



SPECIAL COUNCIL MEETING, JUNE 24, 2008

BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO DISCUSS THE FOLLOWING MATTERS: PERSONAL, A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD; AND UNDER THE *BUSINESS CORPORATIONS ACT* TO DISCUSS HYDRO MATTERS; AND UNDER THE *CORPORATIONS ACT* TO DISCUSS WELLAND RECREATIONAL CANAL CORPORATION MATTERS; AND

IN OPEN SESSION TO HOLD THE FOLLOWING:

- **THE ANNUAL SOLE SHAREHOLDER MEETING OF THE WELLAND HYDRO-ELECTRIC HOLDING CORPORATION**
- **THE ANNUAL MEMBER MEETING OF THE WELLAND RECREATIONAL CANAL CORPORATION; AND**

**TO CONSIDER OTHER ITEMS OUTLINED IN THE SPECIAL COUNCIL MEETING AGENDA
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:30 p.m. and in open session at 7:15 p.m.; followed by the Annual Sole Shareholder Meeting of the Welland Hydro-Electric Holding Corporation at 7:20 p.m. (minutes of which are separate from these); followed by the Annual Member Meeting of the Welland Recreational Canal Corporation at 7:44 p.m. (minutes of which are separate from these); followed by the Special Council Meeting to conclude the remainder of items outlined in the Special Council Meeting Agenda, on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors R. Alakas, D. Alexander (6:05 p.m.), M. Belcastro, F. Campion, P. Chiochio, J. Larouche, P. Grenier, R. Letourneau, S. O'Dell, and B. Sharpe.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger

Deputy Clerk, B. Gallaccio

Chief, Fire & Emergency Services, D. Prevost

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

Manager, Budgets and Financial Reporting/Deputy Treasurer

General Manager, Human Resources, R. Mantesso

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

Communications Assistant, C. Mintoff (7:15 p.m.)

General Manager, Planning & Development Services, D. Thorpe

Manager, Economic Development, D. Degazio

Regional Councillor, C. Forster

(Robert Welch, Solicitor, Lancaster, Brooks, Welch, LLP in attendance during Committee-of-the-Whole discussions under the *Corporations Act*).

08-25 Moved by Campion and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:00 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; and
- c) a matter in respect of which a council, board, committee or other board has authorized a meeting to be closed under another act - (*Business Corporations Act*) Re: Hydro matters
- (*Corporations Act*) Re: WRCC matters; and further

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Rosanne Mantesso as Acting Deputy Clerk during Committee-of-the-Whole discussions on personal matters in the absence of the Deputy Clerk.

CARRIED

08-25 Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:55 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Alexander disclosed an interest in Ref. No. 08-127 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his wife's midwifery practice is a tenant of Centre de Sante, a stakeholder in the Health and Wellness Task Force.

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

Councillor Chiocchio, Chair, introduced the Task Force members and together with Co-chair Patty Welychka addressed Council regarding the Health and Wellness Services Growth Plan.

THE FOLLOWING CORRESPONDENCE WAS READ:

08-21 Craig Stirtzinger, City Manager, addressed Council concerning changes to the International Cycling Circuit Race, being held as part of the Welland 150th Anniversary celebration, to accommodate the Canal Day Event being held in Port Colborne.

08-21 Motion to support actions of staff regarding changes to the International Cycling Circuit Race.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

01-108 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Tender Award – Streetscaping and Gateway Construction Downtown Improvements Project.

01-108 A By-law to authorize the acceptance of tender and the entering into a contract with Stevensville Lawn Service for Streetscaping and Gateway Construction Downtown Improvements Project.

01-108 A By-law to authorize the acceptance of tender and the entering into a contract with Totten Sims Hubicki for Engineering Services for the Downtown Improvements Project.

03-139 A By-law to authorize the signing of a Subdivider's Agreement with Calloway Reit (Welland) Inc. with respect to the development of Niagara Centre Subdivision (file 26T-14-97003) and to repeal By-law 2008-91.

06-131 A By-law to accept the transfer of an Easement(s) for Storm Sewers from Sterling Realty

(Niagara) Inc. to the Corporation of the City of Welland in the Coyle Creek Estates Subdivision (File 26T-14-06003).

06-131 A By-law to accept the transfer of certain 0.3 metre Reserves, a Storm Water Management Facility, Lands for Parkland and Open Space Purposes, and lands for future road purposes from Sterling Realty (Niagara) Inc. to the Corporation of the City of Welland in the Coyle Creek Estates Subdivision (File 26T-14-06003).

07-126 A By-law to accept the transfer of certain 0.3 metre Reserves and Road Widening from Triple-F Developments Inc. and 1454417 Ontario Limited to the Corporation of the City of Welland in the Clare Estates (Phase 1) Subdivision (File 26T-14-07002).

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 24th day of June, 2008.

08-109 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Tender Award – Watermain Replacement on Danforth Avenue and Southworth Street, Sanitary Sewer Abandonment on Southworth Street, and Wallace Avenue Storm Sewer Construction (A Regional Niagara CSO Management Action Project).

08-109 A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatr Contracting Ltd. for Watermain replacement on Danforth Avenue and Southworth Street; Sanitary Sewer Abandonment on Southworth Street; and Wallace Avenue Storm Sewer Construction (A Regional Niagara CSO Management Action Project).

08-126 A By-law to ratify By-law 6079, being a By-law to authorize the Stopping Up, Closing and Sale of Part of Patricia Avenue, according to Registered Plan 35, Thorold, now Plan 669, Welland.

99-99 Moved by Grenier and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND as the member of the Welland Recreational Canal Corporation (WRCC), appoints Mayor Goulbourne as voting proxy to represent the Corporation of the City of Welland at the WRCC Annual meeting scheduled for June 24, 2008, as recommended by the Nominating Committee.

CARRIED

01-108 Moved by Grenier and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Stevensville Lawn Service as detailed in Report ENG-2008-24, for streetscaping and gateway construction as part of the downtown improvements project at the quoted price of \$1,328,887.50 including applicable PST; and further THAT Welland City Council approves the spending of \$34,600.00 to Totten Sims Hubicki for the completion of additional work required as part of the completion of Engineering Designs for the downtown core; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Stevensville Lawn Service, to execute the constructions.

CARRIED

08-12 Moved by Grenier and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Grenier as Chair, of the Corporate Services as recommended by the Nominating Committee.

CARRIED

08-21 Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND supports the actions and recommendations of staff and Mr. Coyle regarding the International Cycling Circuit Race as a result of a meeting held June 23, 2008 with the City of Port Colborne and Ministry of Transportation representatives.

CARRIED

08-109 Moved by Grenier and Chiocchio

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-2008-23, for Watermain Replacement on Danforth Avenue and Southworth Street, sanitary sewer abandonment on Southworth Street, and Wallace Avenue storm sewer construction (A Regional Niagara CSO Management Action Plan Project) at the tendered price of \$198,726.83 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

08-126 Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives and approves, in principle, the City of Welland Health and Wellness Services Growth Plan presented by Co-Chairs Councillor Pat Chiocchio and Patty Welychka; and further

THAT Welland City Council refers the Health and Wellness Services Growth Plan to staff and to the Regional SMART Growth Committee for comment by the fall.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

08-24 Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Craig Stirtzinger as City Manager, effective June 24, 2008 as recommended by the Human Resources Committee and that this appointment is subject to the conclusion of mutually agreeable contractual terms.

CARRIED

08-24 Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Sal Iannello as General Manager, Engineering, Public Works & Transportation Services/City Engineer, effective August 5, 2008 as recommended by the Human Resources Committee.

CARRIED

08-24 Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Barbara Gallaccio as City Clerk, effective June 24, 2008, as recommended by the Human Resources Committee.

CARRIED

08-24 Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Mike Mantesso, Chief Building Official, to the Provincial Offences Act to replace Craig Stirtzinger, General Manager, Communications, Council and Legislative Services/City Clerk.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

08-109

BYL 2008 - 97

A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatr Contracting Ltd. for watermain replacement on Danforth Avenue and Southworth Street; Sanitary Sewer Abandonment on Southworth Street; and Wallace Avenue Storm Sewer Construction (A Regional Niagara CSO Management Action Project).

06-131

BYL 2008 - 98

A By-law to accept the Transfer of an Easement(s) for Storm Sewers from Sterling Realty (Niagara) Inc. to the Corporation of the City of Welland in the Coyle Creek Estates Subdivision (File 26T-14-06003).

06-131

BYL 2008 - 99

A By-law to accept the transfer of certain 0.3 metre Reserves, a Storm Water Management Facility, Lands for Parkland and Open Space Purposes, and lands for future road purposes from Sterling Realty (Niagara) Inc. to the Corporation of the City of Welland in the Coyle Creek Estates Subdivision (File 26T-14-06003).

07-126

BYL 2008 - 100

A By-law to accept the transfer of certain 0.3 metre Reserves and Road Widening from Triple-F Developments Inc. and 1454417 Ontario Limited to the Corporation of the City of Welland in the Clare Estates (Phase 1) Subdivision (File 26T-14-07002).

08-126

BYL 2008 - 101

A By-law to ratify By-law 6079, being a By-law to authorize the Stopping Up, Closing and Sale of Part of Patricia Avenue, according to Registered Plan 35, Thorold, now Plan 669, Welland.

03-139

BYL 2008 - 102

A By-law to authorize the signing of a Subdivider's Agreement with Calloway Reit (Welland) Inc. with respect to the development of Niagara Centre Subdivision (file 26T-14-97003) and to repeal By-law 2008-91.

...continued

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:**01-108**

BYL 2008 - 103

A By-law to authorize the acceptance of tender and the entering into a contract with Stevensville Lawn Service for Streetscaping and Gateway Construction Downtown Improvements Project.

01-108

BYL 2008 - 104

A By-law to authorize the acceptance of tender and the entering into a contract with Totten Sims Hubicki for Engineering Services for the Downtown Improvements Project.

08-1

BYL 2008 - 105

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 24th day of June, 2008.

And that same be now read a first time.

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

2. Moved by Grenier 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 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, July 9, 2008 for inclusion on the next Regular Council Meeting Agenda of July 15, 2008.

Council adjourned at 8:35 p.m.

These Minutes approved and adopted by Motion of Council this 15th day of July, 2008.

MAYOR

CLERK