



COUNCIL MEETING, FEBRUARY 6, 2007

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:20 p.m. and in open session at 7:30 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. Chiocchio, M. Dzugan,
P. Grenier, R. Letourneau, S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, P. Simmons

General Manager, Communications, Council & Legislative Services/City Clerk C. Stirtzinger (until 7:45 p.m.)

Deputy Clerk, B. Gallaccio

Chief, Fire & Emergency Services, D. Prevost (until 7:05 p.m.)

Manager, Engineering Services, L. Ventresca

General Manager, Financial & Corporate Services/Treasurer, B. Silvestri (7:30 p.m.)

General Manager, Human Resources, R. Beaumont (until 7:05 p.m.)

Administrative Assistant, C. Mintoff (7:30 p.m.)

General Manager, Planning & Development Services, D. Thorpe (7:30 p.m.)

General Manager, Parks and Recreation, B. LaPlante

Employment Services Coordinator-Human Resources, R. Mantesso (until 7:05 p.m.)

Technical Services Supervisor, D. Tsang (7:30)

07-25 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 6:20 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal or local board employees; and
- b) labour relations or employee negotiations.

CARRIED

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

07-25 Moved by Grenier and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:05 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Campion disclosed an interest in Ref. No. 06-125 and By-laws 2007-15 and 2007-16 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is related to the proponent.

DELEGATION:

07-28 Mr. Gene Stodolak, President of the Ontario Association of Certified Engineering, Technicians and Technologists (OACETT) addressed Council regarding the role of OACETT and introduced David Tsang as the incoming President.

PUBLIC HEARING PURSUANT TO SECTION 357 – TAX WRITE-OFFS

- No one was present to speak to this matter.

There being no submissions the hearing was concluded.

THE FOLLOWING CORRESPONDENCE WAS READ:

99-99 Letter from Stephen Fischer, Welland Recreation Canal Corporation regarding the Welland Rose Festival's request for permission to use the Recreational Canal for an event entitled "Snowmobile Challenge" on June 16, 2007.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

05-19 A By-law to authorize an extension of the Lease Agreement with Laurent Viger Construction Limited for lands adjacent to Memorial Park.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 01-123** Gen. Mgr. Planning and Development Services D. Thorpe – Discharge Of Site Plan Control Agreement between Petro-Canada and The City of Welland for lands at 383 King Street.
- 03-4**
- 04-4**
- 05-4**
- 06-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Application for Tax Write-Offs – Section 357.
- 04-92** A By-law to amend City of Welland Sign By-law 2005-21.
- 04-152** A By-law to grant an extension of the License Agreement with the Welland Soccer Club.
- 05-19** A By-law to authorize and extension of the Lease Agreement with Laurent Viger Construction Limited for lands adjacent to Memorial Park.
- 06-125** Gen. Mgr. Planning and Development Services D. Thorpe – Condition Related To Decision Of Committee of Adjustment – Consent for Anna and Agostino Marchio – Sumbler Road (File: B008/2006WELL).
- 06-125** A By-law to lay out, establish and name Part of Lot 1, Concession 12, former Township of Pelham being Part 3 on Plan 59R-13282 as part of Sumbler Road for the City of Welland.
- 06-125** A By-law to accept the transfer of lands described as Part of Lot 1, Concession 122, former Township of Pelham being Part 3 on Plan 59R-13282 from Anna and Agostino Marcio on the south side of Sumbler Road for Broadway purposes.
- 07-1** 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 6th day of February, 2007.
- 07-3** Gen. Mgr., Communications, Council and Legislative Services/City Clerk - Lottery License.
- 07-4**
- 07-10** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri-Two-Year Extension of Auditors Contract to Grant Thornton International.
- 07-4** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- 2007 Interim Tax Levy.
- 07-4** A By-law to provide for interim tax levies for the year 2007 for the City of Welland.
- 07-21** Ashleigh Cresswell, Coordinator, Multiple Sclerosis Society of Canada, Ontario Division requesting permission to hold the Super Cities Walk for MS on Sunday, April 15, 2007.
- 07-22** 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 2006-182.
- 07-28** Mr. Gene Stodolak, President and Mr. David Thompson, Executive Director, of the Ontario Association of Certified Engineering, Technicians and Technologists (OACETT) – the role of OACETT and introduction of David Tsang as the incoming President.
- 07-29** Gen. Mgr., Communications, Council and Legislative Services/City Clerk - 2007 Council Meeting Calendar.
- 07-50** Gen. Mgr. Planning and Development Services D. Thorpe – Proposed City of Welland Policy regarding The Receipt of Certified Appraisal Reports for Determining Cash-In-Lieu of Parkland Dedication.
- 07-51** Gen. Mgr. Planning and Development Services D. Thorpe – Development Agreement – Condition Related To Decision Of Committee Of Adjustment – Consents For Patrick Luciani – Quaker Road (Files: B037/2005WELL AND B038/2005WELL).
- 07-51** A By-law to authorize the entering into a Development Agreement with Patrick Luciani concerning the development of two newly created lots described as Part of Lot 10, Plan 664, being Parts 1, 2 and 3 on Plan 59R-13291 (Quaker Road).
- 07-51** A By-law to accept the transfer of lands described as part of Lot 10, Plan 644 being Parts 3 and 5 on Plan 59R-13291 from Patrick Luciani on the north side of Quaker Road for Roadway purposes.
- 07-51** A By-law to lay out, establish, and name Part of Lot 10, Plan 644 being Parts 3 and 5 on Plan 59R-13291 as part of Quaker Road for the City of Welland.
- 07- 53** Pam Gilroy, Regional Clerk, Niagara Region – Military Leave of Absence.

07-1 Moved by Dzugan and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of January 16, 2007 and January 23, 2007, as circulated.

CARRIED

99-99 Moved by Letourneau and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the Welland Recreational Canal Corporation (WRCC) granting permission to the Welland Rose Festival to operate "motorized watercraft" for an event scheduled for June 16, 2007 entitled the "Snowmobile Challenge" in accordance with the "Go Quietly Policy" contained in By-law 2005-92.

CARRIED

01-123 Moved by Belcastro and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and Clerk to execute any documentation to discharge the Site Plan Control Agreement or Notice of Agreement for 383 King Street from Title, as required.

CARRIED

03-4

04-4

05-4

06-4 Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the write off of taxes in the amount of \$77,112.55 as contained in Report FIN-2007-01 listing the reasons for reduction or cancellation and assessment values, pursuant to Section 357 of the Municipal Act, 2001.

CARRIED

06-125 Moved by Sharpe and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes Staff to prepare the necessary By-laws required to clear a Condition of Approval regarding a Consent to Sever Application (File No. B008/2006WELL) for lands on the south side of Sumbler Road.

CARRIED

07-3 Moved by Belcastro and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the following Lottery License:
 Canadian Slovak League - Branch 23 - Raffle.

CARRIED

07-4 Moved by Belcastro and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the due dates for the Interim Municipal Tax Levy as follows:
 First Installment due: March 1, 2007
 Second Installment due: May 1, 2007;
 AND FURTHER THAT the Council approves the amounts to be levied in accordance with Section 317 of the Ontario Municipal Act, that being 50% of the total tax levy for the year 2006. (\$31,902,231.49).

CARRIED

07-4

07-10 Moved by Belcastro and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension of the contract with the external audit firm of Grant Thornton to provide audit services to the City of Welland and all local boards for a term of two (2) years; covering the fiscal years 2007 and 2008.

CARRIED

07-21 Moved by Belcastro and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application of the Multiple Sclerosis Society of Canada, Ontario Division to hold its Super Cities Walk for MS on Sunday, April 15, 2007 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

07-28 Moved by Sharpe and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mr. Gene Stodolak, President of the Ontario Association of Certified Engineering, Technicians and Technologists (OACETT) regarding the role of OACETT and introduction of David Tsang as the incoming President.

CARRIED

07 – 29 Moved by Belcastro and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report CCLS 2007-4 - 2007 Council Meeting Calendar dated February 6, 2007 and approves the following:

THAT the 2007 summer Council Meetings be scheduled as follows:

- Tuesday, July 17, 2007 at 7:00 p.m.
- Tuesday, August 14, 2007 at 7:00 p.m.;

AND FURTHER THAT the Regular Council Meetings of September 4, 2007 and January 1, 2008 be cancelled.

CARRIED

07-50 Moved by O'Dell and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes Staff to prepare a Municipal Policy regarding the receipt of certified appraisal reports for determining Cash-in-Lieu of Parkland Dedication; AND FURTHER THAT Welland City Council requires that the Municipal Policy indicate that persons completing land value appraisal reports to be submitted to the City must have the Accredited Appraiser Canadian Institute (AACI) or the Professional Appraiser (P. App.) designation, as appropriate.

CARRIED

07-51 Moved by Belcastro and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the execution of an Agreement between Patrick Luciani and the City of Welland concerning the development of two newly created lots on the north side of Quaker Road, Part Lot 10, Plan 664, designated as Parts 1 and 2 on Plan 59R-13291 and to accept Parts 3 and 5 on Plan 59R-13291;

AND FURTHER THAT Staff be authorized to prepare the necessary By-laws.

CARRIED

07-53 Moved by Grenier and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the Region of Niagara regarding Report HR 03-2007, January 10, 2007, respecting Military Leave of Absence; AND FURTHER THAT the Clerk advise the proper authorities accordingly.

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07-53 Moved by Grenier and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a comprehensive and detailed military leave policy for City of Welland employees.

CARRIED

**FOLLOWING THE AMENDING MOTION, THE MAIN MOTION WAS
 PUT IN ITS ORIGINAL FORM AND**

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

07-10 Moved by Belcastro and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Christian Venditti to replace Marnie Swayze to the Heritage Welland Committee until November 30, 2008.

CARRIED

07-10 Moved by Belcastro and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Leo Van Vliet to the Chamber of Commerce for the term of Council.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

04-92

BYL 2007 - 13

A By-law to amend City of Welland Sign By-law 2005-21.

04-152

BYL 2007 - 14

A By-law to grant an extension of the License Agreement with the Welland Soccer Club.

06-125

BYL 2007 - 15

A By-law to lay out, establish and name Part of Lot 1, Concession 12, former Township of Pelham being Part 3 on Plan 59R-13282 as part of Sumbler Road for the City of Welland.

06-125

BYL 2007 - 16

A By-law to accept the transfer of lands described as Part of Lot 1, Concession 12, former Township of Pelham being Part 3 on Plan 59R-13282 from Anna and Agostino Marchio on the south side of Sumbler Road for roadway purposes.

07-4

BYL 2007 - 17

A By-law to provide for interim tax levies for the year 2007 for the City of Welland.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:**07-22**

BYL 2007 - 18

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 2006-182.

07-51

BYL 2007 - 19

A By-law to authorize the entering into a Development Agreement with Patrick Luciani concerning the development of two newly created lots described as Part of Lot 10, Plan 664, being Parts 1,2 and 3 on Plan 59R-13291. (Quaker Road)

07-51

BYL 2007 - 20

A By-law to accept the transfer of lands described as Part of Lot 10, Plan 664 being Parts 3 and 5 on Plan 59R-13291 from Patrick Luciani on the north side of Quaker Road for roadway purposes.

07-51

BYL 2007 - 21

A By-law to lay out, establish and name Part of Lot 10, Plan 664 being Parts 3 and 5 on Plan 59R-13291 as part of Quaker Road for the City of Welland.

07-1

BYL 2007 - 22

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 23rd day of January, 2007.

And that same be now read a first time.

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

2. Moved by Belcastro 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 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 the same.

CARRIED

NOTICE OF MOTION

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16, 2001, Councillor(s) must submit their NOTICE OF MOTION(S) in writing no later than Wednesday, February 14, 2007 for inclusion on the next Regular Council Meeting Agenda of February 20, 2007.

07-19 Councillor Letourneau gave Notice of Motion of the following issue to be presented to Council at the February 20, 2007 Regular Council Meeting:

THAT THE COUNCIL OF THE CITY OF WELLAND directs the General Manager, Parks and Recreation, to add Memorial Park on a rotational basis for ice rink cleaning by Parks and Recreation staff.

Council adjourned at 8:35 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of February, 2007.

MAYOR

DEPUTY CLERK