



## COUNCIL MEETING, DECEMBER 19, 2006

### CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:00 p.m. and in open session at 7:40 p.m. and again in Committee-the-Whole at 9:20 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 R. Alakas, D. Alexander (6:30 p.m.), M. Belcastro, F. Campion, P. Chiocchio, M. Dzugan, T. Eybel, P. Grenier, R. Letourneau, S. O'Dell, B. Sharpe (6:25 p.m.) and L. Van Vliet.

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

City Manager, P. Simmons

Deputy Clerk, B. Gallaccio

City Solicitor, G. Banks (7:40 p.m.)

Chief, Fire & Emergency Services D. Prevost (6:00 p.m.)

General Manager, Engineering, Public Works & Transportation Services/City Engineer D. Shantz (6:35 p.m.)

General Manager, Financial & Corporate Services/Treasurer B. Silvestri (6:35 p.m.)

Deputy Clerk, C. Mintoff (7:40 p.m.)

General Manager, Parks and Recreation B. LaPlante (6:00 p.m.)

Chief Building Official, M. Mantesso (7:40 p.m.)

Facilities Manager, P. Inman (7:40 p.m.)

*(Mark Carl, Chair, Welland Recreational Canal Corporation was present during Committee-of-the-Whole discussion on a labour relations/employee negotiations matter).*

*(Mike Walsh, Treasurer; Stephen Fischer, President; Greg D'Amico, Secretary; and John Mastroianni, Vice President, Niagara Food Festival Inc. were present during Committee-of-the-Whole discussion on a litigation or potential litigation matter).*

**06-25** Moved by Eybel and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:00 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal or local board employees;
- b) labour relations or employee negotiations; and
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**CARRIED**

*(Councillor Van Vliet was not present during Committee-of-the-Whole discussions on a personal matter).*

**06-25** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:35 p.m. without report.

**CARRIED**

Councillor O'Dell asked to be recorded as opposed to resolution Ref. 06-19 regarding User Fees which was passed at the December 12<sup>th</sup> Council Meeting.

## **PRESENTATION:**

### **Community Involvement Recognition**

Presentation of plaque by Councillor Paul Grenier to Tim Cutler.

## **DELEGATION:**

**06-28** Mr. George Banks, City Solicitor addressed Council regarding his retirement as City Solicitor with the Corporation of the City of Welland and his participation in the Enquest Power Corp., a pilot project, to improve waste management practices while increasing energy supply.

## **BOARDS, AGENCIES, COMMISSIONS REPORT(S)**

**06-167** Gary Lapierre, Health and Safety/WSIB Coordinator addressed Council regarding health and wellness in the workplace.

**99-99** Mark Carl, Chair and Stephen Fischer, Operation Manager, Welland Recreational Canal Corporation (WRCC) addressed Council regarding an update of the WRCC Master Plan.

## **THE FOLLOWING CORRESPONDENCE WAS READ:**

**06-1**

**06-10** Resolution to amend the Minutes of December 4, 2006 due to a clerical error, regarding the composition of the Human Resources Committee.

**06-21** Report from Gen. Mgr., Engineering, Public Works and Transportation Services D. Shantz –

6<sup>th</sup> Annual New Year's Eve Celebrations.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**97-49** Pat Pilgrim, CAO/Clerk, The Corporation of the Township of Madawaska Valley – Physician Shortage in Ontario.

**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 19<sup>th</sup> day of December, 2006.

**06-10** Greg D'Amico, Chair, regarding the appointment of Board Members to the Welland Downtown Business Improvement Area Board.

**6-10** Alan King, Coordinator, Open Door Concepts Welland – Appointment to the Open Door Concepts Welland Inc.

**06-168** Janet Beckett, City Clerk, City of Port Colborne – The Great Lakes – St. Lawrence River Basin.

**06-1** Moved by Dzugan and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of December 5, 2006 and December 12, 2006, as circulated.

**CARRIED**

**06-1**

**06-10** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND directs the Clerk to amend the Council Minutes of December 4th as a result of a clerical error, by changing the composition of the Human Resources Committee as intended; and

THAT the members of the Human Resources Committee shall be:

Councillor Barry Sharpe  
Councillor Mike Belcastro  
Councillor Paul Grenier.

**CARRIED**

**97-49** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the Corporation of the Township of Madawaska Valley requesting the government of Ontario to take immediate action, both administratively and fiscally, to resolve the medical care practitioner shortage in Ontario; and further THAT Council directs the Clerk to advise the proper authorities.

**CARRIED**

**99-99** Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mark Carl, Chair and Operation Manager, Stephen Fischer, Welland Recreational Canal Corporation (WRCC) with respect to an update on the Master Plan, providing public information regarding the Community Forums, and extending an invitation to all to participate.

**CARRIED**

**06-10** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation for appointment of the following citizens to Open Door Concepts Welland Inc.: Ray DiMartile, Betty Farrish, Gareth Mongrain and Marisa Cantisani as determined by the letter received from Alan King, Coordinator, Open Door Concepts Welland Inc. dated December 4, 2006.

**CARRIED**

**06-10** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND refers the letter from Greg D'Amico, Chair, Welland Downtown Business Improvement Area Board of Management (WDBIA) regarding appointments to the WDBIA to staff for study and report.

**CARRIED**

**06-21** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves the request to hold the annual New Year's Eve Celebration at the Civic Square on Sunday, December 31, 2006, from 4:00 p.m. to 6:00 p.m.; and further THAT the Council approves the following road closures from 1:00 p.m. to 7:00 p.m.:

Cross Street at East Main Street  
Boardwalk at East Main street, and  
Courthouse Lane at Dorothy Street.

**CARRIED**

**06-28** Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by George Banks regarding his retirement as City Solicitor for the Corporation of the City of Welland.

**CARRIED**

**06-28** Moved by Van Vliet and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Enquest Power Corp. report presented by City Solicitor George Banks regarding a pilot project for the conversion of waste into clean energy.

**CARRIED**

**06-167** Moved by Chiocchio and Sharpe

THAT THE COUNCIL OF CITY OF WELLAND receives for information the presentation by Gary Lapierre, Health and Safety/WSIB Coordinator regarding health and wellness in the workplace.

**CARRIED**

**06-168** Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution of the City of Port Colborne to call upon the government of Ontario to adopt the policies and programs mutually agreed upon with respect to the Great Lakes and St. Lawrence River Basin Sustainable Water Resources Agreement; and further THAT Council directs the Clerk to advise the proper authorities.

**CARRIED**

## **BY-LAWS**

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

1. Moved by Belcastro and Eybel  
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-law entitled:

**06-1**

2006 - 198

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 19<sup>th</sup> day of December, 2006.

And that same be now read a first time.

**CARRIED**

### **BY-LAW PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Belcastro and Eybel  
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law 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**

**06-25**

Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 9:20 p.m. to consider:

- a) labour relations or employee negotiations; and
- b) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**CARRIED**

**06-25**

Moved by Belcastro and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND arises from its closed Committee-of-the-Whole meeting at 9:25 p.m.

**CARRIED**

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

**99-99**

Moved by Belcastro and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the one year contract between the Welland Recreational Canal Corporation (WRCC) and its Operation and Business Manager for the period from October 1, 2006 to September 30, 2007 as recommended by the WRCC.

**CARRIED**

*(Councillor O'Dell asked to be recorded as opposed to this Resolution).*

### **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, January 10, 2007 for inclusion on the next Regular Council Meeting Agenda of January 16, 2007.**

Council adjourned at 9:40 p.m.

These Minutes approved and adopted by Motion of Council this 16<sup>th</sup> day of January, 2007.

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**MAYOR**

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**DEPUTY CLERK**