



**MINUTES OF  
COUNCIL MEETING, JULY 14, 2009**

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

Council met in Committee-of-the-Whole closed to the public at 5:15 p.m. and in open session at 7:07 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

**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 (7:07 p.m.)  
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  
Chief Building Official, M. Mantesso (until 7:47 p.m.)

**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 5:15 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal or local board employees;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations; and
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

**CARRIED**

**09-25** Moved by Campion and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:02 p.m. with report.

**CARRIED**

**PRESENTATION:**

Mayor Goulbourne presented certificates to Rose Bud King Josiah Shogan; Rose Bud Queen Ivey Evans; Rose Queen Rebecca Muise; 1<sup>st</sup> Princess Chelsea Demers; 2<sup>nd</sup> Princess Sharon Michalak; and, Miss Congeniality Tate Kenney.

**THE FOLLOWING CORRESPONDENCE WAS READ:**

**09-20** Copy of an email from Gordon and Anne Harold relative to The Owenpalooza Music Festival requesting The Owenpalooza Music Festival be designated a significant municipal event.

**THE FOLLOWING CORRESPONDENCE WAS DELETED:**

**09-125** Report from D. Thorpe, General Manager, Planning and Development Services – Request by Ella Neiman on behalf of 1695875 Ontario Limited for an abandonment of a city easement – 572 Niagara Street, east side of Niagara Street, south of Aqueduct Street, north of Thorold Road.

**09-125** A By-law to authorize release and abandonment of easement at 572 Niagara Street, lying east of Niagara Street, south of Aqueduct Street, north of Thorold Road.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**98-62** Gen. Mgr., Planning and Development Services, D. Thorpe – Request for extension of Draft Plan Approval – The Highlands Subdivision (formerly St. Andrew's Terrace Subdivision) (File 26T-14-97005). **(PDS-2009-46)**

**01-35** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – 406 Highway Agreement Amendment. **(TRAF-2009-17)**

**01-35** A By-law to authorize the entering into an amended agreement with the Ministry of Transportation for an environmental assessment and new interchange at the intersection of Woodlawn Road and Highway 406.

**04-59** Notice of Motion – Councillor Dzugan re: create a new centralized voting system for the municipal elections in 2010 for the City of Welland.

**06-84** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Project Management Services for the Design-Build Expansion of the Welland Community Wellness Complex. **(PF&LS-2009-06)**

**06-84** A By-law to authorize the acceptance of tender and the entering into an agreement with MHPM Project Leaders for the design-build expansion of the Welland Community Wellness Complex.

**06-84** Doug Rapelje, Chair, Senior Citizens Advisory Committee re: Waiting list for long-term care facilities in the Welland-Fonthill Area.

- 08-48** Gen. Mgr., Planning and Development Services, D. Thorpe – Property Standards By-law.
- 08-48** A By-law prescribing Standards for the Maintenance and Occupancy of Property and to repeal By-laws 11258, 3872 and 2314 as amended.
- 09-1** A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 23<sup>rd</sup> day of June, 2009, and 14<sup>th</sup> day of July, 2009.
- 09-13** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Pelham Transit Service. **(TRANS-2009-09)**
- 09-13** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Ontario Bus Replacement Program Funding Agreement for Public Transit 2009. **(TRANS-2009-10)**
- 09-13** A By-law to authorize the entering into a Letter of Agreement with Her Majesty The Queen In Right of the Province of Ontario as represented by the Minister of Transportation for the Ontario Bus Replacement Program Funding for Public Transit 2009.
- 09-13** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Advertising Agreement on Transit Products. **(TRANS-2009-11)**
- 09-13** A By-law to authorize the entering into an agreement with Let's Bus It Publications Inc. relating to advertising on transit products.
- 09-15** Chief, Fire and Emergency Services, D. Prevost – Award of Contract 2010 Cross-Over Vehicle for Fire Prevention. **(F&ES-2009-03)**
- 09-19** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Market Square Improvement Plan. **(PF&LS-2009-07)**
- 09-22** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Removal of Three (3) School Crossing Guard Locations. **(TRAF-2009-16)**
- 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.
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of two new 2010 unleaded fueled compact cars. **(ENG-2009-24)**
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of five new 2010 one half ton Cargo type vans. **(ENG-2009-25)**
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of one (1) new 2010 One Ton Crew Cab Pick-Up complete with Box 10,000 LB G.V.W. Single Axle Truck. **(ENG-2009-29)**
- 09-85** Gen. Mgr., Planning and Development Services, D. Thorpe – Transfer of lands to Habitat for Humanity Niagara – 9 Frazer Street. **(PDS-2009-49)**
- 09-85** A By-law to authorize acceptance of an offer from Habitat For Humanity Niagara for the sale of vacant land on Frazer Street.
- 09-88** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Award of Contract for CCTV Camera Inspection of Gravity Sewers. **(ENG-2009-26)**
- 09-88** A By-law to authorize the acceptance of tender and the entering into a contract with Bob Robinson and Son Construction for the CCTV Camera Inspection of Gravity Sewers.
- 09-91** Deborah Bissett Federal Co-Chair, Joint Secretariat and Dino Radocchi, Provincial Co-Chair, Joint Secretariat re: Project #27272 - Intake Two of the Building Canada Fund – Communities Component – Woodlawn Road Sportsplex.
- 09-98** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Tender Award – Road Reconstruction and Road Resurfacing 2009 "An Investing in Ontario Project". **(ENG-2009-28)**
- 09-98** A By-law to authorize the acceptance of tender and the entering into a contract with Brennan Paving Limited for Road Reconstruction and Road Resurfacing - 2009 "An Investing In Ontario Project".
- 09-99** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Award of Contract for Municipal EA, Design and Contract Administration – Thorold Road between Niagara Street and Rice Road. **(TRAF-2009-18)**
- 09-99** A By-law to authorize the acceptance of tender and the entering into a contract with MEC/PHILLIPS Consulting to undertake a municipal environmental assessment and design for Thorold Road between Niagara Street and Rice Road.
- 09-107** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Rooftop Unit replacement at City of Welland Municipal Service Centre. **(PF&LS-2009-05)**

**09-107** A By-law to authorize the acceptance of tender and the entering into a contract with E.S. Fox Ltd. for rooftop unit replacement at the Municipal Service Centre.

**09-108** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Tender Award – Streetscaping Downtown Improvements Project Phase II – Cross Street – “An Investing in Ontario Project”.

**(ENG-2009-27)**

**09-108** A By-law to authorize the acceptance of tender and the entering into a contract with Brennan Paving limited to provide streetscaping for the Downtown Improvements Project Phase II - Cross Street " An Investing In Ontario Project".

**09-122** Gen. Mgr., Planning and Development Services, D. Thorpe – Dedication of 0.3 metre reserve as part of Glen Park Drive – Condition related to decision of Committee of Adjustment – Consent for Ryan Shea and

Robyn Mulrooney, 243 Willson Road (north side of Glen Park Drive, west of Willson Road (File: 004/2009WELL).

**(PDS-2009-48)**

**09-123** Ashley Grigg, Deputy City Clerk, City of Thorold re: Resolution regarding petition to the Province of Ontario to include hospitals under jurisdiction of the Ombudsman.

**09-124** Ashley Grigg, Deputy City Clerk, City of Thorold re: United Nations Freshwater Monitoring Program.

**09-1** Moved by Sharpe and O'Dell

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 16, 2009 and the Special Council Meeting of June 23, 2009, as circulated.

**CARRIED**

**98-62** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Highlands Subdivision (formerly St. Andrew's Terrace Subdivision) (File: 26T-14-97005) for one (1) year to July 27, 2010 as requested by Allan Windrem of Dillon Consulting on behalf of D'Orazio Group of Companies.

**CARRIED**

**01-35** Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and City Clerk to proceed with the amended agreement for Highway 406 Extension.

**CARRIED**

**04-59** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND directs the City Manager and appropriate staff to create a new centralized voting system for the municipal elections in 2010 for the City of Welland, where voting would be held for the election of 2 Councillors for each of the existing 6 wards and 2 Councillors as Regional Representatives at the King Street Arena on 1 day and 1 day only for advanced polls and that this be completed no later than October 30, 2009.

**LOST**

**06-84** Moved by Alexander and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from MHPM Project Leaders for project management services for the design-build expansion of the Welland Community Wellness Complex as presented in report PF&LS-2009-06; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into an agreement with the MHPM Project Leaders for project management services for a fixed

price of \$206,400.00 plus fees for optional services to be determined, applicable taxes and reimbursable expenses.

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**06-84** Moved by Sharpe and O'Dell

THAT the matter regarding the proposal for the design-build expansion of the Welland Community Wellness Complex be referred to the In-camera session following balance of July 14, 2009 Council Meeting.

**LOST**

**FOLLOWING THE VOTE ON THE REFERRAL MOTION, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND .....**

**CARRIED**

*(Councillor O'Dell asked to be recorded as opposed to this motion).*

**06-84** Moved by Chiocchio and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the recommendation of the Senior Citizens Advisory Committee as follows:

That the Mayor communicate with the Minister of Health and Long-Term Care to determine the status of the previously announced project on Webber Road; and further

That based upon current waiting lists, the Mayor urge the Minister of Health and Long-Term Care to initiate the project on Webber Road at the earliest possible date in order to alleviate the concerns of families and individuals that face long waiting times to be placed in long-term care facilities in the Welland-Fonthill area, and further

That the Mayor and Council seek support for this initiative from relevant agencies, organizations and levels of government.

**CARRIED**

**08-48** Moved by O'Dell and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND approves a new Property Standards By-law; and further

THAT Welland City Council authorizes staff to prepare the necessary By-law.

**CARRIED**

**09-13** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2009-09 regarding the Pelham Transit Service for information purposes.

**CARRIED**

**09-13** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and City Clerk to sign the 2009 Letter of Agreement, between the City of Welland and the Province of Ontario, related to the conditions for eligible expenditures under the Ontario Bus Replacement Program; and further

THAT Welland City Council authorizes a municipal by-law to receive these funds; and further

THAT Welland City Council authorizes the Treasurer to establish an Ontario Bus Replacement Program (OBRP) Reserve Account for the provincial funding for 2009.

**CARRIED**

**09-13** Moved by Campion and Belcastro  
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and City Clerk to sign the Advertising Sales on Bus Passes & Ride Guides Agreement.

**CARRIED**

**09-15** Moved by Campion and Belcastro  
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report F&ES-2009-04 Award of Contract 2010 Cross-Over Vehicle for Fire Prevention; and further  
THAT Welland City Council authorizes the issue of a purchase order to David Chevrolet of 915 Niagara Street, Welland, for the supply of one 2010 Chevrolet Equinox at a purchase price of \$31,093.00 exclusive of applicable taxes.

**CARRIED**

**09-19** Moved by Dzugan and Sharpe  
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the Market Square Improvement Plan as described in Report PF&LS-2009-07.

**CARRIED**

**09-20** Moved by Campion and Belcastro  
THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to the Owenpalooza Music Festival to be held on August 15, 2009 at Club Richelieu in Welland; and further  
THAT Welland City Council designates the Owenpalooza Music Festival as a significant municipal event; and further  
THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the name the Owenpalooza Music Festival and to deem such events community festivals and/or a significant municipal event, as appropriate.

**CARRIED**

**09-22** Moved by Dzugan and Van Vliet  
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to remove the following three (3) School Crossing Guard Locations: Coventry Road & Simpson Avenue, King Street & 3rd Street (Arena) and, Welland Street & McAlpine Avenue.

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**09-22** Moved by Belcastro and Van Vliet  
THAT THE COUNCIL OF THE CITY OF WELLAND defers the matter relative to removal of three (3) school crossing guard locations to the August 11, 2009 Council Meeting.

**LOST**

**FOLLOWING THE LOST VOTE ON THE MOTION TO DEFER THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND .....**

**YEAS:** *Councillors Van Vliet and Sharpe*

**NAYS:** *Councillors O'Dell, Dzugan, Campion, Chiochio, Letourneau, Alexander, Larouche, Grenier, Belcastro, and Mayor Goulbourne.*

**LOST**

**09-46** Moved by Sharpe and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of two (2) new 2010 Unleaded Fuel Compact Cars from Ed Learn Ford being the lowest bidder at a tendered price of \$34,410.00 (\$17,205.00 each), PST included; as per the 2009 Fleet Capital Replacement Program.

**LOST**

**09-46** Moved by Van Vliet and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND re-tenders for the purchase of two (2) new Unleaded Fuel Compact Cars with the same specifications as previously advertised.

**CARRIED**

(Councillors Sharpe and Grenier asked to be recorded as opposed to this resolution).

**09-46** Moved by Van Vliet and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND re-tenders for the purchase of five (5) new one-half ton cargo style vans with the same specifications as previously advertised.

**CARRIED**

(Councillors Sharpe and Grenier asked to be recorded as opposed to this resolution).

**09-46** Moved by Van Vliet and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND re-tenders for the purchase of one (1) new one ton crew cab pick-up complete with Box 10,000 lb G.V.W. Single Axle Truck with the specifications as previously advertised.

**CARRIED**

(Councillors Sharpe, Grenier, and Alexander asked to be recorded as opposed to this resolution).

**09-85** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives and endorses Report PDS-2009-49 concerning an Agreement outlining the co-operative responsibilities between Habitat for Humanity Niagara and the City of Welland for the development of three (3) single-detached dwellings on lands known municipally as 9 Frazer Street; and further  
THAT Welland City Council authorizes Staff to prepare the necessary By-law.

**CARRIED**

**09-88** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Bob Robinson and Son Construction of Port Robinson, Ontario for the CCTV Camera Inspection of Gravity Sewers, as presented in report ENG-2009-26; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into an agreement with the said contractor to perform the CCTV inspection services at the tender price of \$50,854.84, plus applicable taxes; and further

THAT Welland City Council authorizes staff to undertake supplementary CCTV Inspection work, as required, at the unit prices bid but not to exceed \$60,000 as a part of the 2009 Water/Sewer Operating Budget for sewer system inspection.

**CARRIED**

**09-91** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information correspondence from the Federal and Provincial Joint Secretariat dated June 18, 2009 relative to Intake Two of the Building Canada - Communities Component - Woodlawn Road Sportsplex application.

**CARRIED**

**09-98** Moved by Campion and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Brennan Paving Limited of Port Colborne, Ontario as detailed in Report ENG-2009-28, for Road Reconstruction and Road Resurfacing at the tendered price of \$1,825,626.00 including applicable PST; and further THAT Welland City Council authorizes the Treasurer to debenture as approved up to \$778,900.00 for the 2009 Road Reconstruction, and 2009 Sidewalks – Existing Maintenance capital budgets; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Brennan Paving Limited, to execute the construction.

**CARRIED**

**09-99** Moved by Sharpe and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the contract for the undertaking of a Municipal Class EA, Design and Contract Administration for Thorold Road between Niagara Street and Rice Road to AMEC/Phillips Consulting in the amount of \$72,322.00, and further; THAT Welland City Council directs the City Clerk to prepare the necessary By-laws.

**CARRIED**

**09-107** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the tender of E.S. FOX Ltd. of Niagara Falls, Ontario as detailed in Report PF&LS-2009-04, for Municipal Service Centre, Rooftop Unit Replacements at the quoted price of \$32,900.00 plus applicable GST (\$1,645.00); and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with E.S. FOX Ltd., to execute the construction, and authorize the Mayor and Clerk to sign and seal the same.

**CARRIED**

**09-108** Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Brennan Paving Limited as detailed in Report ENG-2009-27, for streetscaping as part of the downtown improvements project Phase II – Cross Street, at the quoted price of \$356,977.25 including applicable P.S.T.; and further, THAT Welland City Council approves AECOM for conducting inspecting and administration of the construction in the amount of \$41,614.00; and further, THAT Welland City Council approves the allocation of funds from the South Pelham intersection widening project (\$100,000); and further, THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Brennan Paving Limited, to execute construction.

**CARRIED**

**09-122** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves lifting a portion of the 0.3 metre reserve and authorizes Staff to prepare the necessary By-law required to clear a Condition of Approval regarding a Consent to Sever Application (File No. B004/2009WELL) to layout, establish and name the subject

lands as part of Glen Park Drive for lands on the north side of Glen Park Drive, west of Willson Road, municipally known as 243 Willson Road.

**CARRIED**

**09-123** Moved by Alexander and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND endorses the petition to the Province of Ontario to include hospitals under the jurisdiction of the Ombudsman.

**LOST**

**09-123** Moved by Belcastro and Grenier  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Thorold dated June 22, 2009 regarding the petition to the Province of Ontario to include hospitals under the jurisdiction of the Ombudsman.

**CARRIED**

**09-124** Moved by Campion and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Thorold dated June 23, 2009 relative to United Nations Freshwater Monitoring Program.

**CARRIED**

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

**97-49** Moved by Campion and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and Clerk to execute an incentive agreement for physician services between the City of Welland and Dr. Kundi as follows:  
 2009 - \$15,000.00  
 2010 - \$20,000.00  
 2011 - \$15,000.00;  
 AND FURTHER THAT the incentives be paid from the Physician Recruitment Fund.

**CARRIED**

**04-110** Moved by Campion and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the agreement of purchase and sale from the Welland Heritage Council for the purchase of property described as 20-26 East Main Street; and further  
 THAT Welland City Council directs staff to complete the necessary documents to complete the sale and authorizes the Mayor and Clerk to sign and seal the same.

**CARRIED**

**06-96** Moved by Campion and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to proceed with the sale of seven (7) parcels of land on Dufferin and Chippawa Streets with the condition that offers will be accepted on individual parcels only.

**CARRIED**

**09-19** Moved by Campion and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Keith McClatchie to serve on the Market Square Advisory Committee.

**CARRIED**

**09-23** Moved by Van Vliet and Campion  
 THAT THE COUNCIL OF THE CITY OF WELLAND directs the City Manager to impose a moratorium on all non-union hiring including new hires, staff replacement and temporary hires and transfers and further that all hiring issues noted above be brought to Council for consideration.

**YEAS:** *Councillors O'Dell, Van Vliet, Dzugan, Campion, Chiochio, Letourneau, Alexander, Grenier, and Belcastro.*

**NAYS:** *Councillors Larouche, Sharpe, and Mayor Goulbourne.*

**CARRIED**

### **BY-LAWS**

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

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

**01-35**

BYL 2009 - 98

A By-law to authorize the entering into an amended agreement with the Ministry of Transportation for an Environmental Assessment and New Interchange at the intersection of Woodlawn Road and Highway 406.

**06-84**

BYL 2009 - 99

A By-law to authorize the acceptance of tender and the entering into an agreement with MHPM Project Leaders for the Design-Build Expansion of the Welland Community Wellness Complex.

**09-108**

BYL 2009 - 103

A By-law to authorize the acceptance of tender and the entering into a contract with Brennan Paving Limited to provide streetscaping for the Downtown Improvements Project Phase II - Cross Street "An Investing In Ontario Project" and with AECOM to provide related inspections and administration.

**09-99**

BYL 2009 - 107

A By-law to authorize the acceptance of tender and the entering into a contract with AMEC/Phillips Consulting to undertake a Municipal Environmental Assessment and Design for Thorold Road between Niagara Street and Rice Road.

**08-48**

BYL 2009 - 108

A By-law prescribing standards for the Maintenance and Occupancy of Property and to repeal By-laws 11258, 3872, and 2314 as amended.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Belcastro and Dzugan  
 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**

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

3. Moved by Campion and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

**04-110**

BYL 2009 - 95

A By-law to authorize acceptance of an offer from Welland Heritage Council for the sale of 20-26 East Main Street.

**97-49**

BYL 2009 - 96

A By-law to authorize the entering into an agreement for Physician Services.

**09-88**

BYL 2009 - 97

A By-law to authorize the acceptance of tender and the entering into a contract with Bob Robinson and Son Construction for the CCTV Camera Inspection of Gravity Sewers.

**09-107**

BYL 2009 - 100

A By-law to authorize the acceptance tender and the entering into a contract with E.S. Fox Ltd. for rooftop unit replacement at the Municipal Service Centre.

**09-98**

BYL 2009 - 101

A By-law to authorize the acceptance tender and the entering into a contract with Brennan Paving Limited for Road Reconstruction and Road Resurfacing - 2009 "An Investing in Ontario Project".

**09-13**

BYL 2009 - 102

A By-law to authorize the entering into an agreement with Let's Bus It Publications Inc. relating to advertising on Transit Products.

**09-85**

BYL 2009 - 104

A By-law to authorize acceptance of an offer from Habitat for Humanity Niagara for the sale of vacant land on Frazer Street.

**09-22**

BYL 2009 - 105

A By-law to amend definitions of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.

**09-13**

BYL 2009 - 106

A By-law to authorize the entering into a Letter of Agreement with Her Majesty The Queen In Right of the Province of Ontario as represented by the Minister of Transportation for the Ontario Bus Replacement Program Funding for Public Transit 2009.

...continued...

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

**09-1**

BYL 2009 - 109

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland its meetings held on the 23rd day of June, 2009, and 14th day of July, 2009.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Campion and Belcastro  
 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, as amended, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal same.

**CARRIED**

**09-25**

Moved by Belcastro 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 10:23 p.m. to consider:

a) personal matters about an identifiable individual, including municipal or local board employees.  
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Craig Stirtzinger, City Manager, as City Clerk during Committee-of-the-Whole discussions on a personal matter about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations in the absence of the City Clerk.

**CARRIED**

**09-25**

Moved by Belcastro and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 11:00 p.m. without report.

**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, August 5, 2009 for inclusion on the next regular Council meeting agenda of August 11, 2009.**

Councillor Alexander gave Notice of Motion of the following issues to be presented to Council at the August 11, 2009 Regular Council Meeting:

**04-37**

**09-4** THAT THE COUNCIL OF THE CITY OF WELLAND implements a tax and water bill mailing insert initiative.

**09-126** THAT THE COUNCIL OF THE CITY OF WELLAND develops and implements a green fleet policy.

Councillor O'Dell gave Notice of Motion of the following issue to be presented to Council at the August 11, 2009 Regular Council Meeting:

**09-128** THAT THE COUNCIL OF THE CITY OF WELLAND takes steps to minimize the possibility of a flu pandemic this Fall by installing hand sanitizing stations, having surgical masks available, etc. in city owned facilities for the protection of employees and the general public. Further, employees and Council should be encouraged to avoid coming to work when suffering obvious flu symptoms.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 11<sup>th</sup> day of August, 2009.

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**MAYOR**

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**ACTING CITY CLERK**