



COUNCIL MEETING, DECEMBER 4, 2007

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 7:05 p.m. and in open session at 7:35 p.m. on the above date.

His Worship Mayor Goulbourne in the Chair.

Mayor Goulbourne vacated the Chair and Vice Mayor Dzugan assumed the Chair at 7:55 p.m. Mayor Goulbourne resumed the Chair at 8:20 p.m.

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

Members Present:

Councillors R. Alakas, D. Alexander, M. Belcastro (7:10 p.m.), F. Campion, P. Chiocchio, M. Dzugan, J. Larouche (until 9:25 p.m.), P. Grenier, R. Letourneau (until 9:25 p.m.), 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

Deputy Fire Chief, K. Roach (7:35 p.m.)

General Manager, Engineering, Public Works & Transportation Services/City Engineer, D. Shantz (7:35 p.m.)

Deputy Treasurer, K. Douglas (7:35 p.m.)

General Manager, Human Resources, R. Mantesso (7:10 p.m.)

General Manager, Parks, Facilities, & Leisure Services, B. Fenwick

Communications Assistant, C. Mintoff

Records Clerk, C. Viger (7:35 p.m.)

General Manager, Planning & Development Services, D. Thorpe

Manager, Traffic & Parking Operations, D. Ferguson (7:35 p.m. until 8:05 p.m.)

07-25 Moved by Letourneau 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 7:05 p.m. to consider:

- a) the security of the property of the municipality or local board;
- a) personal matters about an identifiable individual, including municipal or local board employees; and
- b) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

07-25 Moved by Letourneau and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:30 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Letourneau disclosed an interest in Ref. No. 07-148 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is related to the applicant.

DELEGATIONS:

07-9 Mr. Peter F. Love, Ontario's Chief Energy Conservation Officer of Ontario addressed Council regarding the LED lighting on Fitch Street and presented a Certificate of Achievement to the City of Welland acknowledging the City's leadership in being the first municipality in Canada, possibly in the world, in using LED lighting for a roadway.

02-157 Alan Gummo, Associate Director, Comprehensive Community Planning, the Regional Municipality of Niagara addressed Council regarding the update on the Growth Management Strategy.

07-28 Angela Carter, Campaign Cabinet Chair, and Karen Walsh, Campaign & Marketing Director, addressed Council regarding the 2007 United Way South Niagara Campaign.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

99-43 Ross Peever, President/CEO and Tim Clutterbuck, Chair, Welland Hydro addressed Council regarding an update on activities of Welland Hydro.

04-47 Wayne DeMille, Chair, and Janet Booth, Secretary/CEO, Welland Public Library addressed Council regarding an update on activities of the Welland Public Library.

THE FOLLOWING CORRESPONDENCE WAS READ:

07-28 Angela Carter, Campaign Cabinet Chair, and Karen Walsh, Campaign & Marketing Director, requested to address Council regarding the 2007 United Way South Niagara Campaign.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

99-43 Ross Peever, President/CEO, and Tim Clutterbuck, Chair, Welland Hydro re: update on activities of Welland Hydro.

01-108 Notice of Motion – Councillor Alexander – to create the Welland Downtown Partnership: a group of stakeholders who would meet regularly to share information, suggest improvements, and undertake activities for a better downtown, and that consistent with community participation goals, the committee be open to all interested stakeholders.

02-157 Alan Gummo, The Regional Municipality of Niagara re: update on the Growth Management Strategy.

03-119

04-107

06-154 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Assumption of Regatta Subdivision Phase 1 – Assumption of Stoneybrook Crescent Extension.

04-47 Janet Booth, Secretary/CEO, Welland Public Library re: update on activities of the Welland Public Library.

05-87 Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed By-law to exempt from Part Lot Control Blocks 66, 67, 68, 71, 72, 73 & 74, Plan 59M-359 being lands south of Webber Road, west of Clare Avenue – Webber Estates Subdivision (File 26T-14-05001).

06-154 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Assumption of Pre-1980 Subdivisions.

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 4th day of December, 2007.

07-9 Mr. Peter F. Love, Ontario's Chief Energy Conservation Officer of Ontario re: LED lighting on Fitch Street.

07-15 A By-law to authorize an amendment to the existing agreement with the City of St. Catharines to provide computer-aided dispatch services for the Welland Fire Department.

07-15 A By-law to authorize the acceptance of tender of Commercial Solutions Incorporated for the supply of structural firefighter's protective clothing.

07-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Traffic Calming Program Policy and Procedure Amendment.

07-22 A By-law to amend Schedules "V", "XVII", "XIV" and "XXXIV" and Section 4.11 (ix) of By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland.

07-28 Angela Carter, Campaign Cabinet Chair, and Karen Walsh, Campaign & Marketing Director, requested to address Council regarding the 2007 United Way South Niagara Campaign.

07-148 Gen. Mgr., Planning and Development Services, D. Thorpe – Request by Diane Letourneau for an Encroachment Agreement – 403 Broadway, north side of Broadway, west of Santone Avenue.

07-150 Gen. Mgr., Planning and Development Services, D. Thorpe – Spatial Separation Agreement for 50 Highland Gardens.

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 November 13, 2007 and November 20, 2007, as circulated.

CARRIED

99-43 Moved by Grenier and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ross Peever, President/CEO, and Tim Clutterbuck, Chair, Welland Hydro regarding an update on the activities of Welland Hydro.

CARRIED

02-157 Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Alan Gummo, Associate Director, Comprehensive Community Planning, the Regional Municipality of Niagara regarding the update on the Growth Management Strategy.

CARRIED

03-119

04-107

06-154 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the assumption of the Regatta Subdivision Phase 1 development. This development consists of Talbot Avenue east of Kingsway in Dain City; and further

THAT Welland City Council approves the assumption of the Stoneybrook Crescent Extension development located south of Heritage Lane off of Clare Avenue and east of South Pelham Road; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to execute same.

CARRIED

04-47 Moved by Alexander and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Wayne DeMille, Chair, and Janet Booth, Secretary/CEO, Welland Public Library regarding an update on activities of the Welland Public Library.

CARRIED

04-92 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the request for sign variances at 631 Niagara Street concerning the proposed relocation of an existing Ground Pylon Sign with respect to distance from a traffic light standard by allowing a distance of 3.1 metres (10.2 feet), and with respect to sign area by allowing an area of 32.5 square metres (350 square feet), and with respect to sign height by allowing a height of 11.0 metres (36.1 feet); and further

THAT Welland City Council approves the request for sign variances at 631 Niagara Street concerning proposed Menu Board Signs by allowing a Menu Board Sign with an area of 4.4 square metres (47.4 square feet) and by allowing two Pre-Menu Board Signs; and further

THAT Welland City Council approves the request for a sign variance at 631 Niagara Street concerning proposed On-Site Directional Signs by allowing such signs with a height of 1.9 metres (6.2') at the locations shown in Report PDS-2007-98.

CARRIED

05-87 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves an exemption to Part Lot Control for Blocks 66, 67, 68, 71, and 74, part of Block 72 and Block 73 together with part of Closed Cardinal Crescent, being Part 1, Plan 59R-13476, all Plan 59M-359, Webber Estates Subdivision, to permit the development of freehold street townhouses; and further

THAT Welland City Council authorizes Staff to prepare the necessary By-law.

CARRIED

06-154 Moved by Alexander and Grenier
THAT THE COUNCIL OF THE CITY OF WELLAND approves the assumption of 29 subdivisions established prior to 1980; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to execute same.

NOT PUT

06-154 Moved by Sharpe and Alakas
THAT THE COUNCIL OF THE CITY OF WELLAND refers Report Eng-2007-36 re: Assumption of Pre-1980 Subdivisions to the next Budget Review Committee Meeting.

CARRIED

07-9 Moved by Chiocchio and Grenier
THAT THE COUNCIL OF THE CITY OF WELLAND receives with thanks the presentation of a certificate of achievement by Mr. Peter F. Love, Chief Energy Conservation Officer of Ontario, in recognition of the LED street lighting on Fitch Street.

CARRIED

07-10 Moved by Van Vliet and Alakas
THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Jim Larouche to the Arena Feasibility Steering Committee for a one year term, as recommended by the Nominating Committee.

CARRIED

07-10 Moved by Van Vliet and Alakas
THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Mark Dzugan to the Rose City Seniors Activity Centre Feasibility Steering Committee for a one year term, as recommended by the Nominating Committee.

CARRIED

07-15 Moved by Van Vliet and Alakas
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and the Clerk to execute a FIVE (5) year purchasing agreement with Commercial Solutions Incorporated of 4-1540 Trinity Drive, Mississauga, Ontario, for the supply of structural firefighter's protective clothing that meets the requirements stated in the City's request for tenders that closed on July 3, 2007.

CARRIED

07-22 Moved by Campion and Dzugan
THAT THE COUNCIL OF THE CITY OF WELLAND approves the attached Traffic Calming Policy and Procedure amended 2007, with deletion of, on page 7 of the Policy, "Street Closure" under the section "Various Types of Traffic Calming" as per REPORT TRAF-2007-31.

LOST

07-22 Moved by Van Vliet and Dzugan
THAT THE COUNCIL OF THE CITY OF WELLAND refers REPORT TRAF-2007-31 re: Traffic Calming Program Policy and Procedure Amendment for two (2) weeks.

LOST

07-22 Moved by Sharpe and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND approves the attached Traffic Calming Policy and Procedure amended 2007, as per REPORT TRAF-2007-31.

CARRIED

07-28 Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Angela Carter, Campaign Cabinet Chair, and Karen Walsh, Campaign Director, United Way South Niagara, regarding the 2007 United Way Campaign.

CARRIED

07-148 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND agrees to a 6.1 foot Encroachment onto Santone Avenue Road Allowance for the existing single detached dwelling and an additional 1.7 foot Encroachment onto Santone Avenue Road Allowance for a concrete walkway for property know municipally as 403 Broadway as shown on the Plan of Survey prepared by P.S. Suda Surveying Inc. and dated September 24, 2007; and further

THAT Welland City Council directs Staff to prepare the necessary documents and By-law(s); and further

THAT the Applicant pays for legal fees of \$300.00 for the preparation and registration of the required documentation.

CARRIED

07-150 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes a Spatial Separation Agreement with the owners of 50 Highland Gardens to facilitate the construction of a sunroom addition; and further

THAT Welland City Council authorizes Staff to prepare the necessary by-law.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

07-10 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Keith Levere, Norma Lostracco, John Chiochio, and Miranda Rodrique to the Welland Rose Festival Advisory Committee.

CARRIED

07-10 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Vic Kerschl, Roy Timms, and Tom Bacolini to the Welland Recreational Canal Corporation for a one year term (to December 31, 2008)

CARRIED

07-10 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Bob Mahler to the Welland Recreational Canal Corporation for a one year term (to December 31, 2008).

CARRIED

07-10 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND appoints (without prejudice) Michael Lottridge to the Welland Recreational Canal Corporation for a further one year term (to December 31, 2008).

CARRIED

07-10 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Margaret Hudak to the Property Standards Committee for a three year term (December 1, 2007 to November 30, 2010).

CARRIED

07-10 Moved by Van Vliet and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Ronald Boyer, Sam Kalmuk, and William Lewis to the Heritage Welland Committee for a two year term (December 1, 2007 to November 30, 2009); and further

THAT Welland City Council directs staff to continue to recruit for the two (2) remaining positions for a two year term (December 1, 2007 to November 30, 2009) on this Committee.

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Van Vliet and Alakas

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

07-15

BYL 2007 – 187

A By-law to authorize an amendment to the existing agreement with the City of St. Catharines to provide computer-aided dispatch services for the Welland Fire Department.

07-15

BYL 2007 – 188

A By-law to authorize the acceptance of tender of Commercial Solutions Incorporated for the supply of structural firefighter's protective clothing.

07-22

BYL 2007 – 189

A By-law to amend Schedules "V", "XVII", "XVI" and "XXXIV" and Section 4.11 (ix) of By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland.

07-1

BYL 2007 – 190

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 4th day of December, 2007.

And that same be now read a first time.

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

2. Moved by Van Vliet 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 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 12, 2007 for inclusion on the next Regular Council Meeting Agenda of December 18, 2007.

Council adjourned at 9:49 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of December, 2007.

MAYOR

DEPUTY CLERK