



**COUNCIL MEETING, JUNE 19, 2007**

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

Council met in Committee-of-the-Whole closed to the public at 6:50 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. Champion, P. Chiocchio, M. Dzugan, T. Eybel, P. Grenier (until 8:10 p.m.), 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

Acting Deputy Clerk, C. Mintoff

Chief, Fire & Emergency Services, D. Prevost

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

Deputy Treasurer, K. Douglas

Acting General Manager, Human Resources, R. Mantesso

Records Clerk, C. Viger

General Manager, Planning & Development Services, D. Thorpe

**07-25** Moved by Dzugan and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:50 p.m. to consider:

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

**CARRIED**

**07-25** Moved by Belcastro and Grenier  
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:20 p.m.

**CARRIED****DISCLOSURE OF INTEREST:**

Councillor Sharpe disclosed an interest in Ref. No. 07-100 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed at Niagara College.

Councillor Campion disclosed an interest in Ref. No. 07-100 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed at Niagara College.

Mayor Goulbourne disclosed an interest in Ref. No. 07-100 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed at Niagara College.

**BOARDS, AGENCIES, COMMISSIONS REPORT(S)**

**05-118** Councillor Paul Grenier, Chair, addressed Council regarding the activities of the Water Conservation and Efficiency Program Committee.

**THE FOLLOWING CORRESPONDENCE WAS READ:**

**03-139** A By-law to amend Zoning By-law 2667 upon the application of Calloway Reit (Welland) Inc. to remove the Holding Symbol "H" from certain lands north of Woodlawn Road, west of Highway 406 known municipally as 102 Primeway Drive.

**07-83** Inter Municipal Transit Funding Application to Federation of Canadian Municipalities.

**07-98** Report from Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Request for waiving of fees from United Seniors of Ontario.

**07-19** Report from Gen. Mgr. Gen. Mgr., Communications, Council and Legislative Services/City Clerk, C. A. Stirtzinger – Capital Purchase – Stage System.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**99-99** City Mgr., P. Simmons – The Welland Recreational Canal Corporations Production of "Luminaqua"

**99-99** Stephen Fischer, Business & Operations Manager, WRCC, on behalf of Sgt. Des Carter requesting the use of the Welland Recreational Canal for the Police Triathlon to be held on July 5, 2007.

**99-99**

**04-56** A By-law to authorize the entering into a Sublease Agreement with the Welland Recreational Canal Corporation.

**01-161** City Mgr., P. Simmons – City of Welland Strategic Plan 2007 – 2012.

**03-139** Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed By-law to remove the Holding (H) Symbol from the C4-X13 zone affecting Part of Lots 20 and 21, Concession 2 and Part of the Road Allowance between Lots 20 and 21, Concession 2, Former Township of Crowland, now in the City of Welland being lands north of Woodlawn Road, west of Highway 406 known municipally as 102 Primeway

Drive (File 2003-07).

**05-118** Councillor Paul Grenier, Chair – Water Conservation and Efficiency Program Committee update.

**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 19<sup>th</sup> day of June, 2007.

**07-15** Chief, Fire and Emergency Services, D. Prevost – Establishing the Emergency Management Program Committee.

**07-15** A By-law to establish an Emergency Management Program Committee and to appoint a Community Emergency Management Coordinator.

**07-19** Gen. Mgr., Communications, Council and Legislative Services/City Clerk, C. Stirtzinger – Community Events Support.

**07-21** Dolores Fabiano, Executive Director, Welland/Pelham Chamber of Commerce - requesting permission for the following during the 2007 Oscars Eh Event : temporary street closures; waiving of all fees; in Kind-Services; and exemption to the Noise By-law.

**07-97** Gen. Mgr., Planning and Development Services, D. Thorpe – Memorandum of Understanding for Improving the Planning Function in Niagara between the Regional Municipality of Niagara, the twelve local municipalities and the Niagara Peninsula Conservation Authority.

**07-103** Art Cardin, President, Welland Indoor Tennis Club – regarding future expansion and funding request.

**07-104** Janet Beckett, Clerk, City of Port Colborne – Salvia Divinorum.

**07-1** Moved by Dzugan and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 5, 2007, as circulated.

**CARRIED**

**99-99** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the Welland Recreational Canal Corporation (WRCC) granting permission to Sgt. Des Carter to operate a motorized vehicle on the waterway on July 5th, 2007, during the Police Triathlon in accordance with the "Go Quietly Policy" contained in By-law 2005-92.

**CARRIED**

**99-99** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves an exemption to Noise By-law No. 10204 as requested by the Welland Recreational Canal Corporation (WRCC) for their production of "LuminAqua" in conjunction with symphony concerts in Merritt Park on Friday, July 20, 2007 (7:30 p.m.– 12 midnight) and Friday, August 17, 2007, (7:30 p.m. – 12 midnight); and further THAT Welland City Council directs staff to prepare the necessary letters and documents.

**CARRIED**

**01-161** Moved by Alexander and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the City of Welland Strategic Plan 2007-2012; and further

THAT the City of Welland Strategic Plan 2007-2012 form the basis for all departmental business plans; and further

THAT the City of Welland Strategic Plan 2007-2012 be the guiding document for the preparation of the budget estimates for 2008-2012; and further

THAT staff be directed to prepare and professionally produce a City of Welland Strategic Plan 2007-2012 for further distribution.

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**01-161** Moved by Campion and Sharpe

THAT motion 01-161 regarding the City of Welland Strategic Plan 2007– 2012 be amended to remove the mission statement from the Strategic Plan; and further  
THAT Welland City Council establish a future Strategic Plan Meeting of Council to review the mission statement.

**CARRIED**

***FOLLOWING THE VOTE ON THE AMENDED MOTION, THE MAIN MOTION WAS PUT AS AMENDED AS FOLLOWS:***

**01-161** Moved by Alexander and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the City of Welland Strategic Plan 2007 -2012 as amended with the removal of the mission statement; and further  
THAT Welland City Council establish a future Strategic Plan Meeting of Council to review the mission statement; and further  
THAT the City of Welland Strategic Plan 2007-2012 form the basis for all departmental business plans; and further  
THAT the City of Welland Strategic Plan 2007-2012 be the guiding document for the preparation of the budget estimates for 2008-2012; and further  
THAT staff be directed to prepare and professionally produce a City of Welland Strategic Plan 2007-2012 for further distribution.

**AND**.....

**CARRIED**

**03-139** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol for the H-C4-X13 Zone on part of Lots 20 and 21, Concession 2 and part of the Road Allowance between Lots 20 and 21, former Township of Crowland, now in the City of Welland located north of Woodlawn Road, west of Highway 406 known municipally as 102 Primeway Drive to permit the development of commercial uses; and further  
THAT Welland City Council authorizes Staff to prepare the necessary By-law.

**CARRIED**

**05-118** Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Water Conservation and Efficiency Program Committee update presented by Councillor Paul Grenier, Chair.

**CARRIED**

**07-13** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes its Mayor to sign the Letter of Intent for submission to the Federation of Canadian Municipalities (FCM) expressing the Niagara consortium's (being the lower tier municipalities of St. Catharines, Niagara Falls, Thorold, Port Colborne, Fort Erie, and Welland, as well as the Regional Municipality of Niagara and Opportunities Niagara) interest in accessing FCM's

Green Municipal Fund (Transportation) regarding the development of a Niagara Inter-Municipal Transit Green System.

**CARRIED**

**07-15** Moved by Alexander and Grenier  
THAT THE COUNCIL OF THE CITY OF WELLAND receives F&ES Report No. 2007-01, entitled, "Establishing the Emergency Management Program Committee"; and further  
THAT Welland City Council adopts the proposed structure for the Emergency Management Program Committee; and further  
THAT Welland City Council appoint a Chair for each Sector Committee; and further  
THAT Welland City Council appoints Chief, Fire and Emergency Services, Denys Prevost as Community Emergency Management Co-ordinator; and further  
THAT Welland City Council enacts a By-law establishing the Emergency Management Program Committee.

**CARRIED**

**07-19** Moved by Van Vliet and Eybel  
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes Staff to purchase a portable staging system from Audio Design Systems as quoted to be used by a range of Welland community partners for small to medium-sized performances.

**CARRIED**

**07-19** Moved by Van Vliet and Eybel  
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes Staff to make application to the Job Creation Partnership (JCP), a program of the Ministry of Training, Colleges and Universities, to provide contract staff support for community events related to the 150th Anniversary, Niagara Food Festival, Welland Rose Festival and any other events as required.

**CARRIED**

**07-21** Moved by O'Dell and Alexander  
THAT THE COUNCIL OF THE CITY OF WELLAND receives the letter from Welland/Pelham Chamber of Commerce requesting temporary street closures, waiving of all fees, provision of in-kind services, and exemption to the Noise By-law during the "2007 Oscars Eh Event" to be held on October 13, 2007 and refers same to staff for study and report.

**CARRIED**

**07-83** Moved by Van Vliet and Eybel  
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Federation of Canadian Municipalities Duties and Annual General Meeting report presented by Councillor Alexander.

**CARRIED**

**07-97** Moved by Campion and Sharpe  
THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Memorandum of Understanding for Improving the Planning Function in Niagara; and further  
THAT Welland City Council authorizes the Mayor and City Clerk to execute the Memorandum of Understanding.

**CARRIED**

**07-98** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&R-2007-18 regarding the request for waiving of fees from United Seniors of Ontario.

**CARRIED**

**07-98** Moved by O'Dell and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND approves the request from the United Seniors of Ontario for waiving of fees for the use of the showmobile.

**LOST**

**07-99** Moved by Sharpe and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND directs that the normal Official Plan and Zoning Amendment fees, over which the City has jurisdiction, be waived in the application for the properties affected (namely 190 Parkway Avenue and 155 First Avenue) by the severance required for the development by 2077254 Ontario Inc. at 163 First Avenue.

**CARRIED**

**07-103** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND receives the letter from the Welland Indoor Tennis Club regarding the Club's initiatives, future expansion, and funding request and refers same to staff for study and report.

**CARRIED**

**07-104** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the City of Port Colborne to petition the Minister of Health to immediately call for Health Canada to undertake a review of salvia divinorum and its derivatives to determine the risks associated with the use of this substance and its widespread availability and with a view to taking the same proactive stance on the regulation of this substance for the health and safety of Canadians as other nations have for their citizens and that the Clerk advise the proper authorities accordingly.

**CARRIED**

### **BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**05-118**

**07-10** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND appoints the following representatives to the Water Conservation and Efficiency Advisory Committee for the term of Council.

**Resident Representatives:** Giulia Forsythe, Gary King, Ric Harry, and Sandra Kyle.

**Special Interest Groups Representatives:** Jeff Carl (Welland River Keepers), and (vacancy).

**Council Representatives:** Councillors Paul Grenier, David Alexander, (vacancy); and further THAT Welland City Council directs staff to continue recruiting for the vacant special interest group representative.

**CARRIED**

**07-10**

**07-13** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Tom Bacolini to the Transit Advisory Committee to replace William Kereluik for the term of Council.

**CARRIED**

**07-100** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the Offer to Purchase lands on the north side of Fourth Street, west of King Street (Part Lots 131 and 132, Plan 565) municipally known as 46 Fourth Street from Habitat for Humanity Niagara for \$10,000; and further

THAT Welland City Council authorizes the provision of grants in favour of Habitat for Humanity Niagara for up to \$16,000 to cover costs of developing 46 Fourth Street including Development Charges, Building Permit Fees and Servicing Fees; and further

THAT Welland City Council directs Staff to prepare all necessary documentation and By-laws relative to the transfer; and further

THAT the Mayor and City Clerk be authorized to execute all necessary documents relative to the transfer.

**CARRIED**

**07-102** Moved by Van Vliet and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND recommends that Part of Lot 21, Concession 4, former Township of Crowland and part of closed Harold Avenue; Plan 945 (PIN 64421-0067(LT)) be vested by the City; and further

That Welland City Council directs that the proceeds of any future sale of the land be used to offset the City's portion of the tax write off.

**CARRIED**

## **BY-LAWS**

### **BY-LAW PRESENTED FOR FIRST READING:**

1. Moved by Alexander and Belcastro

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

**07-10**

**07-15**

BYL 2007 - 90

A By-law to establish an Emergency Management Program Committee and to appoint a Community Emergency Management Co-ordinator.

And that same be now read a first time.

**CARRIED**

### **BY-LAW PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Alexander and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law 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**

### **BY-LAWS PRESENTED FOR FIRST READING:**

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

**99-99**

**04-56**

BYL 2007 – 91

A By-law to authorize the entering into a Sublease Agreement with the Welland Recreational Canal Corporation.

...continued...

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

**03-139**

BYL 2007 – 92

A By-law to amend Zoning By-law 2667 upon the application of Calloway Reit (Welland) Inc. to remove the Holding Symbol "H" from certain lands north of Woodlawn Road, west of Highway 406 known municipally as 102 Primeway Drive.

**07-1**

BYL 2007 – 93

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 19<sup>th</sup> day of June, 2007.

And that same be now read a first time.

**CARRIED**

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

4. Moved by Van Vliet and Eybel  
 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 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, July 11, 2007 for inclusion on the next Regular Council Meeting Agenda of July 17, 2007.

Council adjourned at 9:20 p.m.

These Minutes approved and adopted by Motion of Council this 17<sup>th</sup> day of July, 2007.

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**MAYOR**

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**DEPUTY CLERK**