



MINUTES OF
SPECIAL COUNCIL MEETING, SEPTEMBER 10, 2013
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in open session at 7:03 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors M. Belcastro, F. Campion, P. Chiochio, T. DiMarco, P. Grenier, M.A. Grimaldi,
J. Larouche, D. McLeod, M. Petrachenko and B. Wright.

Members of Staff and Others Present:

City Manager, C. Stirtzinger
City Clerk, C. Raby
Deputy Fire Chief, B. Kennedy
Manager, Engineering Services, L. Ventresca
General Manager, Corporate Services/City Treasurer, K. Douglas
General Manager, Human Resources, R. Mantesso
Planning Manager, R. Di Felice (until 8:19 p.m.)
Regional Councillor, D. Fortier (7:22 p.m.)
Transit Manager, A. Stockwell (until 8:16 p.m.)
Fleet Manager, M. Fortier (until 7:26 p.m.)
General Foreman, Water, Sewer and Roads Division, V. Beaudoin (until 7:17 p.m.)
Manager, Parks Division, P. Boyce (until 7:17 p.m.)
Records Clerk, C. Viger

DELEGATION:

13-28 Doug Rapelje, Past Chair, Alzheimer Society Niagara Foundation addressed Council regarding the 18th Annual Coffee Break Campaign.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Chiochio presided as Chair of the Public Hearing:

13-92Z A complete Application has been made by ROD FORTUNE on behalf of LEON HOLDINGS (1997) LIMITED to rezone Part Township Lot 231, being Parts 1 and 2 on Plan 59R-5988, former Township of Thorold, now City of Welland for lands at 777 Niagara Street from the existing C4-Highway Commercial Zone to a Site Specific C4 Zone. The purpose of the Amendment is to permit outdoor sales and storage within a compound located in the Front Yard. The Official Plan designation is REGIONAL SHOPPING.

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.

Rod Fortune, Leons Furniture Limited, presented on behalf of the applicant to Council.

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of 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.

PUBLIC MEETING PURSUANT TO CITY OF WELLAND BY-LAW 2009-153

Public Meeting regarding City of Welland Transit fare increases.

- Mary Beth Anger Sheffield, 59 Riverside Drive, Welland L3C 5E1

There being no other speakers, the public meeting was concluded.

PUBLIC MEETING PURSUANT TO SECTIONS 357/358 OF THE MUNICIPAL ACT, 2001 - TAX WRITE-OFFS

- No one spoke.

There being no speakers, the public meeting was concluded.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

13-37 Councillor Paul Grenier, Region of Niagara Task Force Member, addressed Council regarding the Water and Wastewater Service Delivery Review – Source To Tap To Source.

02-160 Moved by Belcastro and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND approves the revisions to the Procedural By-law as outlined in Report CCLS-2013-05; and further
THAT Welland City Council authorizes staff to prepare the necessary By-law and the Mayor and Clerk shall execute same.

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02-160 Moved by Campion and Grimaldi
THAT Section 8, Corporation Reports from Order of Business - Schedule "B" be deleted.

YEAS: Councillors Chiocchio, Campion and Grimaldi.

NAYS: Councillors Larouche, Petrachenko, Grenier, McLeod, DiMarco, Wright, Belcastro and Mayor Sharpe.

LOST

FOLLOWING THE LOST VOTE ON THE MOTION TO AMEND, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

(Councillor Campion asked to be recorded as opposed to this motion)

CARRIED

12-116Z Moved by Larouche and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to redesignate Part of Lots 25 and 26, Concession 5, former Township of Crowland, being Part 1, Plan 59R-3183, known municipally as 1 Griffith Street from Community Commercial Corridor to High Density Residential to permit the subject lands to be used for residential purposes; and further
THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Lots 25 and 26, Concession 5, former Township of Crowland, being Part 1, Plan 59R-3183, south side of Griffith Street, north side of Regent Street, west of King Street, known municipally as 1 Griffith Street from the existing O2 – Open Space Zone to a Site Specific Holding (H) RM4 Zone to permit the construction of a 12 storey, 70 unit apartment building; and further
THAT Welland City Council approves the laying out and establishing of that portion of 'Griffith Street' lying west of King Street, being Part 3, Plan 59R-3183; and further
THAT Welland City Council requests that prior to lifting the Holding (H) Symbol, at the request of the Owner, the proponent will be required to enter into an Agreement with the City for the provision of community benefits in return for increased height and density as provided for in the Planning Act, all to the satisfaction of the City, and to relinquish his right-of-way over Part 3, Plan 59R-3183. This Agreement is to be entered into no later than October 31, 2013.

CARRIED

13-4 Moved by Grenier and Campion
THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$127,119.09 as contained in Report FIN-2013-22 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED

13-4 Moved by McLeod and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Capital Project Close Out Reports for the following projects:

- Forks Road Bridge
- Public Works Network Improvements
- Capital Equipment-Computer Equipment
- Public Side LASSR
- School Zone Flashers
- Fleet Equipment
- Cemetery Feasibility Study
- BLDG Improvements-Museum
- BLDG Improvements-Facilities Arena
- Thorold Road-REVISED
- Memorial Park Pool Pump House
- Fire Prevention Vehicle
- Fire-Replace Car #6
- Fire-Replace Car #9; and further

THAT Welland City Council approves staff recommendations for the capital project surpluses and deficits as stated in Report FIN-2013-23.

CARRIED

13-4 Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the updates to the City's investment policy for current funds as permitted under the *Municipal Act, 2001*, and related regulations as outlined in Report FIN-2013-24.

CARRIED

13-4 Moved by Larouche and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year To Date Report – 2nd Quarter up to and including June 30, 2013 (CM-2013-04) as recommended by the Audit Review Committee.

CARRIED

13-13 Moved by Chiocchio and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the recommendations, as endorsed by staff, contained in Report TRANS-2013-09, Transit Study Immediate (PHASE 1).

CARRIED

13-19 Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Peninsula Construction Inc. at the tendered price of \$102,572.05 plus applicable taxes for the Supply and Installation of Play Equipment and Site Improvements for Seaway Park as detailed in Report ENG-2013-25; and further

THAT Welland City Council approves the reallocation of \$5,000 surplus dollars from the 2013 Capital Budget for the Quaker Road Sports Complex Rebuild Warning Track to the Parks Improvement in Seaway Park account to provide sufficient funding for Seaway Park improvements; and further

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

CARRIED

13-28 Moved by Chiocchio and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, Past Chair, Alzheimer Society Niagara Foundation regarding the 18th Annual Coffee Break Campaign and encourages staff and the public to participate in the September 19, 2013 Coffee Break Fundraiser at Civic Square.

CARRIED**13-37** Moved by Wright and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Councillor Paul Grenier, Region of Niagara Task Force Member, regarding the Water and Wastewater Service Delivery Review – Source To Tap To Source.

CARRIED**13-46** Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves staff to purchase one new full size cargo type van GVW 7300 as per Report ENG-2013-23 from Stricklands Brantford Chevrolet, the lowest tender submitted who met the specifications, at a tendered price of \$35,744.00 plus applicable taxes as funded through the 2013 Fleet Capital Replacement Program.

CARRIED**13-46** Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2013-24 and approves staff to purchase one new full size demonstrator dustless regenerative air sweeper from The Equipment Specialist, the lowest tender submitted who met the specifications, at a tendered price of \$265,475.00 plus applicable taxes as funded through the 2013 Fleet Capital Replacement Program; and further THAT Welland City Council approves the deferral of the replacement of unit 378-Chipper Brush and Portable Washer to 2014 in order to provide funds required to purchase Air Sweeper as the 2013 budget allocation was insufficient; and further THAT Welland City Council approves the amount of \$220,000 be debentured to fund the purchase of the regenerative air sweeper.

CARRIED**13-80** Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the submission of Norjohn Contracting and Paving Limited as detailed in Report ENG-2013-22 for the Supply and Application of Road Surface Treatment and R.A.P. Materials at a price of \$83,058.00 plus applicable taxes; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Norjohn Contracting and Paving Limited, to execute the construction.

CARRIED**13-87** Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Vic Vattr Contracting Ltd. of Welland, Ontario, as detailed in Report ENG-2013-26, for Fitch Street Sanitary Sewer Separation and Watermain Replacement – Prince Charles Drive to First Avenue at the tendered price of \$585,264.30 plus applicable taxes; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Vic Vattr Contracting Ltd. to execute the construction; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate temporary easements with affected property owners (164 Fitch Street and 165 Sydney Place) for sewer separation construction on these respective properties.

CARRIED

13-92Z Moved by Chiocchio and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part Township Lot 231, former Township of Thorold, now in the City of Welland, more specifically described as Part 2, Plan 59R-5988, for lands municipally known as 777 Niagara Street, by amending the existing Site Specific C4 Zone (Section 22.3.5) to permit outdoor sales and storage within a compound to a maximum of 930 square metres in area and in the front yard of the subject lands.

CARRIED**13-99** Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the expanded scope of work for the Combined Sewer Overflow Pollution Control Plan Update and Sanitary Sewer System Modelling Study (ARN13-301), subject to acceptance and execution by Environment Canada of the Contribution Agreement between Environment Canada and the City of Welland for funding approved under the Great Lakes Sustainability Funds program in the amount of \$75,000.

CARRIED**BY-LAWS**

Moved by McLeod 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.

12-116

BYL 2013 - 118

A By-law to authorize the adoption of Official Plan Amendment No 5.

12-116Z

BYL 2013 - 119

A By-law to amend City of Welland Zoning By-law 2667 (1435587 Ontario Inc. - File 2012-04) 1 Griffith Street.

13-92Z

BYL 2013 - 120

A By-law to amend City of Welland Zoning By-law 2667 (Leon Holdings (1967) Limited – File 2013-10) 777 Niagara Street.

13-19

BYL 2013 - 124

A By-law to authorize acceptance of tender from Peninsula Construction Inc. for the supply and installation of play equipment and site improvements for Seaway Park.

13-87

BYL 2013 - 125

A By-law to authorize acceptance of tender and the entering into contract with Vic Vatr Contracting Ltd. for the Fitch Street Sanitary Sewer Separation and Watermain Replacement (Prince Charles Drive to First Avenue).

02-160

BYL 2013 - 126

A By-law to Govern the Proceeding and Conduct of Council and the Committees Thereof and to repeal By-law 2009-144.

02-172

BYL 2013 - 127

A By-law to adopt a policy for the providing of Public Notice Pursuant to the Municipal Act, 2001; and to repeal By-law 2009-153.

(Councillors Grenier and Wright asked to be recorded as opposed to By-law 2013-119)

CARRIED

Moved by Chiocchio 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.

13-80

BYL 2013 - 121

A By-law to authorize acceptance of tender and the entering into contract with Norjohn Contracting and Paving Limited for the supply and application of Road Surface Treatment and R.A.P. Materials.

13-46

BYL 2013 - 122

A By-law to authorize the purchase of one new full size all wheel drive cargo style van G.V.W. 7300.

13-46

BYL 2013 - 123

A By-law to authorize the purchase of one new full size dustless regenerative air sweeper.

13-66

BYL 2013 - 128

A By-law to authorize purchase of property municipally known as 63 Division Street and 6 Market Lane from B.W. Strassburger Limited.

13-22

BYL 2013 - 129

A By-law to amend By-law 89-2000, being a By-law regulating traffic and parking within the City of Welland (Schedule "V" Parking Prohibitions).

13-1

BYL 2013 - 130

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 10th day of September, 2013.

CARRIED

Council adjourned at 9:07 p.m.

These Minutes approved and adopted by Motion of Council this 1st day of October, 2013.

MAYOR

CITY CLERK