



COUNCIL MEETING, MAY 22, 2007

BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO CONSIDER PERSONAL AND SECURITY OF PROPERTY 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 5:10 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 7:40 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors D. Alexander, M. Belcastro, F. Campion (5:30 p.m.), P. Chiocchio,
M. Dzugan (5:20 p.m.), 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 (6:00 p.m.)
Deputy Clerk, B. Gallaccio
Chief, Fire & Emergency Services, D. Prevost (7:20 p.m.)
General Manager Engineering, Public Works & Transportation Services/City Engineer, D. Shantz (6:00 p.m.)
General Manager Financial & Corporate Services/Treasurer, B. Silvestri (6:00 p.m.)
Acting General Manager, Human Resources, R. Mantesso
General Manager, Planning & Development Services, D. Thorpe (6:00 p.m.)
Games Licensing Clerk, L. Bubanko (7:20 p.m.)

(Dan Degazio, Manager, Economic Development; Joseph P. Lyng, Sales and Marketing Manager and Mike Watt, P.Eng., VP & General Manager, Walker Industries; Christopher J. Williams and Adam Chamberlain, Solicitors, Aird Berlis were present in Committee-of-the-Whole discussions on a security of property of the municipality matter.)

07-25 Moved by Eybel and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:10 p.m. to consider:

- a) security of the property of the municipality; and
- b) personal matters about an identifiable individual, including municipal employees.

CARRIED

07-25 Moved by Grenier and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:10 p.m.

CARRIED

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF MAY 22, 2007:

98-62

07-64 Gen. Mgr., Planning & Development Services, D. Thorpe – Request for Part Lot Control Exemption – Lots 54 to 95 (inclusive), Lots 134 to 141 (inclusive), Blocks 147 and 148, Registered Plan 59M-269 – formerly known as St. Andrews Terrace Subdivision.

01-161

07-93 Gen. Mgr. Communications, Council & Legislative Serv./City Clerk C. Stirtzinger – Strategic Priorities Communication Plan.

05-87 Gen. Mgr., Planning & Development Services, D. Thorpe – Condition of Draft Approval – opening of Clare Avenue south of Webber Road in Webber Estates Subdivision (26T-14-05001), south of Webber Road, west of Colbeck Drive.

05-118 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Water Conservation and Efficiency Program.

06-150 Gen. Mgr., Planning & Development Services, D. Thorpe – Noise By-law request for exemption – “Relay for Life” – Canadian Cancer Society – 64 Smith Street, Notre Dame College School.

07-19 Gen. Mgr., Parks & Recreation B. LaPlante – Feasibility Study Steering Committee Scope of Work.

07-21 Robert Cummings, President, Royal Canadian Legion Branch 4 – requesting permission to hold an “Annual Decoration Day Parade and Service” on Sunday, June 3, 2007 and for the road closure of Morningstar Avenue.

07-84 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – 2007 Sanitary Sewer Service Lateral Rehabilitation and Replacement Program.

07-85 Gen. Mgr., Planning & Development Services, D. Thorpe – Model Home Agreement for lands described as Block 150, 59M-269, north side of Daimler Parkway, east of Perth Trail (File: 2006-18).

THE FOLLOWING BY-LAWS WERE RECEIVED:

98-62

07-64 A By-law to exempt certain lands from Part-Lot Control in the St. Andrew’s Terrace Subdivision, Plan 59M-269 – Galloway Trail, east of Perth Trail, City of Welland.

98-62

07-64 A By-law to authorize the exchange of certain lands for emergency and pedestrian access between 2090572 Ontario Inc. and the Corporation of the City of Welland in the St. Andrew’s Terrace Subdivision – Plan 59M-269.

07-84 A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatrt Contracting Ltd. for the Sanitary Sewer Service Lateral Rehabilitation and Replacement Program 2007.

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 22nd day of May, 2007.

98-62

07-64 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption to Part Lot Control for Lots 54 to 95 (inclusive), Lots 134 to 141 (inclusive) and Blocks 147 and 148, Registered Plan 59M-269 (east of Perth Trail, north of Muirfield Trail more specifically being lands on the north, south and east sides of Galloway Trail) to realize the proposed development of these lands for thirty-one (31) single-detached dwellings and twenty-eight (28) street townhouse dwelling units; and further

THAT Welland City Council approves the transfer of Blocks 147 and 148, as required, to 2090572 Ontario Inc. and accepts the transfer of Parts 12 and 23 on the draft Reference Plan for emergency and pedestrian access; and further

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

CARRIED

01-161

07-93 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Strategic Priorities Communication Plan for immediate implementation.

CARRIED

05-87 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PDS-2007-37 regarding the opening of the Clare Avenue Road Allowance south of Webber Road for information purposes.

CARRIED

05-118 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the Water Conservation and Efficiency Program as presented in Report ENG-2007-13; and further

THAT Welland City Council authorizes retaining summer students to undertake the Water Conservation and Downspout Inspection Program in 2007 as outlined in Report ENG-2007-13; and further

THAT Welland City Council authorizes applications to other agencies for funding assistance including those identified in Report ENG-2007-13; and further

THAT Welland City Council authorizes the replacement of one citizen member who has resigned and recruitment of an additional new citizen member together with two new special interest group representatives for the Water Conservation Committee.

CARRIED

06-150 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report PDS-2007-34 Noise By-law Request for Exemption - "Relay for Life" - Canadian Cancer Society - 64 Smith Street, Notre Dame School, concerning a proposed outdoor event fundraiser scheduled from Friday, June 15, 2007 at 7:00 p.m. to Saturday June 16, 2007 at 7:00 a.m., by approving an exemption from the Noise By-law, and by extension, the requisite \$300.00 By-law exemption fee.

CARRIED

07-19 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the formation of a Feasibility Study Steering Committee to complete a feasibility study and business plan for arena expansion and improvements and to update the 2003 'needs' research and complete a business plan to refine the plans for the expansion and

operation of the Rose City Seniors Activity Centre as contained in the Parks, Recreation and Culture Master Plan and as outlined in Report PR-2007-13; and further
 THAT Welland City Council directs staff to commence the process to form the Feasibility Study Steering Committee and report back to Council.

CARRIED

(Councillor O'Dell asked to be recorded as opposed to this Resolution).

07-21 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application from the Royal Canadian Legion Branch 4 for the "Annual Decoration Day Parade and Service" to be held on Sunday, June 3, 2007 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities; and further
 That Welland City Council approves the request for road closure between 1:00 p.m. to 2:30 p.m. on Morningstar Avenue.

CARRIED

07-84 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Vic Vatrt Contracting of Welland, Ontario, as detailed in Report ENG-2007-15, for the Sanitary Sewer Service Lateral Rehabilitation and Replacement Program 2007 at the quoted price of \$217,646.50 including applicable PST; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Vic Vatrt Contracting Ltd., to execute the construction.

CARRIED

07-85 Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the execution of a Model Home Agreement between 2090572 Ontario Inc. and the City of Welland regarding the construction of five (5) single-detached dwellings and one (1) freehold triplex as model homes prior to the registration of a Plan of Subdivision on lands described as Block 150, Plan 59M-269 on the north side of Daimler Parkway, east of Perth Trail; and further
 THAT Welland City Council authorizes Staff to prepare the necessary By-law.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

07-24 Moved by Sharpe and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the concept and principle of remunerating Non-Union staff salaries at the 50th percentile (median) of the comparator group established in 2004; and further
 THAT Welland City Council authorizes the establishment of steps 7 to 10 above current job rate (Step 6) to be used for positions where market salaries exceed existing salaries paid by the Corporation.

CARRIED

(Councillor O'Dell asked to be recorded as opposed to this Resolution).

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:

98-62**07-64**

BYL 2007-76

A By-law to exempt certain lands from Part-Lot Control in the St. Andrew's Terrace Subdivision, Plan 59M-269 – Galloway Trail, east of Perth Trail, City of Welland.

...Continued...

BY-LAWS PRESENTED FOR FIRST READING Cont'd.:**98-62****07-64**

BYL 2007-77

A By-law to authorize the exchange of certain lands for emergency and pedestrian access between 2090572 Ontario Inc. and the Corporation of the City of Welland in the St. Andrew's Terrace Subdivision – Plan 59M-269.

07-84

BYL 2007-78

A By-law to authorize the acceptance of tender and the entering into a contract with Vic Vatr Contracting Ltd. for the Sanitary Sewer Service Lateral Rehabilitation and Replacement Program 2007.

07-1

BYL 2007-79

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 22nd 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 7:45 p.m.

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

MAYOR

DEPUTY CLERK