



COUNCIL MEETING, FEBRUARY 12, 2008

**BY PROCEDURAL BY-LAW 2005-176:
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

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

Council met pursuant to By-law 2005-176, the Procedural By-law of Council, in open regular session following the General Committee Meeting at 7:15 p.m. on the above date.

Vice-Mayor Mark Dzugan in the Chair.

Members Present:

Councillors R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiochio, P. Grenier, J. Larouche, R. Letourneau, S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, P. Simmons

General Manager, Communications, Council & Legislative Services/City Clerk, C. Stirtzinger

Deputy Clerk, B. Gallaccio

Chief, Fire & Emergency Services, D. Prevost

General Manager, Engineering, Public Works & Transportation Services/City Engineer, D. Shantz

General Manager, Financial & Corporate Services/Treasurer, B. Silvestri

General Manager, Planning & Development Services, D. Thorpe

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

General Manager, Human Resources, R. Mantesso

Games Licensing & Committee Clerk, L. Bubanko

DISCLOSURE OF INTEREST:

Councillor Belcastro disclosed an interest in Ref. No. 07-135/07-135Z and related By-laws 2008-15 and 2008-16, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is the President of Doral Holdings.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF FEBRUARY 12, 2008:

99-99 City Manager, P. Simmons – Corporate Management Team Comments: Welland Recreational Waterway Master Plan.

01-108

06-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Selection of Downtown Improvement Project for Municipal Infrastructure Investment Initiative (MI3) Grant Application.

07-135

07-135Z Gen. Mgr. Planning and Development Serv., D. Thorpe – Proposed Amendment to the Official Plan and Zoning By-law 2667 – Calloway REIT (Welland) Inc. – Rona site on the north side of Woodlawn Road, west of Brown Road (File: 2006-20).

07-154 Susan Daniels, Deputy City Clerk, City of Thorold – Municipal Representation at Regional Council.

08-4 Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri – Properties Eligible for Tax Registration.

08-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Purchase of Replacement Vehicle Lifting System.

08-19 Gen. Mgr., Parks, Facilities and Leisure Services B. Fenwick – Winter Outdoor Rink Maintenance.

08-55 Endorse the nomination bid of Councillor David Alexander for the position of Provincial Board Director – Ontario for the Federation of Canadian Municipalities.

08-59 Gen. Mgr. Planning and Development Serv., D. Thorpe – Semi-Annual Subdivision Status Report – December 31, 2007.

08-60 Gen. Mgr. Planning and Development Serv., D. Thorpe – Planning and Development Services Annual Report for 2007.

08-61 City Manager, P. Simmons – Municipal Policy Handbook – Dress Code Policy and Casual Dress Code Policy.

THE FOLLOWING BY-LAWS WERE RECEIVED:

01-108

06-22 A By-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for funding from the Municipal Infrastructure Investment Initiative for a new eligible capital project of the Corporation of the City of Welland (the “Municipality”), and to approve the expenditure of funds on the eligible capital project, namely the Downtown Infrastructure Improvements.

07-135 A By-law to authorize the adoption of Official Plan Amendment No. 125.

07-135Z A By-law to amend City of Welland Zoning By-law 2667 (Calloway Reit (Welland) Inc. – File 2006-20) north side of Woodlawn Road, west of Brown Road (Rona).

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 12th day of February, 2008.

99-99 Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report CM-2008-04, Corporate Management Team Comments: Welland Recreational Waterway Master Plan for information; and further
 THAT Welland City Council directs that Report CM-2008-04 be forwarded to the Welland Recreational Canal Corporation (WRCC) for their review and discussion with City Staff; and further
 THAT Welland City Council requests that the WRCC integrate the recommendations and observations from City Staff noted in Report CM-2008-04 into the final Welland Recreational Waterway Master Plan; and further
 THAT Welland City Council directs that the implementation and integration of the Welland Recreational Waterway Master Plan be coordinated with City staff.

CARRIED**01-108****06-22** Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the selection of the Downtown Improvement Project for submission of an application to the Ontario Infrastructure Projects Corporation for a Municipal Infrastructure Investment Initiative grant; and further
 THAT Welland City Council approves and authorizes the Mayor and City Clerk to execute a By-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation.

CARRIED**07-135****07-135Z** Moved by Alakas and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND repeals and replaces By-law 2008-7 which adopted Official Plan Amendment No. 125 in order to correct size limitations of the open garden centre associated with the permitted Home Improvement Store for lands described as Part of Lots 21 and 22, Concession 2, former Township of Crowland, now City of Welland being part of Part 1, Plan 59R-9112; and further
 THAT Welland City Council repeals and replaces Zoning By-law 2008-8 in order to correct errors in the size provisions related to the Gross Leasable Area of the Home Improvement Store and associated garden centre for lands described as Part of Lots 21 and 22, Concession 2, former Township of Crowland, now City of Welland being part of Part 1, Plan 59R-9112; and further
 THAT Welland City Council authorizes Staff to prepare the necessary By-laws.

CARRIED**07-154** Moved by Grenier and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND receives and files the resolution from the City of Thorold confirming its continued support of the current composition, and representation, of the Regional Municipality of Niagara with a Regional Chair and thirty (30) Regional Councillors from the area municipalities.

CARRIED**08-4** Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the following:

The delinquent tax accounts (3 years in arrears) listed in Schedule 'A' and attached to Report FIN-2008-02 be placed under tax registration;

The delinquent tax accounts (3 years in arrears) listed in Schedule 'B' and attached to Report FIN-2008-02, having commenced repayment agreements, not be placed under tax registration at this time; and further

THAT any accounts listed in Schedule 'B' be placed under tax registration upon default of their repayment agreement.

CARRIED**08-13**

Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of a heavy duty vehicle lifting system from C.A.P. Automotive Equipment, being the lowest tender meeting specifications and references tests, at a total cost of \$44,609.40, as per the 2007 Capital Budget allocation for Transit.

CARRIED

08-19 Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PF&LS 2008-02 regarding the winter outdoor rink maintenance as information only; and further

THAT Welland City Council confirms that the current level of service and work priorities for the natural ice rinks be maintained for the 2008/2009 season and the facilities be monitored to determine how many days these facilities are available for use by the public.

CARRIED

08-55 Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the nomination of Councillor David Alexander for the position of Provincial Board Director - Ontario for the Federation of Canadian Municipalities (F.C.M.).

CARRIED

08-59 Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes the Semi-Annual Subdivision Status Report as of December 31, 2007.

CARRIED

08-60 Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PDS-2008-05 regarding the Planning and Development Services Annual Report for 2007 for information purposes.

CARRIED

08-61 Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report CM-2008-03 – Municipal Policy Handbook - Dress Code Policy and Casual Dress Code Policy pending clarification of union logos on clothing.

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:

01-108

06-22

BYL 2008-14

A By-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation ("OIPC") for funding from the Municipal Infrastructure Investment Initiative for a new eligible capital project of the Corporation of the City of Welland (the "Municipality"), and to approve the expenditure of funds on the

eligible capital project, namely the Downtown Infrastructure Improvements.

BY-LAWS Cont'd:

07-135

BYL 2008-15

A By-law to authorize the adoption of Official Plan Amendment No. 125.

07-135Z

BYL 2008-16

A By-law to amend City of Welland Zoning By-law 2667 (Calloway Reit (Welland) Inc. – File 2006-20) north side of Woodlawn Road, west of Brown Road (Rona).

08-1

BYL 2008-17

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 12th day of February, 2008.

And that the 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 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

Council adjourned at 7:25 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of February, 2008.

MAYOR

DEPUTY CLERK