



COUNCIL MEETING, SEPTEMBER 2, 2008

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

Council met in Committee-of-the-Whole closed to the public at 6:16 p.m. and in open session at 7:35 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.

Mayor Goulbourne vacated the Chair at 9:17 p.m. and Vice Mayor Grenier assumed the Chair during discussion regarding Ref. No. 08-29. Mayor Goulbourne resumed the Chair at 9:20 p.m.

Members Present:

Councillors R. Alakas (6:17 p.m.), M. Belcastro, F. Campion, P. Chiocchio, M. Dzugan, P. Grenier, J. Larouche (6:17 p.m.), R. Letourneau (until 9:28 p.m.), S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger

City Clerk, B. Gallaccio

Chief, Fire & Emergency Services, D. Prevost

General Manager, Engineering, Public Works & Transportation Services/City Engineer, S. Iannello

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 (7:05 p.m.)

General Manager, Planning & Development Services, D. Thorpe

08-25 Moved by Dzugan and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:16 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) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- e) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (MFIPPA);

and in addition to consider the following:

- f) the security of the property of the municipality or local board.

CARRIED

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

(Councillor Alakas was not present during Committee-of-the-Whole discussions on a personal matter).

08-25 Moved by Belcastro and O'Dell

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:28 p.m.

CARRIED

PRESENTATIONS:

Presentation of a certificate on behalf of AMCTO to Craig Stirtzinger, City Manager, in recognition for his longstanding commitment to the Association and to the municipal profession.

Presentation of a certificate by Deb Lovig, LED Programs Manager from Cree, Inc., North Carolina, and Peter Love, Ontario's Chief Energy Conservation Officer, to Welland City Council for the designation of Welland as a LED City.

DELEGATIONS:

08-6 Bonnie McNulty, Volunteer, The Arthritis Society, Niagara/Hamilton addressed Council and requested the Month of September be declared as "Arthritis Awareness Month".

08-28 Doug Rapelje, Foundation Chair, Alzheimer Society Niagara addressed Council regarding the Alzheimer Coffee Break Campaign.

07-22 Lynn Ogryzlo, Food & Wine Writer, addressed Council regarding the Buy Local Food movement and what it means to towns and cities across the region.

THE FOLLOWING CORRESPONDENCE WAS READ:

07-22 Letter from the Education Foundation of Niagara requesting permission to sell raffle tickets in the City of Welland.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

Notices of Motion introduced by Councillor Campion:

07-22 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to include in this process the possibility of reducing the speed on Aqueduct Street between the south limit of the roadway and Niagara Street of 40 km/h.

07-22 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to enter into a public consultation process in order to determine the feasibility and public desire to implement community safety zones along Aqueduct Street, Chippawa Street and Smith Street.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

04-37 Notice of Motion from Councillor Van Vliet – direct water billing to tenant and deposit requirement.

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 2nd day of September, 2008.

08-6 Bonnie McNulty, Volunteer, The Arthritis Society, Niagara/Hamilton addressed Council requesting to declare the month of September as "**Arthritis Awareness Month**".

08-6

08-9 Deb Lovig, LED Programs Manager, Cree Inc., North Carolina – requesting Council to declare September 2 as "LED Day".

08-06 Mary MacCormick, Acting Executive Director, Canadian Foundation for the Study of Infant Deaths (SIDS), requesting that the Month of October be declared as "**SIDS Awareness Month**".

08-19 Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Tender Award – Improvements to Aqueduct, Dunkirk and Winstonville Parks.

08-22 A By-law to amend definitions and Schedules "V", "VIII", "XXVII" and to add Schedule "XXXIX" of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.

08-22 A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall; and to repeal By-law 2008-125.

08-28 Doug Rapelje, Foundation Chair, Alzheimer Society Niagara, addressed Council regarding the Alzheimer Coffee Break Campaign.

08-29 Notice of Motion from Mayor Goulbourne - formation of an Ad Hoc Committee to conduct a review of Council and General Committee Meeting schedules.

08-102 Lynn Ogrzlo, Food & Wine Writer, addressed Council regarding the Buy Local Food movement and what it means to towns and cities across the region.

08-132 Gen. Mgr., Planning & Development Services, D. Thorpe – Condominium Approval Canadian Equity Builders Inc., 100 Brownleigh Avenue (File 26CD-14-08003).

08-136 Susan Daniels, City Clerk, City of Thorold – Buy Canadian – Build Communities.

08-137 Jim Karygiannis, M.P., Scarborough-Agincourt – Bill C568 An Act to amend the Motor Vehicle Safety Act (speed limiters).

08-1 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of August 14, 2008, and August 19, 2008, as circulated.

CARRIED

04-37 Moved by Van Vliet and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND commences to bill the tenant directly on water bills. The tenant will be required to place a deposit with the City for water, the same as hydro, gas, and telephone. Amount of deposit to be determined.

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04-37 Moved by Van Vliet and Belcastro
 THAT resolution Ref. No. 04-37 regarding billing of tenants directly for water bills be tabled.

CARRIED

08-3 Moved by Campion and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Education Foundation of Niagara to sell raffle tickets in the City of Welland under authority of Lottery License M557099; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

08-6 Moved by Letourneau and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Bonnie McNulty, Volunteer, The Arthritis Society - Ontario Division - Niagara/Hamilton regarding its activities and that the Mayor declares the month of September as "**Arthritis Awareness Month**" in the City of Welland.

CARRIED

08-6
08-9 Moved by Grenier and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND declares September 2, 2008, as "LED Day" in the City of Welland.

CARRIED

08-6 Moved by Campion and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of October 2008, as "**SIDS Awareness Month**" in the City of Welland as requested by the Canadian Foundation for the Study of Infant Deaths (SIDS).

CARRIED

08-19 Moved by O'Dell and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report PF&LS 2008-08, Tender Award – Improvements to Aqueduct, Dunkirk and Winstonville Parks for information; and further
 THAT Welland City Council approves the reallocation of funding in the 2008 Capital Budget for Park Improvements of \$10,000.00 from the Merritt Island Washroom 2007 Capital Account to be transferred to the Parks Improvement for a revised total Capital Budget allocation of \$180,000.00; and further
 THAT Welland City Council accepts the tenders of Stevensville Lawn Service Inc. at the quoted price of \$50,225 plus GST for improvements to Aqueduct playground, and Stevensville Lawn Service Inc. at the quoted price of \$65,975.00 plus GST for improvements to Winstonville playground and Peninsula

Construction Inc. at the quoted price of \$60,923.79 plus GST for improvements to Dunkirk Playground respectively, all 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 Peninsula Construction Inc. and Stevensville Lawn Service Inc. to execute the constructions.

CARRIED

08-28 Moved by Chiocchio and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, Foundation Chair, Alzheimer Society Niagara Foundation, regarding National Coffee Break Day on September 18, 2008, in support of the Alzheimer Society.

CARRIED

08-29 Moved by Goulbourne and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the formation of an Ad Hoc Committee to conduct a review of the current Council and General Committee Meeting schedules and agenda and report to Council in the fall.

CARRIED

08-102 Moved by Grenier and Dzugan
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Lynn Ogryzlo, Food & Wine Writer, and supports the Buy Local Food movement in towns and cities across the Region.

CARRIED

08-132 Moved by Campion and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption request by Canadian Equity Builders Inc. for its Application for Condominium Approval for fifty-two (52) townhouse units located at 100 Brownleigh Avenue in accordance with Section 9(7) of the *Condominium Act*, Chapter 4, 1988, as amended, subject to the Owner satisfying the City with respect to the building condition meeting the provisions contained in Official Plan Amendment No. 80; and further
 THAT Welland City Council authorizes Staff to prepare any necessary By-laws.

CARRIED

08-136 Moved by O'Dell and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the City of Thorold calling on the federal, provincial and territorial governments to immediately enact "Buy Canadian" legislation applying to direct public purchases, and to grants and other funding provided to municipal governments; and further
 THAT Welland City Council supports the adoption of a "Buy Canadian" policy for municipal purchases which includes:

- requiring the purchase of goods and services with the highest possible level of Canadian content;
- requiring potential vendors to identify the source of goods and services, and the overall level of Canadian content, as part of the tendering process;
- reporting annually to Council on the level of Canadian content in municipal purchases;
- identifying opportunities to enhance the level of Canadian content in future purchases; and

refers to staff, for future policy consideration, the required minimum Canadian content and domestic final assembly in the purchase of public transit vehicles.

CARRIED

08-137 Moved by Campion and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND receives the request from the Honourable Jim Karygianis and supports Bill C-568, an Act to amend the *Motor Vehicle Safety Act* which would require all vehicles manufactured after January 1, 2010, to be equipped with speed limiters so vehicles cannot travel at more than 150 kilometers per hour.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

08-139 Moved by Campion and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to move advertising in "Civic Corner" to Niagara This Week effective immediately until the end of 2008; and further
 THAT Welland City Council directs staff to prepare a Request for Proposal for Civic Corner advertising for the 2009 Budget Year.

CARRIED

08-24 Moved by Campion and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the hiring of a Non-Union Special Projects Engineer in the Engineering Department and that the current full time staff complement be increased by one.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

08-22

BYL 2008 – 140

A By-law to amend definitions and Schedules "V", "VIII", "XXVII" and to add Schedule "XXXIX" of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.

08-22

BYL 2008 – 141

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall; and to repeal By-law 2008-125.

08-1

BYL 2008 – 142

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 2nd day of September, 2008.

And that same be now read a first time.

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

2. Moved by Campion and Sharpe
 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, September 10, 2008 for inclusion on the next Regular Council Meeting Agenda of September 16, 2008.

Councillor O'Dell gave Notice of Motions of the following issue to be presented to Council at the September 16, 2008 Regular Council Meeting:

99-99 ***THAT THE COUNCIL OF THE CITY OF WELLAND reconsiders resolution Ref. 99-99 passed by Council on May 20, 2008, regarding its endorsement of the initiative by the Welland Recreational Canal Corporation to construct an outdoor natural amphitheatre in Merritt Park.***

99-99 ***THAT THE COUNCIL OF THE CITY OF WELLAND reopens the public process regarding the construction of an outdoor natural amphitheatre.***

Council adjourned at 9:32 p.m.

These Minutes approved and adopted by Motion of Council this 16th day of September, 2008.

MAYOR

CLERK