

SECOND MEETING

REGULAR COUNCIL MEETING

February 14, 2017

Council met on Tuesday, February 14, 2017 at 4:30 p.m. in a Closed Meeting related to the items noted in the resolution below. All members of Council were present, except Councillors Ioannoni and Kerrio.

CAMPBELL – STRANGE THEREFORE BE IT RESOLVED that on February 24, 2017 at 4:30 p.m., Niagara Falls City Council will go into a closed meeting, prior to their regularly scheduled meeting at 5:00 p.m., to consider a matters that fall under s. 239(2)(c), a proposed disposition of land pertaining to River Lane, and s. 239(2)(f) advice that is subject to solicitor-client privilege related to 4239 Huron Street.

Council met on Tuesday, February 14, 2016 at 5:15 p.m. for the purpose of considering Regular Business matters. All members of Council except Councillor Ioannoni and Kerrio were present.

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Emma Bishop sang the National Anthem.

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ADOPTION OF COUNCIL MINUTES

ORDERED on the motion of Councillor Pietrangelo, seconded by Councillor Thomson that the minutes of the January 24, be approved.

Carried Unanimously

Councillor Morocco indicated a pecuniary interest with cheque numbers 399897 and 400516 made payable to her spouse and a conflict to Niagara Falls Tourism report all from the January 24th, 2017 meeting, the meeting which she was absent.

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DISCLOSURE OF PECUNIARY INTERESTS

Councillor Campbell declared a conflict with Communication # 7 on the agenda, related to the District School Board of Niagara. As his wife is a Board Member.

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PROPERTY MATTERS

L-2017-02

Permanently Close and Declare Surplus

Part of River Lane

The report recommends that in the event that Council determines that it is in the public interest to do so, that part of River Lane, lying between Philip Street and John Street, designated as Part 1 on the draft Reference Plan attached to this Report as Attachment "1", be permanently closed and declared surplus to the City's needs; and

That the Mayor and Clerk and City Solicitor, be authorized to take whatever steps and sign whatever documents are required to carry out Recommendation 1 above.

Eugenia Pitre, representing her father, a Philip Street resident, wanted to understand the process, the next steps in the development and possible impacts. It was explained by the City Solicitor that the matter this evening is strictly related to the closing of part of river Lane and possible, related sale. There is no re-zoning application and any change to approvals already associated with the lands would have to come before Council with notification as per the *Planning Act*.

ORDERED on the motion of Councillor Thomson, seconded by Councillor Strange that the recommendation report be approved.

Carried Unanimously

RATIFICATION OF "IN CAMERA MATTERS"

ORDERED on the motion of Councillor Thomson, seconded by Councillor Strange that the recommendations contained in the following be approved, as follows

L-2017-03 Proposed Conveyance of City Owned Lands, Part of River Lane

1. Council finds that Part 1 on the draft Reference Plan attached to this Report as Attachment "1", being a portion of River Lane lying between Philip Street and John Street, in the City of Niagara Falls, is surplus to the requirements of the City of Niagara Falls, the said Part 1 (the "subject lands") will be conveyed to the abutting landowner, Time Development Group Inc., in Trust, for the purchase price of \$12,000.00, conditional upon the following terms:

- a. That the City retain an easement over the subject lands, if needed;
- b. That prior to transferring the lands, the City convey an easement over the subject lands in favour of Enbridge Gas Distribution, if needed;
- c. That prior to transferring the lands, the City convey an easement over the subject lands in favour of Niagara Peninsula Energy, if needed, or in the alternative, that prior to transferring the subject lands, the City instruct Niagara Peninsula Energy to remove their distribution equipment within the subject lands, thereby foregoing the necessity of conveying an easement to Niagara Peninsula Energy; and
- d. That prior to transferring the lands, the City convey an easement over the subject lands in favour of Bell Canada, if needed, or in the alternative, that prior to transferring the subject lands, the City instruct Bell Canada to remove their distribution equipment within the subject lands, thereby foregoing the necessity of conveying an easement to Bell Canada; and
- e. That prior to the conveyance of the subject lands, the purchaser resolve the encroachment on the subject lands caused by the fence associated with 4434 Philip Street.

2. That the Mayor and Clerk and City Solicitor, be authorized to take whatever steps and sign whatever documents are required to carry out Recommendation 1 above.

Carried Unanimously

BUDGET MATTERS

Councillor Pietrangelo chaired the budget meeting at 5:35 p.m.

The Director of Finance made presentation regarding the Capital, Operating and Traffic budgets.