



**MINUTES OF
SPECIAL COUNCIL MEETING, MAY 14, 2013**

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

Council met in Committee-of-the-Whole closed to the public at 6:05 p.m. and in open session at 7:09 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors F. Campion, M. Carl (6:46 p.m.), P. Chiochio, T. DiMarco (until 8:48 p.m.), D. Fortier, P. Grenier, M.A. Grimaldi (until 8:48 p.m.), J. Larouche (6:14 p.m.), R. Letourneau, D. McLeod (6:16 p.m.), M. Petrachenko (until 8:48 p.m.), and B. Wright.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger (6:05 p.m. – 7:09 p.m.) (7:15 p.m. – 10:46 p.m.)
City Clerk, C. Raby
Chief, Fire & Emergency Services, D. Prevost
General Manager, Infrastructure Services/City Engineer, S. Iannello (7:09 p.m.)
Manager of Budgets and Financial Reporting/Deputy Treasurer, J. Johnson
General Manager, Human Resources, R. Mantesso
General Manager, Integrated Services, B. Fenwick (7:09 p.m. – 8:48 p.m.)
Planning Manager, R. Di Felice (7:09 p.m. – 7:45 p.m.)
Records Clerk, C. Viger (7:09 p.m.)

13-25 Moved by Letourneau and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:05 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; and
- for the purpose of educating or training members of Council.

CARRIED

13-25 Moved by McLeod and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:57 p.m. with report.

CARRIED

THE FOLLOWING ITEM WAS DELETED:

13-47 Nominating Committee, meeting of May 14, 2013 moved to June 4, 2013, in accordance with a Motion of Council passed on July 10, 2012.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Chiocchio presided as Chair of the Public Hearing:

13-66

13-66Z A complete Application has been made by UPPER CANADA CONSULTANTS on behalf of STERLING REALTY (NIAGARA) INC. to rezone the lands south of Timberview Crescent, east of South Pelham Road and west of Creekside Drive from the existing RM3-X20 Zone to a Site Specific RM3 Zone. The purpose of the Amendment is to permit the development of a residential plan of subdivision consisting of two (2) blocks for the construction of four (4) semi-detached dwelling units, six (6) blocks for the construction of eighteen (18) freehold triplexes and one (1) block of the construction of four (4) street townhouse units. The subject lands are designated as URBAN AREA by the Regional Policy Plan, as MEDIUM DENSITY RESIDENTIAL by the City of Welland Official Plan and are zoned RM3-X20 Zone by Zoning By-law 2667, as amended. The subject lands are also the subject of an Official Plan Amendment Application and Application for Draft Plan of Subdivision – File 26T-14-13001.

Councillor Chiocchio outlined the procedures of the Public Hearing as required by the *Planning Act*.

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

Jennifer Vida, Upper Canada Consultants, presented on behalf of the applicant to Council.

In support of the application:

- No one spoke to the application

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

There being no persons present to speak in opposition to the application, the hearing was concluded.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS:

99-99 Tom Bacolini, Chair; Vic Kersch, Treasurer; and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation addressed Council regarding its 2012 Interim Financial Report (WRCC-BR-2013-01).

99-99 Richard Dalton, General Manager, Canoe Niagara 2013 and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation addressed Council regarding the Canoe Niagara 2013 Championships being held August 1 to 4, 2013 at the Welland International Flatwater Centre on the Recreational Waterway.

10-108 Councillor Petrachenko, Chair, Facilities Management Review Team, provided a verbal update on the meeting of April 18, 2013.

99-99

09-75 Moved by McLeod and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Tom Bacolini, Chair; Vic Kersch, Treasurer; and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation, regarding its 2012 Interim Financial Report (WRCC-BR-2013-01).

(Councillor DiMarco asked to be recorded as opposed to this motion).

CARRIED

99-99

09-75 Moved by Wright and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Richard Dalton, General Manager, Canoe Niagara 2013; and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation, on the Canoe Niagara 2013 World Championships being held August 1 to 4, 2013 at the Welland International Flatwater Centre on the Recreational Waterway.

CARRIED

06-49 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2013-10 for the assumption of Whispering Pines Extension Subdivision plan 59M-356; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

CARRIED

08-36 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 19, 2013 regarding Revised Report PHD 05-2013 A Regional By-law to Regulate Smoking in an Outdoor Public Place.

CARRIED

09-75 Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2013-03 MTO AGREEMENT - HUMBERSTONE ROAD, WRCC FLAT WATER CENTER; and further, THAT Welland City Council approves the design and construction of designated turn lanes on Humberstone Road and directs staff to proceed with construction to be completed prior to the 2015 PanAm Games 2015.

CARRIED

10-108 Moved by Carl and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Petrachenko, Member, Facilities Management Review Team (FMRT), regarding its meeting of April 18, 2013.

CARRIED**13-13** Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation from Report TRANS 2013-06 - Purchase of One Large Accessible Bus, for the purchase of one large accessible bus through the Joint Procurement Initiative from New Flyer Industries at the cost of \$405,428.00 plus U.S. exchange rate plus applicable taxes; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws and agreements to enter into the agreement with New Flyer Industries Ltd.

CARRIED**13-13** Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation from Report TRANS-2013-07 Electric Cooling Systems Retrofit and authorizes Welland Transit to participate in the Transit Procurement Initiative (TPI) for the Joint Procurement of Electric Cooling Systems; and further

THAT Welland City Council authorizes the Mayor and City Clerk to sign all necessary By-laws and agreements.

CARRIED**13-22** Moved by Larouche and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2013-02 Proposed Amendments to Traffic and Parking By-law 89-2000 – Second Street Parking Restrictions; and further,

THAT Welland City Council authorizes Staff to amend Schedule “V” – Parking Prohibitions (Specified Places, with Signs) of the Traffic and Parking By-law 89-2000 as follows:

Add the following to Schedule “V” – Parking Prohibitions (Specified Places, with Signs):

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4
		FROM	TO	
Second Street	North side & South side	King Street	Plymouth Road	Monday – Friday, 7:00am to 3:00pm, except for permit holders.
Second Street	North Side	King Street	17 meters east of King Street	AT NO TIME
Second Street	South Side	King Street	30 meters east of King Street	AT NO TIME

THAT Welland City Council authorizes Staff to amend Schedule “XVIII” – Permit Fees of the Traffic and Parking By-law 89-2000 as follows:

Add the following:

PERMITS FOR	FEE	TIME PERIOD
On Street Residential Parking Permit	First Permit registered at designated address – No Charge Additional Permits - \$15.00 + H.S.T. each, per year Lost/ Stolen Permit - \$15.00 + H.S.T.	Anytime

...continued...

13-22...cont'd...

THAT Welland City Council authorizes Staff to amend Schedule XXXIV – Residential Parking Permit Only of the Traffic and Parking By-law 89-2000 as follows:

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4
		FROM	TO	
Second Street	North side & South side	King Street	Plymouth Road	ANYTIME

THAT Welland City Council authorizes Staff to amend Schedule 'A' of the Fees and Charges By-law 2012-133 as follows:

Delete the following:

SCHEDULE 'A'			
Section	Account #		Fees
PARKING	20-380-000		
PARKING	33055 ON STREET PERMITS	+HST	\$15.00/ year

Add the following:

SCHEDULE 'A'			
Section	Account #		Fees
PARKING	20-380-000		
PARKING	33055 ON STREET RESIDENTIAL PERMITS	+HST	First Permit registered at designated address – No Charge Additional Permits - \$15.00 each, per year Lost/ Stolen Permit - \$15.00 each, per year

CARRIED

13-59 Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2013-04 Award of Tender - Supply and Application of Road Traffic Paint and Pavement Markings - 2013; and further THAT Welland City Council approves and accepts the award of the Supply and Application of Road Traffic Paint and Pavement Markings detailed in Report TRAF-2013-04 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 Inc. in the amount of \$22,221.78 plus applicable taxes; and

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 Inc. in the amount of \$19,713.00 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 Inc. in the amount of \$9,422.00 plus applicable taxes; and further

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

CARRIED

13-60 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Vic Vatr Contracting Ltd. of Welland, Ontario, as detailed in Report ENG-2013-12, for the Public-Side Lead Service Replacement in the West Wartime Area – Dunkirk Road and Exeter Avenue at the quoted price of \$157,744.70 plus applicable taxes; and further;

THAT Welland City Council authorizes staff to fund the balance of the project with carried over capital funding designated for lead service lateral replacement purpose from prior years as detailed in Report ENG-2013-12; and further;

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Vic Vatr Contracting Ltd. to execute the construction.

CARRIED

13-66

13-66Z Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2013-11 concerning an Application for Draft Plan of Subdivision Approval, an Application for Official Plan Amendment and an Application for Zoning By-law Amendment for lands south of Timberview Crescent, east of South Pelham Road and west of Creekside Drive.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

13-4 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Extension Agreement for the property listed in Appendix I as attached to Report FIN-2013-16; and further

THAT Welland City Council directs the City Clerk to prepare the appropriate By-law to enter into an Extension Agreement.

CARRIED

13-4 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Extension Agreement for the property listed in Appendix I as attached to Report FIN-2013-17; and further

THAT Welland City Council directs the City Clerk to prepare the appropriate By-law to enter into an Extension Agreement.

CARRIED

13-4 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Extension Agreement for the property listed in Appendix I as attached to Report FIN-2013-18; and further

THAT Welland City Council directs the City Clerk to prepare the appropriate By-law to enter into an Extension Agreement.

CARRIED

13-4 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Extension Agreement for the property listed in Appendix I as attached to Report FIN-2013-19; and further

THAT Welland City Council directs the City Clerk to prepare the appropriate By-law to enter into an Extension Agreement.

CARRIED

BY-LAWS

Moved by Wright and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

13-22

BYL 2013-50

A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedules "V", "XVIII" and "XXXIV").

09-75

BYL 2013-51

A By-law to authorize entering into agreement with the Minister of Transportation for design and construction of turn lanes on Humberstone Road at the Welland International Flat Water Centre Site.

(Councillor Fortier asked to be recorded as opposed to this By-law).

13-59

BYL 2013-52

A By-law to authorize entering into contract with 648799 Ontario Limited O/A Provincial Maintenance Inc. for the supply and application of road traffic paint and pavement markings - 2013.

CARRIED

Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

06-49

BYL 2013-53

A By-law to assume the Whispering Pines Extension Subdivision, Registered Plan 59M-356.

13-60

BYL 2013-54

A By-law to authorize entering into contract with Vic Vatr Contracting Ltd. for the Public-Side Lead Service Replacement in the West Wartime Area (Dunkirk Road and Exeter Avenue).

13-13

BYL 2013-55

A By-law to authorize purchase of one large accessible bus (Provincial Joint Procurement Initiative).

13-38

BYL 2013-56

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 2012-133.

13-22

BYL 2013-57

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall and to repeal By-law 2013-10.

13-54

BYL 2013-58

A By-law to repeal By-law 2013-23, being a By-law to authorize contracts for Grass Cutting Services.

13-24

BYL 2013-59

A By-law to amend By-law 2009-187, being a By-law to establish a comprehensive policy for all Non-Union employees of the Corporation of the City of Welland respecting certain terms and conditions of employment.

13-4

BYL 2013-60

A By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 232 Pearson Road.

13-4

BYL 2013-61

A By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 226 Pearson Road.

13-4

BYL 2013-62

A By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 886 Buchner Road.

13-4

BYL 2013-63

A By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 822 Buchner Road.

13-1

BYL 2013-64

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 14th day of May, 2013.

CARRIED

Council adjourned at 10:46 p.m.

These Minutes approved and adopted by Motion of Council this 4th day of June, 2013.

MAYOR

CITY CLERK