



## **COUNCIL MEETING, NOVEMBER 6, 2007**

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

Council met in Committee-of-the-Whole closed to the public at 5:50 p.m. and in open session at 7:30 p.m. on the above date.

Mayor Goulbourne vacated the Chair and Vice Mayor Sharpe assumed the Chair at 7:55 p.m. Mayor Goulbourne assumed the Chair at 8:11 p.m.

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, J. Larouche, 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

General Manager, Human Resources, R. Mantesso

General Manager, Parks, Facilities, & Leisure Services, B. Fenwick

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

General Manager, Planning & Development Services, D. Thorpe

(Mr. Bruce Smith and Mr. Rob Welch, Solicitors, Lancaster, Brooks & Welch were present during Committee-of-the-Whole discussion on a Solicitor-Client Privilege matter).

**07-25** Moved by Dzugan and Alakas

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) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees;
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- d) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

*(Councillor Grenier was not present during Committee-of-the-Whole discussions on a Security of Property Matter).*

*(Councillor Champion was not present during Committee-of-the-Whole discussions on a Personal Matter).*

**07-25** Moved by Letourneau and Dzugan

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 Champion disclosed an interest in Ref. No. 07-10/07-19 Appointments to the Tourism Advisory Committee and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his daughter is an applicant.

### **PRESENTATIONS:**

Mayor Goulbourne presented plaques to the following members of the Centennial Secondary School Cougar Cheerleading Team Member in recognition of winning the Cheer Alliance Small Senior School Level 4 2007 National Championship: **Coaches:** Sara Harris, Kaitlyn Mallysh, Lee Ann Hutchinson, Brianna DiCenso, Nikki Napper and Brittany Muir **Members:** Carly Davies, Samantha Stayzer, Meagan Beaudoin, Brianna Peacock, Gabrielle Laurence, Kelsie Chasse, Lauren Stickles, Michelle Hollingshead, Olenka Iwanicki, Heather Jeckle, Courtney Brown, Torey Craig, Michelle Cossitt, Casey Wach, Andrea Mannell, Ashley Corriveau, Kayla Cossitt, Laura Mannell, Marlaina Meinzinger, Crystal Nantel, Christine Doucette and Alanah Claus.

Mayor Goulbourne presented a plaque to Matthew Maracle, Member of Team Canada's Softball Team in recognition of winning a gold medal in the Special Olympics 2007 World Summer Games in Shanghai, China.

### **THE FOLLOWING CORRESPONDENCE WAS READ:**

Councillor Sharpe presented the following recommendations of the Nominating Committee:

**07-12** Appointment of Chair to the Umbrella Committees of Council (Corporate, Community and Operational) – December 1, 2007 to November 30, 2008.

**07-12** Appointment of Vice Mayor – December 1, 2007 to November 30, 2008.

**07-10**

**07-19** Appointment of Councillor to the Tourism Advisory Committee until December 30, 2008.

**07-10** Appointing of Chairs to Standing Committees or Ad Hoc Committees of Council.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

**07-88** Gen. Mgr., Planning and Development Services, D. Thorpe – Retention of Dillon Consulting to prepare the New Official Plan for the City of Welland.

**07-130** A By-law to amend By-law 2007-157, being a By-law to authorize the acceptance of tender and entering into a contract with Peters Excavating Inc. for the Willson Park Outfall Extension and Ditch Realignment.

**07-143** A By-law to accept the quotations from Vic Vatr Contracting Ltd. and DeRose General Contracting Ltd. to provide snow plowing services for the months of December 2007 and January 2008 through to March 2008.

**07-146** Gen. Mgr., Planning and Development Services, D. Thorpe – Condition related to decision of Committee of Adjustment – Consent for Ingeburg Dubas – 871 and 875 Southworth Street (east side of Southworth Street, north of Marc Boulevard (File: B017/2007WELL).

**07-146** A By-law to lay out, establish and name Part of Lot 22, Gore Concession 7, former Township of Crowland being Part 3 on Plan 59R-13511 as part of Southworth Street for the City of Welland.

**07-146** A By-law to accept the transfer of Lands described as Part of Lot 22, Gore Concession 7, former Township of Crowland being Part 3 on Plan 59R-13511 from Dwana Conway and Alain Labranche on the east side of Southworth Street for roadway 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 November, 2007.

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

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of October 9, 16, and 23, 2007, as circulated.

**CARRIED**

**07-5** Moved by Dzugan and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to develop a grant program to assist homeowners to replace their lead water services and split water services to the water meter only for Council's consideration during the 2008 water and sewer budget deliberations.

**CARRIED**

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

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Nominating Committee, that where the membership of a Committee of the Council (ie. Standing Committee or Ad Hoc Committee of Council) is less than the total membership of Council, the Chair of the Committee will be selected by the Committee.

**CARRIED**

**07-10**

**07-19** Moved by Alakas and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Nominating Committee and appoints Councillor Leo Van Vliet to the Tourism Advisory Committee until December 31, 2008.

**CARRIED****07-12** Moved by Grenier and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Nominating Committee and appoints the following Chairs of the Umbrella Committees of Council for the period commencing December 1, 2007 and ending November 30, 2008:

- Community Services Chair - Councillor Mark Dzugan
- Corporate Services Chair - Councillor David Alexander
- Operational Services Chair - Councillor Pat Chiocchio.

**CARRIED****07-12** Moved by Belcastro and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation of the Nominating Committee and appoints the following as Vice Mayor for four (4) month terms of office, for the period commencing December 1, 2007 and ending November 30, 2008:

- December 1, 2007 to March 31, 2008 - Councillor Mark Dzugan
- April 1, 2008 to July 31, 2008 - Councillor Pat Chiocchio
- August 1, 2008 to November 30, 2008 - Councillor Paul Grenier.

**CARRIED****07-19** Moved by Letourneau and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND directs Parks, Facilities and Leisure Services staff to review the maintenance schedule of shoveling, scraping and periodic watering for outdoor natural ice surfaces at Memorial, St. George, and Chippawa Parks for report to Council with intent to improve services at all parks to the same level performed at Chippawa Park.

**CARRIED****07-88** Moved by Alexander and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND retains Dillon Consulting Limited for the development of the new Official Plan at a cost of \$172,436 (including GST); and further  
THAT Welland City Council pre-approves the expenditure of \$72,436 from the 2008 Operating Budget for the new Official Plan.

**CARRIED****07-146** Moved by Grenier and Sharpe Grenier and Sharpe

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. B017/2007WELL) for lands on the east side of Southworth Street, north of Marc Boulevard, municipally known as 871 and 875 Southworth Street.

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

**06-116** Moved by Grenier and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND confirms and agrees to the Minutes of Settlement between Harold Froude and The Corporation of the City of Welland; and further THAT Welland City Council directs Staff to prepare the necessary By-laws.

**CARRIED****07-10****07-19** Moved by Grenier and Sharpe

THAT THE COUNCIL OF THE CITY COUNCIL approves revisions to the Terms of Reference of the Tourism Advisory Committee (TAC); and further

THAT Welland City Council appoints a member of Council to the Tourism Advisory Committee; and further

THAT Welland City Council appoints the following individuals as members to the Tourism Advisory Committee:

Ron Lemon	Sports Tourism Representative
Jeff Oakes	Sports Tourism Representative
Trevor Sainsbury	Hospitality Industry Representative
Brenna Chesniak	Tourism Industry Representative (Hospitality)
Dave Treppiedi	Tourism Industry Representative (Sales)
Melissa Campion	Tourism Industry Representative (Event Management)
Mike Walsh	Member at Large Representative
TBD	Welland Recreational Canal Corporation Appointee
TBD	Welland Development Commission Appointee
Councillor Leo Van Vliet -	City Council Appointee until December 31, 2008 (as recommended by the Nominating Committee).
TBD	Arts Community Representative
	Damian Goulbourne Mayor, Ex-Officio; and further

THAT Welland City Council invites the Welland Recreational Canal Corporation and the Welland Development Commission to recommend a non staff member of each of their respective agencies to be appointed by Council to the TAC.

## **BY-LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE**

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

1. Moved by Grenier and Sharpe

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

**06-116**

BYL 2007 – 162

A By-law to authorize the Execution of Minutes of Settlement with Harold Froude.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Grenier and Sharpe  
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law listed in the foregoing motion for first reading having been read a first time and considered, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal same.

**CARRIED**

## **BY-LAWS**

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

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

**07-130**

BYL 2007 – 163

A By-law to amend By-law 2007-157, being a By-law to authorize the acceptance of tender and entering into a contract with Peters Excavating Inc. for the Willson Park Outfall Extension and Ditch Realignment.

**07-143**

BYL 2007 - 164

A By-law to accept the quotations from Vic Vatr Contracting Ltd. and DeRose General Contracting Ltd. to provide snow plowing services for the months of December 2007 and January 2008 through to March 2008.

**07-146**

BYL 2007 - 165

A By-law to lay out, establish and name Part of Lot 22, Gore Concession 7, former Township of Crowland being Part 3 on Plan 59R-13511 as part of Southworth Street for the City of Welland.

**07-146**

BYL 2007 - 166

A By-law to accept the transfer of Lands described as Part of Lot 22, Gore Concession 7, former Township of Crowland being Part 3 on Plan 59R-13511 from Dwana Conway and Alain Labranche on the east side of Southworth Street for roadway purposes.

**07-1**

BYL 2007 - 167

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 November, 2007.

And that same be now read a first time.

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

4. Moved by Grenier and Sharpe  
 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 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, November 14, 2007 for inclusion on the next Regular Council Meeting Agenda of November 20, 2007.**

Councillor O'Dell gave Notice of Motion of the following issue to be presented to Council at the November 20, 2007 Regular Council Meeting:

**04-37 THAT THE COUNCIL OF THE CITY OF WELLAND exempts seniors from paying late charges on overdue water bills.**

Council adjourned at 9:07 p.m.

These Minutes approved and adopted by Motion of Council this 20<sup>th</sup> day of November, 2007.

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**MAYOR**


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**DEPUTY CLERK**