEREAS the Fire Protection and Prevention Act (FPPA) mandates every municipality to provide suppression and public Fire Education and Prevention Programs; and
WHEREAS the role of the Fire Services has changed dramatically over the past two (2) decades with fire personnel more involved with emergency vehicle extrications; and
WHEREAS Fire Services are becoming the first providers of defibrillation services assuring quick intervention in many emergency health situations; and
WHEREAS the promotion of public education and prevention has had a significant impact on community fire safety across North America and more particularly in Ontario; and
WHEREAS Provincial funding to help fire department implement new programs or enhance existing programs in the areas of education and prevention has the potential to further reduce fire losses dramatically; and
WHEREAS the Ontario Association of Fire Chiefs (O AFC) believes that a Provincially funded program for Fire Service can dramatically enhance the good work already being done by the Ontario Fire Marshall's Office and local Fire Departments;
THEREFORE BE IT RESOLVED THAT the City of Welland supports the strategies and recommendations of the Ontario Association of Fire Chiefs, petitioning the Provincial Government to initiate an adequately funded Provincial Fire Service Program focused on targeted areas with high benefit potential that reflects a commitment by the Government of Ontario to protect its citizens, particularly the young and the elderly who, statistically, are at higher risk of being victims of fire tragedies; and
FURTHER BE IT RESOLVED THAT this resolution requesting the Provincial Government to implement the financial strategies put forth by the Ontario Association of Fire Chiefs in its 2001 Provincial Budget Recommendations, be circulated to all Ontario municipalities for support and endorsement.

CARRIED

01-67 Moved by Irvine and Beaudoin that Council waive the requirement for the "minimum three (3) bids" for the supply and application of Road Surface Treatment Materials due to the fact that only one (1) tender was received from Norjohn Limited out of six (6) tender requests and furthermore that Council authorize the opening of the tender for the supply of the subject material.

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

01-24 Moved by Mastroianni and Fortier that Council approve the tenders, effective April 1, 2001, for pooled benefits for Life Insurance, Accidental Death and Dismemberment (Transit), Short Term Disability (Transit), and Long Term Disability from Clarica; and
That the Administrative Services Only (ASO) benefits remain with Green Shield for extended Health Care, Dental, Out of Country and Stop Loss benefits.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE...Cont'd.

01-53 Moved by Beaudoin and Dmytrow-Bilboe that Welland City Council amend its resolution passed January 30, 2001 regarding the Round 1 Ontario SuperBuild Corporation SCTP application to insert the following clause between the existing clauses 5 and 6 in order to comply with the requirements for Option 2 applicants:

"Whereas Council confirms that the Municipality does not have any outstanding public health and safety issues or projects affecting its existing sport, recreational, culture and tourism facilities."

CARRIED

01-53 Moved by O'Dell and Grenier that Ian Smith, Director of Community Services and two (2) members of Council be appointed to the YMCA Project Steering Committee.

CARRIED

01-81 Moved by Dmytrow-Bilboe and Mastroianni

1. That Council agree to sell Part of Lots 42 and 43, Plan M-2, designated as Parts 4 and 7, Plan 59R-9442 to Habitat for Humanity Niagara for the sum of Nine Thousand Five Hundred Dollars (\$9,500) subject to Habitat for Humanity Niagara entering into a Short Form Agreement with the City of Welland dealing with Lot Grading and Drainage;
2. That the City Solicitor be instructed to prepare the Agreement of Purchase and Sale;
3. That the Mayor and Clerk be authorized to execute all necessary documents relative to the transfer; and
4. That the proceeds from the sale be deposited in the Municipal Incentive Grant Reserve Fund.

CARRIED

(Councillor O'Dell asked to be recorded as opposed to this Resolution.)

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

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

93-162

99-99

BYL 2001-24

A By-law to authorize the entering into an Agreement with Stephens and Rankin Inc. to undertake the cleaning of the Welland River Syphon Sumps.

...Continued...

BY-LAWS PRESENTED FOR FIRST READING...Cont'd.**97-15****01-15**

BYL 2001-25

A By-law to authorize the entering into an amending Agreement with the City of St. Catharines for Fire Dispatch Services, for the Welland Fire Department.

01-65

BYL 2001-26

A By-law to authorize the entering into a contract with K & R Sweeping Service for the supply of street sweeping rentals.

01-71

BYL 2001-27

A By-law to designate the Mayor as head of the Corporation of the City of Welland for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.

01-22

BYL 2001-28

A By-law to amend Schedules "C", "S" , and "X" of By-law 89-2000, being a By-law regulating Traffic and Parking on City Streets.

01-72

BYL 2001-29

A By-law to appoint Stephen Yari as a By-law Enforcement Officer of the Corporation of the City of Welland.

2000-1

BYL 2001-30

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 20th day of March, 2001.

And that the same be now read a first time.

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

2. Moved by Beaudoin and Mastroianni 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

01-25 Moved by Mastroianni and Beaudoin that Council meet in Committee-of-the-Whole, closed to the public at 8:40 p.m. to consider:

a) personal matters about an identifiable individual, including municipal employees.

CARRIED

01-25 Moved by Beaudoin and Mastroianni that the Committee-of-the-Whole arise from its closed meeting at 9:10 p.m. without report.

CARRIED

NOTICE OF MOTION

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16th, 2001, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, March 28th, 2001 for inclusion on the next Regular Council Meeting Agenda .

Council adjourned at 9:10 p.m.

These Minutes approved and adopted by Motion of Council this 3^d day of April, 2001.

MAYOR

CLERK