



## **COUNCIL MEETING AGENDA**

**Tuesday, September 15, 2009  
7:00 P.M.  
COUNCIL CHAMBERS – CIVIC SQUARE**

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- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (5:20 p.m.)  
(See yellow tab)**
  - Proposed or pending acquisition or disposition of land by the municipality or local board matters,
  - Personal matter,
  - Litigation or potential litigation including matters before administrative tribunals affecting the municipality or local board matters; and
  - Labour relations or employee negotiations.
  
- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:55 p.m.)**
  
- 3. OPEN COUNCIL MEETING (7:00 p.m.)**
  - 3.1 NATIONAL ANTHEM**
  - 3.2 OPENING REMARKS**

**SPECIAL ANNOUNCEMENT: 2010 OLYMPIC TORCH RELAY.**
  - 3.3 ADDITIONS/DELETIONS TO AGENDA**
  - 3.4 DISCLOSURES OF INTEREST**
  - 3.5 ADOPTION OF MINUTES**

Regular Council Meeting of August 11, 2009.  
*(Previously Distributed)*
  - 3.6 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS (IN CAMERA) TO BE ADDED TO BLOCK**
  - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE OF THE WHOLE (OPEN)  
(See pink tab)**
  
- 4. ORAL REPORTS AND DELEGATIONS**



## **COUNCIL MEETING AGENDA – Page 2**

**Tuesday, September 15, 2009  
7:00 P.M.  
COUNCIL CHAMBERS – CIVIC SQUARE**

---

### **4.1 PRESENTATION**

Mayor Goulbourne to present plaque to Royce Consigli in recognition of signing a Major League Professional Baseball contract with the Oakland Athletics.

### **4.2 DELEGATION(S) (maximum 5/10/5 policy):**

**09-28** Dr. Julia Murray, and Barb Dvernechuk, Community Animal Allies of Niagara re: Trap Neuter Return (TNR), a policy presentation for feral cats.  
*(Background information provided in Council Members' Agenda).*

**09-28** Christine Maloney, Special Events Coordinator, Alzheimer Society of Niagara Region, re: Alzheimer Coffee Break.

### **4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)**

**08-71** John Kuntze, P. Eng., re: Engineering Report – Balsam St. Drain.

**08-127**

**09-79** Angela Carter and Dr. Willard re: update by the Health Services Task Force.

**02-85** Russ Findlay, Chair, Accessibility Advisory Committee re: 2010 Accessibility Plan.

**09-4** Budget Review Committee Report to Council – Meeting of September 8, 2009.

**09-111** Human Resources Committee – Meeting of August 10, 2009.

### **5. COMMITTEE OF THE WHOLE (OPEN) (to discuss items removed from Agenda Block)**

### **6. BY-LAWS (SEE AGENDA INDEX)**



## **COUNCIL MEETING AGENDA – Page 3**

**Tuesday, September 15, 2009  
7:00 P.M.  
COUNCIL CHAMBERS – CIVIC SQUARE**

---

### **7. NOTICES OF MOTION**

**7.1 Councillor matters discussed with staff for reporting purposes.**

**7.2 Notices of Motion (previously submitted for discussion)**

**(Councillor O'Dell)**

**99-99** THAT THE COUNCIL OF THE CITY OF WELLAND enacts a By-law that prohibits the Welland Recreational Canal Corporation (WRCC) or any other body from authorizing the use of motor powered water craft on the recreational water way or the rowing course without prior notifications to an authorization by Welland City Council

**7.3 Call for Notices of Motion (for introduction at the meeting)**

### **8. CORPORATION REPORTS**

**8.1 Councillor Activities Report**

**8.2 Mayor's Report**

**8.3 City Manager's Report**

### **9. ADJOURNMENT**



## **COUNCIL MEETING AGENDA INDEX**

**Tuesday, September 15, 2009  
7:00 P.M.  
COUNCIL CHAMBERS – CIVIC SQUARE**

**Page No.**

### **AGENDA BLOCK**

1. **BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION - nil**
  
2. **COMMITTEE AND STAFF REPORTS**
  1. **Business Arising from Committee of the Whole (closed)**
  
  - 1 – 2      2. **General Committee Report of September 8, 2009.**  
**Human Resources Committee Report (nil)**
  
  3. **Staff Reports**
    - 3            **09-3**    Acting City Clerk, C. Mintoff - Raffle Lottery License request from Climate Action Niagara. **(CLS-2009-04)**
  
    - 4 – 6        **09-111**   Gen. Mgr., Human Resources, R. Mantesso – Human Resources Committee Terms of Reference. **(HR-2009-04)**
  
    - 7 – 9        **09-46**    Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Retender for the purchase of two (2) new unleaded fuel compact cars. **(ENG-2009-37)**
  
    - 10 – 12     **09-46**    Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Retender for the purchase of one (1) new one-ton crew cab pick-up complete with box 10,000lb g.v.w. single axle truck. **(ENG-2009-38)**
  
    - 13 – 16     **09-46**    Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Retender for the purchase of five (5) new one-half-ton cargo type vans. **(ENG-2009-39)**





## **COUNCIL MEETING AGENDA INDEX – Page 3**

*Tuesday, September 15, 2009*

*7:00 P.M.*

**COUNCIL CHAMBERS – CIVIC SQUARE**

---

### **Page No.**

**65 – 66**

**09-6**

Governor General Michaëlle Jean - Request to proclaim the week of October 4 to October 10, 2009 as Fire Prevention Week in the City of Welland.

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of October 4 to October 10, 2009 as “Fire Prevention Week” in the City of Welland as requested by Governor General Michaëlle Jean.

**67 - 70**

**09-145**

Warren Hoshizaki, Director of Education, District School Board of Niagara re: Request support for funding the installation of air conditioning for the theatre facility at Welland Centennial Secondary School.

**RECOMMENDATION:**

THAT THE COUNCIL OF CITY OF WELLAND receives for information the request from the District School Board of Niagara regarding support for funding for the installation of air conditioning for the theatre facility at Welland Centennial Secondary School and refers to staff for study and report to the Budget Review Committee for consideration.

**71 - 72**

**09-146**

Kevin Bain, Regional Clerk, Niagara Region re: Notice of Passing of a Development Charges By-law by the Regional Municipality of Niagara.

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Notice of Passing of a Development Charges By-law on July 30, 2009 by the Regional Municipality of Niagara.

**73 - 112**

**09-149**

Kirk Weaver, Director, Community and Corporate Planning, Niagara Region re: Niagara Region Comments – proposed Regulations of the Green Energy Act 2009.

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated August 4, 2009 from the Region of Niagara regarding the proposed regulations of the Green Energy Act 2009.



## COUNCIL MEETING AGENDA INDEX – Page 4

Tuesday, September 15, 2009  
7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

---

---

**Page No.**

113 – 114

**08-143** Peter Senese, Director of Community & Corporate Services/Deputy Clerk  
re: Impacts on Regional Niagara EMS of Emergency Department  
Conversions as Part of NHS – HIP.

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 28, 2009 from the City of Port Colborne regarding Impacts on Regional Niagara EMS of Emergency Department Conversions as Part of NHS – HIP.

115

Remove from Block

**09-150** Bernie Corbett, Chairman, Haldimand County Disaster Relief Committee  
re: Donation Request – Grand River Flood 2009.  
Direction of Council.

**RECOMMENDATION:**

**A** THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 14, 2009 from Haldimand County Disaster Relief Committee regarding donation request – Grant River Flood 2009.

OR

**B** THAT THE COUNCIL OF THE CITY OF WELLAND approves the request by the Haldimand County Disaster Relief Committee (HCDRC) and donates \$250.00 to the HCDRC for the Grand River Flood 2009 relief efforts and that the Treasurer determine the appropriate account to draw these funds from.

**09-114** Community Adjustment Fund (CAF) Ontario.

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the work proposed in the application for the Community Adjustment Fund (CAF) Ontario for water/sewer servicing to an industrial park adjacent to Highway 406 in the City of Welland and associated improvements in road alignment and signalization of railway crossing; and further

THAT Welland City Council directs the City Clerk to prepare the necessary and appropriate by-laws and contracts as may be required for said work and authorizes the Mayor and City Clerk to execute same.



## **COUNCIL MEETING AGENDA INDEX – Page 5**

**Tuesday, September 15, 2009**

**7:00 P.M.**

**COUNCIL CHAMBERS – CIVIC SQUARE**

---

---

**Page No.**

**4. BY-LAWS**

**MAY BE VIEWED AT THE CLERK'S DEPARTMENT PRIOR TO THE MEETING IF DESIRED.**

- 09-22** A By-law to amend definitions of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.
- 09-22** A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-laws 910, 978, 1628, 2515, 3049, 8507, 8517, 8520, 8542, 8544, 8548, 8751, 8773, 8810, 8824, 9171, 9437, 10027, 10206, 10302, 2002-37, 2002-48, 2004-51, 2004-52, 2004-138, 2006-36, 2006-76 and 2008-20.
- 09-43** A By-law to permit an encroachment onto the Frazer Street Road Allowance to benefit the owners of the property known municipally as 65 West Main Street.
- 09-122** A By-law to authorize acceptance of a transfer of land, being Part 2, Plan 59R-14053 (File No. B004/2009WELL) Part of Willson Road.
- 09-122** A By-law to layout, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-14053 as part of Willson Road.
- 09-122** A By-law to layout, establish, assume and name as a public highway for road widening purposes Part 4, Plan 59R-14053 as part of Glen Park Drive.
- 09-46** A By-law to authorize the purchase of two (2) new unleaded fuel compact cars.
- 09-46** A By-law to authorize the purchase of a new one ton crew cab pick-up complete with box 10,000 lb G.V.W. single axle truck.
- 09-46** A By-law to authorize the purchase of five (5) new one half ton cargo type vans.
- 04-92**
- 04-132**
- 09-144** A By-law to amend City of Welland By-laws 10545, 10557 and 2005-21, as amended.



## **COUNCIL MEETING AGENDA INDEX – Page 6**

*Tuesday, September 15, 2009*

*7:00 P.M.*

**COUNCIL CHAMBERS – CIVIC SQUARE**

---

### **Page No.**

- 09-140Z** A By-law to amend City of Welland Zoning By-law 2667 (Gord-Blanche Limited – File 2009-13) 207 Ross Street.
- 09-141Z** A By-law to amend City of Welland Zoning By-law 2667 (Irena Juzevski-File 2009-14) 97 Bugar Street.
- 05-120** A By-law to amend By-law 2005-91, being a By-law respecting permits for construction, demolition, occupancy and change of use, transfer of permits and inspections.
- 08-48** A By-law to amend By-law 2009-108, being a By-law prescribing standards for the maintenance and occupancy of property.
- 99-99** A By-law to authorize entering into a Lease Agreement with the Welland Recreational Canal Corporation for an amphitheatre at Merritt Park.
- 09-91** A By-law to authorize entering into a contribution agreement with the Ministry of Energy and Infrastructure and Ministry of Agriculture, Food and Rural Affairs, to secure funding under the Infrastructure Stimulus Fund.
- 09-114** A By-law to authorize entering into an agreement with the Government of Canada to secure funding under the Community Adjustment Fund for Local Projects.
- 09-1** 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 15<sup>th</sup> day of September, 2009.