



## COUNCIL MEETING, MAY 6, 2008

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

Council met in Committee-of-the-Whole closed to the public at 6:45 p.m. and in open session at 7:41 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. Champion, P. Chiochio, M. Dzugan, J. Larouche, P. Grenier, R. Letourneau, 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

Acting Deputy Clerk, C. Mintoff

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

General Manager, Planning & Development Services, D. Thorpe

Records Clerk, C. Viger (7:41 p.m.)

**08-25** Moved by Alexander and Larouche

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) 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) a proposed or pending acquisition or disposition of land by the municipality or local board.

**CARRIED**

*(Councillor Grenier was not present during Committee-of-the-Whole discussions on a Security of Property Matter).*

**08-25** Moved by Belcastro and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:36 p.m.

**CARRIED**

### **PRESENTATION:**

Following approval of a motion by Council to appoint a Town Crier for the City of Welland, Town Crier, Robert Scott Misener, announced himself, and in traditional Town Crier fashion addressed Council through an oath of office, which was sworn before the Mayor (a copy of said oath is filed with the minutes).

### **DELEGATION:**

**08-100** Wendy Ward addressed Council regarding the "Welland Reads and Writes Program".

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

**06-150** Karen Cyopik and Joseph A. Ruicci, Chairman, Niagara Blues and Jazz Society Inc., addressed Council regarding an update on its activities.

### **THE FOLLOWING CORRESPONDENCE WAS DELETED:**

**08-77** A By-law to authorize the adoption of Official Plan Amendment No. 127.

**08-77Z** A By-law to amend City of Welland Zoning By-law 2667 (DEMAC Properties Inc. – File 2008-03) east side of South Pelham Road, north of Webber Road.

### **THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**06-150** Karen Cyopik and Joseph A. Ruicci, Chairman, Niagara Blues and Jazz Society Inc., re: update on its activities.

**07-107** A By-law to authorize the acceptance of tender and the entering into a contract with Serianni Construction Ltd. for the Sports Complex seat repairs.

**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 6<sup>th</sup> day of May, 2008.

- 08-3** Heather Horton, Kiwanis Club of Welland Inc. – requesting to sell bingo cards in the City of Welland.
- 08-19** Frank Prospero, President, Parks and Recreation Ontario and Terry Alyman, Chair, Infrastructure Task Group re: A Call For Action – Recreation, Parks and Sport Infrastructure Funding.
- 08-20** Russell M. McPherson, President, Welland District Slo-pitch League Inc. – requesting Special Occasion Permits for baseball tournaments being held at the Welland Sports Complex.
- 08-20** Shirley Cordiner, Administrative Director, Niagara Region Children’s Safety Village re: request Special Occasion Permit for a Lobsterfest event on Saturday, June 14, 2008.
- 08-20** Mary-Lou Juhasz, President, and Bonnie Buote, Membership Chairperson, Welland Snowmobile Club re: requesting Special Occasion Permit on August 23, 2008 to raise money and awareness for Special Needs Children.
- 08-100** Wendy Ward re: Welland Reads and Writes Program.
- 08-101** Terri Donia, Planning Department, Regional Municipality of Niagara re: Work Plan to deliver on a Council Business Plan Priority: Develop a Niagara Culture Plan.
- 08-102** Pam Gilroy, Regional Clerk, Regional Municipality of Niagara regarding the Agricultural Action Plan and efforts to promote “Buy Local Food”.
- 08-103** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Retention of Consultant for Conservation Assessment of the Welland-Crowland War Memorial.
- 08-104** Doug Luker, Chief Administrative Officer/Clerk, Township of Tiny Re: 400<sup>th</sup> Anniversary – Arrival of Samuel de Champlain.
- 08-105** Gen. Mgr., Planning & Development Services, D. Thorpe - Condominium Approval – Elizabeth Johnson and Thomas Adams, Part of Block C, Registered Plan M-36, known municipally as 102 Silvan Drive (File: 26CD-14-08002).

**08-1** 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 April 8, 2008, April 15, 2008, and April 22, 2008, as circulated.

**CARRIED**

**06-150** Moved by O’Dell and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Karen Cyopik and Joe Ruicci, Chairman, regarding the Niagara Blues and Jazz Society's upcoming events for this year.

**CARRIED**

**08-3** Moved by Chiocchio and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Kiwanis Club of Welland Inc. to sell bingo cards in the City of Welland under authority of Lottery License M459829; subject to the receipt of a \$25.00 administration fee for processing this request.

**CARRIED**

**08-19** Moved by Sharpe and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND urges the Provincial and Federal governments to provide the much needed dedicated funding to municipalities for the development, renewal and rehabilitation of physical activity facilities and outdoor spaces but not at the expense of existing roads, bridges, water and sewer infrastructure priorities; and further  
 That Welland City Council directs that this resolution be forwarded to the Minister of Finance, the Honourable Dwight Duncan, the Minister of Public Infrastructure Renewal, the Honourable David Caplan,

local MP's and MPP's, AMO; FCM; and area municipalities for their endorsement and, to Parks and Recreation Ontario for its information.

**CARRIED**

**08-20** Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the application by Welland & District Slo-pitch League Inc., for Special Occasion Permits to operate an alcoholic beverage tent at several baseball tournaments being hosted by Welland & District Slo-pitch League Inc. at the Welland Sports Complex on May 23, 24 and 25, 2008; June 20, 21 and 22, 2008; September 26, 27 and 28, 2008; and on July 18, 2008, subject to the applicant complying with the requirements and policies of the City of Welland, and the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and further

THAT Welland City Council designates the Welland & District Slo-pitch League Inc. baseball tournaments as community festivals; and further

THAT Welland City Council delegates, in accordance with its Delegation of Powers Policy, for all future events of the Welland District Slo-pitch League Inc., to the Clerk (or designate) the authority to support the Welland District Slo-pitch League Inc. application for Special Occasion Permits, and to deem the event a community festival.

**CARRIED**

**08-20** Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the issuance of a Special Occasion Permit to the Niagara Region Children's Safety Village for the Lobsterfest event on Saturday, June 14, 2008, subject to the applicant complying with the requirements and policies of the City of Welland, and the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and further

THAT Welland City Council designates the Niagara Region Children's Safety Village as a community festival; and further

THAT Welland City Council delegates, in accordance with its Delegation of Powers Policy, for all future events of the Niagara Region Children's Safety Village, to the Clerk (or designate) the authority to support the Niagara Regional Children's Safety Village application for Special Occasion Permits, and to deem the event a community festival.

**CARRIED**

**08-20** Moved by Chiocchio and Larouche

That Welland City Council has no objection to the issuance of Special Occasion Permit to the Welland Snowmobile Club to hold an all day event at 205 Memorial Park Drive on August 23, 2008, subject to the applicant complying with the requirements and policies of the City of Welland, and 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; and further

THAT Welland City Council delegates, in accordance with its Delegation of Powers Policy, for all future events of the Welland Snowmobile Club, to the Clerk (or designate) the authority to support the Welland Snowmobile Club application for Special Occasion Permits, and to deem the event a community festival.

**CARRIED**

**08-100** Moved by Grenier and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Wendy Ward and endorses the Welland Reads and Writes Program; and further

THAT Welland City Council encourages Members of Council and Citizens of Welland to participate in this Program.

**CARRIED**

**08-101** Moved by Alexander and Grenier  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report DPD 12-2008 re: Work Plan to deliver on a Council Business Plan Priority: Develop a Niagara Culture Plan which was approved by Regional Council on April 10, 2008.

**CARRIED**

**08-102** Moved by Alexander and Sharpe  
 THAT THE COUNCIL OF THE CITY OF WELLAND supports the recommendation from the Regional Municipality of Niagara regarding the Agricultural Action Plan and its efforts to promote "Buy Local Food" to assure a viable and strong Niagara Community.

**CARRIED**

**08-103** Moved by Chiocchio and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves retaining Maltby & Associates Inc. to complete a condition assessment and conservation plan for the Welland-Crowland War Memorial, in the amount of \$ 21,400.00 plus GST; and further  
 THAT Welland City Council authorizes Staff to prepare the necessary by-laws to enter into a contract with Maltby & Associates Inc. to execute the work.

**CARRIED**

**08-104** Moved by Chiocchio and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the Township of Tiny requesting the support of an initiative from Garfield Dunlop, MPP of Simcoe North to the Legislative Assembly of Ontario for all levels of government to commemorate the 400th anniversary of the arrival of Samuel de Champlain – French explorer, founder and Father of Canada to Huronia in Ontario on August 1, 1615; and further  
 THAT Welland City Council refers this motion to Club Richelieu and Club 2000 for consideration within the Francophone Community of Welland.

**CARRIED**

**08-105** Moved by Chiocchio and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption request by Elizabeth Johnson and Thomas Adams, for its Application for Condominium Approval for nine (9), two-storey townhouse units located at 102 Silvan Drive in accordance with Section 9 (7) of the Condominium Act, Chapter 4, 1998, as amended; and further  
 That Welland City Council authorizes Staff to prepare any necessary By-laws.

**CARRIED**

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

**04-47** Moved by Chiocchio and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the resignation of Dianna Kit Mete from the Welland Public Library Board and that staff commence the recruitment process to fill the resultant vacancy.

**CARRIED**

**07-123** Moved by Chiocchio and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Stopping Up, Closing and declaring Surplus portions of unopened Willson Road allowance north of Colbeck Drive; and further  
 THAT Welland City Council directs Staff to prepare the necessary By-law; and further  
 THAT Welland City Council directs Staff to advertise the Stopping Up, Closing, declaring Surplus and Conveyance of a portion of Willson Road allowance north of Colbeck Drive.

**CARRIED****08-10****08-106**

Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Robert Scott Misener as the Town Crier for the City of Welland.

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

1. Moved by Chiocchio and Larouche

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

**07-107**

BYL 2008 – 62

A By-law to authorize the acceptance of tender and the entering into a contract with Serianni Construction Ltd. for the Sports Complex seat repairs.

**08-1**

BYL 2008 – 63

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 6<sup>th</sup> day of May, 2008.

And that same be now read a first time.

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

2. Moved by Chiocchio and Larouche

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, as amended, 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, May 14, 2008 for inclusion on the next Regular Council Meeting Agenda of May 20, 2008.**

Councillor O'Dell gave Notice of Motions of the following issues to be presented to Council at the March 20, 2008 Regular Council Meeting:

**01-108**

***THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review for Council's consideration the process to extend the Downtown Façade Program contained within the Community Improvement Plan along King Street to Ontario Road.***

**08-111**

***THAT THE COUNCIL OF THE CITY OF WELLAND urges the Region of Niagara to continue its funding to the Rainbow Nursery Centre.***

Council adjourned at 9:11 p.m.

These Minutes approved and adopted by Motion of Council this 20<sup>th</sup> day of May, 2008.

---

**MAYOR**

---

**DEPUTY CLERK**