



**MINUTES OF  
COUNCIL MEETING, MAY 18, 2010**

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

Council met in Committee-of-the-Whole closed to the public at 6:02 p.m. and in open session at 7:00 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,  
P. Grenier, J. Larouche, B. Sharpe, and Mayor Goulbourne (6:14 p.m.)

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

City Manager, C. Stirtzinger

City Clerk, C. Mintoff

Chief, Fire & Emergency Services, D. Prevost

Manager, Engineering Services, L. Ventresca (7:00 p.m.)

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

Records Clerk, C. Viger (7:00 p.m.)

**10-25** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Vice Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:02 p.m. to consider:

- 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;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

*(Mayor Goulbourne was not present during Committee-of-the-Whole discussions on an item under proposed or pending acquisition or disposition of land by the municipality or local board).*

**CARRIED**

**10-25** Moved by Alexander and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:40 p.m. with report.

**CARRIED**

**PRESENTATION:**

Mayor Goulbourne presented plaques to the Welland Warriors Major Bantam Boys Team #2 in recognition of winning Gold at the Ontario Basketball Association Championships.

**THE FOLLOWING ITEM WAS AN ADDITION TO THE AGENDA**

**10-4** A By-law to establish Tax Ratios and Tax Rates and to Levy Taxes for the year 2010.

**THE FOLLOWING CORRESPONDENCE WAS DELETED FROM THE AGENDA**

**10-22** A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland and to repeal By-law 2009-133.

**10-4** A By-law to provide for the final 2010 tax levy, to provide for the payment of taxes against multi-residential, commercial, industrial and large industrial classes, and to provide for penalty and interest.

**99-99** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ICP 19-2010 from the Regional Municipality of Niagara regarding a proposed pedestrian bridge over the Welland Recreational Waterway.

**CARRIED**

**02-166** Moved by Sharpe and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from the Town of Fort Erie regarding the initiative of Mayor Martin to advance a proposed restructuring plan for Regional Council.

**CARRIED****05-158** Moved by Alexander and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to submit an application for the Feed-In-Tariff (FIT) program with the Ontario Power Authority (OPA), under the Green Energy and Green Economy Act, for the Woodlawn Road/River Road municipal site; and further

THAT Welland City Council accepts, in principle, the unsolicited proposal from the Welland Soccer Club and partners (Sportstar, Nustadia Recreational Inc. and the Avacos Group), Option 1, subject to confirmation that the revenues proposed in the proposal are attainable.

**CARRIED****06-132** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the permanent stopping up and closing of a portion of Gaiser Road between Falcon Drive and Colbeck Drive being Parts 3, 6, 7 and 8 on a Draft Reference Plan; and further

THAT Welland City Council authorizes the temporary stopping up and closing of a portion of Gaiser Road between Falcon Drive and Colbeck Drive being Part 11 on a Draft Reference Plan; and further

THAT Welland City Council authorizes the executing of the Gaiser Road Realignment Agreement with Vincent Policella Masonry Contractor Limited; and further

THAT Welland City Council authorizes the transfer of part of Gaiser Road being Parts 3, 6, 7 and 8 on a Draft Reference Plan to Vincent Policella Masonry Contractor Limited for no consideration, all in accordance with the Gaiser Road Realignment Agreement; and further

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

**(Mayor Goulbourne disclosed an interest and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he may be a future owner of the subject property).**

**CARRIED****10-4** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Regional Municipality of Niagara issue debentures in the amount of \$4,933,000 in accordance with the terms of the various authorizing By-laws outlined in Appendix I to Report FIN-2010-14 dated May 18, 2010; and further

THAT Welland City Council directs the City Treasurer to make available to the Regional Municipality of Niagara certified copies of all applicable By-laws and Ministry of Environment Certificates applicable and all other information required in connection thereto to ensure the issue of the debentures in the amount of \$4,933,000 are for the projects described on the said Appendix I.

**CARRIED****10-13** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from Greg Ashbee, Manager, Infrastructure Expansion Planning, Metrolinx/GO Transit regarding Notice of Public Information Centre #2, Niagara Peninsula Rail Service Expansion, Class Environmental Assessment Study and Preliminary Design.

**CARRIED****10-22** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-Law to amend by-law 89-2000, as follow:

**DELETE THE FOLLOWING:**

Schedule XVI PARKING METER CONTROL

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 FEES	COLUMN 5 MAX TIME	COLUMN 6 TIMES/DAYS
		FROM	TO			
Regional Road #68 (King Street)	East	Regional Road # 527 (Division Street)	54m north of Regional Road #527 (Division Street)	\$0.25 / 15 min. \$1.00 / 1 hr. \$2.00 / 2 hr.	2 hours	8:00 am. To 6:00pm. Monday to Friday Holidays Exempt
Regional Road #68 (King Street)	East	54m north of Regional Road #527 (Division Street)	74m north of Regional Road #527 (Division Street)	\$0.25 / 15 min.	30 Minutes	8:00 am. To 6:00pm. Monday to Friday Holidays Exempt
Regional Road #68 (King Street)	East	74m north of Regional Road #527 (Division Street)	Regional Road #27 (East Main Street)	\$0.25 / 15 min. \$1.00 / 1 hr. \$2.00 / 2 hr.	2 hours	8:00 am. To 6:00pm. Monday to Friday Holidays Exempt
King Street	West	Regional Road # 527 (Division Street)	Griffith Street	\$0.25 / 15 min. \$1.00 / 1 hr. \$2.00 / 2 hr.	2 hours	8:00 am. To 6:00pm. Monday to Friday Holidays Exempt

**ADD THE FOLLOWING:**

Schedule VIII LIMITED PARKING

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
King Street	West Side	Division Street	Griffith Street	1 hour	Monday to Friday 8 a.m. to 6 p.m.

Schedule XVI PARKING METER CONTROL

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 FEES	COLUMN 5 MAX TIME	COLUMN 6 TIMES/DAYS
		FROM	TO			
Regional Road #68 (King Street)	East	Regional Road # 527 (Division Street)	Regional Road #27 (East Main Street)	\$0.25 / 15 min. \$1.00 / 1 hr. \$2.00 / 2 hr.	2 hours	8:00 am. to 6:00pm. Monday to Friday Holidays Exempt

**CARRIED**

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

Schedule VIII LIMITED PARKING

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
Dorothy Street	North Side	River Road	Ross Street	1 hour	8:00 a.m. to 6:00 p.m. Monday to Friday

Schedule XXXIV PARKING PERMITS

COLUMN 1	COLUMN 2	
HIGHWAY	FROM	TO
Dorothy Street	River Road	Ross Street

**CARRIED**

**10-45** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND endorses the Association of Municipalities of Ontario's paper entitled "The Case for Joint and Several Liability Reform in Ontario" and supports the notion that Ontario municipalities not be insurers of last resort and the Clerk is directed to circulate this motion as appropriate.

**CARRIED**

**10-75** Moved by Grenier and Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of 1526957 Ontario Ltd. o/a CTC Contracting of Welland, Ontario, as detailed in Report ENG-2010-14 for the Utility Cut Final Reinstatement 2010 at the quoted price of \$137,185.00 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 1526957 Ontario Ltd. o/a CTC Contracting, to execute the construction.

**CARRIED**

**10-79Z** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to 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 to amend the existing I1-X1 – Site Specific Storage and Light Manufacturing District to permit a trucking operation as an additional use and to protect the natural heritage features on the site.

**CARRIED**

**10-85** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Workplace Violence Policy as outlined in Report HR-2010-02.

**(Councillor Alakas disclosed an interest and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he represents CAW Local 523).**

**CARRIED**

**10-93** Moved by Alexander and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from Denise Savoie, MP, Victoria; Jack Layton, MP, Leader, New Democratic Party of Canada; and Malcom Allen, MP, Welland dated April 14, 2010 and supports Bill C-466, which would facilitate green commuter choices for Canadians by making employer-provided benefits for transit, carpooling and bicycle commuting tax-free at the federal level; and further  
 THAT Welland City Council directs the Clerk to advise FCM and AMO accordingly.

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**10-93** Moved by Sharpe and Chiocchio  
 THAT the matter regarding Bill C-466 be deferred to the next General Committee Meeting.

**LOST**

***FOLLOWING THE LOST VOTE ON THE MOTION TO DEFER THE MATTER  
 REGARDING BILL C-466, THE MAIN MOTION WAS PUT IN ITS  
 ORIGINAL FOR AND .....***

**CARRIED**

**10-94** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Notice of Regional Council Decision regarding Amendment 6-2009 to the Regional Policy Plan - Agricultural Value Added Policies.

**CARRIED**

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

**10-10** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Bonnie Fokkens and April Comfort to serve on the Market Square Advisory Committee; and further  
 THAT Council appoints Sean Keays and Audrey Doucette to serve on the Senior Citizens Advisory Committee.

**CARRIED**

**BY-LAWS**

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

1. Moved by Dzugan and Sharpe  
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-law entitled:

**10-75**  
 BYL 2010 – 62  
 A By-law to authorize acceptance of tender and the entering into an agreement with 152957 Ontario Ltd. O/A CTC Contracting for Utility Cut Final Reinstatement 2010.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Dzugan 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 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****BY-LAWS PRESENTED FOR FIRST READING:**

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

**10-79Z**

BYL 2010 - 63

A By-law to amend City of Welland Zoning By-law 1538 (1397898 Ontario Ltd. - File 2010-02) 383 Buchner Road.

**10-22**

BYL 2010 - 64

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland and to amend By-law 2009-133.

**06-132**

BYL 2010 - 65

A By-law to authorize the stopping-up, closing and conveying of a portion of Gaiser Road between Colbeck Drive and Falcon Drive.

**06-132**

BYL 2010 - 66

A By-law to authorize the temporary stopping-up and closing of a portion of Gaiser Road between Colbeck Drive and Falcon Drive.

**06-132**

BYL 2010 - 67

A By-law to authorize the entering into of an agreement with Vincent Policella Masonry contractor Limited concerning the Gaiser Road Realignment.

**10-19**

BYL 2010 - 68

A By-law to authorize acceptance of tender and the entering into a contract with TR Hinan Construction for the rehabilitation and renovation of St. George Pool.

**10-4**

BYL 2010 - 69

A By-law establish tax ratios and tax rates and to levy taxes for the year 2010.

**10-1**

BYL 2010 - 70

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 18th day of May, 2010.

And that same be now read a first time.

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

4. Moved by Larouche and Alakas  
 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, as amended, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal same.

**(Mayor Goulbourne disclosed an interest and did not take part in the consideration and discussion of By-laws 2010-65; 2010-66; and 2010-67, and refrained from voting thereon, as he may be a future owner of the subject property).**

**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, May 26, 2010 for inclusion on the next regular Council meeting agenda of June 1, 2010.**

Council adjourned at p.m.

These Minutes approved and adopted by Motion of Council this 1<sup>st</sup> day of June, 2010.

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**MAYOR**


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**CITY CLERK**