



**MINUTES OF
COUNCIL MEETING, FEBRUARY 17, 2009**

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

Council met in Committee-of-the-Whole closed to the public at 6:56 p.m. and in open session at 7:44 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 R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiochio, M. Dzugan, P. Grenier
J. Larouche, S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger
Acting Deputy Clerk, C. Mintoff
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, Human Resources, R. Mantesso
General Manager, Parks, Facilities, & Leisure Services, B. Fenwick
General Manager, Planning & Development Services, D. Thorpe
Games Licensing & Committee Clerk, L. Bubanko (7:44 p.m.)
Manager, Economic Development, D. Degazio (until 7:31 p.m.)

09-25 Moved by Alakas and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:56 p.m. to consider:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees; and
- c) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

(Councillor Alakas was not present during Committee-of-the-Whole discussions on a security of property matter).

09-25 Moved by Van Vliet and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:31 p.m.

CARRIED

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

Councillor Grenier, Chair of the Budget Review Committee provided an update on the Budget Review Committee meeting of February 17, 2009.

THE FOLLOWING CORRESPONDENCE WAS READ:

01-35 A By-law to authorize expenditure for the acquisition of Block 10, Plan 59M-_____ (Niagara Centre Subdivision) for Highway Widening Purposes to be funded by Municipal Debenture.

01-35 A By-law to authorize the entering into an agreement with Niagara Centre Land Development Limited with respect to the transfer of various lands (Niagara Centre Subdivision).

09-65 A By-law to authorize the entering into an agreement of Purchase and Sale for the sale of Lots 3 and 7, Plan 59M-342 (Enterprise Subdivision) to Keith Cummings in trust for a company to be incorporated.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

08-22 Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Colborne Street; Lot #10 South Course and Lot #11 North Course as a Heavy Vehicle Parking Facility.

08-138 City Manager, C. Stirtzinger – Purchase of two new photocopiers – Civic Centre.

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 17th day of February, 2009.

09-3 Stamford Centre Volunteer Firemen Association – request to sell raffle tickets in the City of Welland.

09-3 A By-law to amend By-law 10057, being a By-law providing for the licensing of Charitable or Religious Organizations to conduct Bingo Lotteries, Raffle Lotteries, Break Open Ticket Lotteries, or Lottery Schemes held at Bazaars within the City of Welland; and to repeal By-law 2004-92.

09-4 Councillor Van Vliet – Notice of Motion – cost of overtime for the city year to date.

09-22 Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Administrative Update – Traffic and Parking Operations.

...Continued...

COMMUNICATIONS RECEIVED CONT'D:

- 09-22** A By-law to amend Definitions and Schedules "V", "VIII", "XV", "XVI" and to add Schedule "XXXIV" of By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland.
- 09-33** Gen. Mgr., Human Resources, R. Mantesso – Christmas and New Year Closure of City Hall Operations 2009-2010.
- 09-47** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Sanitary Sewer Flow Monitoring Services Scholfield Avenue Trunk Sewer Drainage Area.
- 09-61** Mary Mollica – recommendation to reduce the number of City and Regional Councillors.
- 09-66** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Oxford-Atlas-Wellington Drainage Area combined sewer separation.

09-1 Moved by Van Vliet and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of January 27, 2009, and February 3, 2009, as circulated.

CARRIED

08-22 Moved by O'Dell and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRAF-2009-03 regarding Colborne Street; Lot #10 South Course and Lot #11 North Course as a Heavy Vehicle Parking Facility for information; and further
 THAT Welland City Council directs Staff to discontinue pursuit of a Heavy Vehicle Parking Facility on Colborne Street at this time; and further
 THAT Welland City Council directs Staff to advertise information in Civic Corner regarding heavy vehicle parking restrictions within the City of Welland.

CARRIED

08-138 Moved by Dzugan and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the recommendation as presented in Report CLS-2009-02 Purchase of Two New Photocopiers - Civic Centre and awards the contract to 4-Office Automation (HP); and further
 THAT Welland City Council approves the allocation of \$41,356.22 from the 2008 Capital Budget for purchase of these two multifunction copier machines.

CARRIED

09-3 Moved by Dzugan and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Stamford Centre Volunteer Firemen's Association to sell raffle tickets in the City of Welland under authority of Lottery License M607123; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

09-4 Moved by Belcastro and Dzugan
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the report by the Chair of the Budget Review Committee.

CARRIED

09-4 Moved by Van Vliet and Dzugan
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to respond to the e-mail sent by Councillor Van Vliet in the middle of October, 2008. The e-mail was a request for the cost of overtime for the city year to date.

CARRIED

09-22 Moved by Dzugan and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare the necessary By-law to amend By-law 89-2000, as follows:

DELETE THE FOLLOWING:

a) PART "III" STOPPING, STANDING AND PARKING

3.14 Stopping Prohibited -
Schedule "III"

When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1,2,3 and 4 of Schedule "III" of this By-law.

b) SCHEDULE "V" PARKING PROHIBITIONS

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
Fire Lane	East and West Sides	Division Street	To the rear of the Gas Company property	AT NO TIME
Fire Lane	East and West Sides	Lincoln Street East	Albert Street	AT NO TIME

c) SCHEDULE "XV" LOADING ZONES

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
King Street	East	Approximately 16.0 metres south of Regent Street	Approximately 24.1 metres south of Regent Street	8:00 a.m. to 6:00 p.m.
King Street	East Side	Regent Street	23 metres north of Regent Street	ANYTIME
King Street	West Side	36 metres north of Ontario Road	46 metres north of Ontario Road	ANYTIME

...Continued...

09-22 Cont'd:**d) SCHEDULE "XVI" PARKING METER CONTROL**

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5	COLUMN 6	AMENDING BYLAW No.
HIGHWAY	SIDE	FROM	TO	FEES	MAXIMUM	TIMES/ DAYS	
Ontario Road	North	Iron Street	Steel Street	\$0.25 / 30 min. \$0.50 / 1 hr. \$1.00 / 2 hr.	2 hours	8:00 am. to 6:00pm. Monday to Friday Holidays Exempted	2002-202

e) SCHEDULE "XXXIV" RESIDENTIAL PARKING PERMIT ONLY

COLUMN 1	COLUMN 2	
HIGHWAY	FROM	TO
Albert Street West	Appoint 60 meters west of King Street	A point 75 meters west of King Street
McGill Street	Preston Place	A point 25 meters south of Preston Place

ADD THE FOLLOWING:**f) PART III STOPPING, STANDING AND PARKING**

- 3.11.6 On either side or both sides of the portion of a highway adjacent to a playground or parkland.
- 3.15 Stopping Prohibited -
Schedule "III"
When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1,2,3 and 4 of Schedule "III" of this By-law.

g) SCHEDULE "V" PARKING PROHIBITIONS

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMESDAY)
		FROM	TO	
St. Andrews Avenue	East	East Main Street	Laval Avenue	MON-FRI 8:30 a.m. – 4:30 p.m.

h) SCHEDULE "XV" LOADING ZONES

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMESDAY)
		FROM	TO	
King Street	East Side	Regent Street	23 metres north of Regent Street	8 a.m.-6 p.m.
King Street	East Side	5 metres south of Park Street	25 metres south of Park Street	MON-FRI 8 a.m.-6 p.m.

CARRIED

09-33 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2009-2010 holiday season from the close of business on Thursday, December 24th, 2009 to and including Friday, January 1st, 2010.

CARRIED

09-47 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND accepts subject to budget approval the tender of Clarifica Incorporated of Richmond Hill, Ontario for Sanitary Sewer Flow Monitoring Services, as presented in report ENG-2009-04; and further

THAT Welland City Council directs subject to budget approval the City Clerk to prepare all necessary and appropriate By-laws to enter into an agreement with the said contractor to perform the flow monitoring services at the tender price of \$97,325, plus applicable taxes; and further

THAT Welland City Council authorizes subject to budget approval staff to undertake supplementary flow monitoring services, as required, at the unit prices bid but not to exceed a total expenditure of \$140,000 of the 2009 Sanitary Sewer Capital budget allocation for CSO & Sewer System Flow Level Monitoring.

CARRIED

09-61 Moved by Sharpe and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives the recommendation from residents of Welland relative to downsizing Members of Council and Regional Councillors for the 2010 Elections.

CARRIED

09-66 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND allocates subject to budget approval \$227,000 in the 2009 Sanitary Sewer Capital Budget for the Oxford-Atlas-Wellington Drainage Area Combined Sewer Separation, and further;

THAT Welland City Council approves subject to budget approval the extension of the contract with Vic Vatr Contracting Ltd. of Welland, Ontario as per Report ENG-2008-46, for the additional Catchbasin Re-Direction and Sewer Separation at the specified tendered unit rates but not to exceed \$227,000 approval as part of the 2009 Sewer Capital Budget.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

01-35 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the expenditure of \$692,000.00 for the acquisition of Block 10 in the Niagara Centre Plan of Subdivision for Highway improvements for the 406/Woodlawn Road intersection to be funded by debenture; and further

THAT Welland City Council authorizes Staff to prepare the necessary documentation.

CARRIED

09-10 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Brigitte Chiki and Ashar Syed to serve on the Welland Tourism Advisory Committee as Tourism Industry representatives.

CARRIED

09-65

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Welland Development Commission for the sale of Lot 3, Plan 59M-342 in the amount of \$60,000.00 per acre and Lot 7, Plan 59M-342 in the amount of \$55,000.00 per acre, both in the Enterprise Industrial Subdivision to Keith Cumming, in Trust for an incorporated company; and further THAT Welland City Council directs that the proceeds from these sales be credited to the Welland Development Commission Reserve Fund; and further THAT Welland City Council directs Staff to prepare the necessary By-laws and documentation.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

09-3

BYL 2009 – 15

A By-law to amend By-law 10057, being a By-law providing for the licensing of Charitable or Religious Organizations to conduct Bingo Lotteries, Raffle Lotteries, Break Open Ticket Lotteries, or Lottery Schemes held at Bazaars within the City of Welland; and to repeal By-law 2004-92.

09-22

BYL 2009 – 16

A By-law to amend Definitions and Schedules "V", "VIII", "XV", "XVI" and to add Schedule "XXXIV" of By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland.

01-35

BYL 2009 – 17

A By-law to authorize expenditure for the acquisition of Block 10, Plan 59M-_____ (Niagara Centre Subdivision) for Highway Widening Purposes to be funded by Municipal Debenture.

01-35

BYL 2009 – 18

A By-law to authorize the entering into an agreement with Niagara Centre Land Development Limited with respect to the transfer of various lands (Niagara Centre Subdivision).

09-65

BYL 2009 – 19

A By-law to authorize the entering into an agreement of Purchase and Sale for the sale of Lots 3 and 7, Plan 59M-342 (Enterprise Subdivision) to Keith Cummings in trust for a company to be incorporated.

09-1

BYL 2009 – 20

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 17th day of February, 2009.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Larouche
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, February 25, 2009 for inclusion on the next regular Council meeting agenda of March 3, 2009.

Council adjourned at 8:23 p.m.

These Minutes approved and adopted by Motion of Council this 3rd day of March, 2009.

MAYOR

ACTING CITY CLERK