



**MINUTES OF
COUNCIL MEETING, FEBRUARY 7, 2012**

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

Council met in Committee-of-the-Whole closed to the public at 5:32 p.m. and in open session at 7:04 p.m. on the above date.

Vice Mayor Paul Grenier in the Chair.

Members Present:

Councillors F. Campion, M. Carl, T. DiMarco, D. Fortier, M.A. Grimaldi, J. Larouche, R. Letourneau, D. McLeod, M. Petrachenko and B. Wright.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger

City Clerk, C. Mintoff

Deputy Clerk, L. Bubanko (7:04 p.m.)

Chief, Fire & Emergency Services, D. Prevost

General Manager, Infrastructure Services/City Engineer, S. Iannello

General Manager, Corporate Services/City Treasurer, K. Douglas (7:04 p.m.)

General Manager, Human Resources, R. Mantesso

General Manager, Integrated Services, B. Fenwick

Manager, Economic Development, D. Degazio (5:55 p.m. – 6:53 p.m.)

12-25 Moved by McLeod and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Vice Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:32 p.m. to consider:

- 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;
- labour relations or employee negotiations; and
- for the purpose of educating or training members of Council.

(Councillors Wright and Grimaldi were not present during Committee-of-the-Whole discussions on personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations).

CARRIED

12-25 Moved by Letourneau and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:53 p.m. with report.

CARRIED

DELEGATIONS:

12-15 Nora Reid, Executive Director, Welland Historical Museum and George Giovinazzo, Member, Heritage Welland addressed Council regarding the proposed future of the Historic Central Fire Hall.

12-28 Sandra Grooteman, Summerlea Association addressed Council regarding the upcoming 60th anniversary of the Summerlea Association.

AGENCIES, BOARDS, COMMISSIONS REPORTS:

12-4 Brian Hutchings, Commissioner of Corporate Services/Treasurer, Region of Niagara addressed Council regarding the Niagara Region's 2012 Budget.

12-47 The Nominating Committee met on February 7, 2012 and arose without report.

12-1 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of January 17, 2012 and Special Council Meeting of January 24, 2012, as circulated.

CARRIED

08-133 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol on lands located on the west side of First Avenue, south of Quaker Road (First Avenue Estates Subdivision); and further

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

CARRIED

09-102 Moved by McLeod and Wright
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol on lands located west of the Welland By-Pass Canal and north of Aaron and Galloway Trails (North Village Subdivision – Phase 1); and further
 THAT Welland City Council authorizes staff to prepare the necessary By-law.

CARRIED

11-33 Moved by DiMarco and Fortier
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the hours of operation of the Welland Community Wellness Complex and review bookings of the Welland Arenas with a view to having the use of both facilities maximized during the Christmas and New Year holiday season to accommodate the needs and desires of the community that utilize these newly expanded facilities and report back to Council at its meeting of May 15, 2012.

CARRIED

11-48 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Alzheimer Society Niagara Foundation dated January 9, 2012 extending sincere appreciation to the City of Welland for hosting a 16th Annual Alzheimer Coffee Break at Civic Square.

CARRIED

11-95 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND retains Dillon Consulting Limited, at a cost of \$34,500.00, excluding HST, to prepare a Land Use Study for the former Canadian Tire Financial Services (CTFS) site, municipally known as 555 Prince Charles Drive North; and further
 THAT Welland City Council authorizes that the completion of the Land Use Study be funded from the future sale(s) of property at 555 Prince Charles Drive North; and further
 THAT Welland City Council authorizes staff to prepare the necessary documents.

CARRIED

12-3 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Alzheimer Society Niagara Foundation to sell raffle tickets in the City of Welland under authority of Lottery License M663425.

CARRIED

12-4 Moved by Larouche and Fortier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Brian Hutchings, Commissioner of Corporate Services/Treasurer, Region of Niagara regarding the Niagara Region's 2012 Budget.

CARRIED

12-4 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the due dates for the 2012 Interim Municipal Tax Levy as follows:
 First Installment due: March 1, 2012
 Second Installment due: May 1, 2012; and further
 THAT Welland City Council approves the amounts to be levied in accordance with Section 317 of the *Municipal Act, 2001* that being 50% of the total levy for the year 2011 (\$34,821,386).

CARRIED

12-4 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2012 regarding Report CSD 05-2012 - 2012 Interim Levy Dates and Amounts.

CARRIED**12-6** Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of February 19 to 26, 2012 as "Guide-Scout Week" in the City of Welland as requested by the Girl Guides of Canada.

CARRIED**12-15** Moved by Fortier and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Nora Reid, Executive Director, Welland Historical Museum and George Giovinazzo, Member, Heritage Welland regarding the proposed future of the Historic Central Fire Hall.

CARRIED**12-22** Moved by Grimaldi and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2012-01 regarding Proposed Amendments to Niagara College By-law 11027; and further

THAT Welland City Council authorizes staff to submit a request on behalf of Niagara College to the Attorney General's office requesting a fine increase for an offence of "Parking exceeding time limit"; and further

THAT Welland City Council authorizes staff to amend Part I Definitions of the Niagara College Parking By-law.

DELETE

1. Definitions

(e) "park" or "parking" means when prohibited, the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

(f) "parking lot space" means a portion of the surface of a parking lot normally designated by lines painted or marked on the surface of the parking lot;

(g) "parking permit" means a permit issued by Niagara College, which indicates the permit number, expiry date and the designated parking lot and/or a ticket obtained from a parking ticket dispenser;

(h) "parking ticket dispenser" means a device which shall have a receptacle for receiving and storing monies, a slot or place in which monies may be deposited, an indicator which shows the amount of deposit and the time paid for, a ticket button that when pressed will dispense a parking ticket which shall indicate thereon the location, amount paid and valid time purchased;

(i) "side, approach" means that side closest to lawfully approaching vehicular traffic;

(j) "side, remote" means that side most distant from lawfully approaching vehicular traffic;

(k) "stand" or "standing" means when prohibited, the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

(l) "stop" or "stopping" means when prohibited, the halting of a vehicle, even momentarily whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of an officer or of a traffic control sign or signal;

(m) "vehicle" means a motor vehicle.

ADD

1. Definitions

(d) "Official Signage" means signage approved by the Ministry of Transportation of Ontario.

(e) "park" or "parking" means when prohibited, the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

...continued...

12-22...cont'd.

- (f) "parking lot space" means a portion of the surface of a parking lot normally designated by lines painted or marked on the surface of the parking lot;
- (g) "parking permit" means a permit issued by Niagara College, which indicates the permit number, expiry date and the designated parking lot and/or a ticket obtained from a parking ticket dispenser;
- (h) "parking ticket dispenser" means a device which shall have a receptacle for receiving and storing monies, a slot or place in which monies may be deposited, an indicator which shows the amount of deposit and the time paid for, a ticket button that when pressed will dispense a parking ticket which shall indicated thereon the location, amount paid and valid time purchased;
- (i) "Prohibited Area" means an area on or off street prohibiting parking and/or stopping of a vehicle when an official signage is displayed;
- (j) "side, approach" means that side closest to lawfully approaching vehicular traffic;
- (k) "side, remote" means that side most distant from lawfully approaching vehicular traffic;
- (l) "stand" or "standing" means when prohibited, the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;
- (m) "stop" or "stopping" means when prohibited, the halting of a vehicle, even momentarily whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of an officer or of a traffic control sign or signal;
- (n) "vehicle" means a motor vehicle.

(Councillor Campion disclosed an interest and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed at Niagara College).

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12-22 Moved by Fortier and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report TRAF-2012-01: Proposed Amendments to Niagara College By-law 11027 to the Town and Gown Committee for review and report back to Council at the earliest opportunity.

CARRIED

12-28 Moved by Carl and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sandra Grooteman, Summerlea Association, regarding the 60th anniversary of the Summerlea Association.

CARRIED

12-51 Moved by McLeod and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2012 regarding Report COM 39-2011 - Niagara Homelessness Services and registers its displeasure with cancelling funding for Homelessness Prevention Programs, specifically Canal View Homes and Project Share; and further
That Welland City Council recommends that an Appeal Process be put in place to allow organizations to appeal future decisions.

**CARRIED
UNANIMOUSLY**

12-52 Moved by Fortier and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Ministry of Finance and the Ministry of Municipal Affairs and Housing dated January 23, 2012 regarding the release of the Ontario Municipal Partnership Fund (OMPF) allocations for 2012.

CARRIED

12-53

Moved by Fortier and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Mr. Smith dated January 28, 2012 regarding water and wastewater services – infrastructure and billing and refers the matter to the Budget Review Committee.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****12-17**

Moved by Fortier and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Memorandum of Settlement with CAW Local 523 for the three (3) year term, January 1, 2012 to December 31, 2014, subject to ratification by the membership of CAW Local 523 at its meeting of Wednesday, February 8, 2012.

(Councillor Wright disclosed an interest and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is a previous CAW employee and continues to receive benefits).

CARRIED**12-36**

Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus lands described as Lots 210 to 241 inclusive and Lots 292 to 323 inclusive, Plan 24, now known as NP 946, (east of Southworth Street, north of McCabe Avenue and west of McLaughlin Street) all in accordance with the Municipal Act; and further THAT Welland City Council authorizes the stopping up, closing and declaring surplus of the southern portion of Louise Street, south of Sauer Avenue, north of McCabe Avenue; and further THAT Welland City Council directs staff to prepare the necessary documentation.

CARRIED**12-61**

Moved by Fortier and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the filling of the vacancy of the Special Projects Engineer.

(Councillor Grimaldi disclosed an interest and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her husband is employed with the City and reports to this position).

CARRIED**BY-LAWS**

Moved by McLeod and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Vice Mayor and Clerk to sign and seal same.

09-102

BYL 2012 - 9

A By-law to amend Zoning By-law 2667 upon the application of 2090572 Ontario Inc. to remove the Holding Symbol "H" from certain lands on the west side of the Welland By-Pass Canal, north of Aaron and Galloway Trails and south of the Welland River (File 2009-07) (North Village Subdivision – Phase 1).

Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Vice Mayor and Clerk to sign and seal same.

12-4

BYL 2012 - 7

A By-law to provide an interim tax levy for year 2012 for the City of Welland.

08-133

BYL 2012 - 8

A By-law to amend Zoning By-law 2667 upon the application of Adrianus Johannes Dehaan to remove the Holding Symbol "H" from certain lands on the west side of First Avenue, south of Quaker Road known municipally as 597 First Avenue (First Avenue Estates Subdivision) (File 2008-08).

11-95

BYL 2012 - 10

A By-law to authorize retention of Dillon Consulting Limited for preparation of a Land Use Study for 555 Prince Charles Drive North.

12-22

BYL 2012 - 11

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 2012-2.

12-43

BYL 2012 - 12

A By-law to provide for reduced hours of voting in institutions and retirement homes.

12-1

BYL 2012 - 13

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 7th day of February, 2012.

CARRIED

NOTICE OF MOTION

In accordance with By-law 2009-144 passed on November 3, 2009, Councillor(s) must submit their NOTICE OF MOTION(s) in writing no later than Wednesday, February 15, 2012 for inclusion on the next regular Council meeting agenda of February 21, 2012.

Council adjourned at 9:03 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of February, 2012.

VICE MAYOR

CITY CLERK