



COUNCIL MEETING, DECEMBER 5, 2006

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:05 p.m. and in open session at 7:05 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

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

Members Present:

Councillors R. Alakas, D. Alexander (6:10 p.m.), M. Belcastro, F. Campion, P. Chiochio, M. Dzugan, T. Eybel, P. Grenier (6:45 p.m.), R. Letourneau, S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager P. Simmons

General Manager Communications, Council & Legislative Services/City Clerk C. Stirtzinger (until 6:55 p.m.)

Acting City Clerk B. Gallaccio

City Solicitor G. Banks (6:50 p.m.)

Chief, Fire & Emergency Services D. Prevost (7:05 p.m.)

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

General Manager Financial & Corporate Services/Treasurer B. Silvestri

Deputy Clerk C. Mintoff (7:05 p.m.)

General Manager Planning & Development Services D. Thorpe

General Manager Parks and Recreation B. LaPlante (7:05 p.m.)

Welland Recreational Canal Corporation, S. Fisher (7:05 p.m.)

06-25 Moved by Dzugan and Eybel
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:05 p.m. to consider:
 a) the security of the property of the municipality or local board.

CARRIED

06-25 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:55 p.m.

CARRIED

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

2000-43

2000-83 A By-law to authorize the entering into an agreement with Philips Engineering Ltd. to update the engineering standards for new development with the City of Welland.

99-99 Lloyd Kresic, Rick Buttle, Doug Willford, and Al MacNevin re: Petition for access to the Recreational Canal Pathway.

02-130 Gen. Mgr. Planning and Development Services – D. Thorpe - Proposed Subdivider's Agreement with Tetherwood Developments Inc. (File 26T-14-02001) Tetherwood Subdivision – Lands north side of Ontario Road, east of Southworth Street.

02-130 A By-law to authorize the signing of a Subdivider's Agreement with Tetherwood Developments Inc. with respect to the development of Tetherwood Subdivision (File 26T-14-02001).

02-130 A By-law to accept the transfer of an easement(s) for storm sewers from Tetherwood Developments Inc. to the Corporation of the City of Welland in the Tetherwood Subdivision (File 26T-14-02001).

02-130 A By-law to accept the transfer of Block 91 for walkway purposes and Block 92 for parks purposes from Tetherwood Developments Inc. to the Corporation of the City of Welland in the Tetherwood Subdivision (File 26T-14-02001).

02-130 A By-law to Lay Out, Establish Block 'A' Plan 637 as part of Empress Avenue.

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 4th day of December and 5th day of December, 2006.

06-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Dedicated Gas Tax Funds Program for Public Transit.

06-13 A By-law to authorize the entering into a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation, for provincial funding under the dedicated gas tax funds for public transportation program.

06-15 Chief, Fire & Emergency Services D. Prevost – Fire Fighter Defibrillation Program Changes.

06-15 Chief, Fire & Emergency Services D. Prevost – Tender award – Self Contained Breathing Apparatus.

06-15 A By-law to authorize an amendment to the existing agreement with the City of St. Catharines for Computer-Aided Fire Dispatch Services for the Welland Fire Department.

06-21 Dawn McInnis, Tourism Development Coordinator, Parks & Recreation requesting permission for the following: temporary street closures; indoor and outdoor use of the Civic Square; a fireworks display and exemption to the Noise By-law during the 6th Annual New Eve's Celebration - ***"Welland Welcomes 2007"***.

06-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – On-Street 2 Hour Free parking in the Downtown Core – December (HOLIDAY SEASON).

06-46 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Truck and Plow Rental 2007.

06-1 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the Minutes of the Regular Council Meeting of November 21, 2006 and the Inaugural Council Meeting of December 4, 2006, as circulated.

CARRIED**99-99** Moved by Alexander and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives the petition submitted by Lloyd Kresic, Rick Buttle, Doug Willford, and Al MacNevin on behalf of Ward 4 residents requesting the development of a connecting pathway to the existing Recreational Canal Pathway via the end of Quaker Road access and Towpath Road; and further

That the petition be referred to staff and the Welland Recreational Canal Corporation (WRCC) for study and report.

CARRIED**02-130** Moved by Sharpe and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the entering into a Subdivider's Agreement with Tetherwood Developments Inc. with respect to the development of the Tetherwood Subdivision consisting of ninety (90) single-detached residential lots, one (1) Block for walkway purposes and one (1) Block for park purposes for lands north of Ontario Road and east of Southworth Street; and further

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; and further

THAT the Mayor and Clerk be authorized to execute any necessary documents associated with the Subdivision; and further

THAT Council pass the required By-law to lay out and establish Block A, Plan 637 as a Highway and name it Empress Avenue.

CARRIED**06-13** Moved by Chiocchio and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND approves the signing of the 2006/2007 Letter of Agreement between the City of Welland and the Province of Ontario related to the conditions for eligible expenditures, which can be applied against the provincial funding provided under the Dedicated Gas Tax Funds for Public Transportation Program; and further

THAT the Mayor and Treasurer be authorized to sign the aforementioned 2006/2007 Letter of Agreement on behalf of the City of Welland; and further

THAT Council directs the Treasurer to set up a Dedicated Gas Tax Fund Reserve Account to receive the provincial gas tax funding for 2006/2007, and these funds be specifically directed to the continuance and expansion of local public transportation service as required by the Province.

CARRIED**06-15** Moved by Chiocchio and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report F&ES 2006-06, entitled, "Firefighter Defibrillation Program Changes"; and further

THAT the Mayor and the Clerk be authorized to execute an Agreement with Niagara Base Hospital, Laerdal Canada, and Philips Medical Systems, to allow participation in a Resuscitation Outcome Consortium (ROC) study which includes the provision to the city of a minimum of four and a maximum of five new defibrillators without cost; and further

THAT staff be authorized to sell the existing four defibrillators and to use the proceeds from this sale to fund supplies for the new defibrillators and the balance of funds from the sale to be transferred to the fire equipment reserve account.

CARRIED

06-15 Moved by Chiocchio and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report No. F&ES 06-05, entitled, "Tender Award – Self Contained Breathing Apparatus"; and further
 THAT Staff be authorized to issue a purchase order with M&L Supply Fire & Safety, of Ingleside, Ontario for the supply of Scott Air-Pak® (self-contained breathing apparatus) and associated equipment to the value of \$89,913.97 including all taxes.

CARRIED

06-21 Moved by Chiocchio and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives the letter from Parks & Recreation requesting permission for the following: temporary street closures, indoor and outdoor use of the Civic Square, a fireworks display, and exemption to from Noise By-law during the 6th Annual New Eve's Celebration "Welland Welcomes 2007" to be held on Sunday, December 31, 2006; and further
 THAT the letter be referred to staff for study and report.

CARRIED

06-22 Moved by O'Dell and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND resolve to permit 2 hour free parking at all on-street parking meters within the downtown core beginning 3 weeks prior to the date of December 24, 2006 and continuing until January 1, 2007; and further
 THAT Welland City Council resolve to provide 2 hour free parking at all on-street parking meters to be implemented 3 weeks prior to December 24 and continuing until January 1, on a yearly basis.

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06-22 Moved by Van Vliet and O'Dell
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the placement of bags on all on-street parking meters within the downtown core; and further
 THAT parking be monitored by the Welland Downtown Business Improvement Area Board of Management (WBIA).

LOST

06-22 Moved by Eybel and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND extends 2 hour free parking at all on-street parking meters in the downtown core and to include all on-street parking meters on King Street.

CARRIED

06-22 Moved by O'Dell and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND resolves to permit 2 hour free parking at all on-street parking meters within the downtown core beginning 3 weeks prior to the date of December 24, 2006 and continuing until January 1, 2007; and further

THAT Welland City Council resolves to provide 2 hour free parking at all on-street parking meters within the downtown core and on King Street to be implemented 3 weeks prior to December 24 and continuing until January 1, on a yearly basis.

CARRIED

06-46 Moved by Alexander and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the contracting of suppliers Vic Vatr Contracting Ltd. in an amount not to exceed \$9,000.00 (excluding GST) and DeRose General Contracting Ltd. in an amount not to exceed \$10,500.00 (excluding GST) to provide snow plowing service for the City of Welland for the year 2007; and further

THAT Council approve the contracting of suppliers Vic Vatr Contracting Ltd. in an amount not to exceed \$9,000.00 (excluding GST) and DeRose General Contracting Ltd. in an amount not to exceed \$13,500.00 (excluding GST) to provide standby snow plowing service for the City of Welland for the year 2007.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

04-48 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby acknowledges payment in full in the amount of \$1,060,691.00 being the outstanding balance of the mortgage authorized by By-law 2006-45 respecting the 'Atlas Property' with ST Welland Real Estate Inc. as charger; and further

THAT Council authorizes execution of a discharge of said mortgage for registration purposes.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

02-130

BYL 2006 – 186

A By-law to authorize the signing of a Subdivider's Agreement with Tetherwood Developments Inc. with respect to the development of Tetherwood Subdivision (File 26T-14-02001).

02-130

BYL 2006 – 187

A By-law to accept the transfer of an easement(s) for storm sewers from Tetherwood Developments Inc. to the Corporation of the City of Welland in the Tetherwood Subdivision (File 26T-14-02001).

02-130

BYL 2006 – 188

A By-law to accept the transfer of Block 91 for walkway purposes and Block 92 for parks purposes from Tetherwood Developments Inc. to the Corporation of the City of Welland in the Tetherwood Subdivision (File 26T-14-02001).

...continued...

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

02-130

BYL 2006 – 189

A By-law to authorize Lay Out, Establish Block 'A' Plan 637 as part of Empress Avenue.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-laws listed in the foregoing motion as reproduced in this Evening's Council Agenda, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED

BY-LAWS PRESENTED FOR FIRST READING:

3. Moved by Chiocchio and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

2000-43

2000-83

BYL 2006 – 185

A By-law to authorize the entering into an agreement with Philips Engineering Ltd. to update the engineering standards for new development with the City of Welland.

06-13

BYL 2006 - 190

A By-law to the entering into a Letter of Agreement with Her Majesty the Queen in Right of the Province of Ontario, as represented by the Minister of Transportation, for provincial funding under the dedicated gas tax funds for Public Transportation Program.

06-15

BYL 2006 - 191

A By-law to authorize an amendment to the existing agreement with the City of St. Catharines for Computer-Aided Fire Dispatch Services for the Welland Fire Department.

06-1

BYL 2006 - 192

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 4th day of December and 5th day of December, 2006.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Chiocchio and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-laws listed in the foregoing motion as reproduced in this Evening's Council Agenda, be now read a second and third time and do pass, and the Mayor and 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, December 13, 2006 for inclusion on the next Regular Council Meeting Agenda of December 19, 2006.

Council adjourned at 8:12 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of December, 2006.

MAYOR

DEPUTY CLERK