



**COUNCIL MEETING, OCTOBER 28, 2008**

**BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO DISCUSS PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND, SECURITY OF PROPERTY, LITIGATION OR POTENTIAL LITIGATION, CITY MANAGER'S REPORT REGARDING PERSONAL AND SECURITY OF PROPERTY MATTERS; AND IN RESPECT OF WHICH A COUNCIL OR BOARD MAY HOLD A CLOSED MEETING UNDER ANOTHER ACT (MFIPPA); AND**

**BY PROCEDURAL BY-LAW 2007-178:  
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

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

Council met in Special Meeting Committee-of-the-Whole closed to the public at 6:05 p.m. and pursuant to By-law 2007-178, the Procedural By-law of Council, in open regular session following the General Committee Meeting at 10:00 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

**Members Present:**

Councillors D. Alexander (until 9:13 p.m.), P. Chiochio, M. Dzugan, P. Grenier, J. Larouche, R. Letourneau, S. O'Dell and B. Sharpe.

**Members of the Staff and Others Present:**

City Manager, C. Stirtzinger

City Clerk, B. Gallaccio

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, Planning & Development Services, D. Thorpe

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

General Manager, Human Resources, R. Mantesso

Chief Building Official, M. Mantesso (10:00 p.m.)

Games Licensing & Committee Clerk, L. Bubanko (10:00 p.m.)

**08-25** Moved by Dzugan and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:05 p.m. to consider:

- a) the security of the property of the municipality or local board;
- b) a proposed or pending acquisition of land or disposition of land by the municipality;
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- d) a matter in respect of which a council, board, committee or other board has authorized a meeting to be closed under another Act (MFIPPA);
- e) City Manager's In Camera report to council regarding personal and security of property matters; and in addition to consider the following:
- f) a matter in respect of which a council, board, committee or other board has authorized a meeting to be closed under another Act (MFIPPA).

**CARRIED**

**08-25** Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:07 p.m.

**CARRIED**

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF OCTOBER 28, 2008:**

**03-15**

**08-15** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Preservation of the Central Fire Hall.

**03-36** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Lease Agreement Renewal – Welland Snowmobile Club.

**04-91** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Emergency Purchase – Boiler for the Welland Historical Museum.

**07-151** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – 2008 Santa Claus Parade Route.

**08-3** City Clerk, B. Gallaccio – Lottery License.

**08-22** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Administrative Update – Traffic and Parking Operations.

**08-28** Manager, Traffic & Parking Operations, D. Ferguson – Presentation regarding Sustainable Urban Transportation.

**08-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of two (2) new 2009 One Ton Regular Cab and Chassis – 15,000 GVW complete with Del 9' Job Boss Dump Body Model DJBHD8909 and Western, Arctic or Boss V Type 9' Snow Plow.

**08-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of one new 2009 Three Quarter Ton Extended Cab Pick Up Truck 4 X 4 with a Fleetside Type Body complete with 8' Western, Arctic or Boss V Type Snow Plow.

**08-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of one new 2009 Full Size Three Quarter Ton Crew Cab Pick Up Truck.

**08-62** Gen. Mgr., Planning & Development Serv., D. Thorpe – Snow Clearing By-law.

**08-143** Niagara Health System Hospital Improvement Plan – Consultation Summary Report.

**08-143** Mayor Douglas G. Martin, Town of Fort Erie – Niagara Health System – Hospital Improvement Plan.

**08-143** Peter M. Senese, Director of Community & Corporate Services/Deputy Clerk – Niagara Health System – Hospital Improvement Plan.

**08-150** Gen. Mgr., Planning & Development Serv., D. Thorpe – Request to allow crossing of City Lands on the west side of Prince Charles Drive North, north of Fitch Street, for the benefit of 180-200 Fitch Street (Fitch Street Plaza).

**THE FOLLOWING BY-LAW WAS RECEIVED:**

**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 28<sup>th</sup> day of October, 2008.

**THE FOLLOWING BY-LAW WAS DELETED:**

**08-62** A By-law requiring property owners to clear snow and ice from the public sidewalk adjacent to their property within twenty four hours of the substantial end of a snowfall or precipitation event.

**THE FOLLOWING CORRESPONDENCE WAS READ:**

**08-153** Recommendation from the Budget Review Committee regarding the creation of the “Investing in Welland Job Creation Program”.

**03-15**

**08-15** Moved by Larouche and Dzugan  
THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PF&LS 2008-29, Preservation of the Central Fire Hall for information.

**CARRIED**

**03-36** Moved by Larouche and Dzugan  
THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report PF&LS-2008-28, Lease Agreement – Welland Snowmobile Club for information; and further  
THAT Welland City Council authorizes staff to renew the lease agreement with the Welland Snowmobile Club to lease 205 Memorial Park Drive for an additional six (6) year term.

**CARRIED**

**04-91** Moved by Larouche and Dzugan  
THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report PF&LS 2008-27 - Emergency Purchase – Boiler for the Welland Historical Museum for information; and further  
THAT Welland City Council approves the reallocation of funding from the unexpended Municipal Service Centre 2008 Capital Account in the amount of \$ 20,000.00 to be transferred to the 2008 Capital Account for the Museum; and further  
THAT Welland City Council accepts the quote of Patterson Heating and Cooling for the supply and installation of a boiler at the quoted price of \$ 13,500.00 plus GST.

**CARRIED**

**07-151** Moved by Larouche and Dzugan  
THAT THE COUNCIL OF THE CITY OF WELLAND endorses the recommendations regarding the 2008 Santa Claus Parade Route as described in Report PF&LS-2008-24.

**CARRIED**

**08-3** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Ecole Secondaire Catholique Jean-Vanier for Raffle Lottery Licensing.

**CARRIED**

**08-22** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare the necessary By-law to amend By-law 89-2000, Part III, as follows:

**DELETE THE FOLLOWING:****a) Part III – Parking Meter/Parking Ticket Dispenser Exemptions**4.11 Parking Meter/Parking Ticket Dispenser Exemptions

Notwithstanding anything hereinbefore contained, drivers of the following classes of vehicles shall not be required to deposit coins in the parking meter provided for a parking space occupied by such vehicles:

- (v) Privately owned vehicles in use by employees of the Regional Municipality of Niagara or the municipality on municipal business provided such vehicles are identified by having appropriate identification placed visibly on the driver's side dashboard,

**b) Schedule "V" (Parking Prohibitions)**

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
First Avenue	West Side	Thorold Road	North limit of City	AT NO TIME
First Avenue	East	Page Drive	North limit of City	AT NO TIME

**c) Schedule "VII" (School Bus Loading Zones)**

COLUMN 1 HIGHWAY	COLUMN 2 FROM	COLUMN 3 TO	COLUMN 4 SCHOOL OR INSTITUTION
First Street	55m West of Dover Court	160m West of Dover Court	Dr. Renaud

**d) Schedule "XVII" (Parking Lots)**

2 Area A	Market Square Parking Lot	Ticket Dispenser	\$0.50/hr	Monday to Friday Excluding Wednesday 7am to 1pm	10 Hours
Area A & C		Monthly Permit	\$30.00/m onth	Monday to Friday 7am to 6pm	12 Hours
Area B			FREE	Monday to Friday 7am to 6pm	12 Hours
Area C		Ticket Dispenser	\$0.50/ hr	Monday to Friday 7am to 6pm	12 Hours
Area D		Parking Meter	\$0.50/hr	Monday to Friday 8am to 6pm	2 Hours

Area D		Parking Meter	\$0.50/hr	Monday to Friday 8am to 6pm	2 Hours
3	King Street Parking Lot	Parking Meter	\$1.00/hr	Monday to Friday 8am to 6pm	2 Hours
6 Area A	Firehall Parking Lot	Ticket Dispenser	\$0.50/hr	Monday to Friday 8am to 6pm	10 Hours
		Monthly Permit	\$25/ month	Monday to Friday 8am to 6pm	10 Hours
Area B		Parking Meter	\$0.50/hour	Monday to Friday 8am to 6pm	10 Hours

**08-22 Cont'd:****e) Schedule "XXVIII" (Speed Limits – 40km/h in School Zones)**

COLUMN 1 HIGHWAY	COLUMN 2 FROM	COLUMN 3 TO	COLUMN 4 DAYS	COLUMN 5 TIMES	AMENDING BY-LAW NO.
Rice Road	Eastwood Drive	420 metres north of Eastwood Drive	Monday to Friday	8:00 a.m. to 5:00 p.m.	

**ADD THE FOLLOWING:****f) Schedule "V" (Parking Prohibitions)**

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
First Avenue North	West Side	Thorold Road	North limit of City	AT NO TIME
First Avenue North	East Side	Page Drive	North limit of City	AT NO TIME

**g) Schedule "XVII" (Parking Lots)**

2 Area A	Market Square Parking Lot	Ticket Dispenser	\$0.50/hr	Monday to Friday 8am to 6pm Excluding Wednesday 6am to 1pm	10 Hours
Area A	Market Square Parking Lot	Monthly Permit	\$30/month	Monday to Friday 6am to 6pm	12 Hours
Area B	Market Square Parking Lot		FREE	Monday to Friday 6am to 6pm	12 Hours
Area C	Market Square Parking Lot	Parking Meter	\$0.50/hr	Monday to Friday 8am to 6pm	2 Hours
6 Area A	Firehall Parking Lot	Ticket Dispenser	\$0.50/hr	Monday to Friday 8am to 6pm	10 Hours
	Firehall Parking Lot	Monthly Permit	\$25/month	Monday to Friday 8am to 6pm	10 Hours
Area B	Firehall Parking Lot	Parking Meter	\$0.50/hour	Monday to Friday 8am to 6pm	10 Hours

**h) Schedule "XXVII" (Rate of Speed)**

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	

Lincoln Street	McAlpine Avenue	Camrose Avenue	40
Plymouth Road	First Street	Churchill Avenue	40
South Pelham Road	Woodlawn Road	Northerly termination	60

**CARRIED**

**08-28** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by David Ferguson, Manager, Traffic & Parking Operations regarding Sustainable Urban Transportation.

**CARRIED**

**08-46** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase from Ed Learn Ford being the lowest bidder for two (2) new 2009 F450 Cab, Chassis, Dump and Plow at a tendered price of \$100,715.00, PST included, as per the 2008 Fleet Capital Replacement Program.

**CARRIED**

**08-46** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase from Forbes Ford Sales being the lowest bidder for one new 2009 Ford F250 Super Cab 4 x 4 pick up truck with V Plow at a tender price of \$31,100.00 PST included, as per the 2008 Fleet Capital Replacement Program.

**CARRIED**

**08-46** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase from Performance Chrysler being the lowest bidder for one new 2009 Dodge Ram 2500 Quad 4 x 4 three quarter ton pick up truck at a tendered price of \$28,477.44, PST included, as per the 2008 Fleet Capital Replacement Program.

**CARRIED**

**08-62** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND lays on the table resolution Ref Nb. 08-62 respecting the approval for a new Snow Clearing By-law.

**CARRIED**

**08-143** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Niagara Health System (NHS) Report dated October 21, 2008 summarizing public feedback to the Hospital Improvement Plan presented to NHS Board of Trustees.

**CARRIED**

**08-143** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the resolutions enacted by the City of Fort Erie, whereby they support the introduction of a Private Members' Bill calling for the election of all hospital boards

in Ontario as part of the 2010 municipal elections; and whereby they petition the Minister of Health to legislatively enact the protective status of the Rural Hospital designation for all qualifying hospitals in Ontario, to a future meeting of Council, following a review of Dr. Kitts' report by all Councillors.

**CARRIED**

**08-143** Moved by Larouche and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND refers the resolutions from the City of Port Colborne regarding the Niagara Health System's recommendations respecting the Port Colborne Hospital Site and the the Maternal Child Program relocation to St. Catharines, to a future meeting of Council, following a review of Dr. Kitts' report by all Councillors.

**CARRIED**

**08-150** Moved by Larouche and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Easement to permit the crossing of City-owned land along Prince Charles Drive North by means of a full access driveway to the benefit of Value Centres Inc., the Owners of 180-200 Fitch Street (Fitch Street Plaza) subject to the following Conditions: Value Centres Inc. shall pave the existing Trail from Fitch Street to the Canadian Tire Acceptance entrance, replace any trees if removed and plant six (6) more trees along the Trail, provide accessible curbs at the new proposed entrance along with appropriate pedestrian warning signs. A Reference Plan will also be required to define the specific area of the crossing. All of the above Conditions will be at the Owner's expense and to the satisfaction of the City; and further

THAT Welland City Council authorizes Staff to prepare the necessary By-law and documentation.

**CARRIED**

**08-153** Moved by Larouche and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Budget Review Committee's recommendation as follows:

WHEREAS at the Association of Municipalities of Ontario (AMO) Annual General Meeting in August 2008, Premier McGuinty announced the funding allocation for the Investing in Ontario Fund; and

WHEREAS the Corporation of the City of Welland received funding in the amount of \$2.4 million; and

WHEREAS Welland City Council and its Budget Review Committee (BRC) must determine the most suitable application for funding; and

WHEREAS in 2007, Welland City Council adopted a CAW resolution that all levels of government must work to save manufacturing jobs in Ontario and Canada; and

WHEREAS the citizens of Welland have seen the loss of manufacturing jobs at an accelerated rate in 2008 such as:

Pop and Lock - 30 Jobs

ITS Rail - 100 Jobs

John Deere - 800 Jobs

Henniges - 200 Jobs; and

WHEREAS the City of Welland was informed in August 2008, that 300 administrative jobs within Canadian Tire Financial Services might be relocated to Burlington in 2009; and

WHEREAS the Welland downtown business community has experienced significant hardship due to the current revitalization infrastructure projects; and

WHEREAS many innovative small and medium size manufacturers are unable to pursue international contracts since they are not ISO (and other) certified; and

WHEREAS the current International Marketplace is facing a recession and venture capital funding has been restricted due to the uncertainty within banking institutions; and

WHEREAS Welland City Council endorsed the Health and Wellness Sector Growth Plan in June 2009, that identified several centers of excellence in the City of Welland, i.e. Medical Equipment Design and Manufacturing; and

WHEREAS the City of Welland is seeing the emergence of a Green Industry sector and Welland Hydro has expressed its willingness to partner with the Welland Development Commission (WDC) to develop a growth plan; and

WHEREAS Niagara College announced in October 2008, its intention to invest \$40 million into the Welland Campus to enhance programs and facilities, which match Welland's, Niagara's, and Ontario's economic growth sectors; and

WHEREAS the provincial and federal governments have positively responded to City of Welland's recent requests for support and assistance to manage the City's current economic crisis; and

WHEREAS The Honourable Michael Bryant, Minister of Economic Development for the Province of Ontario and key staff within his Ministry have personally expressed their determination to assist the City of Welland; and

WHEREAS the offices of the City Manager, Economic Development Officer and Mayor of the City of Welland are managing several potential business investments into the municipality;

NOW THEREFORE BE IT RESOLVED THAT THE BUDGET REVIEW COMMITTEE (BRC) recommends to Welland City Council that the Welland Development Commission (WDC) create the Investing in Welland Job Creation Program; and further

...Continued...

**08-153 Cont'd:**

That the WDC create a Task Force to determine how this program will be developed and implemented; and further

That this Task Force share with the BRC options regarding the utilization of the \$2.4 million provincial investment in the City of Welland; and further

That this Task Force review the 2007 changes to the Municipal Act to determine what tools the Province has provided to cities in Ontario to assist the business community; and further

That this Task Force consult with CMT and the Chairs of City Council's standing committees when developing the program; and further

That this Task Force be authorized to use outside support to develop their recommendations; and further

That the overarching goals of this process are to:

- Identify City infrastructure projects, which will enhance economic prosperity;
- Consider how a program can be developed to help business create growth sector jobs which align Welland's, Niagara's and Ontario's opportunities;
- Develop a program in cooperation with other organizations and levels of government;
- Inventory properties that are holding neighborhoods back from renewal;
- Determine what communications and marketing support City staff can provide to the business community (with special consideration to those facing hardship due to infrastructure investment); and further

That the Task Force be directed to report back to Welland City Council in the first quarter of 2009; and further

That the Task Force recommendations be considered by the BRC before the 2009 budget is passed.

**CARRIED**

**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**01-108** Moved by Larouche and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND amends its Motion of July 15, 2008 with respect to the offer from Royton Industries Ltd. for the Purchase of 17-19 East Main Street by accepting a cash deposit in the amount of \$100,000.00 instead of the approved Letter of Credit in the amount of \$175,000.00 to assure completion of the agreed upon building renovations to 17-19 East Main Street within 12 months of the transaction being accepted.

**CARRIED**

**BY - LAW****BY-LAW PRESENTED FOR FIRST READING:**

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

**08-1**

BYL 2008-167

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 28<sup>th</sup> day of October, 2008.

And that the same be now read a first time.

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

2. Moved by Larouche and Dzugan  
THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law listed in the foregoing motion as reproduced in this evening's Council Agenda, as amended, 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 10:03 p.m.

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

---

**MAYOR**

---

**DEPUTY CLERK**