



**MINUTES OF
COUNCIL MEETING, DECEMBER 16, 2008**

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

Council met in Committee-of-the-Whole closed to the public at 6:31 p.m. and in open session at 7:41 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 (6:34 p.m.), D. Alexander, M. Belcastro, F. Champion (6:33 p.m.), P. Chiocchio, 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

Communications Assistant, C. Mintoff (7:15 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

Manager, Development Planning & Real Estate, R. DiFelice

08-25 Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:31p.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;
- 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 to consider the following:

- e) a labour relations or employee negotiations; and
- f) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (MFIPPA).

CARRIED

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

(Councillor Sharpe was not present during Committee-of-the-Whole discussions on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board) .

(Councillor Alakas was not present during Committee-of-the-Whole discussions on a labour relations or employee negotiations).

08-25 Moved by Campion and Letourneau

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

CARRIED

DISCLOSURES OF INTEREST:

Councillor Larouche disclosed an interest in Ref. No. 09-45 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer is the broker of record for the City of Welland.

Councillor Grenier disclosed an interest in Ref. No. 08-164 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Universal Resources Recovery Inc.

PRESENTATION:

Regional Councillor Brian Baty, Chair, Niagara Regional Bicycle Committee presented the Silver Bicycle Friendly Workplace Award to Mayor and City Council.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

Councillor Sharpe, Chair of the Human Resources Committee provided an update on the Human Resources Committee meeting of December 16, 2008.

THE FOLLOWING CORRESPONDENCE WAS READ:

08-139 Report from City Manager, C. Stirtzinger – Award of Civic Corner Contract for 2009.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 99-99** Gen. Mgr., Planning and Development Services, D. Thorpe – Request by William H. Lewis – Preservation of lands surrounding First Welland Canal (Feeder Canal).
03-38
03-40 A By-law to repeal By-law 2008-97.- (amendment to User Fee By-law).
03-38
03-40 A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality.
05-19 A By-law to authorize an extension of the lease agreement with Laurent Viger Construction Limited for lands adjacent to Memorial Park.
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 16th day of December, 2008.
08-19 Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Market Square Advisory Committee.
08-22 Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Parking Restrictions on King Street.
08-164 Veronica Pochmursky, Waste Evaluator, Ministry of the Environment re: Application for Approval of Waste Disposal Sites – Amendment to increase daily waste receipt allowance.
08-165 Cheryl Miclette, Town Clerk, Town of Pelham re: Region of Niagara lawn and leaf waste curbside pick up policy.

08-1 Moved by Dzugan and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of November 25, 2008 and December 2, 2008, as circulated.

CARRIED

99-99 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PDS-2008-76 for information purposes; and further
 THAT Welland City Council requests the position of Heritage Welland with respect to the request of Mr. Lewis and, if supportive, provide staff with a detailed historical and geographic analysis of the Feeder Canal.

CARRIED

08-19 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Terms of Reference for a Market Square Advisory Committee as outlined in Appendix "A"; and further
 THAT Welland City Council approves the formation of a Market Square Advisory Committee to provide advice on matters pertaining to the facilities, programs and services at the Market Square; and further
 THAT Welland City Council appoints a Member of Council to the Committee.

CARRIED

08-22 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a By-law to amend By-law 89-2000 as follows:

DELETING the following from LIMITED PARKING SCHEDULE "VIII", furthermore;

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
King Street	West Side	44 metres north of Fourth Street	Fourth Street	15 minutes	ANYTIME

ADDING the following from LIMITED PARKING SCHEDULE "VIII", furthermore

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
King Street	West Side	44 metres north of Fourth Street	Fourth Street	1 hour	ANYTIME

CARRIED

08-139 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND awards the contract for Civic Corner advertising to The Tribune for a one year period commencing January 2, 2009; and further
 THAT Welland City Council directs staff to prepare said contract that is in the best financial and promotional interest of the municipality, for execution by the parties.

CARRIED

08-164 Moved by Dzugan and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND receives the correspondence from the Ministry of the Environment regarding an increase to daily waste receipt allowance for organic waste from residential sources and refers said correspondence to staff for comment to the Ministry of the Environment by December 31, 2008.

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08-164 Moved by O'Dell and Letourneau
 THAT staff be directed to include in their correspondence to the Ministry of Environment a request for a public meeting in the City of Welland regarding the request by Universal Resource Recovery to increase its daily waste recipient allowance.

CARRIED

FOLLOWING THE VOTE ON THE AMENDMENT TO THE MOTION, THE MAIN MOTION WAS PUT AS AMENDED, AS FOLLOWS.....

08-164 Moved by Dzugan and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND receives the correspondence from the Ministry of the Environment regarding an increase to daily waste receipt allowance for organic waste from residential sources and refers said correspondence to staff for comment to the Ministry of the Environment by December 31, 2008; and further
 THAT staff be directed to include in their correspondence to the Ministry of Environment a request for a public meeting in the City of Welland regarding the request by Universal Resource Recovery to increase its daily waste recipient allowance.

CARRIED

08-165 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the resolution from the Town of Pelham regarding the revised Region of Niagara lawn and leaf waste curbside pick up policy; and further
 THAT Welland City Council supports the Region of Niagara's initiative to eliminate plastic from compost to enable efficient operation of compost sites and increase the generation of compostable material and consequently reducing landfill requirements.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-99 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information that the Welland Recreational Canal Corporation (WRCC) approves of initiating the necessary official plan and rezoning amendments to facilitate the sale of the former Armoury/Newman Steel site (+/-2.0 acres) into a high density residential development; and further
 THAT Welland City Council approves of initiating the necessary official plan and rezoning amendments to facilitate the sale of the former Armoury/Newman Steel site (+/-2.0 acres) into a high density residential development.

CARRIED

07-53 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Military Leave Policy HUM-001-0029.

CARRIED

09-45 Moved by Larouche and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints F.E. Coyne Insurance Brokers as the broker of record for the City's insurance through Frank Cowan Company.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

05-19

BYL 2008 - 199

A By-law to authorize an extension of the lease agreement with Laurent Viger Construction Limited for lands adjacent to Memorial Park.

...continued...

BY-LAWS PRESENTED FOR FIRST READING:**03-38****03-40**

BYL 2008 – 200

A By-law to repeal By-law 2008-97.- (amendment to User Fee By-law).

03-38**03-40**

BYL 2008 – 201

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality.

08-1

BYL 2008 – 202

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 16th day of December, 2008.

And that same be now read a first time.

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

2. Moved by Larouche 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**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, January 14, 2009 for inclusion on the next regular Council meeting agenda of January 20, 2009.

Councillor Campion gave Notice of Motions of the following issue to be presented to Council at a future Special Council Meeting:

08-143 THAT THE COUNCIL OF THE CITY OF WELLAND opposes the reduction in services and facilities associated with Mental Health and Paediatrics at the Welland Hospital Site and opposes the proposed Niagara Health Services

Hospital Improvement Plan as Welland City Council deems these services to be essential to the health and well-being of its citizens and other citizens of southern tier municipalities; and further

THAT Welland City Council, on behalf of the citizens of Welland, demands that these and all other current services be maintained or improved and that the Hospital Improvement Plan be changed to reflect this; and further

THAT Welland City Council directs staff to circulate this motion to the NHS, LHIN, Minister of Health, and all local MPPs.

Council adjourned at 8:29 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of January, 2009.

MAYOR

CITY CLERK