



**COUNCIL MEETING, JUNE 20, 2006**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 7:15 p.m. and in open session at 7:45 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

(Mayor Goulbourne vacated the Chair at 7:50 p.m. and Rose Queen Carla Gobbi assumed the Chair to read her essay, regarding the future of Welland, which won an award at the Rose Festival Coronation Ball. The Mayor assumed the Chair at 7:55 p.m.)

**Members Present:** Councillors D. Alexander (7:20 p.m.), D. Beaudoin (until 9:30 p.m.), P. Chiocchio, M. Dzugan (until 10:15 p.m.), D. Fortier, P. Grenier (7:20 p.m.), M. A. Grimaldi, S. O'Dell (7:25 p.m. until 10:00 p.m.), B. Sharpe (7:20 p.m.) and J. Spadafora (until 10:15 p.m.).

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

Acting City Manager C. Stirtzinger

Acting City Clerk B. Gallaccio

City Solicitor G. Banks (7:45 p.m. until 9:50 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:45 p.m.)

Mgr. Budgets & Fin, Rprt./Deputy Treasurer K. Douglas

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

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

General Manager of Planning and Development Services D. Thorpe (7:45 p.m.)

Purchasing Agent M. Fortier (7:45 p.m. until 9:05 p.m.)

Mgr., Traffic and Parking Operations D. Fergusson (7:45 p.m. until 10:05 p.m.)

**06-25** Moved by Dzugan and Beaudoin that Council meet in Committee-of-the-Whole, closed to the public at 7:15 p.m. to consider:

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

**CARRIED**

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

**CARRIED****PRESENTATIONS:**

Mayor Goulbourne and Jane Thompson , Parade Chair, Rose Festival presented certificates to the 2006 Rose Queen Carla Gobbi and her Court: First Princess Lauryn Wiles; Second Princess Christine Szabo and Miss Congeniality Joanna Presti.

Yvette Ward was not in attendance to receive the Community Recognition Award.

**DELEGATIONS:**

**06-28** Jason Burgss, Chair, and Dr. Heime Geffen, Honorary Chair, "When Time is Precious" addressed Council regarding general update on Hospice Niagara Campaign.

**06-59** Harvey Russell, Vice President of Business Development, and Michael Chesney, Project Manager for Pointe of View Developments addressed Council regarding proposed development for 330 Prince Charles Drive.

**THE FOLLOWING CORRESPONDENCE WAS READ:**

**06-19** Janice Makepeace, Community Recreation Coordinator, City of Welland Parks and Recreation Department requesting permission for a fireworks display for Canada Day Celebrations to be held at Memorial Park on Saturday, July 1, 2006 and for the annual Family Day to be held on at St. George Park on Sunday, August 6, 2006.

**THE FOLLOWING CORRESPONDENCE WAS RECEIVED:**

**98-62** Gen. Mgr. Planning and Development Services D. Thorpe – Request for extension for Draft Plan Approval – The Highlands Subdivision (formerly St. Andrew's Terrace Subdivision) (File 26T-14-97005).

**01-161** Acting City Mgr. C. Stirtzinger – Strategic Plan Performance Measures.

**02-35** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Thorold Road Corridor Review.

**02-35** A By-law to authorize the retention of Totten Sims Hubicki Associates to conduct a Class Environmental Assessment of Thorold Road between Rice Road and South Pelham Road.

**04-120** Kim Siddall, The Corporation of the Municipality of Leamington – Re: Canadian – Ontario Municipal Rural Infrastructure Fund (COMRIF).

**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 20<sup>th</sup> day of June, 2006.

**06-3** Acting City Clerk B. Gallaccio – Niagara District Homes Committee (Tanguay Place) – request to use lottery proceeds for capital cost renovations.

**06-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri-Debenture Request 2006.

**06-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – May 27, 2006 to June 13, 2006.

**06-20** Chantal Moore, Vice President and Bonnie Buote, Secretary, Welland Snowmobile Club – requesting Special Occasion Permit on August 26, 2006 to raise money and awareness for Special

Needs Children.

**05-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Traffic Calming Program.

**06-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Thorold Road and First Avenue Safety Review.

**06-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – 2004/2005 Collision Statistics.

**06-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Speed Watch Program.

**06-46** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri-Request for authorization to procure a John Deere 410G Back Hoe and 444J Loader as per the 2006 Fleet Replacement Program.

**06-80** Gen. Mgr. Planning and Development Services D. Thorpe – Proposed By-law to remove the Holding (H) Symbol from land located on the south side of Lincoln Street east of Riverside Drive, municipally known as 19 Lincoln Street.

**06-80** A By-law to amend Zoning By-law 2667 upon the application of 1477862 Ontario Inc., O/A Heathwill Holdings to remove the Holding Symbol “H” from certain lands on the south side of Lincoln Street, east of Riverside Drive known municipally as 19 Lincoln Street.

**06-107** Association of Municipalities of Ontario (AMO) – requesting support of McGuinty’s fiscal imbalance efforts.

**06-111** Gen. Mgr. Planning and Development Services D. Thorpe – Acceptance of a dedication of land and to lay out, establish and name Part 1, Plan 59R-13096 being a 3.0 metre road widening as part of Sumbler Road.

**06-111** A By-law to dedicate Part of Lot 1, Concession 12, former Township of Pelham now in the City of Welland, being Part 1 on Plan 59R-13096 as a Public Highway and naming the same Sumbler Road (File B002/2006WELL).

**06-111** A By-law to accept the transfer of certain lands for road widening purposes being Part of Lot 1, Concession 12, former Township of Pelham, more particularly described as Part 1 on Plan 59R-13096 from Hert Inc. to the Corporation of the City of Welland on the south side of Sumbler Road, west of South Pelham Road (File B002/2006WELL).

**06-1** Moved by Dzugan and Chiocchio that the Minutes of the Regular Council Meeting of June 6, 2006 and June 13, 2006 be and the same are hereby approved and adopted as circulated.

**CARRIED**

**98-62** Moved by Alexander and Chiocchio that Council approve an extension to Draft Plan Approval for the Highlands Subdivision (formerly St. Andrew’s Terrace Subdivision) (File: 26T-14-97005) for one (1) year to July 27, 2007 as requested by Allan Windrem of Dillon Consulting on behalf of D’Orazio Group of Companies.

**CARRIED**

**01-161** Moved by Alexander and Chiocchio

1. That Report CM-2006-11 Re: Strategic Plan Performance Measures be received for information and referred to the Strategic Planning Steering Committee for its review.
2. That the general references to “taxpayers” in the Corporation’s Strategic Priorities be replaced with the term “citizens” to reflect the Corporation’s commitment to improve its service focus to its citizens.
3. That staff reports to Council include a section entitled Strategic Planning Priority which will describe the relationship of the staff recommendation to the Corporation’s Strategic Plan.

4. That the 2004–2006 Strategic Planning Priority 2.3 be amended to change the word “implementation” to “development” so that this Strategic Planning Priority would read “Development of the plan of the Canal Corporation”.

**CARRIED****02-35** Moved by Alexander and Chiocchio

1. That City Council City Council approves the expansion of the current study area from the intersection of Clare Avenue and Thorold Road to include the completion of the Class Environmental Assessment of Thorold Road between Rice Road and South Pelham Road, and;
2. That Totten Simms Hubicki Associates (TSH) be retained to complete the Environmental Assessment in the amount of \$89,772.

**CARRIED**

**04-120** Moved by Grenier and Sharpe that Council endorses the resolution from the Corporation of the Municipality of Leamington regarding the Canadian-Ontario Municipal Rural Infrastructure Fund (COMRIF) and requests that AMO and the Federal and Provincial Governments develop a program that will support infrastructure sustainability by providing a yearly stream of funding to all rural municipalities without the municipality having to expend funds and exhaust limited resources in developing businesses cases; and further

That the Acting City Clerk advise the proper authorities accordingly.

**CARRIED****05-22** Moved by Chiocchio and Sharpe

1. That City Council approves the attached Traffic Calming Program, Policy and Procedure; and
2. That staff be directed to undertake investigations for requests of traffic calming measures as per the Traffic Calming Program.

**CARRIED**

**06-3** Moved by Alexander and Chiocchio that Welland City Council grants the request by the Niagara District Homes Committee, 675 Tanguay Avenue, Welland to use up to 50% of its gaming proceeds for the capital costs of improving the driveway and sidewalk as noted in its request received March 7th, 2006.

**CARRIED****06-4** Moved by Beaudoin and Chiocchio

1. That the City of Welland requests that the Regional Municipality of Niagara issue debentures in the amount of \$3,729,000 in accordance with the terms of the various authorizing by-laws outlined in Schedule 'A' to Report FIN 06-09 dated June 20, 2006.
2. That the Acting City Clerk and Treasurer be and they are hereby directed to make available to the Regional Municipality of Niagara certified copies of all applicable By-laws and Orders of the Ontario Municipal Board applicable and all other information required in connection thereto to ensure the issue of the debentures in the amount of \$3,729,000 are for the projects described on the said Schedule 'A'.

**CARRIED**

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

1	30-May-2006	\$	24,035.88
2	01-Jun-2006		284,205.54
3	06-Jun-2006		1,102,298.37
4	07-Jun-2006		62,843.02

5	08-Jun-2006	54,684.76
6	12-Jun-2006	111,371.41
7	13-Jun-2006	<u>9,710.91</u>
	<b>Total</b>	<b>\$ 1,649,149.89.</b>

**CARRIED**

**06-19** Moved by Alexander and Chiocchio that Council approves the application from the Welland Recreation Projects Association to hold fireworks displays on Saturday, July 1, 2006 as part of the Canada Day Celebrations at Memorial Park and on Sunday, August 6, 2006 as part of the annual Family Day at St. George Park subject to the applicant's completion of all conditions of the City of Welland's Fireworks By-law 2003-127.

**CARRIED**

**06-20** Moved by Alexander and Chiocchio that Welland City Council has no objection to the issuance of Special Occasion Permit to the Welland Snowmobile Club to hold an all day event at the Welland Snowmobile Club, Memorial Park Drive on August 26, 2006, subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

**CARRIED**

**06-22** Moved by Chiocchio and Grimaldi

1. That City Council approves the lane modifications at the intersection of Thorold Road and First Avenue and that staff take appropriate action to implement; and
2. That staff continue to monitor the intersection of Thorold Road and First Avenue and report back in approximately one year as to update City Council on the operation of the intersection.

**CARRIED**

**06-22** Moved by Alexander and Chiocchio that report TRAF-2006-16 re: 2004/2005 Collision Statistics be received for information.

**CARRIED**

**06-22** Moved by Chiocchio and Sharpe that City Council supports the initiative of the City of Welland Speed Watch Program.

**CARRIED**

**06-28** Moved by Spadafora and Grenier that the presentation by Jason Burgss, Chair and Dr. Heime Geffen, Honorary Chair, "When Time is Precious", regarding plans to build a Hospice Palliative Care Centre for the Niagara Region be received for information.

**CARRIED**

**06-46** Moved by Grenier and Chiocchio

1. That Council approve the acquisition of one 410G Wheel Loader Backhoe and one 444J Powerllet Loader from John Deere.
2. That Council approves the debenture financing of these fleet items.

**CARRIED**

**06-59** Moved by Dzugan and Fortier that the presentation by Harvey Russell, Vice President of Business Development, Pointe of View Developments, regarding the proposed development of 330 Prince Charles Drive be received for information.

**CARRIED**

**06-80** Moved by Alexander and Chiocchio

1. That Council pass a By-law to remove the Holding (H) Symbol on land located at 19 Lincoln Street, to permit the development of a commercial site in accordance with the provisions of Zoning By-law 2006-37; and
2. That Staff be authorized to prepare the necessary By-law.

**CARRIED**

**06-107** Moved by Alexander and Grenier that Welland City Council supports the Association of Municipalities of Ontario's model resolution regarding the Government of Ontario's position and its efforts to address the federal/provincial fiscal imbalance with the following amendments:

That paragraph #5 be amended to read as follows:

***WHEREAS the Government of Ontario is also calling for a thorough, principle review of fiscal arrangements through a National Public Commission that would include municipal governments and their organizations as partners"; and***

That the last Paragraph be amended to read as follows:

***FURTHER BE IT RESOLVED THAT John Maloney, MP; Peter Kormos, MPP; the Right Honourable Stephen Harper, Prime Minister of Canada, the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Jim Flaherty, Federal Minister of Finance, the Honourable John Gerretsen, Ontario Minister of Municipal Affairs and Housing, the Honourable Maire Bountrogianni, Ontario Minister of Intergovernmental Affairs, and the Association of Municipalities of Ontario, Federation of Canadian Municipalities, and Association francaise des municipalities de l'Ontario, be advised that this Council supports Ontario's position on the fiscal imbalance.***

**CARRIED**

**06-111** Moved by Alexander and Chiocchio

1. That Council accept a Transfer for Part of Lot 1, Concession 12, former Township of Pelham, now in the City of Welland being Part 1, Plan 59R-13096 from Hert Inc. for road widening purposes to satisfy a Condition of Consent imposed by the Committee of Adjustment;
2. That Staff be authorized to prepare the necessary By-laws to accept the Transfer and to dedicate Part 1, Plan 59R-13096 as part of Sumbler Road; and
3. That the Mayor and Acting Clerk be authorized to execute all documentation with respect to these transactions.

**CARRIED**

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

**06-24** Moved by Dzugan and Spadafora

1. That effective as of January 1st, 2006, the City Solicitor's retainer be increased to reflect increments previously granted to other Non-Union staff for the period 2003-2006; and

2. For all years subsequent to 2006, the City Solicitor's retainer is to be increased by the same percentage economic adjustment which is approved for all Non-Union staff.

**CARRIED**

***(Councillor Mary Ann Grimaldi asked to be recorded as opposed to this Resolution).***

## **BY-LAWS**

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

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

**02-35**

BYL 2006 – 83

A By-law to authorize the retention of Totten Sims Hubicki Associates to conduct a Class Environmental Assessment of Thorold Road between Rice Road and South Pelham Road.

**06-80**

BYL 2006 – 84

A By-law to amend Zoning By-law 2667 upon the application of 1477862 Ontario Inc., O/A Heathwill Holdings to remove the Holding Symbol "H" from certain lands on the south side of Lincoln Street, east of Riverside Drive known municipally as 19 Lincoln Street.

**06-111**

BYL 2006 – 85

A By-law to dedicate Part of Lot 1, Concession 12, former Township of Pelham now in the City of Welland, being Part 1 on Plan 59R-13096 as a Public Highway and naming the same Sumbler Road (File B002/2006WELL).

**06-111**

BYL 2006 – 86

A By-law to accept the transfer of certain lands for road widening purposes being Part of Lot 1, Concession 12, former Township of Pelham, more particularly described as Part 1 on Plan 59R-13096 from Hert Inc. to the Corporation of the City of Welland on the south side of Sumbler Road, west of South Pelham Road (File B002/2006WELL).

**06-1**

BYL 2006 – 87

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 20<sup>th</sup> 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 Alexander and Chiocchio 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, July 12, 2006 for inclusion on the next Regular Council Meeting Agenda of July 18, 2006.**

**06-114** Councillor Fortier gave Notice of Motion of the following issue to be presented to Council at the July 18, 2006 Regular Council Meeting:

***That City of Welland and all its citizens, would like to engage key stakeholders, historians, and other interested organizations in creating a recognized committee to commemorate Welland's 150<sup>th</sup> Anniversary in 2008.***

Council adjourned at 10:31 p.m.

These Minutes approved and adopted by Motion of Council this 18<sup>th</sup> day of July, 2006.

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**MAYOR**

**ACTING CLERK**