



**MINUTES OF  
COUNCIL MEETING, FEBRUARY 16, 2010**

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

Council met in Committee-of-the-Whole closed to the public at 5:37p.m. and in open session at 7:13 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

**Members Present:**

Councillors R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiochio, M. Dzugan (5:47 p.m.), J. Larouche, P. Grenier, R. Letourneau, B. Sharpe, and L. Van Vliet.

**Members of the Staff and Others Present:**

City Manager, C. Stirtzinger

Acting City Clerk, C. Mintoff

Deputy City Clerk, B. Nistico-Dunk (7:13 p.m.)

General Manager, Engineering, Public Works & Transportation Services/City Engineer, S. Iannello

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

General Manager, Human Resources, R. Mantesso

General Manager, Parks, Facilities, Recreation & Cultural Services, B. Fenwick

General Manager, Planning & Development Services, D. Thorpe

Manager, Economic Development, D. Degazio (until 7:05 p.m.)

**10-25** Moved by Larouche 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 5:37 p.m. to consider:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- for the purpose of educating or training members of Council; and further

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Rosanne Mantesso as Acting City Clerk during Committee-of-the-Whole discussions on a personal matter about an identifiable individual, including municipal or local board employees in the absence of the Acting City Clerk.

***(Councillor Alakas was not present during Committee-of-the-Whole discussions on labour relations or employee negotiations).***

**CARRIED**

**10-25** Moved by Belcastro and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:05 p.m. with report.

**CARRIED**

### **DELEGATION:**

**99-99** Regional Councillor Bruce Timms, Niagara Region's Heritage Designation Committee addressed Council regarding an update on the progress of the Designation of the Welland Canals.

### **AGENCIES, BOARDS, COMMISSIONS REPORTS:**

**10-28** Ron Boyer, Board Member; Nora Reid, Advisor, Heritage Welland Committee; and, Rosi Zirger, Researcher, addressed Council regarding the responsibilities and duties of Heritage Welland.

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

**10-3** Jeannine Weddell, Principal, Sacre Coeur School, requesting a lottery license.

**10-1** Moved by Dzugan and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meeting of January 26, 2010 and Regular Council Meeting of February 2, 2010, as circulated.

**CARRIED**

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

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Regional Councillor Bruce Timms, Niagara Region's Heritage Designation Committee regarding an update on the progress of the Designation of the Welland Canals; and further

THAT Welland City Council requests that staff ask to meet with St. Lawrence Seaway and other affected municipalities being Thorold, St. Catharines, Port Colborne and Wainfleet to map out areas of agreement and areas of concerns and to develop a common position on the Designation of the Historical Welland Canals that can be proposed to Parks Canada and that the outcome of the meeting be presented to Council.

**CARRIED**

**08-99** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information REPORT ENG-2009-52 on the Northwest Area Inflow/Infiltration Study; and further  
 THAT Welland City Council directs staff to include the additional works in the 2010 Sanitary Sewer Capital Budget for consideration by the Budget Review Committee, as recommended in the study report, in order to reduce the impact of Infiltration/Inflow of extraneous flow to the sanitary sewer system; and further  
 THAT Welland City Council directs staff after completion of Phase 1 of the Northwest Area drainage system to re-evaluate and determine if further basement flooding control steps are necessary to be integrated into the Capital Budget.

**CARRIED**

**09-19** Moved by Letourneau and Grenier  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PFR&CS 2010-04 regarding Banning Smoking In City Owned Parks During Games for information purposes; and further  
 THAT Welland City Council directs staff to post signs in accordance to the Parks Use By-law and to install receptacles in the vicinity of park entrances for extinguishing and disposal of cigarettes, as budget dollars permit.

**CARRIED**

**09-126** Moved by Alexander and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2010-05 the Green Fleet Implementation Plan – Interim Report and authorizes staff to proceed with the development of the Plan.

**CARRIED**

**09-143** Moved by Campion and Sharpe  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PFR&CS 2010-05 regarding Barron Street, Woodcroft Crescent and Home Street Pathway Closure; and further  
 THAT Welland City Council confirms that the pathways are to remain open; and further,  
 THAT Welland City Council directs staff to undertake necessary maintenance work, review costing for upgrades to the Pathway and lighting, and provide options for funding this work in 2010.

**(Councillor Van Vliet did not take part in the consideration and discussion of same, and refrained from voting thereon, as he resides at the end of the pathway in question).**

**CARRIED**

**09-152** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives report TRAF-2010-03, regarding Licensing of Rental Housing; and further  
 THAT Welland City Council refers the attached By-law to Legal Services for review and finalization; and further  
 THAT Welland City Council directs staff to host two public meetings prior to August to permit the general public to review and comment; and further  
 THAT Welland City Council approves the Initial Licensing Fee for Rental Housing at \$500.00 and \$350/year for a subsequent renewal Licensing Fee; and further  
 THAT Welland City Council directs staff to amend By-law 2006-193 User Fee By-law to include the addition of a Rental Housing License.

**CARRIED**

**09-165** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to design and implement a universal policy with regards to leaf clean-up in the City of Welland.

**CARRIED**

**10-3** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Niagara Divers' Association to sell lottery tickets in the City of Welland under authority of Lottery License M 017760; subject to the receipt of a \$25.00 administration fee for processing this request.

**CARRIED**

**10-3** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Sacre Coeur School

**CARRIED**

**10-22** Moved by Alexander and Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-Law to amend By-law 89-2000, as follows:  
 ADD THE FOLLOWING:

TO SCHEDULE "V"

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
Michael Drive	South & West Sides	North Valley Drive	North Termination	AT NO TIME

**LOST**

**10-22** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives report TRAF-2010-04, regarding a Site Alteration By-law; and further  
 THAT Welland City Council refers the attached By-law to Legal Services for review and finalization; and further  
 THAT Welland City Council directs staff to amend By-law 2006-193 User Fee By-law to include the addition of a Site Alteration Permit at the cost of \$300.00 (\$200.00 non-refundable).

**CARRIED**

**10-28** Moved by Alexander and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ron Boyer, Board Member; Nora Reid, Advisor, Heritage Welland Committee; and, Rosi Zirger, Researcher, regarding the responsibilities and duties of Heritage Welland.

**CARRIED**

**10-52** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 22, 2010 regarding the 2010 Interim Levy dates and amounts.

**CARRIED**

**10-53** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2010 Work Plan as presented in Report CM-2010-01.

**CARRIED**

**10-54** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the execution of a Development Agreement between Edward Cushnie and the City of Welland concerning the development of the subject lands municipally known as 633 Broadway, described as Parts 1 and 2, Plan 59R-14138 for the construction of two (2) semi-detached dwellings; and further  
 THAT Welland City Council directs staff to prepare any necessary By-laws.

**CARRIED**

**10-55** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the stopping up and closing of a portion of Cambridge Road north of Woodlawn Road, lying between the Welland River and unopened River Road, being Part 1, Plan 59R-5212; and further  
 THAT Welland City Council authorizes staff to prepare the necessary By-law.

**CARRIED**

**10-57** Moved by Grenier and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND establishes an ad hoc committee to present the impact on Planning, Recreation, and Community Development to the Accommodation Review Committee (ARC) and the District School Board of Niagara (DSBN); and further  
 THAT the DSBN and/or ARC be asked to present their respective school closure plans to Welland City Council.

*(Councillor Van Vliet asked to be recorded as opposed to this motion).*

**CARRIED**

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

**97-49** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report CM 2010-02 – Physician Recruitment – Incentive Program Close Out Report for information purposes.

**CARRIED**

**04-124** Moved by Dzugan and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Olameter for municipal water meter reading services for the period 2010 to 2012; and further  
 THAT Welland City Council directs the Clerk to prepare all necessary By-laws to enter into a contract with Olameter for the provision of water meter reading services from 2010 to 2012 inclusively at the tender price of \$95,220.95.

**(Councillor Alakas did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is president of CAW Local 523)**

**YEAS:** Councillors Van Vliet, Dzugan, Alexander, Grenier, Belcastro, Sharpe and Mayor Goulbourne.

**NAYS:** Councillors Campion, Chiochio, Letourneau and Larouche.

**CARRIED**

**10-58** Moved by Larouche and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PDS-2010-11 regarding the disposition of a closed laneway linking Oakland Avenue and Wade Street; and further  
 THAT Welland City Council directs staff to approach all adjacent property Owners to determine their interest in the lands.

**CARRIED**

**10-61** Moved by Larouche and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND denies the request by Mr. LaRose, on behalf of Mr. Maurice, to purchase the western portion of Santone Avenue, north of Broadway; and further  
 THAT Welland City Council directs staff to investigate with Mr. LaRose and Mr. Maurice to find an alternative solution to the existing encroachment agreement, at the pleasure of Council, to assist in securing conventional bank financing for 403 Broadway.

.....

**10-61** Moved by Larouche and Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND defers the matter regarding the request by Mark LaRose on behalf of Leo Maurice to purchase the western portion of Santone Avenue, north of Broadway for one month.

**CARRIED**

### **BY-LAWS**

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

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

**10-55**

BYL 2010 – 17

A By-law to authorize the stopping-up and closing of a portion of Cambridge Road, north of Woodlawn Road and west of River Road being Part 1, Plan 59R-5212.

**10-54**

BYL 2010 – 18

A By-law to authorize the entering into a Development Agreement with Edward Cushnie concerning the development of lands described as Part of Lots 3029, 3030, 3031 and 3032, Plan 941, being Parts 1 and 2 on Plan 59R-14138 (Broadway) (File:B024/2007WELL).

**10-1**

BYL 2010 – 19

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 16<sup>th</sup> day of February, 2010.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Larouche 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 and, 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 2007-178 passed on November 27, 2007, Councillor(s) must submit their NOTICE OF MOTION(S) in writing no later than Wednesday, February 24, 2010 for inclusion on the next regular Council meeting agenda of March 2, 2010.**

Council adjourned at 9:11 p.m.

These Minutes approved and adopted by Motion of Council this 6<sup>th</sup> day of April, 2010.

---

**MAYOR**

---

**CITY CLERK**