



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

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

Council met in Committee-of-the-Whole closed to the public at 6:31 p.m. and in open session at 7:09 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors R. Alakas, D. Alexander (6:33 p.m.), M. Belcastro, F. Campion, P. Chiocchio, M. Dzugan, J. Larouche, P. Grenier (6:37 p.m.), R. Letourneau, S. O'Dell, and B. Sharpe.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger
Acting City 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 (7:09 p.m.)
General Manager, Parks, Facilities & Leisure Services, B. Fenwick
General Manager, Planning & Development Services, D. Thorpe
Construction Supervisor, M. Ingebrigtsen (7:09 p.m. – 9:00 p.m.)
Records Clerk, C. Viger (7:09 p.m.)

(Superintendent G. Scaffeld was present during Committee-of-the-Whole discussions on a security of property matter).

09-25 Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:31 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;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations; and
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

(Councillor Alakas was not present during Committee-of-the-Whole discussions on labour relations or employee negotiations)

09-25 Moved by Belcastro 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:

Councillor Barry Sharpe presented a plaque to Lynda Lemon in recognition of winning Gold at the World Duathlon Championship.

DELEGATION:

09-28 Ms. Ellen Duffus, Welland Heritage Council and Multicultural Centre representative, addressed Council regarding the Host Youth Program in Welland.

LEGISLATED PUBLIC MEETING UNDER THE DRAINAGE ACT R.S.O. 1990.

08-71 Balsam Street Drain.

The following spoke at the public meeting:

Harvey Millejours, 825 South Pelham Road, Welland

Cliff Tattersall, 19 Balsam Street, Welland

Louis Varga, 80 Balsam Street, Welland

Mayor Goulbourne, acting as Chair of the public meeting, enquired if there was anyone present that would like to have their name added to or removed from the petition submitted in this matter. No requests were made to be added to or removed from the petition.

There being no further submissions the public meeting was concluded.

Council then considered a motion to adopt the Engineering Report.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

09-157 Report from Gen. Mgr., Planning and Development Services, D. Thorpe – Condominium Approval – Edgewater Properties Limited, 195 Denistoun Street, NP564, Part Lot G to I and L; Part 1, Plan 59R-3051, (File: 26CD-14-09003). (***PDS-2009-68***)

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

06-132 Gen. Mgr., Planning and Development Services, D. Thorpe – Direction by Council to identify alternatives to stopping up and closing Colbeck Drive, south of Webber Road (File 26T-14-06004).
06-148 Petition from residents of Vanier Drive re: Shipview Court Subdivision construction and drainage issues.
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 20th day of October, 2009.
09-13 Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Purchase of one new mid-size low floor bus.
09-28 Ms. Ellen Duffus, Welland Heritage Council and Multicultural Centre representative will provide Council with information about the Host Youth Program in Welland.
09-158 Mr. Dan Carnegie, Director of Corporate Support Services, City of St. Catharines re: Illegal Taxi Cab Operations.

09-1 Moved by Belcastro and Dzugan
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of October 6, as circulated.

CARRIED

05-158 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information The Tribune article regarding the Port Colborne Sports Complex financial shortage; and further
 THAT Welland City Council directs the City Manager and the General Manager, Parks, Facilities and Leisure Services to meet with their counterparts in Port Colborne to explore opportunities to collaborate and report back to Council.

CARRIED

06-132 Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND directs that Colbeck Drive, south of Webber Road not be closed and that staff be directed to discuss the traffic and development impacts at this location with the adjacent property owner and Regional Niagara.

CARRIED

06-148 Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition from residents of Vanier Drive regarding Shipview Court Subdivision construction and drainage issues and refers to staff for review and report to Council.

CARRIED

08-71 Moved by Sharpe and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Engineering Report for the Balsam Street Drain prepared by John Kuntze, P. Eng, of K. Smart Associates Limited; and further
 THAT Welland City Council instructs the Clerk to prepare the necessary provisional bylaw in accordance with the *Drainage Act*.

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08-71 Moved by Alakas and Larouche
 THAT the City of Welland absorbs the full cost of \$17,500, being the amount assessed to perform the work as outlined in the Engineering Report for the Balsam Street Drain.

LOST

***FOLLOWING THE VOTE ON THE MOTION TO AMEND THE MAIN
 MOTION WAS PUT IN ITS ORIGINAL FORM AND***

CARRIED

09-13 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of One (1) Low Floor Bus from Leeds Transit, the lowest bidder, for \$183,380.00, PST included as per the 2009 Transit Capital Budget.

CARRIED

09-13 Moved by Alexander and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the materials presented to the Region's Transportation Strategy Steering Committee (TSSC) regarding the Inter-Municipal Transit Work Plan; and further
 THAT Welland City Council authorizes the Mayor and City Manager to explore a Triangle Service Co-operative Agreement between municipalities, that would see the Region own the vehicles and lease them to the municipalities.

CARRIED

09-15 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report F&ES 2009-08, Emergency Management Program Committee Restructuring; and further
 THAT Welland City Council adopts the proposed revised structure for the Emergency Management Program Committee; and further
 THAT Welland City Council enacts a By-law establishing the restructured Emergency Management Program Committee.

CARRIED

09-28 Moved by Dzugan and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ellen Duffus, Welland Heritage Council and Multicultural Centre representative regarding the Host Youth Program in Welland.

CARRIED

09-96 Moved by Grenier and Dzugan
 THAT THE COUNCIL OF THE CITY OF WELLAND confirms the retention of the lands referred to as Parts 9 and 10, Plan 59R-1551 and takes the necessary steps to preclude the use of the lands as a walkway in the most cost effective manner.

CARRIED

09-158 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of St. Catharines dated October 1, 2009 regarding illegal taxi cab operations.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

97-49 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and Clerk to execute an incentive agreement for family physician services between the City of Welland and Dr. Monica Bertolo; and further
 THAT Welland City Council directs that the incentive be paid from the Physician Incentive Reserve Fund.

CARRIED

09-10 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Sam Kalmuk, Ronald E. Boyer, and Peter Tulumello to the Heritage Welland Committee until November 30, 2010.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

09-1

BYL 2009 – 143

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 October, 2009.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law 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, October 28, 2009 for inclusion on the next regular Council meeting agenda of November 3, 2009.

Councillor Letourneau gave Notice of Motion of the following issue to be presented to Council at the November 3, 2009 Regular Council Meeting:

09-160 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare and create a "Site Alteration By-law" which prohibits the dumping of fill, removal of topsoil, and the alteration of the grade of property in a manner that would or will adversely affect adjacent private or public properties and report back to Council with their recommendations.

Council adjourned at 9:42 p.m.

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

MAYOR

ACTING CITY CLERK