



COUNCIL MEETING, SEPTEMBER 19, 2006

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:20 p.m. and in open session at 7:35 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present: Councillors: D. Alexander, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier, M. A. Grimaldi, (6:25 p.m.), J. Larouche, S. O'Dell, B. Sharpe (6:30 p.m.) and J. Spadafora.

Members of the Staff and Others Present:

City Manager P. Simmons

City Clerk C. Stirtzinger

Acting City Clerk B. Gallaccio

City Solicitor G. Banks

Acting Chief, Fire & Emergency Services K. Roach (7:35 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:35 p.m.)

General Manager of Human Resources R. Beaumont (until 7:35 p.m.)

Deputy Clerk C. Mintoff (7:35 p.m.)

General Manager of Planning and Development Services D. Thorpe (7:15 p.m.)

General Manager of Parks and Recreation B. LaPlante (7:35 p.m.)

Facilities Manager P. Inman (7:35 p.m.)

Manager, Leisure Services R. Morwald (7:35 p.m.)

06-25 Moved by Larouche and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 6:20 p.m. to consider:

- a) a proposed or pending acquisition or disposition of land by the municipality or local board; and
- b) labour relations or employee negotiations.

CARRIED

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

CARRIED

PRESENTATION:

Community Involvement Recognition

Presentation of plaque by Councillor Dzugan to Sandy Valleriani.

DELEGATIONS:

06-5 Sylvia Berkhout, Executive Director of the Hope Centre, and partners of the Hope Centre addressed Council requesting a grant for the Housing Stabilization Program.

06-143 Peter Partington, Regional Chair; Dr. Doug Sider, Associate Medical Officer of Health for the Niagara Region; John Corlett, Dean of Faculty of Applied Health Sciences at Brock University and a member of the Regional Chairman's Leadership Round Table addressed Council regarding the final report of the Round Table - Our Community Strategy for a Healthy, Active Niagara.

06-28 Mr. Bill Auchterlonie, Executive Director United Way South Niagara; Patrice Johnson, Principal, and Courtney Carthew, student, of Empire School addressed Council regarding the Empire School Neighbourhood Project.

06-28 Jeff J. McQuggin, Lieutenant & Commanding Officer, Royal Canadian Sea Cadets and Margaret Taylor, President, Navy League of Canada addressed Council regarding its future accommodations and update of its activities.

PUBLIC HEARING PURSUANT TO SECTION 357 – TAX WRITE-OFFS

- No one was present to speak to this matter.

There being no submissions the hearing was concluded.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

02-85 Russ Findlay, Chair, Accessibility Advisory Committee updated Council on the 2006/07 Accessibility Plan for the City of Welland.

04-19 Brenda Herchmer and Martha Barnes, Co-Chairs of the Parks, Recreation and Culture Master

Plan Steering Committee and Rob Lockhart, ReThink Group addressed Council regarding the Parks, Recreation and Culture Master Plan.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 99-43** Ross Peever, President & CEO, Welland Hydro-Electric System Corp. - Welland WiFi Corp.
- 01-15** General Mgr. Parks & Recreation B. LaPlante – Lease Agreement - Regional Municipality of Niagara, on behalf of Niagara Emergency Medical Service for Space at Rose Avenue Fire Station.
- 01-15** A By-law to authorize an amendment to the License of Occupation with the Regional Municipality of Niagara for use of the Rose Avenue Fire Station ; and to amend By-law 2001-105.
- 02-85** Accessibility Advisory Committee – Russ Findlay, Chair.
- 02-85** Gen. Mgr. Parks & Recreation B. LaPlante – 2006/07 Accessibility Plan for the City of Welland.
- 03-4**
- 04-4**
- 05-4**
- 06-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Application for Tax Write-Offs – Section 357.
- 03-138** A By-law to authorize the exchange of property with 403526 Ontario Limited, being Part Lot 27, Concession 7, designated as Parts 1, 2 and 3, on Reference Plan 59R-12335 (Broadway Avenue Area).
- 03-139** Gen. Mgr. of Planning and Development Services D. Thorpe – Request for extension to draft approval – Niagara Centre Developments Subdivision – Calloway Reit (Welland) Inc. and Niagara Centre Land Development Limited (File 26T-14-97003).
- 04-19** Parks, Recreation and Culture Master Plan Steering Committee – Members of the Master Plan Steering Committee and Rob Lockhart, ReThink Group – Parks, Recreation and Culture Master Plan.
- 04-19** Gen. Mgr. Parks & Recreation B. LaPlante – Parks, Recreation and Culture Master Plan Final Report.
- 04-111** General Mgr. Parks & Recreation B. LaPlante – Lease Agreement - Elections Canada Office at 225 East Main Street.
- 05-55** Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed Subdivider’s Agreement with Adisco Limited (File 26T-14-03003) south side of Woodlawn Road, east of South Pelham Road.
- 05-55** A By-law to authorize the signing of a Subdivider’s Agreement with Adisco Limited with respect to the development of Woodlawn Meadows Subdivision (File 26T-14-03003).
- 05-55** A By-law to accept the transfer of an easement(s) for storm sewers from Adisco Limited to the Corporation of the City of Welland in the Woodlawn Meadows Subdivision (File 26T-14-03003).
- 05-55** A By-law to accept the transfer of certain Blocks for access purposes from Adisco Limited to the Corporation of the City of Welland in the Woodlawn Meadows Subdivision (File 26T-14-03003).
- 05-55** A By-law to accept the transfer of Block 42 for future road purposes from Adisco Limited to the Corporation of the City of Welland in the Woodlawn Meadows Subdivision (File 26T-14-03003)
- 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 19th day of September, 2006.
- 06-3** Acting City Clerk B. Gallaccio – Lottery License.
- 06-3** David S. Brown, Executive Director, the Air Cadet League of Canada 79th and 87th Eagle Squadrons – requesting permission to sell raffle tickets in the City of Welland.
- 06-5** Sylvia Berkhout, Executive Director, The Hope Centre – grant for Housing Stabilization Program.
- 06-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – August 11, 2006 to September 10, 2006.
- 06-19** Gen. Mgr. Parks & Recreation B. LaPlante – Tender results for Rolling Acres Park Improvements.
- 06-19** Gen. Mgr. Parks & Recreation B. LaPlante – Tender results for Bemus, Broadway and Westbrook Park Improvements.
- 06-21** Tony Tirone, Regional Development Manager, The Kidney Foundation of Canada – requesting permission to hold a **“Walkathon”** on Sunday, October 1, 2006.
- 06-22** A By-law to amend Schedule I of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.
- 06-28** Mr. Bill Auchterlonie, Executive Director United Way South Niagara and Patrice Johnson, Principal and Courtney Carthew, student of Empire School – Empire School Neighbourhood Project.

- 06-28** Jeff J. McQuuggin, Lieutenant & Commanding Officer, Royal Canadian Sea Cadets and Margaret Taylor, President, Navy League of Canada – future accommodations and update on its activities.
- 06-62Z** A By-law to amend City of Welland Zoning By-law 2667 (1650666 Ontario Inc. – File 2005-18) 290 Riverside Drive.
- 06-127Z** Gen. Mgr. of Planning and Development Services D. Thorpe – Deferral request for proposed amendment to the Official Plan and Zoning By-law 2667 – Peninsula Commercial Corp., 64 Kingsway (File 2006-08).
- 06-143** Peter Partington, Regional Chair; Dr. Doug Sider, Associate Medical Officer of Health for the Niagara Region; and John Corlett, Dean of Faculty of Applied Health Sciences at Brock University and a member of the Regional Chairman's Leadership Round Table –final report of the Round Table - Our Community Strategy for a Healthy, Active Niagara.
- 06-144** Nora Reid, Secretary Heritage Welland (LACAC) – approval of alterations to front doors of Central United Church, designated in 1987 under the *Ontario Heritage Act*.

06-1 Moved by Spadafora and Larouche that the Minutes of the Regular Council Meeting of July 18, 2006, August 22, 2006 and Special Council Meeting of September 5, 2006 be and the same are hereby approved and adopted as circulated.

CARRIED

99-43 Moved by Spadafora and Larouche that Council authorizes the transfer of funds budgeted at \$47,000 in 2006 to the Welland Hydro subsidiary company Welland WiFi to initiate wireless communication sites within the City of Welland.

CARRIED

01-15 Moved by Spadafora and Larouche that the City of Welland renew a lease agreement for a period of five years, with the Regional Municipality of Niagara, on behalf of Niagara Emergency Medical Service, for the provision of space at the Rose Avenue Fire Station.

CARRIED

02-85 Moved by Spadafora and Larouche that the presentation by Russ Findlay, Chair, Accessibility Advisory Committee updating Council on the 2006/07 Accessibility Plan for the City of Welland be received for information.

CARRIED

02-85 Moved by Grimaldi and Chiochio that in accordance with the *Ontarians with Disabilities Act (OAD), 2001*, Council approves the Annual Accessibility Plan, attached as Schedule "A" to Report P&R-2006-16, dated September 19, 2006.

CARRIED

03-4

04-4

05-4

06-4 Moved by Larouche and Sharpe that pursuant to Section 357 of the *Municipal Act, 2001*, Council approve the write-off taxes in the amount of \$35,285.86 as contained in Report FIN-06-11, as amended, listing the reasons for reduction or cancellation and assessment values.

CARRIED

03-139 Moved by Spadafora and Larouche that Council approve an extension to the Draft Approval for the Niagara Centre Developments Subdivision (File: 26T-14-97003) for one (1) year to October 9, 2007 as requested by Mario Bevacqua.

CARRIED

04-19 Moved by O'Dell and Spadafora that Council approves the Parks, Recreation and Culture Master Plan as presented by the Steering Committee and The ReThink Group; and That staff investigate and report to Council on the formation of a Citizens Committee whose primary responsibility will be to provide input on the implementation of the Parks, Recreation and Culture Plan.

NOT PUT

04-19 Moved by O'Dell and Spadafora that Report P&R-2006-19 - Parks, Recreation and Culture Master Plan Final Report dated September 19, 2006 be deferred to the October 3, 2006 Council Meeting.

CARRIED

04-111 Moved by Spadafora and Larouche that the City of Welland establish a draft Lease Agreement and Right of First Refusal to Lease with Elections Canada to establish a Returning Office at Suite 206 at 225 East Main Street.

CARRIED

04-55 Moved by Spadafora and Larouche

1. That the City of Welland enter into a Subdivider's Agreement with Adsico Limited with respect to the development of a residential Plan of Subdivision (Woodlawn Meadows Subdivision) located on Part of Lots 246, former Township of Thorold, now the City of Welland, south side of Woodlawn Road, east of South Pelham Road;
2. That the Mayor and Clerk be authorized to execute any necessary documents associated with the Subdivision; and
3. That the Mayor be authorized to sign the Final Plan of Subdivision to allow the Plan to be registered once all Conditions of Draft Approval have been met and the Plan has been checked for conformity.

CARRIED

06-3 Moved by Spadafora and Larouche that a Lottery License be granted to the following: Adolescent's Family Support Services of Niagara - Raffle.

CARRIED

06-3 Moved by Spadafora and Larouche that permission is hereby granted to the Air Cadet League of Canada – 79th and 87th Eagle Squadrons to sell raffle tickets in the City of Welland under authority of Lottery License P061118; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

06-5 Moved by Grimaldi and O'Dell that Council approves a grant in the amount of \$85,000.00 to the Hope Centre for the Housing Stabilization Program; and That the amount of \$21,250.00 be pro-rated monthly over the balance of 2006.

LOST

06-5 Moved by O'Dell and Sharpe that the presentations by Sylvia Berkhout, Executive Director of the Hope Centre, and its partners, requesting a grant for the Housing Stabilization Program be received and referred to staff for study and report to the Budget Review Committee for its consideration.

CARRIED

06-7 Moved by Spadafora 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-Aug-2006	\$	588,975.10
2	18-Aug-2006		423,492.16
3	21-Aug-2006		2,621.55
4	22-Aug-2006		189,745.92
5	25-Aug-2006		100.00
6	28-Aug-2006		1,913,768.01
7	29-Aug-2006		290,995.66
8	01-Sep-2006		496,752.54
9	05-Sep-2006		86,088.18
10	06-Sep-2006		62,056.78
11	07-Sep-2006		155,393.90
12	08-Sep-2006		<u>198,103.55</u>
	Total	\$	4,408,093.35.

CARRIED

06-19 Moved by Chiocchio and Sharpe that Council approves the transfer of \$6,000.00 from the 2006 Capital Budget for the Maple Park project to the Rolling Acres Park project; and That Council accepts the tender from Touchstone Site Contractors Inc. for a total cost of \$125,373.00 excluding applicable taxes, for site work and improvements to Rolling Acres Park; and That Council approves the transfer of \$45,000.00 from the 2006 Capital Budget for the Maple Park and Aqueduct Park projects to the Bemus, Broadway and Westbrook Parks; and further That Council accepts the tender from Artisan Landcraft for a total cost of \$184,180.23 excluding applicable taxes, for site work and improvements to Bemus, Broadway and Westbrook Parks.

CARRIED

(Councillors Chiocchio and Alexander asked to be recorded as opposed to this Resolution).

06-21 Moved by Spadafora and Larouche that Welland City Council approves the application of The Kidney Foundation of Canada to hold a "Walkathon" on Sunday, October 1, 2006 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

06-28 Moved by Larouche and Alexander that the presentation by Mr. Bill Auchterlonie, Executive Director United Way South Niagara; Patrice Johnson, Principal, and Courtney Carthew, student, of Empire School regarding the success of Empire School Neighbourhood Project be received for information.

CARRIED

06-28 Moved by Spadafora and Sharpe that the presentation by Jeff J. McQuiggin, Lieutenant & Commanding Officer, Royal Canadian Sea Cadets and Margaret Taylor, President, Navy League of Canada regarding its future accommodations and update of activities be received for information.

CARRIED

06-127Z Moved by Spadafora and Larouche that Council grant a deferral concerning the Applications to Amend the City of Welland Official Plan and Zoning By-law 2667, for lands municipally known as 64 Kingsway, for a period of six months.

CARRIED

06-143 Moved by O'Dell and Larouche that the presentation by Peter Partington, Regional Chair; Dr. Doug Sider, Associate Medical Officer of Health for the Niagara Region; and John Corlett, Dean of Faculty of Applied Health Sciences at Brock University and a member of the Regional Chairman's Leadership Round Table regarding the final report of the Round Table - Our Community Strategy for a Healthy, Active Niagara be received for information.

CARRIED

06-144 Moved by Spadafora and Larouche that Council, as per the recommendation of Heritage Welland (LACAC), approves the alterations to the front doors of Central United Church at 88 King Street.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

06-24 Moved by Spadafora and Dzugan that City Solicitor George Banks be appointed as Deputy Clerk in the absence of the Acting Clerk during discussion on a labour relations or employee negotiation matter.

CARRIED

06-146 Moved by Larouche and O'Dell

1. That Report PDS 2006-77 from dated September 19, 2006 regarding City-owned lands on the east side of unopened Logan Avenue, north of Glenwood Parkway (Part of Block A, Plan 821, City of Welland) be received;
2. That Council declare surplus to the City's needs lands on the east side of unopened Logan Avenue, north of Glenwood Parkway (Part of Block A, Plan 821); and,
3. That any subsequent sale of lands on the east side of unopened Logan Avenue, north of Glenwood Parkway (Part of Block A, Plan 821, City of Welland) be carried out in accordance with City Policy and the *Municipal Act, 2001*.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

04-55

BYL 2006 – 132

A By-law to authorize the signing of a Subdivider's Agreement with Adisco Limited with respect to the development of Woodlawn Meadows Subdivision

(File 26T-14-03003).

04-55

BYL 2006 - 133

A By-law to accept the transfer of an easement(s) for storm sewers from Adisco Limited to the Corporation of the City of Welland in the Woodlawn Meadows Subdivision (File 26T-14-03003)

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:

04-55

BYL 2006 – 134

A By-law to accept the transfer of certain Blocks for access purposes from Adisco Limited to the Corporation of the City of Welland in the Woodlawn Meadows Subdivision (File 26T-14-03003)

04-55

BYL 2006 – 135

A By-law to accept the transfer of Block 42 for future road purposes from Adisco Limited to the Corporation of the City of Welland in the Woodlawn Meadows Subdivision (File 26T-14-03003)

06-22

BYL 2006 – 136

A By-law to amend Schedule I of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.

06-62Z

BYL 2006 – 137

A By-law to amend City of Welland Zoning By-law 2667 (1650666 Ontario Inc. – File 2005-18) 290 Riverside Drive.

03-138

BYL 2006 – 138

A By-law to authorize the exchange of property with 403526 Ontario Limited, being Part Lot 27, Concession 7, designated as Parts 1, 2 and 3, on Reference Plan 59R-12335 (Broadway Avenue Area).

01-15

BYL 2006 – 139

A By-law to authorize an amendment to the License of Occupation with the Regional Municipality of Niagara for use of the Rose Avenue Fire Station; and to amend By-law 2001-105.

06-1

BYL 2006 – 140

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 September, 2006.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Spadafora 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 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, September 27, 2006 for inclusion on the next Regular Council Meeting Agenda of October 3, 2006.

Council adjourned at 11:07 p.m.

These Minutes approved and adopted by Motion of Council this 3rd day of October, 2006.

MAYOR

ACTING CLERK