



COUNCIL MEETING, JUNE 17, 2008

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:55 p.m. and in open session at 7:39 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 (5:59 p.m.), M. Belcastro, F. Champion, P. Chiochio (5:57 p.m.), M. Dzugan, J. Larouche, P. Grenier (6:37 p.m.), R. Letourneau, B. Sharpe (5:58 p.m.) 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
Chief, Fire & Emergency Services, D. Prevost
General Manager, Engineering, Public Works & Transportation Services/City Engineer, D. Shantz
Manager, Budgets and Financial Reporting/Deputy Treasurer, K. Douglas
General Manager, Human Resources, R. Mantesso
General Manager, Parks, Facilities, & Leisure Services, B. Fenwick
Communications Assistant, C. Mintoff (7:39 p.m.)
General Manager, Planning & Development Services, D. Thorpe
Manager, Economic Development, D. Degazio (until 6:37 p.m.)
Manager, Engineering Services, L. Ventresca
Community Planner, A. Ogunkeye

(Nigel Gilford, Guilford & Associates Inc., Environmental Management Consultants and Adam Chamberlain, Borden, Ladner, Gervais LLP, were present during

Committee-of-the-Whole discussion on a security of property matter).

08-25

Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:55 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;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) under Section 239(3.1) of the *Municipal Act, 2001*, as amended, for the purpose of training and educating members of Council concerning the annual meeting of Welland Recreational Canal Corporation;

and in addition to consider the following:

- e) the security of the property of the municipality or local board; and further
- f) proposed or pending acquisition of land or disposition of land by the municipality.

CARRIED

(Councillor Grenier was not present during Committee-of-the-Whole discussions on a security of property matter).

08-25

Moved by Sharpe and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:29 p.m. without report.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Belcastro disclosed an interest in Ref. No. 03-139 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is president of the Seaway Mall.

DELEGATION:

08-124 Janice Makepeace, Community Recreation Coordinator addressed Council regarding 2008 Summer Camp Program.

PUBLIC MEETING PURSUANT TO THE *MUNICIPAL ACT, 2001*, WITH RESPECT TO INCREASE IN TRANSIT FARES.

08-13 Transit Fare Increase.

The following people were present to speak on the proposed matter:

- A. Miron Kurczak, 19 Wellington Street, Apt. 106, Welland – in support of the increase.

There being no submissions, the hearing was concluded at 8:13 p.m. and Council reconvened. The Mayor resumed the Chair.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

04-47 Janet C. Booth, CEO, Welland Public Library and Melanie Gross Kerho, Chair, Welland Public Library Board addressed Council regarding an update on its activities.

06-84 George Chipman, Chair, Rose City Seniors' Activity Centre Feasibility Steering Committee and Ralph Belvedere, Architect, addressed Council regarding an update on the expansion of Rose City Activity Centre.

99-99 Bob Mahler, Chair and Stephen Fischer, Manager, Business & Operations, Welland Recreational Canal Corporation (WRCC) addressed Council regarding the Welland Recreational Waterway Master Plan.

THE FOLLOWING CORRESPONDENCE WAS READ:

08-13 Report from Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Extension of Welland Transit Service to Pelham and purchase of one small transit bus.

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.

04-41 Motion regarding purchase of an HVAC System at Welland Historical Museum.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

99-43 Ross Peever, President and CEO, Welland Hydro-Electric Holding Corporation was not present to address Council regarding WIFI.

Human Resources Committee did not report as the June 17 meeting was cancelled and rescheduled for June 24, 2008.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

99-99 Bob Mahler, Chair and Stephen Fischer, Manager, Business & Operations, Welland Recreational Canal Corporation re: WRCC Master Pan.

03-139 Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed Subdivider's Agreement with Calloway Reit (Welland) Inc. for Niagara Centre Subdivision (Phase 1) (File :26T-14-97003) north side of Woodlawn Road, west of Highway 406.

03-139 A By-law to authorize the signing of a Subdividers' Agreement with Niagara Centre Land Development with respect to the development of Niagara Centre Subdivision (File 26T-14-97003).

04-48 Janet C. Booth, CEO, Welland Public Library Board re: update on its activities.

04-107 Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed Assumption Agreement with Hectares Properties Inc. for Regatta Subdivision (59M-247).

04-107 A By-law to authorize the signing of an Assumption Agreement with Hectares Properties Inc. with respect to the development of the Regatta Subdivision.

06-85 George Chipman, Chair, Rose City Seniors' Activity Centre Feasibility Steering Committee and Ralph Belvedere, Architect, re: update on the expansion of Rose City Activity Centre.

06-131 Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed Subdivider's Agreement with Sterling Realty (Niagara) Inc., for Coyle Creek Estates Subdivision (File: 26T-14-06003) south side of Gaiser Road, east of South Pelham Road.

06-131 A By-law to authorize the signing of a Subdivider's Agreement with Sterling Realty (Niagara) Inc. with respect to the development of Coyle Creek Estates Subdivision (File 26T-14-06003).

07-126 Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed Subdivider's Agreement with Triple-F Developments Inc. and Holding (H) removal for Clare Estates Subdivision (Phase 1) (File: 26T-14-07002 and 2007-06) south side of Webber Road between South Pelham Road and Clare Avenue.

07-126 A By-law to amend Zoning By-law 2667 upon the Application of Triple-F Developments Inc. and

1454417 Ontario Inc. to remove the Holding Symbol "H" from certain lands on the south of Webber Road between South Pelham Road and Clare Avenue (File 2007-06).

07-126 A By-law to authorize the signing of a Subdivider's Agreement with Triple-F Developments Inc. and 1454417 Ontario Ltd. With respect to the Development of Clare Estates – Phase 1 Subdivision (File 26T-14-07002).

07-126 A By-law to accept the transfer of an Easement(s) for sewers from Triple-F Developments Inc. and 1454417 Ontario Ltd. to the Corporation of the City of Welland in the Clare Estates – Phase 1 Subdivision (File 26T-14-07002).

07-126 A By-law to Lay Out, Establish and Name Bocks 17 and 18, Plan 50M -being a 0.3 metre reserve for the City of Welland as part of Clare Avenue.

07-137 Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Best Practices 3 R Plan.

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 17th day of June, 2008.

08-3 Deputy City Clerk, B. Gallaccio – Lottery Licenses.

08-6 Lynn Johnston, President, Canadian Society for Training and Development – requesting that the week of September 22 – 26, 2008 be declared as "**Learn @ Work Week**".

08-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Transit Fare Increase.

08-15 A By-law to authorize the entering into a Collective Agreement with the Welland Professional Firefighters Association (I.A.F.F. 481) effective January 1, 2005 to December 31, 2008.

08-19 Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick - Supply and installation of protective screens at Burgar Park Field – Award of Tender.

08-19 Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Main Arena: purchase of refrigeration equipment.

08-19 Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Removal and replacement of skate resistant flooring at the Welland arenas – Award of tender.

08-125 Janice Makepeace, Community Recreation Coordinator re: Summer Camps.

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 May 27, 2008 and June 3, 2008, as circulated.

CARRIED

99-99 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives the presentation by Bob Mahler, Chair and Stephen Fischer, Manager, Business & Operations, Welland Recreational Canal Corporation and approves the final version of the Welland Recreational Waterway Master Plan as presented.

CARRIED

03-139 Moved by Dzugan and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND approves the entering into an Subdivider's Agreement with Calloway REIT (Welland) Inc. with respect to a Plan of Subdivision (Niagara Centre Subdivision - Phase 1) located on lands north of Woodlawn Road west of Highway 406 consisting of nine (9) lots and one (1) block; and further

THAT Welland City Council directs Staff to prepare any 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

04-47 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Janet C. Booth, CEO, Welland Public Library and Melanie Gross Kerho, Chair, Welland Public Library Board regarding update on its activities.

CARRIED

04-91 Moved to Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the replacement of the HVAC system at the Welland Historical Museum; and further

THAT Welland City Council accepts the quotation of HECO in the amount of \$90,000.00 plus GST, this being the lower of two quotations received and that the cost be funded from the 2008 Capital Budget; and further

THAT Welland City Council directs the City Clerk to prepare the necessary By-law.

CARRIED

04-107 Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the entering into an Assumption Agreement with Hectares Properties Inc. to assume the existing Subdivider's Agreement with respect to the development of the Regatta Subdivision (Plan 59M-247); and further

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

THAT Welland City Council authorizes the Mayor and Clerk to execute any necessary documents associated with the Assumption Agreement and the development of this Subdivision.

CARRIED

06-84 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by George Chipman, Chair, Rose City Seniors' Activity Centre Feasibility Steering Committee and Ralph Belvedere, Architect, regarding an update on the expansion of Rose City Seniors' Activity Centre and refers the matter to staff for comment and to the Budget Review Committee for its consideration.

CARRIED

06-131 Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the entering into an Subdivider's Agreement with Sterling Realty (Niagara) Inc. with respect to a residential Plan of Subdivision (Coyle Creek Estates Subdivision) located on lands south of Gaiser Road and east of South Pelham Road consisting of single detached dwellings, townhouse units, a stormwater management facility and parkland; and further

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

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

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

07-126

Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the entering into an Subdivider's Agreement with 1454417 Ontario Ltd., and Triple-F Developments Inc. with respect to a residential Plan of Subdivision (Clare Estates Subdivision - Phase 1) located on lands south of Webber Road west of Clare Avenue consisting of sixteen (16) single-detached dwellings; and further

THAT Welland City Council directs Staff to prepare any 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; and further

That Welland City Council approves the removal of the Holding (H) Symbol applicable to the sixteen (16) single-detached residential lots located on the west side of Clare Avenue south of Webber Road, upon registration of the Subdivider's Agreement.

CARRIED**07-137**

Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves report PF&LS 2008-11 Best Practices 3R Plan to retain a recycling consultant to perform a waste audit and complete a waste reduction plan for the Civic Square facility at a cost of \$4,900.00. Funds to be derived from the 2008 Capital Budget allotment for Facilities Audit.

CARRIED**08-3**

Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the following Lottery License:

Lebanese Muslim Society of Niagara - Nevada.

CARRIED**08-6**

Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of September 22 – 26, 2008 as "**Learn @ Work Week**" in the City of Welland as requested by the Canadian Society of Training and Development.

CARRIED**08-13**

Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the extension of Welland Transit Service to the Town of Pelham on a net cost recovery basis; and further

THAT Welland City Council authorizes Staff to purchase one (1) 2008 model Small Transit bus for \$78,900 plus tax from City View Bus and Truck Sales.

CARRIED**08-13**

Moved by Dzugan and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the implementation of a Transit Fare Increase based on a cash fare of \$2.50 and incremental increases to the associated multi-pass fares effective September 1, 2008 as per Report TRANS-2008-07; and further

THAT Welland City Council refers the information presented by Mr. A. Miron Kurczak to staff and to the Transit Advisory Committee for review and report.

CARRIED

08-19 Moved by Larouche and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report PF&LS – 2008-12. Supply and Installation of Protective Screens at Burger Park Baseball Field Award of Tender for information; and further
 That Welland City Council approves the reallocation of funding from the unexpended Museum 2007 Capital Account in the amount of \$ 20,000.00 to be transferred to the Burger Park Baseball Field allocation budgeted in the 2008 Capital Budget for Facilities, for a revised total capital budget allocation to the Burger Park Baseball Field of \$ 40,000.00; and further
 That Welland City Council accepts the tender of KC Dunrite – Ontario Inc. 1290771 of Caledonia, Ontario, as detailed in Report PF&LS-2008-12, for Supply and Installation of Protective Screens at Burger Park Baseball Field at the quoted price of \$ 34,970.00 plus GST, and further
 That Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with KC Dunrite – Ontario Inc. 1290771, to execute the construction.

CARRIED

08-19 Moved by Larouche and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to purchase two(2) Mycom Compressors from Cimco Refrigeration at the quoted price of \$ 50,000.00 plus GST; and further
 THAT Welland City Council authorizes staff to purchase one Brine Pump Package from Cimco Refrigeration at the quoted price of \$ 10,000.00 plus GST.

CARRIED

08-19 Moved by Larouche and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts report PF&LS-2008-14 Removal and Replacement of Skate Resistant Flooring at the Welland Arenas – Award of Tender for information; and further
 THAT Welland City Council approves and accepts the tender of Gym-Con Ltd. Of Barrie, Ontario as detailed in report PF&LS-2008-14, for Removal and Replacement of Skate Resistant Flooring for the Welland Arenas at the quoted price of \$33,280.00 plus GST.

CARRIED

08-124 Moved by Letourneau and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Janice Makepeace, Community Recreation Coordinator regarding the 2008 Summer Day Camp Program.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

07-126

BYL 2008 - 86
 A By-law to authorize the signing of a Subdivider's Agreement with Triple-F Developments Inc. and 1454417 Ontario Ltd. with respect to the Development of Clare Estates – Phase 1 Subdivision (File 26T-14-07002).

...continued

BY-LAWS PRESENTED FOR FIRST READING...cont'd.:

07-126

BYL 2008 - 87
 A By-law to amend Zoning By-law 2667 upon the Application of Triple-F Developments Inc. and 1454417 Ontario Inc. to remove the Holding Symbol "H" from certain lands on the south of Webber Road between Pelham Road and Clare Avenue (File 2007-06).

South

07-126

BYL 2008 - 88
 A By-law to accept the transfer of an Easement(s) for storm water purposes from Triple-F Developments Inc. and 1454417 Ontario Ltd. to the Corporation of the City of Welland in the Clare Estates – Phase 1 Subdivision (File 26T-14-07002).

07-126

BYL 2008 - 89
 A By-law to Lay Out, Establish and Name Bocks 17 and 18, Plan 59M- being a 0.3 metre reserve for the City of Welland as part of Clare Avenue.

06-131

BYL 2008 - 90
 A By-law to authorize the signing of a Subdivider's Agreement with Sterling Realty (Niagara) Inc. with respect to the development of Coyle Creek Estates Subdivision (File 26T-14-06003).

03-139

BYL 2008 - 91
 A By-law to authorize the signing of a Subdividers' Agreement with Niagara Centre Land Development with respect to the development of Niagara Centre Subdivision (File 26T-14-97003).

08-15

BYL 2008 - 92
 A By-law to authorize the entering into a Collective Agreement with the Welland Professional Firefighters Association (I.A.F.F. 481) effective January 1, 2005 to December 31, 2008.

04-107

BYL 2008 - 93

A By-law to authorize the signing of an Assumption Agreement with Hectares Properties Inc. with respect to the development of the Regatta Subdivision (59M-247) (File 26T-14-93009).

08-77

BYL 2008 - 94

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

...continued

BY-LAWS PRESENTED FOR FIRST READING...cont'd.:

08-77Z

BYL 2008 - 95

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.

08-1

BYL 2008 - 96

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 17th day of June, 2008.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Larouche 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, 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, July 9, 2008 for inclusion on the next Regular Council Meeting Agenda of July 15, 2008.

Council adjourned at 9:54 p.m.

These Minutes approved and adopted by Motion of Council this 15th day of July, 2008.

MAYOR

DEPUTY CLERK