



COUNCIL MEETING, MAY 8, 2007

BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO HOLD A SPECIAL COUNCIL MEETING PURSUANT TO SECTION 239 (3.1) OF THE *MUNICIPAL ACT, 2001*, AS AMENDED, FOR THE PURPOSE OF TRAINING AND EDUCATING MEMBERS OF COUNCIL; AND ALSO TO MEET TO CONSIDER SECURITY, PERSONAL AND PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND MATTERS; AND

**BY PROCEDURAL BY-LAW 2005-176:
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

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

Council met in Special Meeting Committee-of-the-Whole closed to the public at 5:50 p.m. and pursuant to By-law 2005-176, the Procedural By-law of Council, in open regular session following the General Committee Meeting at 8:10 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors R. Alakas, D. Alexander, M. Belcastro (6:00 p.m.), F. Champion (6:00 p.m.), 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

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

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

Acting General Manager, Human Resources, R. Mantesso

General Manager Parks & Recreation, B. LaPlante

General Manager, Planning & Development Services, D. Thorpe

Games Licensing Clerk, L. Bubanko (7:20 p.m.)

07-25 Moved by Dzugan and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:50 p.m. to consider:

- a) security of the property of the municipality; and
- b) personal matters about an identifiable individual, including municipal employees; and
- c) proposed or pending acquisition or disposition of land by the municipality; and further to meet in Committee-of-the-Whole under Section 239 (3.1) of the *Municipal Act, 2001*, as amended, for the purpose of training and educating members of Council concerning the *Municipal Act, 2001*.

CARRIED

(Councillors Belcastro and Campion were not present during Committee-of-the-Whole discussions on a proposed/pending land acquisition or disposition matter).

07-25 Moved by Eybel and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:05 p.m. without report.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Sharpe disclosed an interest in Ref. No. 07-13 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College.

Mayor Goulbourne disclosed an interest in Ref. No. 07-13 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College.

Councillor Campion disclosed an interest in Ref. No. 07-13 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF MAY 8, 2007:

99-99 Gen. Mgr., Parks and Recreation, B. LaPlante – Purchase of Timing System for Flatwater Courses.

04-111 Gen. Mgr., Parks and Recreation, B. LaPlante – Lease Agreement – Elections Canada Office at 225 East Main Street.

07-6 Mary-Ellen Scotney, President, Niagara Cystic Fibrosis Chapter – requesting that Council declares May, 2007 as “Cystic Fibrosis Awareness Month” in the City of Welland.

07-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Ontario Bus Replacement Program Funding Agreement for Public Transit.

07-13 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Universal Bus Pass Agreement with Niagara College Student Administrative Council.

07-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Residential Permit Parking Request – Albert Street West.

07-76 Gen. Mgr., Parks and Recreation, B. LaPlante – Tender – Weed Cutting.

07-87 Lisa Kouretsos, Owner/Manager, Golden Brothers – Liquor License and Special Occasion Permit.

THE FOLLOWING BY-LAWS WERE RECEIVED:

03-133 A By-law to designate a Community Improvement Project Area.

03-133 A By-law to adopt a Community Improvement Plan.

07-76 A By-law to authorize the acceptance of tenders and entering into a contract with the Haldimand Commercial Maintenance Inc. and the Greenfield Group Ltd. for weed cutting services with the City of Welland.

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 8th day of May, 2007.

99-99 Moved by Dzugan and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the recommendation of the WRCC for the purchase of the Remote Wireless Timing System from Lynx System Developers of Haverhill, Massachusetts in the amount of \$20,914; and further
 THAT Welland City Council directs City staff to prepare the required authorizing agreement and By-law.

CARRIED

04-111 Moved by Dzugan and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND renews the term of a draft Lease Agreement and Right of First Refusal to Lease with Elections Canada for the period to June 30th 2007, to establish a Returning Office at Suite 206 at 225 East Main Street.

CARRIED

07-6 Moved by Dzugan and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND declares May, 2007 as "Cystic Fibrosis Awareness Month" in the City of Welland as requested by the Niagara Cystic Fibrosis Chapter.

CARRIED

07-13 Moved by Dzugan and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Treasurer to establish an Ontario Bus Replacement Program (OBRP) Capital Account for the provincial funding received for 2007; and further
 THAT Welland City Council authorizes the Mayor and the City Clerk to sign the 2007 Letter of Agreement between the City of Welland and the Province of Ontario related to the conditions for eligible expenditures under the Ontario Bus Replacement Program.

CARRIED

07-13 Moved by Dzugan and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND gives approval for the City of Welland (Welland Transit) to enter into a four (4) year agreement with the Niagara College Student Administrative Council (NCSAC), representing the student enrollment of Niagara College, to provide a Universal Student Pass service for the school term of September to April for the year 2007 to 2011.

CARRIED

07-22 Moved by Dzugan and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND refers Report TRAF-2007-15, Residential Permit Parking Request - Albert Street West, to the next General Committee Meeting of May 22, 2007.

CARRIED

07-76 Moved by Dzugan and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender from Haldimand Commercial Maintenance Inc. of Cayuga, Ontario for weed cutting Categories A and B along urban and rural roadsides, on City-owned lots, and on lands adjacent to the Rowing Club, south of Forks Road in the City of Welland, for a period of three years, according to rates specified in Report P&R-2007-08; and further
THAT Welland City Council accepts the tender from the Greenfield Group Ltd. of Fonthill, Ontario for weed cutting on private property for a period of three years, according to the rates specified in Report 2007-08 in compliance with By-laws (Category C); and further
THAT Welland City Council authorizes staff to prepare the necessary By-law for the contracting of this work for the Mayor and Clerk to sign.

CARRIED

07-87 Moved by Dzugan and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Lisa Kouretsos, Owner/Manager, Golden Brothers at the May 8, 2007 General Committee Meeting regarding a Liquor License and Special Occasion Permit for a Bike Show and Benefit BBQ on May 12, 2007.

CARRIED

07-87 Moved by Dzugan and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND has no objections to the issuance of a liquor license and Special Occasion Permit to Golden Brothers Sports Bar and Tapps, 21 Southworth Street for a Bike Show and Benefit BBQ on May 12, 2007, subject to the following conditions:

1. That the Owner/Manager submit the required application to the Alcohol Gaming Commission with respect to an extension of a liquor license for the event.
2. That the Owner/Manager provide to the City of Welland, the required letters from the property owners of the former Atlas Hotel and Thruway Muffler indicating that they have no objection regarding the use of their property for parking purposes during this event.

CARRIED

07-87 Moved by Dzugan and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption from City of Welland Noise By-law 10204 for the Bike Show and Benefit BBQ event scheduled on May 12, 2007 at the Golden Brothers Sports Bar and Tapps, 21 Southworth Street.

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:

03-133

BYL 2007-70

A By-law to designate a Community Improvement Project Area.

03-133

BYL 2007-71

A By-law to adopt a Community Improvement Plan.

07-76

BYL 2007-72

A By-law to authorize the acceptance of tender and entering into a contract with the Haldimand Commercial Maintenance Inc. and the Greenfield Group Ltd. for weed cutting services within the City of Welland.

07-1

BYL 2007-73

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 8th day of May, 2007.

And that the 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 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

Council adjourned at 8:20 p.m.

These Minutes approved and adopted by Motion of Council this 5th day of June, 2007.

MAYOR

DEPUTY CLERK