



COUNCIL MEETING, OCTOBER 7, 2008

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:56 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 D. Alexander (6:40 p.m.), 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, C. Stirtzinger

City Clerk, B. Gallaccio

Deputy Clerk, B. Nistico-Dunk

Deputy Fire Chief, K. Roach

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 (until 10:17 p.m.)

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 7:30 p.m.)

Manager, Development Planning & Real Estate, R. Di Felice (7:39 p.m. – 9:50 p.m.)

Community Planner, A. Ogunkeye (7:39 p.m. – 9:50 p.m.)

Facilities Manager, C. Herstek (7:39.m. – 9:50 p.m.)

Manager, Business & Operations WRCC, S. Fischer (8:30 p.m. – 9:52 p.m.)

(Nigel Guilford, Guilford & Associates Inc., and Mike Watts, IMS, were present during Committee-of-the-Whole discussion on a proposed or pending acquisition or disposition

of land by the municipally).

08-25 Moved by Dzugan 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 5:56 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal or local board employees;
- b) a proposed or pending acquisition or disposition of land by the municipality or local board;
- c) labour relations or employee negotiations;
- d) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and in addition the following:
a personal matter, and two matters in respect of which a council, board, committee or other body may hold a closed meeting under another Act (MFIPPA).

CARRIED

(Councillor Sharpe was not present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality).

(Councillor Grenier was not present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality).

08-25 Moved by Letourneau and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:25 p.m. without report.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Sharpe disclosed an interest in Ref. No 07-100 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College which is partnered with Habitat for Humanity.

PRESENTATIONS:

08-28 Street Pharmacy's first music video - "Welcome 2 tha Street Pharmacy".

07-88 Ron Shishido and Patrick Kennedy of Dillon Consulting presented the New Official Plan.

DELEGATIONS:

08-28 Shirley Perron, Past Co-ordinator addressed Council regarding the 2008 City-wide Food Drive.

08-28 The Honourable Steven W. Mahoney PC, Chair of the Workplace Safety and Insurance Board addressed Council regarding the Community Workplace Health and Safety Charter.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

02-85 Russ Findlay, Chair, Accessibility Advisory Committee, addressed Council regarding the 2009 Accessibility Plan.

08-19 Scott Doan, Vice Chair, Arena Feasibility Study Steering Committee, addressed Council regarding the Arena Feasibility Study.

THE FOLLOWING CORRESPONDENCE WAS READ:**99-90**

08-10 Letter from Greg D'Amico, Chair, Welland Downtown Business Improvement Area Board of Management regarding appointments to the Board.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

07-123 A By-law to authorize acceptance of an offer to purchase from Ravenda Homes Ltd. for the sale of city-owned property being a portion of the closed Willson Road Allowance, fronting on the north side of Colbeck Drive.

08-46 A By-law to authorize the purchase of one new 2009 compact hybrid car.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

99-99 Notice of Motion from Councillor O'Dell – reconsiders resolution Ref. 99-99 passed by Council on May 20, 2008, regarding the construction of an outdoor natural amphitheatre in Merritt Park.

99-99 Notice of Motion from Councillor O'Dell – reopens the public process regarding the construction of an outdoor natural amphitheatre.

99-110

08-22 Stephen Fischer, Welland Recreational Canal Corporation Business & Operations Manager, for the Board of Directors – Power Assisted Bicycles and their use on the Canal Trail System.

02-85 Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – 2009 Accessibility Plan for the City of Welland.

05-158 Notice of Motion from Councillor Dzugan – prepare a Request for Proposal for Council's consideration with respect to the development of the Woodlawn Road Sports Complex.

06-116 A By-law to authorize the Stopping-Up and Closing of a portion of the Unopened road Allowance, being Part 2, Plan 59R-13781.

07-88 Gen. Mgr., Planning and Development Services, D. Thorpe – New Official Plan – The Background Policy Report: Issues, Opportunities and Constraints.

07-100 Gen. Mgr., Planning and Development Services, D. Thorpe – Sale of Land to Habitat for Humanity Niagara – 42 and 46 Fourth Street, Welland.

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 7th day of October, 2008.

08-10

08-32 Letter from Dawn McInnis, Tourism Development Coordinator re: Appointments to Welland Tourism Advisory Committee.

08-13 Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer – Purchase of two low floor, accessible transit buses complete with automated stop announcement system.

08-13 A By-law to authorize the purchase of two (2) low floor accessible transit buses complete with automated stop announcement system.

08-19 Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Arena Feasibility Study Steering Committee.

08-46 Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer – Purchase of one new 2009 compact hybrid car.

08-46 A By-law to authorize the purchase of one new 2009 compact hybrid car.

08-136 Notice of Motion from Councillor Alexander – develop a program for local suppliers and vendors as well as provide procurement recommendations to cut costs using Council's six strategic priorities.

08-142 Notice of Motion from Councillor Grenier – discontinue the practice of providing bottled water at meetings and events at City Hall, and that an education plan with the Conservation Committee be developed, with the aim to eliminate bottled water use at city of Welland facilities.

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 September 16, 2008 and September 23, 2008, as circulated.

CARRIED

99-90

08-10 Moved by Larouche and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND appoints the following members to replace the former Welland Downtown Business Improvement Area Board of Management (WDBIA) as per the recommendation of WDBIA dated July 28, 2008: Carl Damude; Domenic Ferrusi; Karri Constantino; Kevin Nash, Vice Chair; Leeann Arcaro-King; Nancy Campbell, Treasurer; Sandy Valleriani; Steve Talosi, Secretary; and Greg D'Amico, Chair.

CARRIED

99-99 Moved by O'Dell and Letourneau
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.

LOST
2/3 MAJORITY REQUIRED

99-110

08-22 Moved by Larouche and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from the Welland Recreational Canal Corporation advising that the use of power assisted bicycles on the Welland Recreational Canal Trail is permitted.

CARRIED

02-85 Moved by Dzugan and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Russ Findlay, Chair, Accessibility Advisory Committee, regarding the 2009 Accessibility Plan.

CARRIED

02-85 Moved by Alexander and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2009 Annual Accessibility Plan in accordance with the Ontarians with Disabilities Act (ODA), 2001, subject to 2009 budget approval.

CARRIED

05-158 Moved by Dzugan and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND directs the General Manager, Parks, Facilities & Leisure Services to prepare a Request for Proposal for Council's consideration with respect to the development of the Woodlawn Road Sports Complex which would have no tax levy impact on the Citizens of Welland.

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05-158 Moved by Dzugan and Larouche
 That Ref. No. 05-158 be amended by adding the following: "which also is to incorporate the Arena Feasibility Study Steering Committees' recommendations contained in report PF&LS 2008-25 as an additional option to the Request for Proposal.

LOST

FOLLOWING THE LOST VOTE ON THE AMENDMENT, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

CARRIED

07-88 Moved by Grenier and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives the Background Policy Report: Issues, Opportunities and Constraints prepared by Dillon and Associates for the New Official Plan.

CARRIED

07-100 Moved by Letourneau and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the provision of a Grant in favour of Habitat for Humanity Niagara to undertake infrastructure improvements at 42-46 Fourth Street as outlined in Report PDS-2008-56 subject to 2009 Budget approval.

CARRIED

08-10
08-32 Moved by Larouche and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Mark Carl, Welland Recreational Canal Corporation representative, Councillor Barry Sharpe, Welland Development Commission representative and (Alternate - Frank DeChellis) to the Welland Tourism Advisory Committee as recommended by the Welland Tourism Advisory Committee.

CARRIED

08-13 Moved by Larouche and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of "two" low floor accessible transit buses complete with automated stop announcement system from City View Bus Sales Ltd. for \$399,729.44 including P.S.T. for a total of \$799,458.88, as per the 2008 Transit Capital Budget; and further THAT Welland Qty Council authorizes the transfer of \$60,000.00 from the Garage Facility Capital Account to the Transit Bus Purchase Capital Account.

CARRIED

08-19 Moved by Larouche and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Scott Doan, Vice Chair, Arena Feasibility Study Steering Committee, regarding the Arena Feasibility Study.

CARRIED

08-19 Moved by Larouche and Sharpe
THAT THE COUNCIL OF THE CITY OF WELLAND receives the recommendations of the Arena Feasibility Study Steering Committee as detailed in Report PF&LS 2008-25; and further
THAT the Report PF&LS 2008-25 be forwarded to staff to formulate and recommend to Council an implementation strategy for each of the recommendations; and further
THAT the Report PF&LS 2008-25 be forwarded to the Budget Review Committee and City Council for consideration of the financial implications of the recommendations.

CARRIED

(Councillor O'Dell asked to be recorded as opposed to this Resolution)

08-28 Moved by Chiocchio and Letourneau
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Shirley Perron, Welland Food Drive Past Co-ordinator, regarding the 2008 City-wide Food Drive on Saturday, November 1, 2008; and further
THAT Welland City Council endorses the following three recommendations in support of the Welland Food Drive:

1. To advertise the food drive on the City's web page and in the Civic Corner; and
2. To promote and encourage families, friends and business connections to give generously; and
3. To display small Food Drive reminder posters at front counters.

CARRIED

08-28 Moved by Grenier and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by the Honourable Steven W. Mahoney, Chair of the Workplace Safety and Insurance Board; and further
THAT Welland City Council supports the Workplace Safety and Insurance Board's Community Workplace Health and Safety Charter; and further
THAT Welland City Council is committed to actively participating within a learning community that provides and receives best practices for the enhancement of employee physical, social and mental wellbeing in all employment sectors within our community.

CARRIED

08-46 Moved by O'Dell and Champion
THAT THE COUNCIL OF THE CITY OF WELLAND defers Report ENG-2008-36, the purchase of one new 2009 Prius Hybrid Car, to staff for further information.

CARRIED

08-142 Moved by Grenier and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND discontinues the practice of providing bottled water at meetings and events at City Hall, and that an education plan with the Conservation Committee be developed, with the aim to eliminate bottled water use at City of Welland facilities.

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:

06-116

BYL 2008 - 159

A By-law to authorize the Stopping-Up and Closing of a portion of the Unopened Road Allowance, being Part 2, Plan 59R-13781.

08-13

BYL 2008 - 160

A By-law to authorize the purchase of two (2) low floor accessible transit buses complete with automated stop announcement system.

08-1

BYL 2008 - 161

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 7th day of October, 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 amended, 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, October 15, 2008 for inclusion on the next Regular Council Meeting Agenda of October 21, 2008.

Council adjourned at 10:58 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of October, 2008.

MAYOR

CLERK