



COUNCIL MEETING, OCTOBER 17, 2006

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:50 p.m. and in open session at 7:50 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present: Councillors: D. Alexander (6:55 p.m.), D. Beaudoin, M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier (7:00 p.m.), P. Grenier, M. A. Grimaldi, J. Larouche, S. O'Dell, B. Sharpe and J. Spadafora.

Members of the Staff and Others Present:

City Manager P. Simmons

General Manager of Communications, Council and Legislative Services/City Clerk C. Stirtzinger

Acting City Clerk B. Gallaccio

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:50 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:50 p.m.)

General Manager of Planning and Development Services D. Thorpe

General Manager of Parks and Recreation B. LaPlante (7:50 p.m.)

Chief, Fire & Emergency Services D. Prevost (7:50 p.m.)

Deputy Clerk C. Mintoff (7:50 p.m.)

(Employment Services Co-ordinator –Human Resources R. Mantesso was present during Committee-of-the-Whole discussions on a labour relations matter)

06-25 Moved by Larouche and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 6:50 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 Dzugan and Grenier that the Committee-of-the-Whole arise from its closed meeting at 7:40 p.m.

CARRIED

DELEGATIONS:

06-28 Shirley Perron, Welland Food Drive Co-ordinator addressed Council regarding the **"2006 Welland Food Drive"**, to be held on Saturday, November 4, 2006.

06-158 George Barkwell, GD Barkwell Associates on behalf of the Heavy Construction Association of Regional Niagara (HCARN) addressed Council regarding the Infrastructure Renewal and Municipal Accountability with the Region of Niagara – City of Welland Perspective.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

06-22 Mgr., Traffic & Parking Operations D. Ferguson and Parking Meter Attendant Tim Sliwinski, addressed Council regarding the Downtown Infrastructure considerations.

THE FOLLOWING CORRESPONDENCE WAS READ:

06-21 Letter from Robert Cummings, President, Royal Canadian Legion Branch 4 requesting permission to hold the **"Annual Remembrance Parade and Service"**, on Sunday, November 5, 2006.

06-24 A By-law to authorize the appointment of Craig A. Stirtzinger as General Manager, Communications, Council and Legislative Services/City Clerk.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

2000-43

2000-83 A By-law to authorize the retention of Phillips Engineering to provide engineering consultant services for New Development in the City of Welland.

04-92 A By-law to amend City of Welland Sign By-law 2005-21.

04-120 Town of Fort Erie – Public Sector Accounting Board Conversion.

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 17th day of October, 2006.

06-21 Janice Makepeace, Community Recreation Coordinator – on behalf of the Welland Recreation Projects Association – requesting permission to hold the Annual Santa Claus Parade.

06-28 Monique Finley, Volunteer - 2006 Welland Food Drive.

06-126Z A By-law to amend City of Welland Zoning By-law 2667 (Dain City Development Inc. – File 2006-07) north side of Forks Road, west of the Welland Canal and east of Canal Bank Street.

06-133 A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatrt Contracting Limited for the Watermain Replacement on Denistoun Street and Mill Street.

06-135 A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatrt Contracting Limited for the Watermain Replacement on Southworth Street.

06-154 A By-law to establish and adopt a City policy governing the assumption of Subdivisions.

06-157 Beverly Briscoe, Clerk-Treasurer, Township of Admaston/Bromley – Ontario Disaster Relief

Assistance Program.

06-1 Moved by Dzugan and Grenier that the Minutes of the Regular Council Meeting of October 3, 2006 and October 10, 2006 be and the same are hereby approved and adopted as circulated.

CARRIED

04-120 Moved by Grenier and Sharpe that Welland City Council supports the resolution of the Town of Fort Erie to request the Provincial Government to notify municipalities of their Canadian-Ontario Municipal Rural Infrastructure Fund (COMRIF) funding allocation for 2006 for the Public Sector Accounting Board Conversion (PSAB) and to commit additional funding for 2007/2008 so that municipalities may acquire the necessary resources to begin to plan and implement the new PSAB; and further That the Clerk advise the proper authorities accordingly.

CARRIED

06-21 Moved by Larouche and Alexander that Welland City Council approves the application from the Royal Canadian Legion Branch 4 for the "**Annual Remembrance Day Parade and Service**" to be held on Sunday, November 5, 2006 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

06-21 Moved by Larouche and Alexander that Welland City Council approves the application of the Welland Recreation Projects Association for the "**Annual Santa Claus Parade**" to be held on Saturday, December 2, 2006 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

06-22 Moved by Spadafora and Grenier that City Council receives the information provided in the presentation of "**Considerations for Downtown Infrastructure Improvements**" and directs staff to present this information to the public and stakeholders for review and comment; and That staff report back to City Council in the Spring of 2007.

CARRIED

06-28 Moved by Larouche and Chiocchio that the presentation by Shirley Perron Welland Food Drive Co-ordinator, regarding the 2006 City-wide Food Drive on Saturday, November 4, 2006 be received for information; and That Councillors and citizens be encouraged to participate in this community event.

CARRIED

06-157 Moved by Larouche and Alexander that Welland City Council supports the resolution of the Township of Admaston/Bromley to request the Government of Ontario to review and revise the present Ontario Disaster Relief Assistance Program to make it more economically feasible for use by Ontario municipalities, their rural residents and their respective businesses, farms and properties; and further That the Clerk advise the proper authorities accordingly.

CARRIED

06-158 Moved by Larouche and Fortier that the presentation by George Barkwell, GD Barkwell Associates on behalf of the Heavy Construction Association of Regional Niagara (HCARN) regarding the Infrastructure Renewal and Municipal Accountability with the Region of Niagara - City of Welland Perspective be received for information.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-99 Moved by Sharpe and Larouche

1. That Council accepts the Offer of Purchase and Sale from 2089845 ONTARIO INC., as amended by Council, for Part of Lot 26, Concession V, former Township of Crowland, now in the City of Welland being a 1.17± hectare parcel of land north of Lincoln Street, west of King Street for the nominal value of \$2.00;
2. That the Purchaser be responsible for the cost of the required Reference Plan, estimated at \$4,480.00;
3. That the Purchaser be required to execute an Environmental and Indemnity Agreement to be registered on Title; and
4. That Staff be authorized to prepare the necessary By-laws to finalize this transaction.

CARRIED

01-108 Moved by Alexander and Beaudoin

1. That the City of Welland accepts the Offer from Dakstar Nanticoke Ltd. for the Purchase of 17-19 East Main Street, in the amount of \$43,000.00;
2. That the Purchaser pay the balance of \$38,000.00, upon closing, subject to any adjustments, within thirty (30) days after the execution of an Agreement of Purchase and Sale;
3. That the net proceeds of the sale (sale price less Appraisal, advertising, Reference Plan and Demolition Permit costs) shall be deposited in the General Revenue Account in accordance with the Approved 2006 Budget;
4. That Staff be directed to undertake a Study of the area surrounding and including the subject lands to best determine the redevelopment potential of the lands;
5. That the City Clerk be directed to prepare the necessary By-law and documentation to finalize the sale; and
6. That the City of Welland pass an Interim Control By-law to limit the number of uses on the subject lands (i.e. prohibition on use as a parking lot) until such time as redevelopment plans for the site are prepared, a Site Plan Control Agreement is entered into, and a Building Permit is applied for or until such time as the Owner of the lands and the City reach an agreement on the future redevelopment of the site.

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01-108 Moved by Alexander and O'Dell that Report PDS-2006-91 Offer to Purchase City-owned lands-Part Lot 2 and 3 (south side East Main Street) Part Lot 10 (north side Division Street), Plan 564-17-19 East Main Street be deferred until such time as a study of the subject property has been completed.

LOST

FOLLOWING THE LOST VOTE ON THE DEFERRAL MOTION, THE MAIN MOTION WAS THEN PUT AND CARRIED

BY-LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE

BY-LAWS PRESENTED FOR FIRST READING:

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

99-99

BYL 2006 - 158

A By-law to authorize acceptance of an Offer to Purchase from 2089845 Ontario Inc. for the sale of surplus lands north of Lincoln Street, east of King Street, being Part of Lot 26, Concession 5.

01-108

BYL 2006 - 159

A By-law to designate certain lands known municipally as 17-19 East Main Street as an area of interim control.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Belcastro and Dzugan that the By-laws listed in the foregoing motion for first reading and 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

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

2000-43

2000-83

BYL 2006 – 160

A By-law to authorize the retention of Phillips Engineering to provide engineering consultant services for New Development in the City of Welland.

04-92

BYL 2006 – 161
A By-law to amend City of Welland Sign By-law 2005-21.

...continued...

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

06-126Z

BYL 2006 – 162

A By-law to amend City of Welland Zoning By-law 2667 (Dain City Development Inc. – File 2006-07) north side of Forks Road, west of the Welland Canal and east of Canal Bank Street.

06-133

BYL 2006 – 163

A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatr Contracting Limited for the Watermain Replacement on Denistoun Street and Mill Street.

06-135

BYL 2006 - 164

A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatr Contracting Limited for the Watermain Replacement on Southworth Street.

06-154

BYL 2006 - 165

A By-law to establish and adopt a City policy governing the assumption of Subdivisions.

06-24

BYL 2006 - 166

A By-law to authorize the appointment of Craig A. Stirtzinger as General Manager, Communications, Council and Legislative Services/City Clerk.

06-1

BYL 2006 - 167

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 17th day of October, 2006.

And that same be now read a first time.

CARRIED

(Councillor O'Dell asked to be recorded as opposed to By-law 2006-162)

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Larouche and Alexander 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

(Councillor O'Dell asked to be recorded as opposed to By-law 2006-162)

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, November 15, 2006 for inclusion on the next Regular Council Meeting of November 21, 2006.

Council adjourned at 10:05 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of November, 2006.

MAYOR

ACTING CLERK