



COUNCIL MEETING, NOVEMBER 21, 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 7:35 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

The open meeting commenced with the playing of the National Anthem.

Members Present:

Councillors D. Alexander, M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier, 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

City Solicitor G. Banks

Chief, Fire & Emergency Services D. Prevost (7:35 p.m.)

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

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

General Manager of Planning and Development Services D. Thorpe

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

06-25 Moved by Spadafora and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND meet in Committee-of-the-Whole, closed to the public at 7:15 p.m. to consider:

- a) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

06-25 Moved by Belcastro and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:30 p.m. without report.

CARRIED

PRESENTATION:

Presentation of plaques by Mayor Goulbourne to the Welland Midget Mustangs – Ontario Baseball Association – 2006 – “B” Division Champions: **Coaches:** Rick Young, Greg Strong and Steve Hiller **Players:** Dan Cavasin, Adam Crumb, Ryan Dear, Zac Fisher, Jon Hiller, Colton Hrcak, Shane Koabel, Will Mathieson, Rob Nixon, Drew Pettit, Greg Sagloski, Geoff Strong and Justin Young.

THE FOLLOWING CORRESPONDENCE WAS READ:

2000-107 A By-law to permit an encroachment onto the King Street road allowance to benefit the owners from time to time of the property known Municipally at 176-178 King Street.

01-126 Janet Beckett, City Clerk, City of Port Colborne re: Municipal Property Assessment Corporation (MPAC).

01-126 Janet Beckett, City Clerk, City of Port Colborne re: Assessment of Trailers in Ontario.

02-111 Gen. Mgr., Communications, Council & Legislative Services/City Clerk C. Stirtzinger – Connect Niagara Portal Project (yourniagara.ca).

04-114 Gen. Mgr. Planning and Development Services D. Thorpe – Promenade Subdivision – Laurent Viger Construction Limited-Request for exemption from Part Lot Control – Lots 1 through 8, inclusive, Plan 59M-346.

06-3 Henry Durksen, President of Niagara Chapter, Huntington Society of Canada – requesting permission to sell raffle tickets in the City of Welland.

04-47 A By-law to authorize a Lease Agreement with the Welland Public Library to lease a portion of 60 East Main Street.

04-114 A By-law to exempt certain lands from Part-Lot Control located on Nathalie Court, in the Promenade Subdivision (Plan 59M-346), City of Welland.

06-1 A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 26th day of October and 21st day of November, 2006.

06-19 A By-law to authorize the entering into a Letter of Understanding with Conseil Scolaire public de district du Centre-Sud-Ouest for the installation of playspace equipment at Ecole Champlain.

06-19 A By-law to establish and adopt a City Policy governing Playspace Development.

06-22 A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall; and to repeal By-law 2006-149.

06-160 Carolyn Kett, Town Clerk, Town of Fort Erie re: Decrease in Conservation Officers in Niagara Region.

06-162 Dean Iorfida, City Clerk, City of Niagara Falls re: Bill 111, Workplace Safety and Insurance Amendment Act (Bob Shaw), 2006.

06-163 Carolyn Kett, Town Clerk, Town of Fort Erie re: Objection to Elimination of Visitor GST Rebate Program.

06-1 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the Regular Council Meetings of October 17, 2006 and October 24, 2006 and Special Council Meeting of October 26, 2006, as circulated.

CARRIED

01-126 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the City of Port Colborne regarding its objection to any further downloading of costs by MPAC to the local taxpayer and requesting the Provincial government take immediate action to fix flaws in the property assessment system; and further THAT the Clerk advise the proper authorities accordingly.

CARRIED

01-126 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the City of Port Colborne requesting that the Municipal Property Assessment Corporation (MPAC) and the Corporation of the Town of South Bruce Peninsula appeal the decision of Justice O'Connell of the Ontario Superior Court of Justice with respect to the assessment of trailers in Ontario; and further THAT the Clerk advise the proper authorities accordingly.

CARRIED

02-111 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes payment of a 2006 Budget commitment of \$23,000 for services in 2006 associated with the yourniagara.ca project initiated through an agreement between the Business Education Council and the City of Welland approved by By-law 2004-39.

CARRIED

04-114 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND adopts a By-law to exempt Lots 1 through 8, inclusive, Plan 59M-346 (Promenade Subdivision) from Part Lot Control in order to create sixteen (16) semi-detached dwellings; and further

THAT the Part Lot Control Exemption By-law be repealed and discharged from Title once all parts of the requisite Reference Plans have been conveyed.

CARRIED

06-3 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Huntington Society of Canada to sell raffle tickets in the City of Welland under authority of Lottery License M502185; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

06-160 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the Town of Fort Erie requesting that the Ministry of Natural Resources reinstate the complement of Conservation Officers in the Niagara Region from one to four in order to adequately enforce and monitor applicable laws; and further THAT the Clerk advise the proper authorities accordingly.

CARRIED

06-162 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the City of Niagara Falls to call on the Provincial Government to review the Workplace Safety & Insurance Act in order to ensure that firefighters and their families receive fair and timely compensation for illness or disease that is attributable to their work as firefighters; and further THAT the Clerk advise the proper authorities accordingly.

CARRIED

06-163 Moved by Dzugan and Spadafora

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the Town of Fort Erie to petition the Federal government to reinstate the Visitor GST Rebate Program immediately before any further hardship is suffered by the tourism and retail sectors; and further THAT the Clerk advise the proper authorities accordingly.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

2000-107

BYL 2006 - 177

A By-law to permit an encroachment onto the King Street road allowance to benefit the owners from time to time of the property known Municipally at 176-178 King Street.

04-47

BYL 2006 – 178

A By-law to authorize a Lease Agreement with the Welland Public Library to lease a portion of 60 East Main Street.

04-114

BYL 2006 – 179

A By-law to exempt certain lands from Part-Lot Control located on Nathalie Court, in the Promenade Subdivision (Plan 59M-346), City of Welland.

06-19

BYL 2006 – 180

A By-law to establish and adopt a City Policy governing Playspace Development.

06-19

BYL 2006 – 181

A By-law to authorize the entering into a Letter of Understanding with Conseil Scolaire Public De District du Centre-Sud-Ouest for the installation of a

playspace equipment at Ecole Champlain.

...continued...

BY-LAWS PRESENTED FOR FIRST READING:

06-22

BYL 2006 – 182

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall; and to repeal By-law 2006-149.

06-1

BYL 2006 – 183

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 26th day of October and 21st day of November, 2006.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Spadafora 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, November 29, 2006 for inclusion on the next Regular Council Meeting Agenda of December 5th, 2006 .

Council adjourned at 7:55 p.m.

These Minutes approved and adopted by Motion of Council this 5th day of December, 2006.

MAYOR

ACTING CLERK