



MINUTES OF
COUNCIL MEETING, FEBRUARY 4, 2014
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:30 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 M. Belcastro, F. Campion, M. Carl (7:46 p.m.), 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 Clerk, L. Bubanko (7:09 p.m.)

General Manager, Infrastructure Services/City Engineer, S. Iannello

General Manager, Corporate Services/City Treasurer, K. Douglas

General Manager, Human Resources, R. Mantesso

General Manager, Integrated Services, J. Loveys Smith

Planning Manager, R. DiFelice (7:09 p.m.)

14-25 Moved by Petrachenko and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:30 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- for the purpose of educating or training members of Council.

CARRIED

14-25 Moved by Larouche and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:57 p.m. without report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

08-143 Report P&B-2014-03 from Gen. Mgr., Integrated Services, J. Loveys Smith - City owned lands in the vicinity of Highway 140 and East Main Street.

PRESENTATIONS:

Presentation to City employee, Joedy Groulx, to recognize his swift response to an emergency situation at the Welland Arena on January 8, 2014, that helped save a life.

Community Involvement Recognition

Presentation of plaque by Councillor McLeod to Robert Mahler for his contribution to the Welland Recreational Canal Corporation.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS:

10-122 Andre Ceci, Chair, Heritage Welland, War of 1812 Bicentennial Committee and Brian Merritt, 1812 Niagara Legacy Council addressed Council regarding the re-enactment battle commemorating the 200th anniversary of the Battle of Cooks Mills.

10-108 Ed Paveo and Adam Bennett, Nustadia Recreation Inc. addressed Council regarding the 2014 Youngs Sportsplex Budget.

14-47 Councillor Grenier, Chair, Nominating Committee addressed Council regarding an appointment to the Arts and Culture Advisory Committee.

08-143 Councillor Champion, Chair, Health Care Committee provided a verbal update on the Health Care Committee meeting of January 27, 2014.

14-1 Moved by Chiocchio and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of January 21, 2014 and Special Council Meeting of January 28, 2014, as circulated.

CARRIED

99-99 Moved by Wright and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara regarding Report ICP 105-2013 dated November 15, 2013 and endorses the application related to the Welland Canal National Historic Site.

CARRIED

05-141 Moved by Grenier and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Larouche to the Arts and Culture Advisory Committee effective February 4, 2014 as recommended by the Nominating Committee.

CARRIED

06-131 Moved by Wright and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves a By-law to remove the Holding (H) Symbol on lands located south of Timberview Crescent, east of South Pelham Road and west of Creekside Drive; and further
 THAT Welland City Council directs staff to prepare the necessary By-law.

CARRIED

08-143 Moved by Carl and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Campion, Chair, Health Care Committee, regarding its meeting of January 27, 2014.

CARRIED

08-143 Moved by Campion and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2014-03 which provides information on City-owned lands in the vicinity of Highway 140 and East Main Street in the context of its use for the construction of a new hospital, and refers the report to the Health Care Committee.

CARRIED UNANIMOUSLY

10-76 Moved by Wright and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2014 regarding Report ICP 3-2014: Smarter Niagara Steering Committee - Terms of Reference.

CARRIED

10-108 Moved by Chiocchio and Campion
 THAT THE COUNCIL OF THE CITY OF WELLAND split the recommendation regarding the 2014 budget for the Youngs Sportsplex (YSP) and fencing capital request into two motions.

CARRIED

10-108 Moved by Petrachenko and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2014 budget for the Youngs Sportsplex (YSP) as recommended by the Facility Management Review Team and as presented by Nustadia Recreation Inc. to Council on February 4, 2014, and that the 2014 budget shortfall of \$374,174 be funded by the Sports and Culture Infrastructure Capital Reserve Fund (SCICRF); and further

...continued...

10-108...cont'd.

THAT Welland City Council authorizes an addendum to the Management and Operating Agreement dated September 7, 2010, that sets out the repayment terms for Nustadia Recreation Inc. to reimburse the City for the 2014 YSP budget shortfall, with monies reimbursed to the City being used to replenish the SCICRF.

CARRIED**10-108** Moved by Petrachenko and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the fencing capital request of \$54,000, with said request being funded from the construction services capital project account (#10-4PB-B40), to be later recovered from the eventual future sale of 469 Rice Road, Welland.

CARRIED**10-122** Moved by Petrachenko and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Andre Ceci, Chair, Heritage Welland, War of 1812 Bicentennial Committee and Brian Merritt, 1812 Niagara Legacy Council regarding the re-enactment battle commemorating the 200th anniversary of the Battle of Cooks Mills.

CARRIED**11-74** Moved by Wright and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Decision delivered by Susan de Avellar Schiller dated January 15, 2014 with respect to Forks Road, west of Welland By-Pass Canal.

CARRIED**12-138Z** Moved by DiMarco and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves a By-law to remove the Holding (H) Symbol on lands located on the north side of Trent Avenue, east of First Avenue; and further THAT Welland City Council directs staff to prepare the necessary By-law.

(Councillor Larouche asked to be recorded as opposed to the resolution).

CARRIED**14-3** Moved by Wright and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Pelham dated January 23, 2014 and supports its resolution regarding maximum prize limit - bazaar licence.

CARRIED**14-19** Moved by DiMarco and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff review the maintenance schedule of shoveling, scraping, and periodic watering of the ice surfaces at Chippawa, Memorial, and St. George Parks with a view to improving the condition of the ice surfaces at said parks.

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14-19 Moved by Chiocchio and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND amends the motion regarding review of the parks' maintenance schedule to also include direction to staff to update Report PF&LS-2008-02 dated February 12, 2008.

CARRIED

FOLLOWING THE VOTE ON THE AMENDED MOTION, THE MAIN MOTION WAS PUT AS AMENDED AND LOST

14-22 Moved by McLeod and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2014-01: Update to Traffic and Parking By-law 89-2000; and further
 THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:

ADD the following to PART VI Traffic Regulations – Driving and Related Rules:

- 6.5.1 Where a lane of the highway has been designated for the use of bicycles only, no person shall:
- (a) drive a vehicle other than a bicycle, public transit, police, fire, emergency medical service vehicle or maintenance vehicle while engaged in maintenance activities; or
 - (b) park or stop a vehicle other than a public transit, police, fire, emergency medical service vehicle or maintenance vehicle while engaged in maintenance activities.

ADD the following to Schedule VIII – Limited Parking:

| Column 1 Highway | Column 2 Side | Column 3 | | Column 4 Period | Column 5 Times/ Days |
|---------------------|------------------|--------------|----------------------------|--------------------|-------------------------|
| | | From | To | | |
| Fifth Street | North Side | Canal Street | Bank Street King Street | 2 hours | ANYTIME |

ADD the following to Schedule "II" – Designated Bicycle Lanes:

| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 |
|------------------|--------------------------------------------|---------------------------------------|-------------------------|
| HIGHWAY | BETWEEN | LANE | DIRECTION |
| Ontario Road | King Street and Southworth Street South | Adjacent to curb lane or parking lane | Eastbound, Westbound |
| East Main Street | Division Street and Wellington Street | Adjacent to curb lane or parking lane | Eastbound, Westbound |
| Thorold Road | Prince Charles Drive and Niagara Street | Adjacent to curb lane | Eastbound, Westbound |

...continued...

14-22...cont'd.

ADD the following to Schedule "V" – Parking Prohibited:

| COLUMN 1 STREET | COLUMN 2 SIDE | COLUMN 3 | | COLUMN 4 PERIOD (TIMES\DAY) |
|--------------------|------------------|--------------------|----------------|--------------------------------------|
| | | FROM | TO | |
| Farnham Avenue | South Side | Green Pointe Drive | Carlton Avenue | 8 a.m. to 5 p.m. Monday to Friday |

DELETE the following from PART V Traffic Regulations:

5.11 **Speed Limits in School Zones**
Schedule "XXVIII"

Subject to Subsection 5.9 and 5.10, when official signs and the flashing amber beacons are on display in compliance with the H.T.A. the maximum rate of speed on the highway or part of a highway between the limits set out in columns 1, 2 and 3 of Schedule "XXVIII", shall be 40 Kilometres per hour during the days and hours set out in columns 4 and 5 of the said schedule;

5.11.1 Subject to Subsection 5.11 and where required on any school day to accommodate variations from normal school hours or a school emergency, the flashing amber beacons may be actuated and the speed limit reduced to 40 km/h for any period, between 8:00 a.m. and 5:00 p.m., and not provided under Subsection 5.11.

ADD the following to PART V Traffic Regulations:

5.11 **Speed Limits in School Zones**

Subject to Subsection 5.9 and 5.10, when official signs and the flashing amber beacons are on display in compliance with the H.T.A. the maximum rate of speed in kilometers per hour as set out in Column 4 of Schedule XXVII shall only be in effect when said lights are flashing on the highway or part of a highway between the limits set out in columns 1, 2 and 3.

5.11.1 Subject to Subsection 5.11 and where required on any school day to accommodate variations from normal school hours or a school emergency, the flashing amber beacons may be actuated and the speed limit reduced for any period, between 8:00 a.m. and 5:00 p.m., and not provided under Subsection 5.11.

DELETE the following schedule:

Speed Limits in School Zones - Schedule "XXVIII"

ADD the following to Schedule "XXVII" – Speed Limits on Highways:

| COLUMN 1 HIGHWAY | COLUMN 2 | | COLUMN 3 MAXIMUM SPEED (KM/H) |
|---------------------|------------------------------------|-----------------|-------------------------------------|
| | FROM | TO | |
| Quaker Road | 155 metres west of Montgomery Road | Montgomery Road | 40 when flashing |
| Quaker Road | 195 metres west of First Avenue | First Avenue | 40 when flashing |

CARRIED

14-45 Moved by Larouche and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Randy Pettapiece, MPP, Perth-Wellington dated January 13, 2014 and supports the private member's resolution regarding a comprehensive long-term solution to reform joint and several liability insurance for municipalities.

CARRIED UNANIMOUSLY

14-51 Moved by Campion and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2014 regarding Report PW 10-2014: Western Golden Horseshoe Municipal Network - Charter.

CARRIED

14-52 Moved by Wright and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2014 regarding Report ICP 5-2014: Land Use Planning and Appeal System - Comments on Consultation Document.

CARRIED

14-53 Moved by Wright and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2014 regarding Report ICP 4-2014: Development Charge Act – Ministry of Municipal Affairs and Housing Review.

CARRIED

BY-LAWS

Moved by Campion and McLeod

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.

12-138Z

BYL 2014 - 10

A By-law to amend Zoning By-law 2667 upon the application of 2322767 Ontario Inc. to remove the Holding symbol "H" from certain lands on the north side of Trent Avenue, east of First Avenue known municipally as 318 First Avenue (File 2012-07) (Woods View Estates Subdivision).

14-22

BYL 2014 - 11

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

(Councillor Larouche asked to be recorded as opposed to By-law 2014-10).

CARRIED

Moved by Wright and Petrachenko

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.

06-131Z

BYL 2014 - 9

A By-law to amend Zoning By-law 2667 upon the application of Sterling Realty (Niagara) Inc. to remove the Holding symbol "H" from certain lands south of Timberview Crescent, east of South Pelham Road and west of Creekside Drive (File 2013-01) (Coyle Creek Estates Phase 6 Subdivision).

14-19

BYL 2014 - 12

A By-law to authorize extension of the Lease Agreement with Laurent Viger Construction Limited for lands adjacent to Memorial Park; and to amend By-law 2006-6.

14-1

BYL 2014 - 13

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 4th day of February, 2014.

CARRIED

NOTICE OF MOTION

Councillor Campion gave Notice of Motion to the following issue to be presented to Council at the February 18, 2014 Regular Council Meeting:

08-143 THAT THE COUNCIL OF THE CITY OF WELLAND officially offers, free of charge, a portion of the serviceable Harry W. Diffin Industrial Park, which is centrally located in South Niagara, to the Niagara Health System or appropriate body, contingent on construction of a new South Niagara Hospital on the lands.

Councillor Chiocchio gave Notice of Motion to the following issue to be presented to Council at the February 18, 2014 Regular Council Meeting:

05-81 THAT THE COUNCIL OF THE CITY OF WELLAND advises the Regional Municipality of Niagara that Welland City Council supports the reconsideration of converting Division Street in Welland, including the bridge, to two-way traffic for the duration of the rehabilitation of the Main Street Bridge (Structure No. 027220).

Council adjourned at 9:47 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of February, 2014.

MAYOR

CITY CLERK