



MINUTES OF
COUNCIL MEETING, MARCH 18, 2014
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 7:11 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors M. Belcastro, F. Campion, M. Carl (5:51 p.m.), P. Chiochio, T. DiMarco, P. Grenier, M.A. Grimaldi, J. Larouche (5:35 p.m.), D. McLeod, and B. Wright.

Members of Staff and Others Present:

City Manager, C. Stirtzinger

City Clerk, C. Raby

Deputy Clerk, L. Bubanko (7:11 p.m.)

Chief, Fire & Emergency Services, D. Prevost (7:11 p.m.)

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

General Manager, Human Resources, R. Mantesso

General Manager, Integrated Services, J. Loveys Smith

Transit Manager, A. Stockwell (7:11 p.m. – 7:30 p.m.)

Technical Analyst Infrastructure Programs, M. Ingebrigtsen (7:11 p.m. – 9:58 p.m.)

Public Works Manager, J. Boc (7:11 p.m. – 9:50 p.m.)

Manager of Budgets and Financial Reporting/Deputy Treasurer, J. Johnson (7:11 p.m. – 9:37 p.m.)

Manager, Economic Development, D. Degazio (until 6:05 p.m. & 7:11 p.m. – 8:50 p.m.)

(Jay Amer, Amer & Associates Economic Development was present during Committee-of-the-Whole discussions on proposed or pending acquisition or disposition of land by the municipality or local board and security of the property of the municipality or local board).

14-25 Moved by Grenier and Chiocchio

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:

- the security of the property of the municipality or local board;
- 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;
- labour relations or employee negotiations; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

14-25 Moved by Larouche and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:00 p.m. with report

CARRIED

PUBLIC MEETINGS PURSUANT TO CITY OF WELLAND BY-LAW 2013-127

Public Meeting regarding the City of Welland service charges and user fees for 2014.

- No one spoke.

There being no speakers, the public meeting was concluded.

Public Meeting regarding the City of Welland water and sanitary sewer rates for 2014.

- Dan Fortier, 83 Colbeck Drive, Welland, ON L3C 7B2

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

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS:

07-144 Dan Degazio, Manager, Economic Development and Jay Amer, Amer & Associates Economic Development, addressed Council regarding the Economic Development Strategic Plan and Manufacturing Attraction Strategy.

14-1 Moved by Chiocchio and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of March 4, 2014, as circulated.

CARRIED

99-99 Moved by Campion and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a detailed estimate of the cost for City workers, unionized and/or casual, to maintain the Canal Lands to the same current level as the WRCC.

YEAS: Councillors Larouche, Carl, Grenier, McLeod, DiMarco, Chiocchio, Campion, Grimaldi, Wright, Belcastro and Mayor Sharpe.

NAYS: None

CARRIED

01-108 Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the Downtown Improvement Incentive Programs - Refund of Local Planning and Building Fee in the amount of \$700.00 for the Planning Fee and in the approximated amount of \$602.28 for the Building Fee, both to be reimbursed to the Owner upon project completion and occupancy, to the satisfaction of the City, for three (3) new residential dwelling units; and further

THAT Welland City Council directs staff to utilize the Municipal Incentive Grant (MIG) Reserve fund for the Planning and Building Fees refund.

CARRIED**02-47** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2014 regarding Report ICP 14-2014: Implementation of the Smarter Niagara Incentives Program Public Domain Incentives Requests - 2013 Program Recommendations.

CARRIED**05-100** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves funding from the Courthouse Reserve Funds as outlined in Report ENG-2014-07 in order to conduct Type 2 Asbestos Abatement Work Procedures associated with the installation of a Perimeter Security System at the Welland Courthouse being conducted by Al Langman Construction Inc. at the quoted price of \$134,637, plus applicable tax.

CARRIED**06-75** Moved by Grenier and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives the Treasurer's Statement attached to Report FIN-2014-04 in accordance with the *Development Charges Act, 1997* as amended; and further THAT Welland City Council instructs the City Treasurer to forward a copy of this Statement to the Minister of Municipal Affairs within 60 days of giving this report to Council as per Section 43(3) of the *Development Charges Act, 1997*.

(Councillor Larouche asked to be recorded as opposed to this Motion)

CARRIED**07-144** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dan Degazio, Manager of Welland's Economic Development office and Jay Amer, of Amer & Associates Economic Development and endorses the Welland Development Commission's Economic Development Strategic Plan and Manufacturing Attraction Strategy.

CARRIED**09-102** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the North Village Subdivision (File: 26T-14-09001) for an additional one (1) year to March 29, 2015 subject to the following:

1. That Conditions 21 and 22 be deleted and replaced with a new Condition requiring that "the Owner provide a letter of credit, or an acceptable alternative, and enter into a legal agreement for the water and wastewater portion of the Regional Development Charges within 12 months of this modification for that portion of the Draft Approved Plan for which Ministry of the Environment servicing approvals have not been issued, unless evidence of a complete Ministry of Environment application for servicing has been received by the Region within this time, to the satisfaction of the Niagara Region Public Works Department (Development Services Division)"; and further

...continued

09-102...cont'd.

2. Amending Condition 23 to clarify the City's responsibility for the review and approval of watermains under the Ministry of Environment (MOE) Water License Program; and further
3. Amending Condition 24 to replace "Certificates of Approvals" with "Environmental Compliance Approvals"; and further
- THAT Welland City Council deems the revised Conditions to be minor.

CARRIED**11-91** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2014 regarding Report ICP 17-2014: Project Initiation Report: Regional Official Plan Amendment (ROPA 1) - Administrative Renaming and Clarification.

CARRIED**11-95** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Easement to permit the crossing of City-owned land along the west side of Prince Charles Drive North, north of Fitch Street to the benefit of Bell Canada; and further

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

CARRIED**13-117** Moved by DiMarco and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND retains GSP Group Incorporated, at a cost of \$74,930.00, excluding HST in order to prepare a new Comprehensive Zoning By-law for the City of Welland; and further

THAT Welland City Council authorizes staff to prepare the necessary documents.

CARRIED**14-4** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exclusion of amortization and post-employment benefit expenses from the 2014 Budgets.

CARRIED**14-4** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2014 regarding tax ratios, tax reductions, and tax rates for the 2014 taxation year.

CARRIED**14-6** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND declares March 20th, 2014 as "Fresh Air Fund Day" in the City of Welland as requested by the The Fresh Air Fund.

CARRIED**14-13** Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves the renewal of the Port Colborne Transit Services Agreement as detailed in Report TRANS-2014-04; and further

THAT Welland City Council directs the City Clerk to prepare all necessary By-laws to enter into this agreement; and further

...continued...

14-13...cont'd.

THAT Welland City Council authorizes the Mayor and City Clerk to sign the agreement.

CARRIED

14-14 Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report FIN-2014-03 with respect to 2013 Remuneration and Expenditures covering Members of Council.

CARRIED

14-37 Moved by Grenier and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves, as recommended by the Budget Review Committee, the following:

- The 2014 Water and Wastewater Revenue and Expenditure Budget estimates (Schedules 'A' & 'B'); and
- The 2014 Water and Wastewater Capital Budget estimates including debenture funding of \$1,018,800 (Schedule 'C'); and
- The 2014 Water and Wastewater Rate Structure (Schedule 'D'); and
- The 2014 Water Haulage Variable Rates be increased to \$1.11/m3; and further

THAT Welland City Council approves a Water/Wastewater construction fee of \$230; and further

THAT Welland City Council approves the use of \$450,000 from the water and wastewater operating surplus reserve fund towards the 2013 water and wastewater deficit; and further

THAT Welland City Council directs staff to prepare the necessary By-law to establish the 2014 Water and Wastewater billing rates effective April 1, 2014.

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14-37 Moved by Grimaldi and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes \$250,000 to be taken from the Waterworks Water Meter Replacement General Reserve Fund and apply the \$250,000 to the 2013 Water and Wastewater deficit in order to reduce the 2014 Water and Wastewater rate.

YEAS: Councillors Carl, DiMarco, Chiocchio, Campion and Grimaldi.

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

LOST

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

YEAS: Councillors Larouche, Carl, Grenier, McLeod, Wright, Belcastro and Mayor Sharpe.

NAYS: Councillors DiMarco, Campion, and Grimaldi.

CARRIED

14-43 Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Aurora dated March 10, 2014 regarding the Introduction of Municipal Recall Election Legislation.

CARRIED

14-47 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated February 28, 2014 regarding Report PW 11-2014: Proposed Changes to the Sewer-Use By-law.

CARRIED

14-62 Moved by Grenier and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2014-06 regarding the 2013 Annual Summary Report as required per the *Safe Drinking Water Act, 2002*, Ontario Regulation 170/03.

CARRIED

14-63 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Association of Municipalities Ontario (AMO) dated February 24, 2014 and supports AMO's position regarding *Bill 69, The Prompt Payment Act, 2013*.

CARRIED

14-64 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2014 regarding Report ICP 13-2014: Lakefront Enhancement Strategy – Findings and Implementation Report.

CARRIED

14-65 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated February 28, 2014 regarding Report PW 26-2014: Bicycle Map Administration and Distribution.

CARRIED

14-66 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2014 regarding Report ICP 21-2014: Project Initiation Report: Regional Official Plan Amendment (ROPA 6) - Corridor Protection Policies.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-99 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus to the City's needs approximately 0.55 hectares (1.35 acres) of land located on Merritt Island adjacent to the Region of Niagara Water Treatment Plant; and further
 THAT Welland City Council accepts an Offer from the Regional Municipality of Niagara to purchase the subject lands at a value of \$20,700.00 (approximately \$15,000.00 per acre) with the Region being responsible for all costs related to the transaction; and further
 THAT Welland City Council directs that the proceeds of this sale be placed in the Canal Lands Trust Fund in accordance with the Trust Fund By-law; and further
 THAT Welland City Council authorizes staff to prepare the necessary By-law and documentation.

CARRIED

BY-LAWS

Moved by McLeod and Belcastro

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.

14-37

BYL 2014 - 25

A By-law to adopt the water and wastewater operating and capital budgets with resulting rate structure for the 2014 billing year, effective April 1st, 2014.

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

14-13

BYL 2014 - 26

A By-law to authorize an amendment to the Agreement with the City of Port Colborne to provide Welland Transit Services; and to amend By-law 2008-171.

13-117

BYL 2014 - 28

A By-law to authorize the retention of GSP Group Incorporated for a new Comprehensive Zoning By-law for the City of Welland.

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

14-38

BYL 2014 - 31

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 2013-172.

CARRIED

Moved by Larouche 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, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

11-95

BYL 2014 - 27

A By-law to grant an easement to Bell Canada over Parts 1 and 2, Plan 59R-14858 and Part 1, Plan 59R-14890 to service the Medical Clinic at 555 Prince Charles Drive and surrounding area.

09-60

BYL 2014 - 29

A By-law to designate a Community Improvement Plan Project Area.

09-60

BYL 2014 - 30

A By-law to adopt a Community Improvement Plan.

99-99

BYL 2014 - 32

A By-law to authorize acceptance of an offer to purchase from the Regional Municipality of Niagara for the sale of surplus lands, located on Merritt Island adjacent to the Regional Water Treatment Plant.

CARRIED

Moved by Larouche and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, 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.

14-1

BYL 2014 - 33

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 18th day of March, 2014.

CARRIED

Councillor DiMarco gave Notice of Motion to the following issue to be presented to Council at the April 1, 2014 Regular Council Meeting:

99-99 WHEREAS there are limited opportunities for the people of Welland to be directly engaged in the political process;
 AND WHEREAS notwithstanding that the minimum threshold for making the results of a referendum question binding is typically much higher than historical voter turnout, a referendum question provides valuable voter input and feedback;
 AND WHEREAS the cost of adding a referendum question onto a municipal ballot is minimal.
 NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND adds the following referendum question and answer choice to the ballot for Welland's next municipal election on October 27, 2014:
 Should the City of Welland dissolve the Welland Recreational Canal Corporation YES NO.

Council adjourned at 10:19 p.m.

These Minutes approved and adopted by Motion of Council this 1st day of April, 2014.

MAYOR

CITY CLERK