



**MINUTES OF
COUNCIL MEETING, APRIL 20, 2010**

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

Council met in Committee-of-the-Whole closed to the public at 5:53 p.m. and in open session at 7:17p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors D. Alexander (6:00 p.m.), M. Belcastro (6:00 p.m.), F. Campion, P. Chiocchio,
M. Dzugan, J. Larouche, P. Grenier, R. Letourneau, B. Sharpe (6:00 p.m.) and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger

City Clerk, C. Mintoff

Chief, Fire & Emergency Services, D. Prevost

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

Manager, Budgets and Financial Reporting/Deputy Clerk, K. Douglas

General Manager, Human Resources, R. Mantesso

General Manager, Planning & Development Services, D. Thorpe

Records Clerk, C. Viger (7:17 p.m.)

10-25 Moved by Dzugan and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:53 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal or local board employees;
- b) a proposed or pending acquisition or disposition of land by the municipality or local board;
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- d) for the purpose of educating or training members of Council.

CARRIED

10-25 Moved by Van Vliet and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:02 p.m. with report.

CARRIED

DELEGATION:

10-28 Heather Scott, Executive Director, Welland Hospital Foundation and Rob Neill, Campaign Chair, South Niagara addressed Council regarding the role of the foundation in the community and It's Our Time Campaign.

AGENCIES, BOARDS, COMMISSIONS REPORTS:

10-47 Councillor Grenier, Nominating Committee Chair, addressed Council regarding an appointment to the Local Action Committee.

10-1 Moved by Larouche and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meeting of March 30, 2010 and Regular Council Meeting of April 6, 2010, as circulated.

CARRIED

05-118 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Giulia Forsythe and Gary King, members of the Welland Conservation Committee regarding Earth Day (Saturday, April 17) and encourages all City of Welland residents to participate in Earth Day events.

CARRIED

05-118 Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information REPORT ENG-2010-11 on the 2009 / 2010 Conservation Program; and further

THAT Welland City Council approves the 2010 Conservation Program as outlined in Report ENG-2010-11; and further

THAT Welland City Council authorizes the sole-source purchase of 500-Litre Rain Barrels from RiverSides Stewardship Alliance and 208-Litre Rain Barrels from Norseman Plastics; and further

THAT Welland City Council reviews the need for the ongoing operation of this committee and its incentive programs at the end of 2010.

CARRIED

06-84**10-47**

Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Dzugan to serve on the Local Action Committee, an ad-hoc committee of the Senior Citizens Advisory Committee, to move the Age-Friendly Community Project forward as recommended by the Nominating Committee.

CARRIED**09-22**

Moved by Sharpe and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to work with the NRPS 33 Division to develop an annual enforcement plan for the Community Safety Zone in the Aqueduct/Smith/Chippawa area.

CARRIED**09-22**

Moved by Sharpe and Alexander

THAT Welland City Council authorizes staff to include the costs for installation of 5 portable speed humps on Aqueduct Street North, Smith and Chippawa Streets in the 2011 Capital Budget for review and consideration.

LOST**09-99**

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the recommendation by staff to negotiate with the Thorold Road Phase 1 contractor, Rankin Construction Inc. of St. Catharines, Ontario to construct the remaining works, Phase 2 between Prince Charles Drive and Niagara Street at or near the unit prices of Phase 1 contract; and further

THAT Welland City Council approves and accepts the recommendation by staff to negotiate with the Thorold Road Phase 1 contractor, Rankin Construction of St. Catharines, Ontario to replace the existing watermain on Thorold Road between First Avenue and Niagara Street, as part of the Thorold Road Phase 2 works; and further

THAT Welland City Council directs Engineering staff to report back to Council prior to proceeding with the works of Thorold Road Phase 2.

CARRIED**10-6**

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND declares April 17th through to the 25th as "Ontario Coaches Week" in the City of Welland as requested by the Coaches Association of Ontario.

CARRIED**10-6**

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of May 23 – May 30, 2010 as "Prostate Cancer Awareness Week" in the City of Welland as requested by The Motorcycle Ride For Dad.

CARRIED**10-15**

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the report F&ES 2010-01 Fire Code Enforcement.

CARRIED**10-28**

Moved by Van Vliet and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Heather Scott, Executive Director, Welland Hospital Foundation and Rob Neill, Campaign Chair, South Niagara, regarding role of the Welland Hospital Foundation and the It's Our Time Campaign.

CARRIED

10-37 Moved by Sharpe and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Region of Niagara prepare a report on the difference between actual wastewater treatment volumes and the three-year average for the years 2007-2009 for all Niagara municipalities and where the three-year average has resulted in any overcharge, that this be reconciled, and the affected municipality be compensated appropriately.

CARRIED**10-42** Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbol on lands municipally known as 810 East Main Street to allow the development of a Community Health and Social Services Centre to proceed as per the C3-X11 Zone; and further
THAT Welland City Council authorizes Staff to prepare the necessary By-law.

CARRIED**10-77** Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Tangible Capital Assets Policy as outlined in Report FIN-2010-12 and directs the Clerk to prepare the necessary By-law.

CARRIED**10-78** Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to redesignate lands on the east side of King Street north of Ontario Road and south of Third Street, more specifically described as Part of Block F, Plan 572 being Part 1, Plan 59R-6010, known municipally as 574 King Street from Institutional to Health and Wellness Cluster to permit the construction of a three (3) storey apartment building containing a maximum of thirty-six (36) units on the subject lands; and further
THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands on the east side of King Street north of Ontario Road and south of Third Street, more specifically described as Part of Block F, Plan 572 being Part 1, Plan 59R-6010, known municipally as 574 King Street from the existing Site Specific C3-X10 Zone to a Site Specific (Holding) RM4 Zone to permit the construction of a three (3) storey apartment building containing a maximum of thirty-six (36) units with Zone Provisions for setbacks, lot coverage and building height as recommended in Report PDS-2010-25 Prior to the lifting of the Holding (H) Symbol related to the Zoning, at the request of the Owner, the proponent will be required to enter into Site Plan Control Agreement with the City to ensure the proper development of the subject property; provide an updated Environmental Site Assessment and a Subsurface Geotechnical Investigation.

CARRIED**10-79Z** Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report PDS-2010-26 concerning an Application to Amendment Zoning By-law 1538, as amended, for lands described as Part Lot 16, Concession 6, former Township of Crowland, now in the City of Welland, known municipally as 383 Buchner Road.

CARRIED**10-83** Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the transfer of Part 3 on Plan 59R-14200 for lands on the west side of Clare Avenue and north of Dana Drive from Antonio Mastroianni and Eleonora Mastroianni for road widening purposes required to clear a Condition of Approval regarding a Consent to Sever Application (File No. B013/2009WELL); and further
THAT Welland City Council authorizes Staff to prepare the necessary By-laws, accept the transfer and to layout, establish and name the subject lands as part of Clare Avenue.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

09-99

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the City Clerk to make an Application for Approval to Expropriate Land being Part of Niagara South Condominium Plan No. 53 designated as Part 1, Plan 59R-14076, known municipally as 485 Thorold Road for the purpose of the widening of Thorold Road.

CARRIED

10-84

Moved by Dzugan and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves, in principle, the sale of City-owned lands located on the north side of Churchill, east of Plymouth Road, being Parts 3, 4 and 5, Plan 59R-8889 to Goodwill Industries Niagara; and further THAT Welland City Council authorizes Goodwill Industries Niagara to act as Applicant on behalf of the City of Welland for any necessary Planning approvals including an Application for Zoning By-law Amendment.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Dzugan and Larouche

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

10-77

BYL 2010 - 48

A By-law to establish and adopt a City Policy Governing Tangible Capital Assets.

10-42

BYL 2010 - 49

A By-law to amend Zoning By-law 2667 upon the application of Centre De Sante Communautaire Hamilton/Niagara Inc. to remove the Holding Symbol "H" from certain lands on the north side of East Main Street, west of White Avenue known municipally as 810 East Main Street (File 2009-17).

10-78

BYL 2010 - 50

A By-law to authorize the adoption of Official Plan Amendment No. 136.

10-78Z

BYL 2010 - 51

A By-law to amend City of Welland Zoning By-law 2667 (867962 Ontario Limited - File 2010-01) 574 King Street.

10-83

BYL 2010 - 52

A By-law to authorize acceptance of a transfer of land, being Part 3, Plan 59R-14200 (File No. B013/2009WELL) (Clare Avenue)

10-83

BYL 2010 - 53

A By-law to lay out, establish, assume and name as a public highway for road widening purposes Part 3, Plan 59R-14200 as part of Clare Avenue.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...cont'd.:**10-13**

BYL 2010 - 54

A By-law to authorize the entering into an agreement with Niagara College Student Administrative Council Inc. (NCSAC) to provide Universal Transit Pass (U-PASS) services for the 2010 summer semester.

10-1

BYL 2010 - 55

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 20th day of April, 2010.

And that same be now read a first time.

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

2. Moved by Dzugan and Larouche
 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, April 28, 2010 for inclusion on the next regular Council meeting agenda of May 4, 2010.

Council adjourned at 8:38 p.m.

These Minutes approved and adopted by Motion of Council this 4th day of May, 2010.

MAYOR

CITY CLERK