



**MINUTES OF  
COUNCIL MEETING, JANUARY 20, 2009**

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

Council met in Committee-of-the-Whole closed to the public at 7:02 p.m. and in open session at 7:40 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 D. Alexander, M. Belcastro, F. Campion, P. Chiochio, 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

Acting City Clerk, B. Nistico-Dunk

Acting Deputy Clerk, C. Mintoff (7:40 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 (7:11 p.m.)

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

General Manager, Planning & Development Services, D. Thorpe

- 09-25** 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 7:02 p.m. to consider:
- a) the security of the property of the municipality or local board; and
  - b) a proposed or pending acquisition or disposition of land by the municipality or local board.

**CARRIED**

- 09-25** Moved by Grenier and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:24 p.m.

**CARRIED**

### **BOARDS, AGENCIES, COMMISSIONS REPORT(S)**

Councillor Dzugan, Nominating Committee Chair, addressed Council regarding an appointment to the Market Square Advisory Committee.

Councillor Grenier, Chair of the Budget Review Committee provided an update on the Budget Review Committee meeting of January 20, 2009.

Councillor Sharpe, Chair of the Human Resources Committee provided an update on the Human Resources Committee meeting of January 20, 2009.

### **THE FOLLOWING CORRESPONDENCE WAS READ:**

- 08-148** A By-law to authorize the entering into an agreement with Robert Campbell to provide for an option to purchase a portion of Seeley Street Road Allowance.
- 02-157** Verbal report from Don Thorpe, General Manager, Planning and Development Services – Growth Management Strategy.

### **THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

- 99-92** Gen. Mgr., Planning and Development Services, D. Thorpe – Request for extension to Draft Plan Approval – Harry W. Diffin Industrial Park Subdivision – City of Welland (File 26T-14-89015).
- 01-108**
- 02-47** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Smarter Niagara Incentives Program – Downtown Infrastructure Improvements.
- 05-158** Councillor Dzugan – Notice of Motion – cease exploration of any partnerships which would involve the private sector to partner in the creation of any sports facilities including arenas with the City of Welland.
- 06-154** A By-law to assume various subdivision developments established prior to 1980.
- 08-10**
- 08-95** Kerry Thomas, North Welland Business Improvement Area – Appointment of Members.
- 08-143** Councillor Champion – Notice of Motion – reduction in services and facilities associated with Mental Health and Pediatrics at the Welland Hospital site and opposes the proposed Niagara Health Services Hospital Improvement Plan.
- 08-155** A By-law to authorize conveyance of a 0.3 metre reserve north of Humberstone Road being Parts 5, 6 and 7, on Reference Plan 30R-13247.
- 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 20<sup>th</sup> day of January, 2009.
- 09-22** A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-Law 89-2000 at Seaway Mall; and to repeal By-law 2008-188.

**09-36** Gen. Mgr., Planning and Development Services, D. Thorpe – Condition related to decision of Committee of Adjustment – Consent for Patrick Luciani 610 Quaker Road (north side of Quaker Road, west of Montgomery Road) (File B029/2007WELL).

**09-36** A By-law to authorize acceptance of a Transfer of Land, being Part 2, Plan 59R-13866 (File No. B029/2007WELL).

**09-36** A By-law to lay out, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-13866 as Part of Quaker Road.

**09-41** Gen. Mgr., Planning and Development Services, D. Thorpe – Condition related to minor change to Site Plan Control Agreement – for Karner-Fidler Veterinary Professional Corp. 194 Thorold Road (north side of Thorold Road, east of Dixon Crescent).

**09-41** A By-law to authorize acceptance of a Transfer of Land, being Part 2, Plan 59R-13780 (File No. A06/2008 & A07/2008 WELL).

**09-41** A By-law to lay out, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-13780 as part of Thorold Road.

**09-1** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of December 9, 2008, December 16, 2008 and Special Council Meetings of January 9, 2009 and January 13, 2009, as circulated.

**CARRIED**

**99-92** Moved by Van Vliet and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension of Draft Plan Approval for the Harry W. Diffin Industrial Park Subdivision (File 26T-14-89015) for one (1) year to February 3, 2010.

**CARRIED**

**01-108**

**02-47** Moved by Van Vliet and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the Smarter Niagara Incentives Program and directs staff to apply for funding for the Downtown Improvements Program.

**CARRIED**

**05-158** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND rescinds the following motion previously carried by Council On December 9, 2008:

"THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Budget Review Committee respecting the Arena Feasibility Study Steering Committee Report PF&LS 2008-25 presented to Council on October 7, 2008, that a Request for Proposal be called to explore a Public Private Partnership for the construction and operation of a three pad facility with the option of an additional spectator pad; and further

THAT Welland City Council directs staff to prepare and present specifications for a Request for Proposal for the January 20, 2009 Council meeting".

**LOST**

*AS A RESULT OF THIS ABOVE-NOTED MOTION BEING LOST THE ORIGINAL NOTICE OF MOTION REF. NO. 05-158 AS PRODUCED IN THE JANUARY 20, 2009 AGENDA RECEIVED FROM COUNCILLOR DZUGAN WAS NOT PUT.*

**08-10****08-95**

Moved by Van Vliet and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Leona Moore to replace Darcie Hulse and Alanna Galeota to replace Roch Lafontaine to the North Welland Business Improvement Area Board of Management as recommended by the North Welland Business Improvement Area's Board of Management.

**CARRIED****08-143**

Moved by Campion and Letourneau

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.

**CARRIED****09-4**

Moved by Letourneau and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the report by the Chair of the Budget Review Committee.

**CARRIED****09-19**

Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Mark Dzugan to the Market Square Advisory Committee as recommended by the Nominating Committee.

**CARRIED****09-36**

Moved by Van Vliet and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-laws required to clear a Condition of Approval regarding a consent to Sever Application (File No. B029/2007WELL) to accept Part 2, Plan 59R-13866 and to layout, establish and name the subject lands as part of Quaker Road for lands on the north side of Quaker Road, west of Montgomery Road, municipally known as 610 Quaker Road.

**CARRIED****09-41**

Moved by Van Vliet and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-laws required as a Condition of the Minor Change to Site Plan Control Agreement to accept Part 2, Plan 59R-13780 and to layout, establish and name the subject lands as part of Thorold Road, for lands on the north side of Thorold Road, east of Dixon Crescent, municipally known as 194 Thorold Road.

**CARRIED**

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

**06-72** Moved by Van Vliet and Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND recommends that 457 East Main Street be vested by the City; and further  
 THAT Welland City Council authorizes staff to prepare the necessary By-law and documentation.

**CARRIED**

**BY-LAWS**

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

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

**06-154**

BYL 2009 – 1

A By-law to assume various subdivision developments established prior to 1980.

**08-155**

BYL 2009 – 2

A By-law to authorize conveyance of a 0.3 metre reserve north of Humberstone Road being Parts 5, 6 and 7, on Reference Plan 30R-13247.

**09-22**

BYL 2009 – 3

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-Law 89-2000 at Seaway Mall; and to repeal By-law 2008-188.

**09-36**

BYL 2009 - 4

A By-law to authorize acceptance of a Transfer of Land, being Part 2, Plan 59R-13866 (File No. B029/2007WELL).

**09-36**

BYL 2009 - 5

A By-law to lay out, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-13866 as part of Quaker Road.

**09-41**

BYL 2009 - 6

A By-law to authorize acceptance of a Transfer of Land, being Part 2, Plan 50R-13780 (File No. A06/2008 & A07/2008 WELL).

**09-41**

BYL 2009 - 7

A By-law to lay out, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-13780 as part of Thorold Road.

...continued...

**BY-LAWS PRESENTED FOR FIRST READING...cont'd. :****08-148**

BYL 2009 - 8

A By-law to authorize the entering into an agreement with Robert Campbell to provide for an option to purchase a portion of Seeley Street Road Allowance.

**09-1**

BYL 2009 - 9

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 20th day of January, 2009.

And that same be now read a first time.

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

2. Moved by Van Vliet 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 2007-178 passed on November 27, 2007, Councillor(s) must submit their NOTICE OF MOTION(s) in writing no later than Wednesday, January 28, 2008 for inclusion on the next regular Council meeting agenda of February 3, 2009.

Councillor Van Vliet gave Notice of Motion of the following issues to be presented to Council at the February 3, 2009 Regular Council Meeting:

**08-143****09-13**

***THAT THE COUNCIL OF THE CITY OF WELLAND instructs Transit staff to reopen transportation negotiations with the Niagara Health system.***

**09-4**

***THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to respond to the e-mail sent by myself in the middle of October, 2008. The e-mail was a request for the cost of overtime for the city year to date, and further that overtime become a line item on the budget reporting process.***

**09-50**

***THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to respond to the e-mail sent by myself in the middle of November, 2008. The e-mail was a request for the number of employees employed by the City of Welland for the years 1985 through 2007.***

Council adjourned at 9:02 p.m.

These Minutes approved and adopted by Motion of Council this 3<sup>rd</sup> day of February, 2009.

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**MAYOR**

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**ACTING CITY CLERK**