

**MINUTES OF
COUNCIL MEETING, JUNE 1, 2010**

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

Council met in Committee-of-the-Whole closed to the public at 6:03 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 R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiocchio, M. Dzugan, J. Larouche, P. Grenier, R. Letourneau, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger
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 (7:07 p.m.)
General Manager, Human Resources, R. Mantesso
General Manager, Parks, Facilities, Recreation & Cultural Services, B. Fenwick
General Manager, Planning & Development Services, D. Thorpe
Records Clerk, C. Viger (7:07 p.m.)
Manager, Economic Development, D. Degazio (6:03 p.m. – 7:15 p.m.)
Manager, Parks, Facilities, recreation & Cultural Services, R. Morwald (7:07 p.m. – 8:14 p.m.)

(Debbie Sevenpifer was present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of lands by the municipality or local board and for the purpose of educating or training members of Council).

10-25 Moved by Dzugan and Alakas
THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:03 p.m. to consider:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- for the purpose of educating or training members of Council.

(Councillor Alakas was not present during Committee-of-the-Whole discussions on personal matters about an identifiable individual, including municipal or local board employees).

CARRIED

10-25 Moved by Campion and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:01 p.m. with report.

CARRIED

PRESENTATIONS:

Mayor Goulbourne, Councillors Sharpe, Larouche, and Letourneau presented plaques to the Welland Bantam Single A Tigers in recognition of winning the Ontario Minor Hockey Association Championships.

Alistair Davis, Chief Executive Officer; Habitat for Humanity Niagara presented a plaque to the Mayor, Council and staff in recognition of their long-standing partnership and cooperation in fulfilling our mission of building affordable homes for families in need.

AGENCIES, BOARDS, COMMISSIONS REPORTS:

06-84 Mr. Doug Rapelje, Chair, Senior Citizens Advisory Committee, addressed Council regarding an update on its activities.

99-90

10-4 Greg D'Amico, Chair, Welland Downtown Business Improvement Area Board requesting approval of its proposed 2010 budget.

10-47 Councillor Chiocchio, Nominating Committee Chair, addressed Council regarding the appointment of the Chair of Corporate Services.

10-1 Moved by Larouche and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of May 4, 2010 and May 18, 2010, and Special Council Meeting of May 11, 2010, as circulated.

CARRIED

99-90

10-4 Moved by Van Vliet and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2010 budget from the Welland Downtown Business Improvement Area Board as recommended by their board in the amount of \$82,250; and further
 THAT Welland City Council authorizes the General Manager, Financial and Corporate Services/Treasurer to make arrangements to levy an amount of \$82,250 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.

CARRIED

06-84 Moved by Chiocchio and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mr. Doug Rapelje, Chair of the Senior Citizens Advisory Committee regarding an update on its activities; and further
 THAT Welland City Council directs the Mayor to send correspondence to the Minister of Health and Long Term Care urging him/her to expedite the 96 bed long-term care facility approved for Welland and that the Region of Niagara be asked to also lend its support to expedite the development of this facility.

CARRIED

07-97 Moved by Dzugan and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Addendum to the Memorandum of Understanding for Improving the Planning Function in Niagara attached as Appendix I to Report PDS-2010-38 as recommended by the Area Planners; and further
 THAT Welland City Council directs the Clerk to forward this Motion and Report PDS-2010-38 to The Regional Municipality of Niagara; and further
 THAT Welland City Council authorizes the Mayor and Clerk to execute the Amended Memorandum of Understanding.

CARRIED

10-4 Moved by Grenier and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year To Date Report – 4TH Quarter up to and including December 31, 2009 (CM 2010-05) as recommended by the Audit Review Committee.

CARRIED

10-12**10-47** Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Grenier as Chair of Corporate Services as recommended by the Nominating Committee until November 30, 2010.

CARRIED**10-21**

Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND waives the requirement of liability insurance as provided for in Policy Number SER-017-0004 Road Use for Community Activities and approves the application from the Welland & Port Colborne ProLife Association for its "21st Annual Walkathon", to be held on June 5th, 2010, subject to the applicant's completion of all other conditions of the Policy.

CARRIED**10-26****10-86** Moved by Dzugan and Van Vliet

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-2010-15, for River Road Reconstruction Phase 1 – Left turning lane construction, and Woodlawn Road Sidewalk Construction between Welland River and existing sidewalk terminus to the east on the north side at the tendered price of \$353,545.50 including applicable PST; and further

THAT Welland City Council approves and accepts the appointment of Kerry T. Howe Engineering Limited of St Catharines, Ontario to carry out the construction administration Service of River Road Reconstruction Phase 1 – Left turning lane construction, and Woodlawn Road Sidewalk Construction between Welland River and existing sidewalk terminus to the east on the north side, as detailed in Report ENG-2009-45 at the quoted upset limit of \$34,625.00 including applicable PST; and further

THAT Welland City Council authorizes the Treasurer to debenture as required within the limit specified to finance the City cost portion of the River Road construction Phase 1 not covered under the allocated Development charges for this project as approved in the 2010 Roadways 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. and Kerry T. Howe Engineering Limited to execute the construction.

CARRIED**10-82**

Moved by Dzugan and Van Vliet

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-2010-16; 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 \$58,468.02, 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 \$80,500 as a part of the 2010 Water/Sewer Operating Budget for sewer system inspection.

CARRIED**10-98**

Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the request by Heritage Welland to designate the Toronto Star Arena Clock at 501 King Street as having Cultural Heritage Value to the City of Welland and refers same to staff for study and report.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

10-24

Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Rosanne Mantesso, General Manager of Human Resources, as Acting Deputy Clerk in the absence of the City Clerk and/or Deputy Clerk for the period June 1, 2010 to September 30, 2010 inclusive.

CARRIED**10-84**

Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves, the sale of City-owned lands located on the north side of Churchill Avenue, east of Plymouth Road, being Parts 3, 4 and 5, Plan 59R-8889 to Goodwill Industries Niagara for the value of \$205,000.00; and further

THAT Welland City Council directs that 50% of the net proceeds of the sale be credited to the 2010 Land Sale Revenues in the Enterprise Budget, with the remaining net proceeds credited to a Neighbourhood Rehabilitation Fund; and further

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

CARRIED

10-103 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND agrees to waive the condition in By-law 10959 that The Niagara District Homes Committee for the Physically Disabled (Tanguay Place) shall maintain Parts 41, 42 and 52, Plan 59R-7976 for open space purposes so as to allow the transfer of the subject lands; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute any documentation required; and further

THAT Welland City Council authorizes Staff to prepare the necessary By-law; and further

THAT Welland City Council refuses the request to eliminate Planning Application fees.

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

1. Moved by Dzugan and Van Vliet

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

10-84

BYL 2010 - 71

A By-law to authorize acceptance of an Offer to Purchase from Goodwill Industries Niagara for the sale of city-owned property on Churchill Avenue, being Parts 3 to 5 on Reference Plan 59R-8889.

10-103

BYL 2010 - 72

A By-law to amend By-law 10959, being a By-law to authorize the conveyance of certain lands located in the Eastdale Subdivision to the Niagara District Homes Committee for the Physically Disabled.

10-26**10-86**

BYL 2010 - 73

A By-law to authorize the entering into a contract with Brennan Paving Limited and Kerry T. Howe Engineering Limited for the River Road Reconstruction (Phase 1) and Woodlawn Road sidewalk construction.

10-82

BYL 2010 - 74

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

09-97

BYL 2010 - 75

A By-law to authorize the entering into an amendment to the Memorandum of Understanding with local area municipalities, the Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara, for the purpose of improving the planning function with Niagara.

07-107**10-19**

BYL 2010 - 76

A By-law to grant a License of Occupation to Vesna Bazgaloska for the provision of food services at the Welland Market Square and the Welland Sports Complex.

10-1

BYL 2010 - 77

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 1st day of June, 2010.

And that same be now read a first time.

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

2. Moved by Dzugan and Van Vliet

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

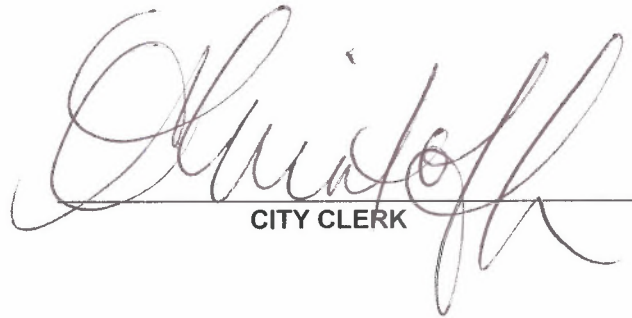
NOTICE OF MOTION

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, June 9, 2010 for inclusion on the next regular Council meeting agenda of June 15, 2010.

Council adjourned at 8:54 p.m.

These Minutes approved and adopted by Motion of Council this 15th day of June, 2010.


MAYOR


CITY CLERK