



COUNCIL MEETING, MARCH 20, 2007

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in open session at 7:50 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. Champion, P. Chiocchio, M. Dzugan, T. Eybel, 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

Deputy Clerk, B. Gallaccio

Chief, Fire & Emergency Services, D. Prevost

General Manager, Engineering, Public Works & Transportation Services/City Engineer, D. Shantz

General Manager, Financial & Corporate Services/Treasurer, B. Silvestri

Communications Assistant, C. Mintoff

General Manager, Planning & Development Services, D. Thorpe

General Manager, Parks and Recreation, B. LaPlante

BOARDS, AGENCIES, COMMISSIONS REPORT(S)

05-118 Councillor Paul Grenier, Chair, Water Conservation and Efficiency Program Committee addressed Council regarding World Day for Water activities being held on March 22, 2007.

99-99 Bob Mahler, Chair, and Stephen Fisher, Business and Operations Manager, Welland Recreational Canal Corporation (WRCC) addressed Council regarding WRCC Master Plan initiatives and proposed use of rowing course lands.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 99-99** Bob Mahler, Chair, Welland Recreational Canal Corporation – WRRC Master Plan initiatives.
- 02-165** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – 2006 Annual Summary Report Safe Drinking Water Act 2002, Ontario Regulation 170/03.
- 05-87Z**
- 06-132Z** Gen. Mgr., Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment – Blocks 66 to 69 inclusive, and Blocks 71 to 74 inclusive, Webber Estates Subdivision, south side of Webber Road, north of Gaiser Road – Lea Silvestri Investments Ltd. (File No. 2006-11 and 26T-14-05001).
- 05-118** Councillor Paul Grenier, Chair, Water Conservation and Efficiency Program Committee – World Day for Water, March 22.
- 06-14** Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri- 2006 Remuneration and Expense Report – Members of Council.
- 06-75** Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri- Development Charges 2006 Year End Statement.
- 07-47** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Award of Tender Supply and Application of Road Traffic Paint and Pavement Markings - 2007.
- 07-50** Gen. Mgr., Planning and Development Services, D. Thorpe – City of Welland Policy regarding the receipt of Certified Appraisal Reports for determining cash-in-lieu of Parkland Dedication.
- 07-55** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Street Sweeper Rental.
- 07-69** Regional Municipality of Niagara - requesting support of its resolution regarding Brock University's request to the Province for capital funding for expanded research capacity.

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 February 27, 2007 and March 6, 2007 and Special Council Meeting of March 5, 2007, as circulated.

CARRIED

99-99

04-56 Moved by O'Dell and Eybel
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Bob Mahler, Chair, and Stephen Fischer, Business and Operations Manager of the Welland Recreational Canal Corporation (WRCC) regarding the WRCC Master Plan initiatives and proposed lease of the rowing course lands.

CARRIED

02-165 Moved by Letourneau and Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2007-04 regarding the 2006 Annual Summary Report as required per Safe Drinking Water Act 2002, Ontario Regulation 170/03.

CARRIED

05-87Z**06-132Z** Moved by Letourneau and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves an amendment to Zoning By-law 2667, as amended, for lands south of Webber Road, east of Clare Avenue, west of Colbeck Drive and north of Gaiser Road described as Blocks 66 to 69 inclusive and Blocks 71 to 74 inclusive, as shown on the Draft 'M' Plan for the Webber Estates Subdivision in the former Township of Thorold, now in the City of Welland by amending the existing HRM3-X17 to permit the development of street townhouses on lots with site specific provisions; and further

THAT the Holding Symbol be lifted, upon Application, when the Owner informs the City, in writing, that the following items have been completed: the entire sanitary sewer system has been completed and tested and sanitary services have been installed to the front property line and that a video and written report of an internal examination of the sanitary and storm sewer systems is provided; that the entire water system has been completed and tested and disinfected and water services have been installed to the front property line; that the entire storm sewer system has been completed; that the asphalt roadway has been constructed (the stone base and asphalt base); that the grading requirements and lot grading requirements of the City's Land Development Policy have been met; all streetlights are in good working order and energized by Welland Hydro-Electric Corp; and all street name and traffic control signs are installed all to the satisfaction of the City Engineer.

CARRIED**05-118** Moved by Sharpe and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND receives the presentation by Councillor Paul Grenier, Chair, Water Conservation and Efficiency Program Committee, regarding World Day for Water activities being held on March 22.

CARRIED**06-14** Moved by Letourneau and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report FIN-2007-07 with respect to the 2006 Remuneration and Expenditures for Members of Council and that the approved report be placed on file in the Clerk's Department.

CARRIED**06-75** Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives the Treasurer's Statement attached to Report FIN-2007-08, in accordance with the Development Charges Act, 1997, as amended; and further THAT Welland City Council instructs the City Clerk to forward a copy of this Statement to the Minister of Municipal Affairs within 60 days of giving this report to Council in accordance with Section 43(3) of the Development Charges Act, 1997.

CARRIED**07-47** Moved by Eybel and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND awards the Road Traffic Paint contracts for 2007 as follows:

Part 'A' of the tender for the Supply and Application of Road Traffic Paint, which includes Spring and Fall painting of: Centre Line, Edgeline, Transitions and those pavement markings usually applied with truck mounted line marking equipment, be awarded to Peter Quick Asphalt Sealing & Line Painting in the amount of \$24,300.00 excluding G.S.T.; and,

Part 'B' of the tender for the Supply and Application of Road Traffic Paint which includes Spring and Fall painting of: Stop Bars, Directional Arrows, On-Street Parking Stalls, pedestrian Crossings, etc., those pavement markings usually applied with manual line marking equipment, be awarded to A-1 Asphalt Maintenance Ltd. in the amount of \$23,557.12 excluding G.S.T.; and,

Part 'C' of the Tender for the Supply and Application of Road Traffic Paint which covers Pavement Markings in Municipal Parking Lots, be awarded to Peter Quick Asphalt Sealing & Line Painting in the amount of \$3,677.00 excluding G.S.T.; and further
 THAT Welland City Council directs the City Clerk to prepare the necessary By-laws.

07-47 Moved by Eybel and O'Dell

THAT the Road Traffic Paint contracts be awarded to Peter Quick Asphalt Sealing and Line Painting as follows:

Part "A" in the amount of \$42,300.00

Part "B" in the amount of \$25,617.40; and

Part "C" in the amount of \$3,677.00.

LOST

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

CARRIED

07-50 Moved by Letourneau and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Policy with respect to Certified Appraisal Reports for determining Cash-in-Lieu of Parkland Dedication as attached to Report PDS-2007-20 dated March 20, 2007.

CARRIED

07-55 Moved by Letourneau and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of **Mobil Striping & Sweeping Ltd.** for Street Sweeping Rentals at the tendered price of \$84.00/hour, plus GST, this being the lowest price of the three (3) tenders submitted.

CARRIED

07-69 Moved by Letourneau and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives and supports the resolution adopted by the Regional Municipality of Niagara at its meeting of February 8, 2007 regarding Brock University's request to the Province of Ontario for \$42.5 million capital funding for expanded research capacity on the basis that such increased capacity assists in supporting local efforts at creating local economic self-reliance and overall integrated community sustainability and that Council directs the City Clerk to advise the proper authorities accordingly.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Letourneau and Chiocchio

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

07-70

BYL 2007 – 36

A By-law to assume the South Pelham Subdivision, Registered Plan 59M-246.

97-95

BYL 2007 – 37

A By-law to assume the Nathalie Heights Subdivision, Registered Plan 59M-258.

...continued.

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

07-65

BYL 2007 – 38

A By-law to assume the Nelles Court Subdivision, Registered Plan 59M-206.

05-87Z

06-132Z

BYL 2007 – 39

A By-law to amend City of Welland Zoning By-law 2667 (Peninsula Residentials Inc., Jennifer Ann Wuisman, Lea Silvestri Investments Ltd. and Sterling Realty (Niagara) Inc. – (File 2006-11) north and south of Gaiser Road, west of Colbeck Drive.

07-1

BYL 2007 – 40

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 March, 2007.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Letourneau and Chiocchio
 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, 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, March 28, 2007 for inclusion on the next Regular Council Meeting Agenda of April 3, 2007.

Council adjourned at 8:37 p.m.

These Minutes approved and adopted by Motion of Council this 3rd day of April, 2007.

MAYOR

DEPUTY CLERK