



COUNCIL MEETING, JUNE 5, 2007

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:30 p.m. and in open session at 7:50 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, M. Belcastro, F. Campion, P. Chiocchio, M. Dzugan, T. Eybel, P. Grenier, R. Letourneau, S. O'Dell, and B. Sharpe.

Members of the Staff and Others Present:

City Manager, P. Simmons

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

Deputy Clerk, B. Gallaccio

Chief, Fire & Emergency Services, D. Prevost

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

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

Acting General Manager, Human Resources, R. Mantesso (7:50 p.m.)

Communications Assistant, C. Mintoff (7:50 p.m.)

General Manager, Planning & Development Services, D. Thorpe

Manager, Economic Development, D. Degazio (6:45 p.m.)

(Brenda Herchmer, Co-Chair, Parks, Recreation and Culture Master Plan in attendance during Committee-of-the-Whole discussions on a security of property matter).

07-25 Moved by Eybel and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:50 p.m. to consider:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees; and
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

CARRIED

07-25 Moved by Eybel and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:35 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Letourneau disclosed an interest in Ref. No. 07-95 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property in Wainfleet.

COMMUNITY INVOLVEMENT RECOGNITION

Presentation of plaque by Councillor Pat Chiochio to Rena Posteraro.

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)

99-110

07-10 Nominating Committee Report re: appointment to the Region's Greater Niagara Circle Route Committee.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

98-62 Gen. Mgr. Planning and Development Services D. Thorpe – Request for extension of Draft Plan Approval – The Highlands Subdivision (formerly St. Andrew's Terrace Subdivision) (File: 26T-14-97005).

99-99 A By-law to authorize the acceptance of the quotation from Lynx System Developers for a remote wireless timing system for the flatwater course.

99-110

07-10 Nominating Committee Report re: appointment to the Region's Greater Niagara Circle Route Committee.

01-42 Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Extension of

Draft Plan Approval - Draper's Creek Estates Subdivision (formerly Gillmora Estates) – Baiocco Construction Corp. (File 26T-14-20002).

04-4

05-4

06-4 Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri- Application for Tax Write-Offs – Section 357.

04-55 Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Extension to Draft Plan Approval – Woodlawn Meadows Subdivision – Adisco Limited (File: 26T-14-03003).

04-94 Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Extension of Draft Plan Approval - Forks Common Subdivision (formerly Forks End Subdivision) – Mario Bevacqua on behalf of JSL Management Inc. (File 26T-14-97004).

04-111 A By-law to authorize the entering into an agreement with the Federal Electoral District of Welland to extend the term of the right of first refusal to lease premises at 225 East Main Street.

07-1 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 5th day of June, 2007.

07-3 Melissa Penner, Executive Director, Epilepsy Niagara – requesting permission to sell raffle tickets in the City of Welland.

07-4 Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri - Debenture Request 2007.

07-13 A By-law to authorize the entering into an agreement with Niagara College Student Administrative Council Inc. for universal student pass transit service.

07-20 Russell M. McPherson, President, Welland District Slo-Pitch League Inc. – request for Special Occasion Permits for the Welland Sports Complex canteen area.

07-21 Stephen Fischer, Manager, Business & Operations, WRCC and Ron Lemon, MultiSport Canada Inc.– requesting permission to hold a series of **“Triathlon/Duathlon races”** on Sunday, July 1, 2007.

07-95 Tanya Lamb, Township Clerk, Township of Wainfleet – Wainfleet's contaminated groundwater problem.

07-96 Pam Gilroy, Regional Clerk, Niagara Region re: Update on the status of Fluoridation in Niagara Region's Water System.

07-97 Pam Gilroy, Regional Clerk, Niagara Region re: Memorandum of Understanding.

07-98 Joan Sitak, President, United Seniors of Ontario Zone 15, Niagara and the Welland Seniors – waiving of fee and use of the showmobile.

07-1 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 May 8, 2007, May 15, 2007 and May 22, 2007, as circulated.

CARRIED

98-62 Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Highlands Subdivision (formerly St. Andrew's Terrace Subdivision) (File: 26T-14-97005), as requested by Allan Windrem of Dillon Consulting on behalf of D'Orazio Group of Companies, for one (1) year to July 27, 2008 subject to Regional Niagara receiving the appropriate fee from the Owner and responding to the City with no concerns.

CARRIED

99-110

07-10 Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Nominating Committee's recommendation to appoint Councillor Leo Van Vliet to the Region's Greater Niagara Circle Route Committee.

CARRIED

01-42 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Draper's Creek Estates Subdivision (File: 26T-14-20002) for an additional one (1) year to July 11, 2008 subject to Regional Niagara receiving the appropriate fee from the Owner and responding to the City with no concerns regarding extension of Draft Approval.

CARRIED

04-4

05-4

06-4 Moved by Eybel and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND approves the write off of taxes in the amount of \$10,514.41 as contained in Report FIN-2007-10 listing the reasons for reduction or cancellation and assessment values, pursuant to Section 357 of the Municipal Act, 2001.

CARRIED

04-55 Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for Woodlawn Meadows Subdivision, (File: 26T-14-03003) for an additional one (1) year to June 21, 2008 subject to Regional Niagara receiving the appropriate fee from the Owner and responding to the City with no concerns.

CARRIED

04-94 Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Forks Common Subdivision, formerly Forks End Subdivision (File: 26T-14-97004) for an additional one (1) year to June 29, 2008 subject to Regional Niagara receiving the appropriate fee from the Owner and responding to the City with no concerns.

CARRIED

07-3 Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Epilepsy Niagara to sell raffle tickets in the City of Welland under authority of Lottery License M 546272; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

07-4 Moved by Campion and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Regional Municipality of Niagara issue debentures in the amount of \$5,697,000 in accordance with the terms of the various authorizing by-laws outlined in Appendix I to Report FIN-2007-11 dated June 5, 2007; and further

THAT Welland City Council directs the City Treasurer to make available to the Regional Municipality of Niagara certified copies of all applicable By-laws and Ministry of Environment Certificates applicable and all other information required in connection thereto to ensure the issue of the debentures in the amount of \$5,697,000 are for the projects described on the said Appendix I.

CARRIED

07-6 Moved by Alexander and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND develops a proclamation on poverty.

CARRIED

07-20 Moved by Belcastro and Eybel
THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the application by Welland & District Slo-Pitch League Inc., for a Special Occasion Permit to operate an alcoholic beverage tent at a baseball tournament being hosted by Welland and District Slow Pitch League Inc. at the Welland Sports Complex on June 22, 23, and 24, 2007; and further
That Welland City Council declares the event as municipally significant.

CARRIED

07-21 Moved by Belcastro and Eybel
THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for a series of "Triathlon/ Duathlon races" to be held on Sunday, July 1, 2007 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

07-24 Moved by O'Dell and Sharpe
THAT THE COUNCIL OF THE CITY OF WELLAND accepts, with regret, the resignation effective August 5, 2007 of Councillor Toni Eybel (due to her husband's employment transfer and their subsequent re-location to Orangeville), filed with the Clerk this evening in accordance with Section 260 of the *Municipal Act, 2001*.

CARRIED

07-95 Moved by Belcastro and Eybel
THAT THE COUNCIL OF THE CITY OF WELLAND receives and files the letter from the Township of Wainfleet regarding Wainfleet's contaminated groundwater problem.

CARRIED

07-96 Moved by Dzugan and Eybel
THAT THE COUNCIL OF THE CITY OF WELLAND receives Regional Niagara's Report PWA-88-2007, dated May 16, 2007, respecting the Update on the Status of Fluoridation in Niagara Region's Water System for information; and further
That Welland City Council requests that the Region of Niagara host a public information session in the City of Welland and that the Region work in consultation with city staff to develop a communications plan with respect to advising residents on the matter of fluoridation.

CARRIED

07-97 Moved by Belcastro and Eybel
THAT THE COUNCIL OF THE CITY OF WELLAND receives Regional Niagara's draft Memorandum of Understanding regarding Improving the Planning Function in Niagara and refers to staff for study and report.

CARRIED

07-98 Moved by Belcastro and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND receives the letter from the United Seniors of Ontario Zone 15, Niagara requesting the use of the showmobile and waiver of the rental fee for a picnic to be held at Memorial Park, Pavilion #1 on June 23, 2007, and same be referred to staff for study and report.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

05-158 Moved by Alexander and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to implement the following:

- Discard the RFQ process regarding a potential public private recreational partnership at the Woodlawn Road property
- Develop the accomplishment of the vision in the Parks and Recreation Master Plan on page 14 which outlines that a facility at the Woodlawn Road site would contain the following:
 - o Lighted, limited access stadium with an artificial turf field
 - o Lighted and unlighted soccer and other playing fields, providing opportunities for all levels of play by all age groups
 - o Indoor Soccer Facility
 - o Multi-purpose programming space
 - o Dressing rooms and
 - o Restaurant; and further

THAT Welland City Council authorizes staff to complete a business plan and site master plan for the proposed "sports field centre" in phases at the new Woodlawn/River Road site in partnership with user groups; and further

THAT Welland City Council authorizes staff to take this position on behalf of the City as staff enters into negotiations and consultations within the community.

CARRIED

(Councillors Alakas, Eybel, Letourneau and O'Dell asked to be recorded as opposed to this resolution).

BY-LAWS

BY-LAWS 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-laws entitled:

99-99

BYL 2007 – 80

A By-law to authorize the acceptance of the quotation from Lynx System Developers for a remote wireless timing system for the flatwater course.

04-111

BYL 2007 – 81

A By-law to authorize the entering into an agreement with the Federal Electoral District of Welland to extend the term of the Right of First Refusal to lease premises at 225 East Main Street.

07-13

BYL 2007 – 82

A By-law to authorize the entering into an agreement with Niagara College Student Administrative Council Inc. for universal student pass transit service.

07-1

BYL 2007 – 83

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 5th day of June, 2007.

And that same be now read a first time.

CARRIED

BY-LAWS 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-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 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, June 13, 2007 for inclusion on the next Regular Council Meeting Agenda of June 19, 2007.

Council adjourned at 9:20 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of June, 2007.

MAYOR

DEPUTY CLERK