



**MINUTES OF  
COUNCIL MEETING, JUNE 15, 2010**

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

Council met in Committee-of-the-Whole closed to the public at 5:32 p.m. and in open session at 7:03 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 (7:03 p.m.) P. Chiocchio, M. Dzugan,  
P. Grenier, J. Larouche (until 9:30 p.m.), R. Letourneau, B. Sharpe and L. Van Vliet.

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

City Manager, C. Stirtzinger  
City Clerk, C. Mintoff  
Clerk Coordinator, L. Bubanko (7:03 p.m.)  
Chief, Fire & Emergency Services, D. Prevost  
General Manager, Engineering, Public Works & Transportation Services/City Engineer, S. Iannello  
Manager, Budgets and Financial Reporting/Deputy Treasurer, K. Douglas  
General Manager, Human Resources, R. Mantesso  
General Manager, Parks, Facilities, Recreation & Cultural Services, B. Fenwick  
General Manager, Planning & Development Services, D. Thorpe  
Internal Auditor, Elizabeth Pankoff (until 8:10 p.m.)

(George Chipman, and Anne Osborne, Chair of the Rose City Senior's Activity Centre Advisory Board were present during Committee-of-the-Whole discussions for the purpose of educating or training members of Council).

(Sean Kennedy, Vice-President of Student and External Relations and Lyn Russo, Director of Development and Alumni Relations were 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).

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

**THAT THE COUNCIL OF THE CITY OF WELLAND** meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:32 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- proposed or pending acquisition or disposition of land by the municipality or local board; and
- for the purpose of educating or training members of Council.

**CARRIED**

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

**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**

### **DELEGATIONS:**

**10-28** Garrison Community Council of Niagara and Major Allan Stoyka, Acting C.O. from the Lincoln & Welland Regiment addressed Council regarding an overview of the mandate of the Garrison Community Council and exchanging flags with the City of Welland to honour the men and women who serve our Country.

**09-152** David Wismer and Larry Osborn, Niagara Landlord Self Help Group addressed Council regarding Rental Licensing.

**08-143** Sue Hotte, Co-chair and Ron Walker, Member, Niagara Health Coalition addressed Council regarding the Ontario Health Coalition 12 Region Expert Panel investigation findings, as it relates to Niagara Region.

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

**10-19** Bernice Alexander, Chair, Market Square Advisory Committee regarding an update on its activities.

### **THE FOLLOWING CORRESPONDENCE WAS DELETED:**

**04-47** Janet Booth, Secretary/CEO, Welland Public Library Board regarding an update on its activities.

### **STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Dzugan presided as Chair of the Public Hearing:

**10-104Z** A complete application has been made by TIMBRO DESIGN BUILD on behalf of THE CORPORATION OF THE CITY OF WELLAND to rezone Part Lot 24, Concession 6, former Township of Crowland, now in the City of Welland designated as Parts 3, 4 and 5, Plan 59R-8889 for lands on the north side of Churchill Avenue east of Plymouth Road from the existing RM3 – Multiple Dwelling –Third Density Zone By-law 2667 to a Site Specific IN-1 Zone By-law 2667. The purpose of the Amendment is to permit the construction of an apartment building containing twenty-five (25) residential units for seniors' accommodation, a seniors' activity centre and community resource and training centre. In order to

accommodate such development reduced parking, reduced landscaping and reduced setback requirements are also requested. The Official Plan designation is INSTITUTIONAL (INST).

Councillor Dzugan outlined the procedures of the Public Hearings as required by the *Planning Act*.

D. Thorpe confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Applicant Saulis Zemaitis, Goodwill Industries of Niagara, presented.

**In support of the application:**

- No one spoke to the applicant.

There being no supporters to the application the Chair asked for those opposing the application.

**In opposition of the application:**

- No one spoke to the applicant.

**04-47Z** A complete application has been made by DR. ERIC MULLINS on behalf of THE WELLAND PUBLIC LIBRARY BOARD to rezone Part of Lot 246, former Township of Thorold, now in the City of Welland for lands at 650 South Pelham Road from the existing R2 – Single-Detached Dwelling – Second Density Zone By-law 2667 to a Site Specific C2 Zone By-law 2667. The purpose of the Amendment is to permit a dental clinic to occupy the existing building. The Official Plan designation is COMMERCIAL (C).

Councillor Dzugan outlined the procedures of the Public Hearings as required by the *Planning Act*.

D. Thorpe confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Applicant, Eric Mullins, 570 King Street, Welland L3B 3L2 presented.

**In support of the application:**

- No one spoke to the applicant.

There being no supporters to the application the Chair asked for those opposing the application.

**In opposition of the application:**

- No one spoke to the application.

The hearing was concluded.

**PUBLIC MEETING**

**09-72**

**09-72Z** Applications for approval of Draft Plan of Subdivision and Zoning By-law Amendment – Central Village, west side of the Welland By-pass Canal, east of Lochness Golf Course and south of the terminus of Daimler Parkway.

Presenting for the applicant was Allan Windrem, Dillion Consulting, 235 Yorkland Blvd., Suite 800, Toronto, Ontario M2J 4Y8

**The following spoke of the application:**

- Jim D'Orazio, Developer on behalf of applicant.
- Robert Bell, 145 Muirfield Trail, Welland L3B 6G7
- Mitch Preston, 171 Magnolia Lane, Welland L3B 6H9
- Patrick Maloney, Sullivan & Mahoney, 40 Queen Street, St. Catharines L2R 5G3
- Tom Manney, 109 Magnolia Lane, Welland L3C 6H9
- Jamie Almus, 100 Magnolia Lane, Welland L3C 6H9
- Bob McGeown, 166 Magnolia Lane, Welland L3B 6H9

There being no other submissions the hearing was concluded.

**10-1** Moved by Chiocchio and Dzugan  
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 1, 2010, as circulated.

**CARRIED**

**04-47Z** Moved by Grenier and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Lot 246, former Township of Thorold, now in the City of Welland, known municipally as 650 South Pelham Road to amend the existing R2 – Single-Detached Second Density Zone to a Site Specific C2 – Shopping Commercial Zone to permit a dental clinic to occupy the existing building.

**CARRIED**

**04-94** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Forks Common Subdivision, formerly Forks End Subdivision (File: 26T-14-97004) for an additional one (1) year to June 29, 2011.

**CARRIED**

**04-124** Moved by Alexander and Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2010-18 on the completion of the Universal Water Metering Program; and further  
 THAT Welland City Council authorizes the Treasurer to release the Maintenance Holdback to Neptune Technology Group (Canada) Ltd.; and further  
 THAT Welland City Council authorizes staff to proceed with By-law enforcement to gain access to water meters for the purpose of inspecting for tampering, and further that all costs associated with this process be chargeable against current holdbacks to Neptune.

**CARRIED**

**06-84** Moved by Dzugan and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from Buttcon Limited for Design-Build Services for the Expansion of the Welland Community Wellness Complex (RFP10-11) as presented in Report PFR&CS-2010-16; and further  
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into an agreement with Buttcon Limited for Design-Build Services for the Expansion of the Welland Community Wellness Complex (RFP10-11) at the quoted price of \$7,660,000.00 plus applicable taxes.

**CARRIED**

**06-84** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the Bid Application from the City of St. Catharines to the Ontario Sport Alliance to host the Ontario Senior Games, Actifest 2012; and further THAT Welland City Council agrees to be a Support Host for the City of St. Catharines, if St. Catharines is successful in winning the bid to host the Ontario Senior Games, Actifest 2012.

**CARRIED****08-136** Moved by Letourneau and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the FCM Report presented by Councillor Alexander.

**CARRIED****08-136** Moved by Alexander and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND supports the Notice of Motion entitled "A National Food Policy for Canada" requesting that the Federation of Canadian Municipalities (FCM) prepare a Policy Paper that would provide the basis for the Federal Government to develop a National Food Policy Strategy for Canada; and further

THAT Welland City Council requests the support of all Region of Niagara Municipalities for this initiative.

**CARRIED****08-143** Moved by Letourneau and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sue Hotte, Ron Walker, and Dianne Cormier of the Niagara Health Coalition, regarding the Ontario Health Coalition 12 Region Expert Panel investigation findings, as it relates to Niagara Region.

**CARRIED****08-143** Moved by Campion and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the recommendation of the Ontario Health Coalition's report of May 17, 2010, *Towards Access and Equality: Realigning Ontario's Approach to Small and Rural Hospitals to Serve Public Values*, requesting that the provincial government send an investigator under the provisions of the *Public Hospitals Act* to investigate serious complaints and unresolved issues in the Niagara Health System and to act quickly on his/her recommendations in order to improve the quality of management, patient care, and access to hospital services throughout Niagara.

**YEAS:** Councillors Dzugan, Campion, Chiochio, Letourneau, Alexander, Larouche, Grenier, Alakas, Belcastro, Sharpe and Mayor Goulbourne.

**NAYS:** Councillor Van Vliet.

**CARRIED****09-72****09-72Z** Moved by Belcastro and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND defers staff Report PDS-2010-45 regarding an amendment to Zoning By-law 2667, as amended, for lands east of Hwy 406, south of Magnolia Lane, and west of the Welland Canal Bypass to the July 13, 2010 Council Meeting.

**CARRIED**

**09-152** Moved by Sharpe and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND rescinds the motion passed by Council on February 16, 2010 regarding Licensing of Rental Housing.

**YEAS:** Councillors Van Vliet, Dzugan, Campion, Chiocchio, Letourneau, Alexander, Larouche, Grenier, Alakas, and Sharpe.

**NAYS:** Councillors Belcastro and Mayor Goulbourne.

**CARRIED**

**09-152** Moved by Campion and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by David Wismer and Larry Osborn, Niagara Landlord Self Help Group regarding Rental Licensing.

**CARRIED**

**09-152** Moved by Sharpe and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to work with Niagara College and their Student Administrative Council to establish an effective, ongoing 'Town and Gown' Committee involving residents, Ward Councillors, landlords, Welland Fire and Emergency Services, the Niagara Regional Police, and other stakeholders based on best practice models in use in Ontario; and create a committee within 4 weeks.

**CARRIED**

**10-4**

**10-38** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the revised 2010 User/Service Fees (Schedule 'A') referencing Goods and Services Tax (GST) or Provincial Sales Tax (PST) to read Harmonized Sales Tax (HST); and further  
 THAT Welland City Council accepts the list of User/Service fees attached to this report (Schedule 'A'); and further  
 THAT Welland City Council directs staff to amend the appropriate By-laws.

**CARRIED**

**10-4**

Moved by Campion and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves, as recommended by the Budget Review Committee, the Water and Wastewater Long-Range Financial Plan (LRFP) which includes the following items:

- That annual Water and Wastewater debt charges be a maximum of 6.3% of total expenses; and further
- That annual capital transfer to the reserves be maintained at the minimum level as indicated in the LRFP; and further
- That the 10-year Capital Forecast for Water and Wastewater operations be approved in principle; and further

THAT Welland City Council approves the following statements included in the Water and Wastewater LRFP with a resolution in accordance with O.Reg. 453/07:

- Statement of Financial Operations - Water
- Statement of Cash Flow/Cash Receipts - Water
- Statement of Financial Position - Water
- Statement of Financial Operations - Wastewater
- Statement of Cash Flow/Cash Receipts - Wastewater
- Statement of Financial Position – Wastewater

**LOST**

**10-4** Moved by Belcastro and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND approves, as recommended by the Budget Review Committee, the Water and Wastewater Long-Range Financial Plan (LRFP) which includes the following items:

- That annual Water and Wastewater debt charges be a maximum of 6.3% of total expenses; and further
- That annual capital transfer to the reserves be maintained at the minimum level as indicated in the LRFP; and further
- That the 10-year Capital Forecast for Water and Wastewater operations be approved in principle; and further
- That the City of Welland establish a rate stabilization reserve over the next six (6) years to represent one percent (1%) of the total Water and Wastewater Operating Budget; and further

THAT Welland City Council approves the following statements included in the Water and Wastewater LRFP with a resolution in accordance with O.Reg. 453/07:

- Statement of Financial Operations - Water
- Statement of Cash Flow/Cash Receipts - Water
- Statement of Financial Position - Water
- Statement of Financial Operations - Wastewater
- Statement of Cash Flow/Cash Receipts - Wastewater
- Statement of Financial Position – Wastewater

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

**NAYS:** Councillors Van Vliet, Campion, Chiochio, and Alakas.

**CARRIED**

**10-4** Moved by Van Vliet and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from Peter Partington, Regional Chairman, Region of Niagara, dated June 4, 2010 regarding Wastewater Rate Setting and Forecasting.

**LOST**

**10-4** Moved by Van Vliet and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND refers the letter from Peter Partington, Regional Chairman, Region of Niagara, dated June 4, 2010 regarding Wastewater Rate Setting and Forecasting to the Budget Review Committee for consideration.

**CARRIED**

**10-19** Moved by Dzugan and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Bernice Alexander, Chair, Market Square Advisory Committee regarding an update on its activities.

**CARRIED**

**10-19** Moved by Alexander and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the bid submission from Stevensville Lawn Service Incorporated in the amount of \$123,700.00, plus applicable taxes for the Cenotaph Restoration and Site Enhancement Project at Chippawa Park; and further

THAT Welland City Council directs staff to carry the work out as soon as possible.

**CARRIED**

**10-19** Moved by Grenier and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND approves the proposal from Charter Building Company, for the additions and renovations to the Jack Ballantyne and Welland Main Arenas (RFT-15) as presented in Report PFR&CS-2010-20; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into an agreement with Charter Building Company for the Additions and Renovations of the Jack Ballantyne and Welland Main Arenas (RFT-15) at a fixed price of \$2,977,375.00 plus applicable taxes.

**CARRIED****10-22** Moved by Grenier and Sharpe

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 V NO PARKING

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
Pietz Avenue	West	Broadway	Station Street	Monday to Friday 6a.m. to 6p.m.

**CARRIED****10-28** Moved by Dzugan and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation from the Garrison Community Council of Niagara and Major Allan Stoyka, Acting C.O. from the Lincoln & Welland Regiment regarding an overview of the mandate of the Garrison Community Council and exchanging flags with the City of Welland to honour the men and women who serve our Country.

**CARRIED****10-89** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the award of the Supply and Application of Road Traffic Paint and Pavement Markings detailed in Report TRAF-2010-12 as follows:

- Part 'A' of the tender for the Supply and Application of Road Traffic Paint, which includes Spring and Fall painting of: Centre Line, Edgeline, Transitions and those pavement markings usually applied with truck mounted line marking equipment, be awarded to 648799 Ontario Limited o/a Provincial Maintenance in the amount of \$19,584.00 plus applicable taxes;
- Part 'B' of the tender for the Supply and Application of Road Traffic Paint which includes Spring and Fall painting of: Stop Bars, Directional Arrows, On-Street Parking Stalls, pedestrian Crossings, etc., those pavement markings usually applied with manual line marking equipment, be awarded to 648799 Ontario Limited o/a Provincial Maintenance in the amount of \$19,022.00 plus applicable taxes; and
- Part 'C' of the Tender for the Supply and Application of Road Traffic Paint which covers Pavement Markings in Municipal Parking Lots, be awarded to 648799 Ontario Limited o/a Provincial Maintenance in the amount of \$3,566.50 plus applicable taxes; and further

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

**CARRIED**

**10-92** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of PipeFlo Contracting Corp. of Hamilton, Ontario, as detailed in Report ENG-2010-19, for the Sanitary Sewer Service Lateral Cured-in-place (CIPP) Rehabilitation and Replacement Program 2010 at the quoted price of \$266,919.00 plus applicable taxes; and further

THAT Welland City Council authorizes staff to offset the under-funded overall project cost of \$310,000.00 by means of under-expenditure of previous years earmarked for the same purpose; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with PipeFlo Contracting Corp., to execute the construction.

**CARRIED****10-99** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Baiocco Construction Corp. of St. Catharines, as detailed in Report ENG-2010-17 for Atlas Avenue and Oxford Road Sanitary Sewer Construction, at the tendered price of \$817,897.50 plus applicable taxes; and further

THAT Welland City Council authorizes the Treasurer to debenture as approved up to \$225,500.00 for the OAW Drainage Area Combined Sewer Separation capital budgets; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Baiocco Construction Corp. to execute the construction.

**CARRIED****10-104Z** Moved by Belcastro and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the north side of Churchill Avenue, east of Plymouth Road, described as Part of Lot 24, Concession 5, former Township of Crowland, now in the City of Welland, being Parts 3, 4 and 5, Plan 59R-8889, from the existing RM3 – Multiple Dwelling - Third Density Zone to a Site Specific IN-1 Zone to permit the construction of an apartment building containing twenty-five (25) residential units for seniors' accommodation, a seniors' activity centre and community resource and training centre on the vacant parcel with site specific provisions.

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**10-104Z** Moved by Sharpe and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to negotiate with the developer the matter of prepayment for future services reserve of approximately \$110,000 for the roadway portion of Churchill in front of their property.

**CARRIED**

**FOLLOWING THE VOTE ON THE AMENDING MOTION, THE MAIN MOTION  
RE: AN AMENDMENT TO ZONING BY-LAW 2667, AS AMENDED, FOR LANDS  
ON THE NORTH SIDE OF CHURCHILL AVENUE, EAST OF PLYMOUTH ROAD  
WAS THEN PUT IN ITS ORIGINAL FORM AND ..... CARRIED**

**10-105** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND supports the position of the City of Thorold with respect to the Federal Government's proposed amendments to leaded fuel regulations as they relate to an exemption from the regulations for race car tracks.

**CARRIED**

**10-107** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from the Town of Niagara-On-The-Lake dated May 25, 2010 and supports their initiative to call upon the Niagara Region to re-establish the Long Term Waste Committee.

**CARRIED**

**10-109** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the recommendation as presented in Report FIN-2010-16 for the purchase of a new printer and awards the contract to OCE; and further THAT Welland City Council approves the allocation of \$17,888.00, plus applicable taxes, as provided for in the 2010 Capital Budget for the purchase of this printer.

**CARRIED**

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

**99-99**

**09-75** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Letter of Intent between the City of Welland and the Welland Recreational Canal Corporation to develop, build, and manage the Human Performance Centre as part of the Toronto 2015 Pan\Parapan American Games to host Welland's venue of Canoe, Kayak and Open Water Swimming, and to manage and maintain the on-going use of the Human Performance Centre pre and post Games.

**CARRIED**

**09-99** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the submission of Rankin Construction Inc. of St. Catharines, Ontario, as detailed in Report ENG-2010-20 for the Thorold Road Intersection and Roadway Improvement Phase 2 between Prince Charles Drive and Niagara Street, and Thorold Road Watermain replacement between First Avenue and Douglas Avenue at the negotiated price of \$2,692,704.00 plus applicable taxes; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contracts with Rankin Construction Inc. to execute the construction.

**CARRIED**

**09-99** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes The Corporation of the City of Welland to expropriate part of 485 Thorold Road being part of Niagara South Condominium Plan No. 53, Part of Block 64853 designated as Part 1 on Plan 59R-14076 for road purposes; and further

THAT Welland City Council authorizes the City's Solicitor to provide any notice and prepare any necessary Agreements dealing with compensation and other matters related to the expropriation; and further

THAT Welland City Council directs staff to prepare the necessary By-law.

**CARRIED**

**09-134** Moved by Larouche and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the acquisition of Part 1, Plan 59R-14092, being Part of Lot 241, former Township of Thorold (part of PIN 64085-0413(LT) being part of 270 First Avenue for road widening purposes, in the amount of \$3,366.00 plus legal costs associated with the transfer and partial Discharge of Charge (Mortgage); and further

THAT Welland City Council authorizes staff to prepare the necessary By-law.

**CARRIED**

**10-81** Moved by Larouche and Alakas  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Memorandum of Understanding (MOU) between the City of Welland and Niagara College to support mutual strategies and activities through provision of appropriate supporting materials and investment attraction activities.

**CARRIED**

## **BY-LAWS**

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

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

**10-104Z**

BYL 2010 - 78

A By-law to amend City of Welland Zoning By-law Amendment 2667 (The Corporation of the City of Welland – File 2010-03) north side of Churchill Avenue east of Plymouth Road.

**04-47Z**

BYL 2010 - 79

A By-law to amend City of Welland Zoning By-law 2667 (The Welland Public Library Board – File 2010-04) 650 South Pelham Road.

**06-84**

BYL 2010 - 83

A By-law to authorize acceptance of the proposal and the entering into a contract with Buttcon Limited for Design-Build Services for the Welland Community Wellness Complex Expansion.

**10-19**

BYL 2010 - 84

A By-law to authorize acceptance of tender and the entering into a contract with Stevensville Lawn Service Incorporated for the Cenotaph Restoration and Site Enhancement at Chippawa Park.

**10-19**

BYL 2010 - 85

A By-law to authorize acceptance of tender and the entering into a contract with Charter Building Company for additions and renovations to the Jack Ballantyne and Welland Main Arenas.

And that same be now read a first time.

**CARRIED**

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

2. Moved by Van Vliet and Belcastro  
 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, now read a second and third time and pass same, and authorize the Mayor and Clerk to 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:

**10-99**

BYL 2010 - 80

A By-law to authorize the entering into a contract with Baiocco Construction Corp. for the Atlas Avenue and Oxford Road Sanitary Sewer Construction (Part of OAW Drainage Area Combined Sewer Separation 2010) "A 2010 Niagara Region CSO Funding Cost Sharing Program".

**10-92**

BYL 2010 - 81

A By-law to authorize acceptance of the tender and the entering into an agreement with Pipeflo Contracting Corp. for the Sanitary Sewer Service Lateral Replacement Program 2010.

**10-89**

BYL 2010 - 82

A By-law to authorize the acceptance of the tenders and entering into contract with 648799 Ontario Limited O/A Provincial Maintenance for the supply and application of road traffic paint and pavement markings.

**10-15**

BYL 2010 - 86

A By-law to authorize the entering into a Collective Agreement with the Welland Professional Firefighters Association, I.A.F.F. 481, effective January 1, 2009 to December 31, 2011.

**10-19**

BYL 2010 - 87

A By-law to authorize the entering into a short form lease agreement with Community Living Welland-Pelham for a portion of the Welland Market Square.

**09-160**

BYL 2010 - 88

A By-law to regulate or prohibit removal of topsoil, placing or dumping of fill, and alteration of the grade of land within the City of Welland (Site Alteration By-law).

**10-87**

BYL 2010 - 89

A By-law to authorize the entering into an agreement with Canadian Tire Real Estate Limited for a temporary easement in favour of the City over 1000 East Main Street for construction of sanitary sewers and structures on the lands and connection to the City's Sewer System.

**10-22**

BYL 2010 - 90

A By-law to amend definitions of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.

**10-38**

BYL 2010 - 91

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality, and to repeal By-law 2009-180.

**09-99**

BYL 2010 - 92

A By-law to authorize the expropriation of land by the Corporation of the City of Welland, being Part 1, Plan 59R-14076 (Thorold Road Widening Project).

**09-134**

BYL 2010 - 93

A By-law to authorize the purchase of property from Phillip Joseph Small being Part 1, Plan 59R-14092 (First Avenue).

**99-99****09-75**

BYL 2010 - 94

A By-law to authorize the entering into a Letter of Intent with the Welland Recreational Canal Corporation for development of a Human Performance Centre.

**10-81**

BYL 2010 - 95

A By-law to authorize the entering into a Letter of Intent with Niagara College in support of strategies for sports, tourism, economic development and investment attraction activities.

**09-99**

BYL 2010 – 96

A By-law to authorize acceptance of the tender and the entering into an agreement with Rankin Construction Inc. for the Thorold Road Intersection and Roadway Improvement Phase 2 between Prince Charles Drive and Niagara Street and Thorold Road Watermain Replacement between First Avenue and Douglas Avenue “An Infrastructure Stimulus Fund Project – ISF 1662”.

**10-1**

BYL 2010 - 97

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 15th day of June, 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, now read a second and third time and pass same, and authorize the Mayor and Clerk to 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, July 7, 2010 for inclusion on the next regular Council meeting agenda of July 13, 2010.**

Councillor Alexander gave Notice of Motion of the following issue to be presented to Council at the July 13, 2010 Regular Council Meeting:

**09-152** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to develop a By-law to deal with absentee landlords in accordance with s.163.1 of the *Municipal Act, 2001*, as amended.

Mayor Goulbourne gave Notice of Motion of the following issue to be presented to Council at the July 13, 2010 Regular Council Meeting:

**09-152** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to explore the "Rental Housing Licensing" By-laws from Oshawa and London and bring back an information report to Council.

Council adjourned at 10:51p.m.

These Minutes approved and adopted by Motion of Council this 13<sup>th</sup> day of July, 2010.

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**MAYOR**

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**CITY CLERK**