



## SPECIAL COUNCIL MEETING, JUNE 27, 2000

### *TO GIVE SECOND AND THIRD READING OF THE FOLLOWING BY-LAWS:*

- A BY-LAW TO ADOPT, APPROVE AND DECLARE THE SHAREHOLDER DECLARATION RESPECTING WELLAND HYDRO-ELECTRIC COMMISSION, ITS SUBSIDIARIES AND AFFILIATES;
- A BY-LAW TO TRANSFER THE EMPLOYEES, ASSETS, LIABILITIES, RIGHTS AND OBLIGATIONS OF THE WELLAND HYDRO-ELECTRIC COMMISSION AND OF THE CORPORATION OF THE CITY OF WELLAND IN RESPECT OF THE GENERATION, TRANSMISSION, DISTRIBUTION AND RETAILING OF ELECTRICITY TO A CORPORATION AND ITS SUBSIDIARY CORPORATIONS TO BE INCORPORATED UNDER THE BUSINESS CORPORATIONS ACT (ONTARIO) PURSUANT TO SECTION 142 OF THE ELECTRICITY ACT, 1998 (ONTARIO); AND

TO APPOINT AN INTERIM BOARD OF DIRECTORS; AND ALSO TO CONSIDER THE FOLLOWING REPORTS: YEAR 2000 CRF FUNDING COMPLIANCE COMMUNICATION; REPLACEMENT OF ONE (1) TWO-WAY DUMP/SPREADER BODY; TENDER AWARD FOR 1987 FORD RESCUE VEHICLE REFURBISHMENT; AND A REQUEST FOR PERMISSION FROM WELLAND HISTORICAL MUSEUM TO USE MUSEUM GROUNDS FOR "KIDS ARTS DAY" ; AND A BY-LAW TO AUTHORIZE THE ENTERING INTO A LICENSE OF OCCUPATION AGREEMENT WITH DARLENE SOUDER CARRYING ON BUSINESS AS WINDOW CAFE TO PERMIT AN OUTDOOR PATIO ON A PORTION OF THE MUNICIPAL SIDEWALK ADJACENT TO 43 HELLEMS AVENUE, AND TO REPEAL BY-LAW 11273; AND  
IN COMMITTEE-OF-THE-WHOLE TO DISCUSS PERSONAL AND SECURITY OF PROPERTY MATTERS

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

Council met in open session at 6:05 p.m. and in Committee-of-the-Whole at 8:05 p.m. on the above date.

His Worship Mayor J. Richard Reuter in the Chair.

**Members Present:** Councillors D. Beaudoin, M. Belcastro, V. Bellantino , F. Champion, C. Forster,  
D. Fortier, J. Larouche, J.L. MacLellan, C. McQueen, S. O'Dell, J. Spadafora  
and L. Van Vliet.

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

Chief Administrative Officer V. Kersch  
City Solicitor G. Banks  
Director of Development Services T. Fitzpatrick  
Deputy Fire Chief K. Roach  
Director of Operational Services G. Marcello  
City Treasurer R. Perron  
Community Services Director I. Smith (6:45 p.m.)  
Assistant Clerk D. Vettori  
Clerk Steno III B. Gallaccio  
Solicitor from the firm of Borden Ladner Gervais, M.D. Shadbolt

**BY-LAWS**

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

1. Moved by Campion and Van Vliet that the following proposed By-laws, having been given first reading on the 21st day of June, 2000:

**99-43**

BYL 2000-90

A By-law to adopt, approve and declare the Shareholder Declaration respecting Welland Hydro-Electric Commission, its subsidiaries and affiliates.

**99-43**

BYL 2000-91

A By-law to transfer the employees, assets, liabilities, rights and obligations of the Welland Hydro-Electric Commission and of the Corporation of the City of Welland in respect of the generation, transmission, distribution and retailing of electricity to a Corporation and its Subsidiary Corporations to be incorporated under the Business Corporations Act (Ontario) pursuant to Section 142 of the Electricity Act, 1998 (Ontario).

Be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

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**99-43**

**2000-29** Moved by Spadafora and Beaudoin that the Second and Third Reading of By-laws 2000-90 and 2000-91 be referred to a Special Council Meeting scheduled for August 22<sup>nd</sup> at 7:00 p.m. in the Council Chambers.

**LOST**

**YEAS:** Councillors Bellantino, Beaudoin, Fortier, O'Dell, Forster, and Spadafora.

**NAYS:** Councillors Belcastro, Larouche, MacLellan, Van Vliet, McQueen, Campion, and Mayor Reuter

***FOLLOWING THE LOST VOTE ON THE REFERRAL MOTION,  
THE MAIN MOTION FOR SECOND AND THIRD READING  
OF BY-LAWS 2000-90 AND 2000-91 WAS PUT,  
DISPENSED AND ..... CARRIED***

**YEAS:** Councillors Belcastro, Larouche, MacLellan, Van Vliet, McQueen, Campion, and Mayor Reuter.

**NAYS:** Councillors Bellantino, Beaudoin, Fortier, O'Dell, Forster, and Spadafora.

**93-100** Moved by Van Vliet and Forster that Welland City Council has no objection to the request from the Welland Historical Museum on behalf of the Welland Festival of Arts regarding use of the grounds surrounding the Museum building for "Kids Art Day" on Saturday, July 8, 2000.

**CARRIED**

**2000-4** Moved by Bellantino and MacLellan that Council, in order to satisfy the Ministers of Finance and Municipal Affairs & Housing requirements for information regarding the intended use of Community Reinvestment Fund (CRF) funding supported with specific financial and tax reports,

A. approve and pass the attached three specific resolutions as follows:

1. A report on the planned use of the year 2000 CRF allocation and schedule,
2. A forecast of the year 2000 Capital fund operations and FIR schedule 5
3. A forecast of the year 2000 Continuity of Reserves and Reserve Funds and FIR schedule 10,

B. direct the Treasurer to prepare the requested letters with respect to the entering of approved tax rates into the OPTA (On-line Property Tax Analysis) system covering the years 1998, 1999 and 2000;

C. direct the Treasurer to prepare and sign a report stating the actual use of the 1999 CRF allocation, and the provision of a paper copy of the approved 2000 Final tax rate bylaw.

**CARRIED**

**2000-4** Moved by Bellantino and MacLellan

That Whereas, the Province of Ontario is providing the Municipality of the Corporation of the City of Welland a Community Reinvestment Fund (CRF) allocation; and

Whereas the intended use of the CRF allocation is to mitigate increases in property taxes; and

Whereas the Province has requested this information by June 30, 2000; and

Whereas the Ministers of Finance and Municipal Affairs & Housing have requested that:

- Each municipality prepare a report on the planned use of the 2000 CRF allocation; and
- Each municipality submit an electronic copy of a forecast of the Year 2000 Capital Fund Operations, Schedule 5 - FIR; and
- Each municipality submit an electronic copy of a forecast of the 2000 continuity of reserves and reserve fund, Schedule 10 - FIR;

THEREFORE BE IT RESOLVED that the Corporation of the City of Welland intends to use the 2000 CRF allocation in ways described in the attached schedule; and

That the City of Welland has complied with the Ministers' request and has attached the electronic copy of a Forecast of the Year 2000 Capital Fund Operations, (Schedule 5 - FIR) to this resolution; and

That the City of Welland has complied with the Ministers' request and has attached the electronic copy of a Forecast of the Year 2000 Capital Fund Operations, (Schedule 10 - FIR) to this resolution; and

That the above-referenced Schedules form part of the resolution of the Corporation of the City of Welland.

**CARRIED**

**2000-15** Moved by O'Dell and Campion that Report Fire 00-01 dated June 27, 2000 be referred to the July 11<sup>th</sup> Council Meeting in Committee-of-the-Whole.

**CARRIED**

**2000-93** Moved by McQueen and Beaudoin that Council approve the purchase of one (1) replacement two-way dump/spreader body (box) presently mounted on an existing truck and that the expenditure for the same be paid from the balance of the Fleet Reserve Fund.

**CARRIED**

## **BY-LAWS**

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

2. Moved by Beaudoin and Campion that leave now be given to introduce the following proposed By-law entitled:

**98-106**

BYL 2000-86

A By-law to authorize the entering into a License of Occupation Agreement with Darlene Souder carrying on business as Window Cafe to permit an outdoor patio on a portion of the municipal sidewalk adjacent to 43 Hellems Avenue, and to Repeal By-law 11273.

And that the same be now read a first time.

**CARRIED**

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

3. Moved by Beaudoin and Campion that the By-law 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**

**2000-25** Moved by Bellantino and Campion that Council meet in Committee-of-the-Whole, closed to the public at 8:00 p.m. to consider:

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

**CARRIED**

**2000-25** Moved by Belcastro and Campion that the Committee-of-the-Whole arise from its closed meeting at 8:40 p.m.

**CARRIED**

**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****99-43****2000-10**

Moved by Van Vliet and Spadafora that the Initial Board of Directors of the Welland Hydro-Electric Holding Corporation be comprised of nine (9) members which shall include the Mayor, two (2) Members of Council, two (2) current commissioners from the Commission; and four (4) private directors who shall not be members of Council or members of the Commission; and

That the Interim Board of Directors of the Welland Hydro-Electric Holding Corporation consist of five (5) members, being the Mayor, two (2) Councillors, and two (2) Commissioners; and

That Welland City Council approves the appointment of the following for the remainder of their term of office to November 30th, 2000:

- **Mayor J. R. Reuter; Councillor Mike Belcastro; and Councillor Frank Campion;**

and the following:

- **Commissioner Diane Sauder for a two (2) year period; and Commissioner Roland Bradshaw for a three (3) year period;** and further

That no later than the end of the Interim Period (six (6) months), the Interim Board shall undertake a recruitment process for the four (4) Private Directors as per the Shareholders Declaration

Council adjourned at 8:45 p.m.

These Minutes approved and adopted by Motion of Council this 11<sup>th</sup> day of July, 2000.

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**MAYOR**

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**CLERK**