



**COUNCIL MEETING, JUNE 12, 2007**

**BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO DISCUSS A PROPOSED OR PENDING ACQUISITION OR DISPOSITION MATTER; AND**

**BY PROCEDURAL BY-LAW 2005-176:  
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

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

Council met in Special Meeting Committee-of-the-Whole closed to the public at 6:45 p.m. and pursuant to By-law 2005-176, the Procedural By-law of Council, in open regular session following the General Committee Meeting at 7:28 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

**Members Present:**

Councillors R. Alakas, D. Alexander, F. Campion, P. Chiocchio, M. Dzugan, T. Eybel, P. Grenier, S. O'Dell, B. Sharpe and L. Van Vliet.

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

City Manager, P. Simmons

Deputy Clerk, B. Gallaccio

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

General Manager Engineering, Public Works & Transportation Services/City Engineer, D. Shantz (7:07 p.m.)

General Manager, Planning & Development Services, D. Thorpe

Games Licensing Clerk, L. Bubanko (7:05 p.m.)

**07-25**

Moved by Eybel 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 6:45 p.m. to consider:

- a) a proposed or pending acquisition or disposition matter.

**CARRIED**

**07-25**

Moved by Chiocchio and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:58 p.m.

**CARRIED****DISCLOSURE OF INTEREST:**

Mayor Goulbourne disclosed an interest in Ref. No. 06-109 and By-laws 2007-85, 2007-86, 2007-87 and 2007-88 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property adjacent to the Michael Estates Subdivision.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF JUNE 12, 2007:**

**03-100** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Tender Award – Summit Avenue Area Watermain Replacement – Phases 3 & 4.

**06-109** Gen. Mgr., Planning & Development Services, D. Thorpe – Proposed Subdivider's Agreement with Lea Silvestri Investments Ltd. (File: 26T-14-06001) east of South Pelham Road, west of the Westerly Terminus of Michael Drive.

**07-3** Margaret R. Robertson, Chair, Marshville Heritage Festival – requesting permission to sell raffle tickets in the City of Welland.

**07-19** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Youth Arena Structural Improvements.

**07-20**

**07-99** Mgr., Business and Operations, WRCC S. Fischer – Requesting Special Occasion Permits for outdoor events with the Niagara Symphony.

**07-28** Sarah Lonson, Chair and Kirstyn Moore, Secretary, Mayor's Youth Council – Presentation.

**07-101** Councillor Paul Grenier – nomination bid for representation on the Association of Municipalities of Ontario (AMO) Board Small Urban Caucus.

**THE FOLLOWING BY-LAWS WERE RECEIVED:**

**03-100** A By-law to authorize the acceptance of tender and the entering into a contract with Avertex Utility Solutions Inc. for the Summit Avenue Area Watermain Replacement Phases 3 and 4, at Barron Street, Woodcroft Crescent, Home Street, Birchmount Avenue, Linwood Drive and Laughlin Place.

**06-109** A By-law to accept the transfer of an easement(s) for storm sewers from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Michael Estates Subdivision (File 26T-14-06001).

**06-109** A By-law to Lay Out, Establish and Name Block 58, Plan 59M-165 being a 0.3 metre reserve for the City of Welland as part of Michael Drive.

**06-109** A By-law to accept the transfer of certain 0.3 metre reserves and lands for parkland and open space purposes from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Michael Estates Subdivision (File 26T-14-06001).

**06-109** A By-law to authorize the signing of a Subdivider's Agreement with Lea Silvestri Investments Ltd. with respect to the development of Michael Estates Subdivision (File 26T-14-06001).

**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 12<sup>th</sup> day of June, 2007.

**03-100** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Avertex Utility Solutions Inc. of Orangeville, Ontario, as detailed in Report ENG-2007-16, for the Summit Avenue Area Watermain Replacement - Phases 3 & 4, Barron Street, Woodcroft Crescent, Home Street, Birchmount Avenue, Linwood Drive and Laughlin Place at the quoted price of \$579,698.00 including applicable PST; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Avertex Utility Solutions Inc., to execute the construction.

**CARRIED****06-109** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the entering into a Subdivider's Agreement with Lea Silvestri Ltd. with respect to the development of a residential Plan of Subdivision (Michael Estates Subdivision) located on Part of Lots 246, former Township of Thorold, now the City of Welland, east of South Pelham Road, west of the westerly terminus of Michael Drive; and further

THAT Welland City Council directs Staff to prepare the necessary By-laws; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute any necessary documents associated with the Subdivision; and further

THAT Welland City Council authorizes the Mayor 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.

**CARRIED****07-3** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Marshville Heritage Festival to sell raffle tickets in the City of Welland under authority of Lottery Licenses M395853 and M395854; subject to the receipt of a \$25.00 administration fee for processing this request.

**CARRIED****07-19** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report P&R-2007-14 Youth Arena Structural Improvements for information; and further

THAT Welland City Council approves proceeding to tender for the structural reinforcement of the roof structure of the Youth Arena to meet Ontario Building Code 2006 requirements.

**CARRIED****07-20****07-99** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the issuance of Special Occasion Permits to the Welland Recreational Canal Corporation for outdoor concert events with the Niagara Symphony on Friday, July 20th, 2007 and Friday, August 17, 2007 at Merritt Park, subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and further

That Welland City Council designates the event as a community festival.

**CARRIED****07-28** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sarah Lonson, Chair and Kirstyn Moore, Secretary, Mayor's Youth Council regarding the Youth Forum recently held in April.

**CARRIED**

**07-101** Moved by Dzugan and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND supports the nomination application of Councillor Paul Grenier to the Association of Municipalities of Ontario (AMO) Small Urban Caucus.

**CARRIED**

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

**07-100** Moved by Dzugan and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes declaring surplus to the City's needs lands municipally known as 46 Fourth Street; and further  
 THAT Welland City Council directs that any subsequent sale of lands known municipally as 46 Fourth Street, be carried out in accordance with the Municipal Act, City Policy and in the manner described in this Report PDS-2007-43.

**CARRIED**

### **BY - LAWS**

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

1. Moved by Dzugan and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

**03-100**

BYL 2007-84

A By-law to authorize the acceptance of tender and the entering into a contract with Avertex Utility Solutions Inc. for the Summit Avenue Area Watermain Replacement Phases 3 and 4, at Barron Street, Woodcroft Crescent, Home Street, Birchmount Avenue, Linwood Drive and Laughlin Place.

**06-109**

BYL 2007-85

A By-law to accept the transfer of an easement(s) for storm sewers from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Michael Estates Subdivision (File 26T-14-06001).

**06-109**

BYL 2007-86

A By-law to Lay Out, Establish and Name Block 58, Plan 59M-165 being a 0.3 metre reserve for the City of Welland as part of Michael Drive.

**06-109**

BYL 2007-87

A By-law to accept the transfer of certain 0.3 metre reserves and lands for parkland and open space purposes from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Michael Estates Subdivision (File 26T-14-06001).

...Continued...

**BY-LAWS PRESENTED FOR FIRST READING CONT'D:**

**06-109**

BYL 2007-88

A By-law to authorize the signing of a Subdivider's Agreement with Lea Silvestri Investments Ltd. with respect to the development of Michael Estates Subdivision (File 26T-14-06001).

**07-1**

BYL 2007-89

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 12<sup>th</sup> day of June, 2007.

And that the same be now read a first time.

**CARRIED**

**BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Dzugan and Van Vliet

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**

Council adjourned at 7:30 p.m.

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

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**MAYOR**

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**DEPUTY CLERK**