



**MINUTES OF
COUNCIL MEETING, NOVEMBER 4, 2008**

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

Council met in Committee-of-the-Whole closed to the public at 7:00 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.

Members Present:

Councillors D. Alexander, M. Belcastro, F. Campion, P. Chiocchio, 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 (7:35 p.m.)

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

General Manager, Planning & Development Services, D. Thorpe

Manager, Engineering Services, L. Ventresca

08-25 Moved by Belcastro and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 7:00 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) including a litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board matter; and further

THAT Welland City Council appoints Craig Stirtzinger, City Manager, as Acting City Clerk in the absence of the City Clerk during discussions on a personal matter.

CARRIED**08-25** Moved by Letourneau and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:25 p.m.

CARRIED**PRESENTATION:**

Councillor Grenier introduced Carl Isenburg, President and Chief Administrative Officer, Municipal Property Assessment Corporation and Penny Christie, Customer Service Representative regarding the 2008 Assessment update.

DELEGATIONS:

08-13 Alfred Stockwell, Transit Manager and Councillor Chiocchio addressed Council regarding plans for the Welland Transit 35th Anniversary.

08-152 Tara Metzger, Watershed Planning Specialist, and Suzanne McInnis, Representative, Niagara Peninsula Conservation Authority addressed Council regarding the South Niagara Falls Watershed Plan.

08-143 Bob Saracino addressed Council regarding the Niagara Health System Hospital Improvement Plan.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

08-10 Councillor Grenier, Nominating Committee Chair, addressed Council regarding an appointment to the Rose Festival Committee.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

04-124 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Universal Water Metering Program – Third Quarter Update.

05-149 A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vattr Contracting Ltd. for the 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).

05-158 A By-law to authorize the acceptance of tender and the entering into a contract with Miller Paving Ltd. for the Woodlawn Sportsplex - Phase 1 (servicing and grading soccer fields); and to retain Kerry T. Howe to provide engineering services; and to retain MMM Group Ltd. to provide on site construction services.

06-131 Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed By-law to remove the

Holding (H) Symbol for Coyle Creek Estates Subdivision (Phase 1), south side of Gaiser Road, east of South Pelham Road (File 2006-10).

06-131 A By-law to amend Zoning By-law 2667 upon the application of Sterling Realty (Niagara) Inc. to remove the Holding Symbol "H" from certain lands on the south side of Gaiser Road, east of south Pelham Road (File 2006-10).

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 4th day of November, 2008.

08-13 Alfred Stockwell, Transit Manager re: update on plans for the 35th Anniversary.

08-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Extension of Welland Transit Services to Port Colborne.

08-13 A By-law to enter into an agreement with the City of Port Colborne for extension of Welland Transit Services.

08-22 A By-law to amend definitions and general wording of provisions, Schedules "VIII" and "XXVII" of By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland.

08-103 Anne Lawson, Secretary, Heritage Welland re: Masonry conservation of the Welland-Crowland War Memorial, Chippawa Park.

08-143 Bob Saracino re: Niagara Health System Hospital Improvement Plan.

08-145 A By-law to regulate newspaper box installation and use within the City of Welland.

08-152 Tara Metzger, Watershed Planning Specialist, and Suzanne McInnes, representative, Niagara Peninsula Conservation Authority – South Niagara Falls Watershed Plan.

08-152 Gen. Mgr., Planning and Development Services, D. Thorpe – South Niagara Falls Watershed Plan.

08-1 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of October 21, 2008, as circulated.

CARRIED

04-124 Moved by Campion and O'Dell

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report Eng-2008-38 on the progress of the Universal Water Metering Program.

CARRIED

06-84

08-10 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Pat Chiocchio to the Rose Festival Committee as recommended by the Nominating Committee.

CARRIED

06-131 Moved by Grenier and Belcastro

THAT COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol on lands described as Lots 1 to 38, all inclusive, Plan 59M-374 on the south side of Gaiser Road, east of South Pelham Road to permit the development of thirty-eight (38) single-detached dwellings; and further

THAT Welland City Council authorizes staff to prepare any necessary By-law.

CARRIED

08-13 Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Alfred Stockwell, Transit Manager, regarding plans for the 35th Anniversary of Welland Transit on November 19, 2008; and further THAT Welland City Council approves free bus rides on November 19, 2008 as part of Welland Transit's 35th Anniversary.

CARRIED

08-13 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the extension of Welland Transit Service to the City of Port Colborne and the provision of transit services within the City of Port Colborne on a net cost recovery basis; and further

THAT Welland City Council authorizes the Mayor and City Clerk to sign the Agreement between the City of Welland and the City of Port Colborne.

CARRIED

08-28 Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Carl Isenburg, President and Chief Administrative Officer, Municipal Property Assessment Corporation and Penny Christie, Customer Service Representative regarding the 2008 Assessment update.

CARRIED

08-62 Moved by Sharpe and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND removes from the table, Ref. No. 08-62, respecting a new Snow Clearing By-law.

CARRIED

08-62 Moved by Sharpe and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report PDS-2008-62 regarding the development of a new Snow Clearing By-law.

CARRIED

08-103 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Heritage Welland Committee regarding the masonry work to the Welland-Crowland War Memorial.

CARRIED

08-143 Moved by Letourneau and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Regional Councillor Bob Saracino regarding the Niagara Health System Hospital Improvement Plan.

CARRIED

08-152 Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Tara Metzger, Watershed Planning Specialist, and Suzanne McInnis, Representative, Niagara Peninsula Conservation Authority regarding the South Niagara Falls Watershed Plan.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

04-47

08-10 Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Pat Kemp to the Welland Public Library Board to November 30, 2010 as recommended by the Welland Public Library Board to replace Dianna Kit Mete.

CARRIED

08-148 Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Stopping Up, Closing and Declaring Surplus of the southern portion of Seeley Street Road Allowance south of Merritt Street; and further
 THAT Welland City Council authorizes staff to enter into negotiations with Mr. Campbell with respect to the Conditions of an Option to Purchase and the value of the land; and further
 THAT Welland City Council authorizes staff to prepare the necessary By-laws.

CARRIED

BY-LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE

BY-LAW PRESENTED FOR FIRST READING:

1. Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-law entitled:

08-148
 BYL 2008 – 168
 A By-law to authorize the Stopping-Up and Closing of a portion of unopened Seeley Street road Allowance north of Merritt Street.

And the same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law 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

BY-LAWS PRESENTED FOR FIRST READING:

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

05-149
 BYL 2008 – 169
 A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatr Contracting Ltd. for the 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).

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CON'D.:

05-158

BYL 2008 – 170

A By-law to authorize the acceptance of tender and the entering into a contract with Miller Paving Ltd. for the Woodlawn Sportsplex – Phase 1 (servicing and grading soccer fields); and to retain Kerry T. Howe to provide engineering services; and to retain MMM Group Ltd. to provide on site construction services.

08-13

BYL 2008 - 171

A By-law to enter into an agreement with the City of Port Colborne for extension of Welland Transit Services.

08-22

BYL 2008 - 172

A By-law to amend definitions and general wording of provision, Schedules "VIII" and "XXVII" of By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland.

08-145

BYL 2008 - 173

A By-law to regulate newspaper box installation and use within the City of Welland.

06-131

BYL 2008 - 174

A By-law to amend Zoning By-law 2667 upon the application of Sterling Realty (Niagara) Inc. to remove the Holding Symbol "H" from certain lands on the south side of Gaiser Road, east of South Pelham Road (File 2006-10).

08-1

BYL 2008 - 175

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 4th day of November, 2008.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Grenier 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 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, November 12, 2008 for inclusion on the next Regular Council Meeting Agenda of November 18, 2008.

Council adjourned at 9:27 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of November, 2008.

MAYOR

CLERK