



## **COUNCIL MEETING, APRIL 1, 2008**

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

Council met in Committee-of-the-Whole closed to the public at 6:50 p.m. and in open session at 7:38 p.m. on the above date.

Acting Mayor Dzugan 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, J. Larouche, P. Grenier, 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 Clerk, B. Gallaccio (7:10 p.m.)

Chief, Fire & Emergency Services, D. Prevost

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

General Manager, Financial & Corporate Services/Treasurer, B. Silvestri

General Manager, Human Resources, R. Mantesso

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

Communications Assistant, C. Mintoff (7:38 p.m.)

General Manager, Planning & Development Services, D. Thorpe

**08-25** Moved by O'Dell and Alakas

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

- 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; and
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- d) an additional personal matter regarding an identifiable individual, including municipal employees or local board.

**CARRIED**

**08-25** Moved by O'Dell and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:30 p.m.

**CARRIED**

**DELEGATION:**

**08-54** Bob MacNelly, Vice President, Leon's Furniture Limited addressed Council regarding a strategic opportunity in celebration of the 100<sup>th</sup> Anniversary of Leon's Furniture Store.

**PUBLIC MEETING PURSUANT TO THE MUNICIPAL ACT, 2001.**

**03-38**

**03-40**

**08-19** User Fees for playing fields.

**The following made presentations:**

- David Kobelka, on behalf of the Welland Baseball Club, 4977 Church Road, Stevensville, Ontario.

There being no other submissions the public meeting was concluded.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**01-35** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Retention of Consultant for Highway 406 and Woodlawn Road Interchange Environmental Assessment.

**01-35** A By-law to authorize the retention of Dillon Consulting Limited to provide consulting services for the HWY 406 and Woodlawn Road Interchange Environmental Assessment.

**03-38**

**03-40**

**08-19** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Proposed 2008 User Fees (Supplemental Report) RE: Playing Fields, Arena Promotional sign and Civic Square Meeting Rooms.

**03-38**

**03-40** A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality.

**08-1** 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 1st day of April, 2008.

- 08-19** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Special Event Application Review Team (SEART).
- 08-21** Ken Hancock – requesting permission to hold the “*Annual Niagara Region Walk Against Male Violence*” to be held on May 6, 2008.
- 08-54** Bob MacNelly – re Strategic Opportunity.
- 08-67** Mamela Malott, Town Clerk, Town of Amherstburg re: Lead Testing Mandated by Province for Municipal Drinking Water.
- 08-72** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Award of Contract for CCTV Camera Inspection of Gravity Sewers.
- 08-72** A By-law to authorize the entering into a contract with Sewer Technologies Incorporated for the CCTV Camera Inspection of Gravity Sewers.
- 08-78Z** A By-law to amend City of Welland Zoning By-law 2667 (Christopher William Armstrong and Irene Armstrong – File 2008-02) 196 Thorold Road.
- 08-91** Sonya Pacheco, Legislative Coordinator, City of Brampton re: Ontario Auto Insurance Legislation.

**08-1** Moved by Grenier and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of March 18, 2008, as circulated.

**CARRIED**

**01-35** Moved by Larouche and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves retaining Dillon Consulting for the assistance in overseeing the Ministry of Transportation Ontario's Environmental Assessment process for the design and future installation of an interchange at the intersection of Highway 406 and Woodlawn Road, in the amount of \$21,600; and further  
 THAT Welland City Council authorizes Staff to prepare the necessary by-laws to enter into a contract with Dillon Consulting to execute the work.

**CARRIED**

**03-38**

**03-40**

**08-19** Moved by Campion and Alexander  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the proposed 2008 Playing Field User Fees (Appendix I to Report PF&LS 2008-07); and further  
 THAT Welland City Council directs the Clerk, for Council's consideration, to amend By-law 2006-193 being a by-law to establish and regulate fees and charges for various activities and use of property as provided by the Municipality.

**CARRIED**

**03-38**

**03-40**

**08-19** Moved by Campion and Alexander  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the proposal to permit arena user groups to use the promotional sign free-of-charge during their term of occupancy

**CARRIED**

**03-38****03-40****08-19**

Moved by Campion and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND confirms the continued practice of permitting registered not-for-profit organizations and registered charities to use the Civic Square meeting rooms free-of-charge.

**CARRIED****08-12**

Moved by Grenier and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Mark Dzugan as Acting Mayor in the absence of the Mayor and Vice Mayor.

**CARRIED****08-19**

Moved by Alexander and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PF&LS 2008-06 (special Event Application Review Team) for information.

**CARRIED****08-21**

Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application of the "**Annual Niagara Region Walk Against Male Violence**" to be held on May 6, 2008 subject to the applicant's Completion of all conditions of the Policy of Road Use for Community Activities.

**CARRIED****08-54**

Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Bob MacNelly, Vice President, Marketing, Leon's Furniture Ltd. to commission a bronze statue of Ablan Leon, founder of Leon's Furniture in 1909 in Welland, Ontario, to celebrate the 100th Anniversary of Leon's Furniture; and further

THAT Welland City Council thanks Leon's Furniture Ltd. for its generous offer to commission and recognize Welland's founder of a national retail success giant and to recognize the continued support from the Leon family both locally and nationally throughout the years; and further

THAT Welland City Council approves the use of Chippawa Park for the location of the statue of Ablan Leon as requested by Leon's Furniture Ltd.; and further

THAT Welland City Council directs staff to work with Leon's Furniture Ltd. and the Leon family to complete the project in the intended timelines; and further

THAT Welland City Council authorizes the City Clerk to prepare the necessary agreements for the Mayor and Clerk's signature.

**CARRIED****08-67**

Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the Town of Amherstburg requesting the Province of Ontario to provide the immediate necessary funding to Ontario municipalities to finance the costs of the mandated Lead Testing for Municipal Drinking Water.

**CARRIED****08-72**

Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Sewer Technologies Incorporated of Port Perry, Ontario for the CCTV Camera Inspection of Gravity Sewers, as presented in report ENG-2008-11; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into an agreement with the said contractor to perform the CCTV inspection services at the tender price of \$33,993.10, plus applicable taxes; and further

THAT Welland City Council authorizes staff to undertake supplementary CCTV Inspection work, as required, at the unit prices bid but not to exceed \$45,000 as a part of the 2008 Water/Sewer Operating Budget for sewer system inspection.

**CARRIED**

**08-91** Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND supports the recommendation from the City of Brampton requesting the Province of Ontario to review the impact on public transit of its No-Fault and Accident Benefit legislation with consideration that all public transit be exempted from the Accident Benefit legislation, or alternatively the creation of a modified No-Fault/Accident benefit regime for public transit.

**CARRIED**

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

**05-141**

**08-10** Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Daniel Peat, Kay Annable, Janet Booth, George Doros, Nicole Paduraru and Carol Wyld to serve on the Arts and Culture Advisory Committee.

**CARRIED**

**06-84**

**08-10** Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Timothy Cutler, Maria Lallouet, Douglas Rapelje and Arnold Steed to serve on the Senior Citizens Advisory Committee.

**CARRIED**

### **BY-LAWS**

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

1. Moved by Larouche and Belcastro

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

**01-35**

BYL 2008 - 39

A By-law to authorize the retention of Dillon Consulting Limited to provide consulting services for the HWY 406 and Woodlawn Road Interchange Environmental Assessment.

**03-38**

**03-40**

BYL 2008 - 40

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various

services or activities and use of property as provided by the municipality.

**08-72**

BYL 2008 - 41

A By-law to authorize the entering into a contract with Sewer Technologies Incorporated for the CCTV Camera Inspection of Gravity Sewers.

...continued...

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

**08-78Z**

BYL 2008 - 42

A By-law to amend City of Welland Zoning By-law 2667 (Christopher William Armstrong and Irene Armstrong – File 2008-02) 196 Thorold Road.

**08-1**

BYL 2008 - 43

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 1st day of April, 2008.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Larouche and Belcastro  
 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, April 9, 2008 for inclusion on the next Regular Council Meeting Agenda of April 15, 2008.**

Council adjourned at 8:38 p.m.

These Minutes approved and adopted by Motion of Council this 15<sup>th</sup> day of April, 2008.

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**MAYOR**

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**DEPUTY CLERK**