



**MINUTES OF
CITY COUNCIL MEETING, OCTOBER 21, 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 7:45 p.m. on the above date.

Vice Mayor Grenier in the Chair.

Vice Mayor Grenier vacated the Chair at 8:42 p.m. and Mayor Goulbourne assumed the Chair.

The open meeting commenced with the playing of the National Anthem.

Members Present:

Councillors R. Alakas, D. Alexander, F. Champion, P. Chiochio, M. Dzugan (until 9:11 p.m.), 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 (8:05 p.m.)

City Clerk, B. Gallaccio

Deputy Clerk, B. Nistico-Dunk

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 (6:48 p.m.)

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

General Manager, Planning & Development Services, D. Thorpe

Tourism, Development Coordinator, D. McInnis (7:45 p.m.)

08-25 Moved by Larouche and Dzugan

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) a proposed or pending acquisition or disposition of land by the municipality or local board; and
- c) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. (MFIPPA).

CARRIED**08-25** Moved by Van Vliet and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:31p.m. without report.

CARRIED**PRESENTATION:****Community Involvement Recognition**

Presentation of plaque by Councillor Mark Dzugan to the family of the late James (Jimmy) Marando.

DELEGATIONS:

08-28 Anthony Pasto, President, and Sue Morin, Administrator, Welland Sports Tourism Alliance addressed Council regarding various strategic planning initiatives.

08-28 Bill Auchterlonie, Executive Director, United Way South Niagara addressed Council regarding the 2008 Campaign.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

08-4 Councillor Grenier, Chair of the Budget Review Committee provided an update of the Budget Review Committee meeting of October 21, 2008

99-43 Ross Peever, President/CEO, Tim Clutterbuck, Director/Chair, Welland Hydro, and Jim Donegan, NEXUS Communications addressed Council regarding Welland WiFi.

THE FOLLOWING CORRESPONDENCE WAS READ:

05-158 Report from Gen. Mgr., Parks, Facilities and Leisure Services B. Fenwick – Tender Award – Woodlawn Sportsplex – Phase 1 Soccer Fields – Servicing and Grading (Tender No P08-06), contract administration and inspection fees.

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.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 99-43** Ross Peever, President/CEO, Tim Clutterbuck, Director/Chair, Welland Hydro, and Jim Donegan, NEXUS Communications re: WiFi presentation.
- 99-43** A By-law to ratify the amendments to the Shareholders Declaration with Welland Hydro-Electric Commission.
- 02-85**
- 06-166** City Mgr., C. Stirtzinger – Amendments to Customer Service Policy to Reflect Accessibility Requirements.
- 05-149** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer S. Iannello – Tender award – Ontario Road Pumping Station Drainage Area – Phase 1 Glasgow Avenue Sanitary Sewer construction and Evelyn Ditch Improvements. (A 2007 Niagara Region CSO Management Action Plan Partnership Funding Project.
- 06-84** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Building Canada Fund – Rose City Community Wellness & Abilities Centre.
- 07-85** Gen. Mgr., Planning & Development Services, D. Thorpe – Proposed By-law to remove the Holding (H) Symbol for Block 150, Plan 59M-269, north of Daimler Parkway, east of Perth Trail (File 2006-18).
- 07-85** A By-law to amend Zoning By-law 2667 upon the application of 2090572 Ontario Inc. to remove the Holding Symbol “H” from certain lands on the north side of Daimler Parkway, east of Perth Trail (File 2006-18).
- 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 21st day of October, 2008.
- 08-03** Karin Perry, Executive Director, Breast Cancer Research and Education Fund – request to sell bazaar tickets in the City of Welland.
- 08-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer S. Iannello – Parking Restrictions – 587 King Street.
- 08-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer S. Iannello – Thorold Road – Posted Speed Rate Reduction.
- 08-22** A By-law to amend definitions and general working of provisions, Schedules “V”, “VIII”, “XVII”, and “XXVIII” of By-law 89-2000, being a By-law regulating traffic and parking within the City of Welland.
- 08-28** Anthony Pasto, President, and Sue Morin, Administrator, Welland Sports Tourism Alliance - re: introduction to the Welland Sports Tourism Alliance.
- 08-28** Bill Auchterlonie, Executive Director, United Way South Niagara re: 2008 Campaign.
- 08-46** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer S. Iannello – 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.
- 08-143** Notice of Motion from Councillor Alexander – debate the proposed Niagara Hospital System's Hospital Improvement Plan.
- 08-145** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer S. Iannello – Newspaper Box By-law.
- 08-146** Gen. Mgr., Planning & Development Services, D. Thorpe – Proposed By-law to remove the Holding (H) Symbol from lands on the north side of Seventh Street, west of King Street municipally known as 48 and 50 Seventh Street (Hi-Tecollision Ltd. (File 96-10).
- 08-146** A By-law to amend Zoning By-law 2667 upon the application of Hi-Tecollision Ltd. to remove the Holding Symbol “H” from certain lands on the north side of Seventh Street, west of King Street known municipally as 48 and 50 Seventh Street (File 96-10).
- 08-147** Petition signed by 10 of the 11 residents of Regatta Drive – re: elimination of sidewalks requirement on the east side of Regatta Drive.
- 08-149** Carolyn Downs, City Clerk, The Corporation of the City of Kingston – re: Motion 7, Increase of heads and beds payments to match the rate of inflation.

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 Meeting of October 7, 2008, as circulated.

CARRIED

99-43 Moved by Alexander and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ross Peever, President/CEO, Tim Clutterbuck, Director/Chair, Welland Hydro, and Jim Donegan, NEXUS Communications, regarding Welland WiFi.

CARRIED

02-85

06-166 Moved by Larouche and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the changes and additions to Customer Service Policy HRO-001-0025, to reflect the requirements of the Accessibility Standards for Customer Service (O. Reg. 429/07), as recommended by the Accessibility Advisory Committee.

CARRIED

05-149

Moved by O'Dell and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Vic Vatr Contracting Ltd. of Welland, Ontario as detailed in Report ENG-2008-39, for the Ontario Road Pumping Station Drainage Area – Phase 1, (A Regional Niagara CSO Management Action Plan Project) at the quoted price of \$222,795.20 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 Vic Vatr Contracting Ltd. to execute the construction.

CARRIED

05-158

Moved by Larouche and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Miller Paving Ltd. as detailed in Report PF&LS -2008- 31, for the Woodlawn Sportsplex – Phase 1 (Soccer Fields – Servicing and Grading – Tender No. P08-06) at the quoted price of \$549,783 plus 5% G.S.T. (\$27,489.15) for a total contract price of \$577,272.15; and further
 THAT Welland City Council authorizes the General Manager, Parks, Facilities and Leisure Services to retain Kerry T. Howe Engineering Limited to carry out the contract administration and inspections on a daily basis at an estimated fee of \$20,360.00 excluding applicable GST; and further
 THAT Welland City Council authorizes the General Manager, Parks, Facilities and Leisure Services to retain MMM Group Ltd. to confirm construction details on site to ensure a seamless transition into Phase 2 works at an estimated fee of \$7,840.00 excluding applicable GST; and further
 THAT Welland City Council approves the funding for these professional services be drawn from the 2008 Facilities Capital Budget by debenture; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into an agreement with Kerry T. Howe Engineering Limited; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into an agreement with MMM Group Ltd.

CARRIED

06-84

Moved by Larouche and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND endorses the recommendation from the Rose City Seniors' Activity Centre Feasibility Study Steering Committee and the Corporate Management Team (CMT) to apply for funding under the Building Canada Fund (BCF) for the development of the Rose City Seniors and Community Wellness & Abilities Centre as detailed in Report PF&LS 2008-30; and that the financial commitment of 3.0 million dollars be included in the 2009 Capital Budget.

CARRIED

07-85

Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol on land located on the north side of Daimler Parkway, east of Perth Trail; and further
THAT Welland City Council authorizes Staff to prepare the necessary By-law.

CARRIED**08-3**

Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Breast Cancer Research and Education Fund to sell bazaar tickets in the City of Welland under authority of Lottery License M611122 subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED**08-22**

Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare the necessary By-law to amend LIMITED PARKING SCHEDULE "VIII" of By-law 89-2000 as follows:

Deletion of the following:

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
King Street	West Side	Fourth Street	23 metres north of Sixth Street	1 hour	ANYTIME

Addition of the following:

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
King Street	West Side	Fourth Street	66 metres north of Sixth Street	1 hour	ANYTIME
King Street	West Side	66 metres north of Sixth Street	49 metres north of Sixth Street	15 minutes	ANYTIME
King Street	West Side	49 metres north of Sixth Street	23 metres north of Sixth Street	1 hour	ANYTIME

CARRIED

08-22 Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to modify By-law 89-2000 Schedule "XXVII", Speed Limits to include a reduced Rate of Speed on Thorold Road between Clare Avenue and South Pelham Road, to 40 km/h.

Deletion of the following:

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	
Thorold Road	A point 100 meters west of Clare Avenue	A point 20 meters east of Bridlewood Drive	40

Addition of the following:

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	
Thorold Road	A point 20 meters east of Bridlewood Drive	South Pelham Road	40

CARRIED

08-28 Moved by Larouche and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Anthony Pasto, President, and Sue Morin, Administrator, Welland Sports Tourism Alliance, regarding various strategic planning initiatives to develop Welland as a major centre for sports tourism.

CARRIED

08-28 Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Bill Auchterlonie, United Way South Niagara regarding the 2009 United Way Campaign.

CARRIED

08-46 Moved by O'Dell and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report ENG-2008-36, the purchase of one new 2009 Prius Hybrid Car, to the 2009 Budget deliberations.

CARRIED

08-143 Moved by Alexander and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND debate the proposed Niagara Health System's Hospital Improvement Plan and the report from Dr. Kitts and based on this, direct staff to invite public input and prepare a report scoping out possible costs, benefits, opportunities and impacts to the municipality.

CARRIED

YEAS: Councillors O'Dell, Van Vliet, Campion, Letourneau, Alexander, Larouche, Grenier, and Sharpe.

NAYS: Mayor Goulbourne.

08-145 Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2008-15 re: Newspaper Box By-law.

CARRIED

08-146 Moved by Alakas and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol for 48 and 50 Seventh Street for the expansion of an existing Motor Vehicle Repair Shop Class "B" being approximately 67 square metres in size; and further
THAT Welland City Council authorizes Staff to prepare the necessary By-law.

CARRIED

08-147 Moved by Larouche and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND receives the petition from residents of Regatta Drive and refers the matter to the Accessibility Advisory Committee and staff for review and report.

CARRIED

08-149 Moved by Grenier and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives and supports the resolution from the Corporation of the City of Kingston urging the Province of Ontario to increase the per student levy at rated public education institutions each year, pursuant to Section 323 of the Municipal Act, 2001, beginning 2008 to an amount equivalent to the taxes that would be levied if the property was taxable; and further
THAT the Clerk advise the proper authorities accordingly.

.....

08-149 Moved by Alexander and Letourneau

THAT Ref. No. 08-149 regarding the letter from the City of Kingston requesting the Province of Ontario to increase the "heads and beds" payment to municipalities to match the rate of inflation be referred to the Budget Review Committee for study and report.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by

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

08-146

BYL 2008 - 162

A By-law to amend Zoning By-law 2667 upon the application of Hi-Tecollison Ltd. to remove the Holding Symbol "H" from certain

lands on the north side of Seventh Street, west of King Street
known municipally as 48 and 50 Seventh Street (File 96-10).

And that same be now read a first time.

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Alakas and Chiocchio
THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-laws listed in the foregoing motion and, 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

BY-LAWS PRESENTED FOR FIRST READING:

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

07-85

BYL 2008 - 163

A By-law to amend Zoning By-law 2667 upon the application of 209057 Ontario Inc. to remove the Holding Symbol "H" from certain lands on the north side of Daimler Parkway, east of Perth Trail (File 2006-18).

08-22

BYL 2008 - 164

A By-law to amend definitions and general Wording of provisions, Schedules "V", "VIII", "XVII", and "XXVI and "XXVIII" of By-law 89-2000, being a By-law regulating traffic and parking within the City of Welland.

99-43

BYL 2008 - 165

A By-law to ratify the amendments to the Shareholders Declaration with Welland Hydro-Electric Commission.

08-1

BYL 2008 - 166

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 21st day of October, 2008.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Larouche 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 amended and, 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 29, 2008 for inclusion on the next Regular Council Meeting Agenda of November 4, 2008.

Council adjourned at 10:28 p.m.

These Minutes approved and adopted by Motion of Council this 4th day of November, 2008.

MAYOR

CLERK