



COUNCIL MEETING, JUNE 6, 2006

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 7:45 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

(During discussion on Reference Number 05-43/06-43, Mayor Goulbourne vacated the Chair and Vice Mayor Belcastro assumed the Chair).

Members Present: Councillors D. Alexander, M. Belcastro, P. Chiochio (7:20 p.m.), M. Dzugan, D. Fortier, P. Grenier, M. A. Grimaldi (6:45 p.m.), J. Larouche (6:50 p.m.), S. O'Dell, B. Sharpe and J. Spadafora.

Members of the Staff and Others Present:

Acting City Manager C. Stirtzinger

Acting City Clerk B. Gallaccio

City Solicitor G. Banks (7:10 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:45 p.m.)

General Manager of Human Resources R. Beaumont (until 7:40 p.m.)

General Manager of Parks and Recreation B. LaPlante (7:45 p.m.)

Deputy Clerk C. Mintoff (7:45 p.m.)

General Manager of Planning and Development Services D. Thorpe

Transit Manager D. Stuart (7:45 p.m.)

06-25 Moved by Dzugan and Belcastro 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; and
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

(Councillors Sharpe, Grenier and Mayor Goulbourne were not present during Committee-of-the-Whole discussions on a security of property matter).

06-25 Moved by Dzugan and Belcastro that the Committee-of-the-Whole arise from its closed meeting at 7:40 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Sharpe disclosed an interest in Ref. No. 05-43/06-43 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College.

Councillor Grenier disclosed an interest in Ref. No. 05-43/06-43 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his father owns property adjacent to the subject property.

Mayor Goulbourne disclosed an interest in Ref. No. 05-43/06-43 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College.

PRESENTATION:

Community Involvement Recognition

Presentation of plaque by Mayor Goulbourne to Mr. George Chipman.

DELEGATION:

2000-55 Adam Kiess, Marketing Manager, Niagara Central Airport Commission regarding the follow up on the Feasibility Study on potential for economic development generated by the Niagara Central Airport.

06-28 Peter Papp and Claire Masswohl, Welland Multicultural Centre addressed Council regarding the future plans of the Welland Heritage Council and Multicultural Centre.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

02-85 Russ Findlay, Chair, Accessibility Advisory Committee and Philip Weber, SRM Associates addressed Council regarding the results of the Transit Bus Stop/Shelter Audit.

THE FOLLOWING CORRESPONDENCE WAS READ:

06-28 Letter from Claire Masswohl, Executive Director, Welland Multicultural Centre requested to address Council re: Future plans of the Welland Heritage Council and Multicultural Centre.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

06-106 Report from General Manager Engineering, Public Works & Transportation Services D. Shantz – Transfer to Region of City Wastewater Pumping Station.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

98-62 Gen. Mgr. Planning and Development Services D. Thorpe – Request for City to accept easement(s) for hydrants, and to reduce the width of an existing easement/right-of-way over part of Lot 1-5, Plan 59M-326- the Highlands Subdivision (formerly St. Andrew's Terrace Subdivision – (Plan 59M-269) and the Masters Subdivision (Plan 59M-326) File 26T-14-97005) and to lay out and establish part of Block 165, Plan 59M-269 being a 0.3 metre reserve as part of Daimler Parkway.

2000-55 Adam Kiess, Marketing Manager, Niagara Central Airport Commission – follow up on the Feasibility Study on potential for economic development generated by the Niagara Central Airport.

02-85 Russ Findlay, Chair, Accessibility Advisory Committee and Philip Weber, SRM Associates – Results of the Transit Bus Stop/Shelter Audit.

03-15 Edythe Phillips, President, Welland Historical Society – Preserving the Central Fire Hall as a Fire Museum.

04-116 Stewart and Tina Hill, owners of the King-Hill house at 81 Bald Street, which was designated as an heritage building in 2004 – are proposing to construct a replica of the porch that was on the front façade of their house.

05-81

06-108 Mayor D. Goulbourne – Downtown Marketing Action Plan.

06-1 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 6th day of June, 2006.

06-4 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - 2006 Tax Ratios and Tax Rates.

06-4 A By-law to establish tax ratios and tax rates and to levy taxes for the year 2006.

06-7 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - Accounts Payable – May 9, 2006 to May 26, 2006.

06-15 A By-law to terminate the Firefighter Defibrillation Agreement with the Niagara Health System.

06-19

06-32 Mgr. Parks and Recreation B. LaPlante – Tourism Mandate.

06-20 Russell M. McPherson, President, Welland & District Slo-Pitch League Inc. – request for Special Occasion Permits for the Welland Sports Complex canteen area.

06-21 Sylvia Berkhout, The Hope Centre – requesting permission to hold on July 29, 2006 a community celebration event to mark the one-year anniversary of the opening of Hope House; street closure of East Main Street with barricades and to waive any fees pertaining to permits and setting up and dismantling of the barricades.

06-22 A By-law to repeal By-law 2005-133, being a By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at the Welland County General Hospital.

06-28 Claire Masswohl, Executive Director, Welland Multicultural Centre requested to address Council re: Future plans of the Welland Heritage Council and Multicultural Centre.

06-92 A By-law to authorize the acceptance of tender and entering into a contract with A-1 Asphalt Maintenance Ltd. for the Utility Cut Final Reinstatement 2006.

06-95 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Award of Tender – 2006 Roadway Resurfacing Program.

06-95 A By-law to authorize the acceptance of tender and entering into a contract with Norjohn Contracting & Paving Ltd. for Roadway Resurfacing Program 2006.

06-96 A By-law to authorize the entering into a contract with Hard-Rock Construction Inc. for the construction and replacement of sanitary storm sewers and watermains on Smith, Chippawa, McCormick and Dufferin Streets, and site improvement for Notre Dame College Catholic School and St. Kevin Catholic School.

06-97 A By-law to authorize the retention of XCG Consultants Limited to undertake the Broadway Avenue Area Inflow and Infiltration Study.

06-106 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Transfer to Region of City Wastewater Pumping Station.

06-1 Moved by Dzugan and Spadafora that the Minutes of the Regular Council Meetings of May 16, 2006 and May 23, 2006 be and the same are hereby approved and adopted as circulated.

CARRIED

98-62 Moved by Dzugan and Larouche

1. That the City of Welland accept Easements, for water service purposes, over part of Blocks 142, 146 and 150 and part of Lot 120, Plan 59M-269 (The Highlands Subdivision) and over part of Lot 21, Plan 59M-326 (The Masters Subdivision);
2. That the City of Welland agree to reduce the Easement/Right-of-Way over part of Lots 1-5, Plan 59M-326 (The Masters Subdivision) from 8.7 metres in width (Part 2, Plan 59R-12426) to 5.5 metres in width;
3. The Developer shall be responsible for the preparation of all Reference Plans and documentation required to finalize these transactions and all costs associated with the registration of the required documents;
4. That part of Block 165, Plan 59M-269 be dedicated as part of Daimler Parkway; and
5. That Staff be authorized to prepare the necessary By-laws.

CARRIED

2000-55 Moved by Fortier and Larouche that the presentation by Adam Kiess, Marketing Manager, Niagara Central Airport Commission regarding the Feasibility Study on potential for economic development generated by the Niagara Central Airport be received and that Council Members be encouraged to respond and provide input.

CARRIED

02-85 Moved by Grimaldi and Spadafora that the presentation by Russ Findlay, Chair, Access Advisory Committee and Philip Weber, SRM Associates regarding a Draft Bus Stop Accessibility Review be received and referred to staff to address and prioritize the improvements to bus stops where barriers have been identified.

CARRIED

03-15 Moved by O'Dell and Spadafora that the letter from the Welland Historical Society to preserve the Central Fire Hall as a Fire Museum be received for information; and
That staff be directed to prepare an assessment of the facility for report to Council; and further
That the Welland Historical Society be assured that there are no current plans for the Fire Hall and will not be, without public consultation.

CARRIED

04-116 Moved by Dzugan and Larouche that Council as per recommendation of Heritage Welland (LACAC) approves the construction of a replica of the original porch on the King-Hill Hbuse at 81 Bald Street.

CARRIED

05-81

06-108 Moved by Larouche and Spadafora that Council endorses the marketing and special event activities identified in the Marketing Action Plan prepared in consultation with the Downtown Business Community; and

That Council authorizes funding 50% of the program costs to a maximum of \$21,125 and requests the Region of Niagara to cover the other 50% of the program costs. Our portion of the funds will be taken from the 2006 Contingency Reserve.

CARRIED

06-4 Moved by Grenier and Sharpe

1. That the City Solicitor be directed to prepare a By-law to establish Tax Rate Ratios in accordance with Regional By-law 36-2006 (Schedule 1), Ontario Regulation 98/06 of the Education Act, and resulting Tax Rates (Schedule 2), to levy taxes for the year 2006;
2. That the final tax installment in the Residential, Farmlands, and Managed Forests become due and payable on Tuesday, July 4, 2006, and Friday, September 1, 2006;
3. That the final tax installment in the Commercial, Industrial, Large Industrial, and Multi-Residential classes "Capped Classes" become due and payable on Monday, October 2, 2006; and
4. That the City Solicitor be directed to prepare the necessary By-law with respect to the final tax installment dates.

CARRIED

06-7 Moved by Dzugan and Larouche that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list of accounts as follows:

1	11-May-2006	\$	322,390.47
2	16-May-2006		285,244.77
3	18-May-2006		346,273.15
4	24-May-2006		1,476,760.77
5	25-May-2006		49,100.36
6	26-May-2006		<u>857,141.49</u>
	Total	\$	3,336,911.01

CARRIED

06-19

06-32 Moved by Alexander and Grenier that Report P&R-2006-07 regarding Tourism Mandate be received for information.

CARRIED

06-20 Moved by Dzugan and Larouche that Welland City Council has no objection to the application by Welland & District Slo-pitch League Inc., for a Special Occasion Permit to operate an alcoholic beverage tent at a baseball tournament being hosted by Welland and District Slo-pitch League Inc. at the Welland Sports Complex on June 23, 24, & 25, 2006, subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and That Welland City Council declares the event as municipally significant.

CARRIED

06-21 Moved by Dzugan and Larouche that the request from The Hope Centre to hold on July 29, 2006 a community celebration event to mark the one-year anniversary of the opening of Hope House and to close a section of East Main Street with barricades and to waive any fees pertaining to permits and setting up and dismantling of the barricades be received and referred to staff for study and report.

CARRIED

06-28 Moved by O'Dell and Grimaldi that the City of Welland enters into collaborative relationship with the Welland Heritage Council and Multicultural Centre and its partners to undertake the following:

- Explore and identify potential/viable municipal sites for the development of the Welland Heritage Council and Multicultural Centre Multi-faces Newcomer and Affordable Transitional Housing Unit (28 units);
- Identify and confirm potential funding sources along with technical expertise and knowledge.
- Identify and confirm a Strategic Steering Committee consisting of (2) members of the Welland Council; Welland Heritage Council Building Committee; Community Partner(s) and appropriate City Staff.
- Identify and confirm realistic critical path/timetable.
- That, if approved, the "Strategic Steering Committee" report back on its findings and recommendations by January 31, 2007.

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06-28 Moved by Spadafora and Dzugan that the matter regarding the expansion of the Welland Heritage Council and Multicultural Centre be received and be referred back to staff for study and report for the General Committee of June 27th, 2006.

CARRIED

06-95 Moved by Sharpe and Dzugan

1. That Council accepts the tender, of Norjohn Contracting & Paving Ltd., for the Roadway Resurfacing Program 2006, as presented in report ENG-2006-31;
2. That the City Solicitor be directed to prepare all necessary and appropriate by-laws to enter into a contract with the said contractor, to execute the construction, at the tender price of \$1,119,315.10 plus applicable G.S.T.;
3. That financing for the project be in accordance with the approved 2006 Capital Budget for Roadways Road Resurfacing and Sidewalks Replacement Programs.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

05-43

06-43

Moved by Dzugan and Larouche

1. That Council sell part of Lot 170, Plan 565 located on the north side of Sixth Street, west of King Street, known municipally as 58 Sixth Street to Habitat for Humanity Niagara for the sum of \$9,300.00;

2. That the City Solicitor be instructed to prepare the Agreement of Purchase and Sale and all necessary By-laws;
3. That the Mayor and Acting Clerk be authorized to execute all necessary documents relative to the transfer;
4. That the proceeds from the sale be used to off-set expenses related to the property; and
5. That the cost of any new sanitary lateral and the cost for a Building Permit fee be paid utilizing the remaining \$4,500.00 budget amount set aside for the payment of a Development Charge.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

06-4

BYL 2006 – 74

A By-law to establish tax ratios and tax rates and to levy taxes for the year 2006.

06-15

BYL 2006 – 75

A By-law to terminate the Firefighter Defibrillation Agreement with the Niagara Health System.

06-22

BYL 2006 – 76

A By-law to repeal By-law 2005-133, being a By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at the Welland County General Hospital.

06-92

BYL 2006 - 77

A By-law to authorize the acceptance of the tenders and entering into contracts with A-1 Asphalt Maintenance Ltd. for the Utility Cut Final Reinstatement 2006.

06-95

BYL 2006 - 78

A By-law to authorize the acceptance of tender and entering into a contract with Norjohn Contracting & Paving Ltd. for Roadway Resurfacing Program 2006.

06 - 96

BYL 2006 - 79

A By-law to authorize the entering into a contract with Hard-Rock Construction Inc. for the construction and replacement of sanitary storm sewers and watermains on Smith, Chippawa, McCormick and Dufferin Streets, and site improvement for Notre Dame College Catholic School and St. Kevin Catholic School.

06-97

BYL 2006 - 80

A By-law to authorize the retention of XCG Consultants Limited to undertake the Broadway Avenue Area Inflow and Infiltration Study.

06-1

BYL 2006 –81

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 6th day of June, 2006.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Larouche 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 Acting Clerk do sign and seal the same.

CARRIED

NOTICE OF MOTION

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16, 2001, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, June 14, 2006 for inclusion on the June 20, 2006 Regular Council Meeting Agenda.

01-96 Councillor Dzugan gave Notice of Motion of the following issue to be presented to Council at the June 20th, 2006 Regular Council Meeting:

That the City of Welland increase the time of by-law coverage to 7 days a week during the hours of 8:30 a.m. to 12:00 p.m. and increase the number of by-law enforcement officers accordingly, and to implement this motion immediately.

Council adjourned at 10:22 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of June, 2006.

MAYOR

ACTING CLERK