



COUNCIL MEETING AGENDA

**Tuesday, July 21, 2015
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:00 p.m.)
(See yellow tab)**
 - Labour Relations or employee negotiations;
 - Personal matters about an identifiable individual, including municipal or local board employees.
 - *Replacement of Transit Coordinator*
 - *Appointment to the Market Square Committee*
 - *Appointment to the Welland Downtown Improvement Area Board*
 - *Extension Agreement for property*
 - *Contract review and update re: City Manager and Special Advisor*
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
 - Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
 - *MOL Hearing update.*

- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:55 p.m.)**

- 3. OPEN COUNCIL MEETING (7:00 p.m.)**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 ADOPTION OF MINUTES**

Regular Council Meeting of June 16, 2015 and Special Council Meeting of June 23, 2015 (*Previously Distributed*)
 - 3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**
 - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink pages)**



COUNCIL MEETING AGENDA – Page 2

*Tuesday, July 21, 2015
7:00 P.M.*

COUNCIL CHAMBERS – CIVIC SQUARE

4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATION(S) – Nil

4.2 DELEGATIONS (maximum 5/10/5 policy)

15-28 Cynthia Malivert, Welland Heritage Council and Multicultural Centre re: update on its activities.

(Background information included in Council Members' Agenda).

12-114 Gus Kokkoros, President, James Calnan, Government Relations and John Cobb, Business Development, Icarus Power Generation Inc. re: Feed-In Tariff Program and Blanket Support Resolution.

4.3 LEGISLATED PUBLIC MEETING

15-4 Public Meeting pursuant to Section 357/358 of the *Municipal Act, 2001* regarding Tax Write-Offs.

(See Report FIN-2015-18, pages 1 to 3)

4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

15-47 Councillor Larouche, Chair, Nominating Committee - meeting of July 21, 2015.

5. COMMITTEE-OF-THE-WHOLE (OPEN) (to discuss items removed from Agenda Block)

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes

7.2 Notices of Motion (previously submitted for discussion)

(Councillor DiMarco)

15-22 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report to open up River Road at Downs Drive to allow 2-way traffic onto River Road and revert Cooper Road back to its original traffic pattern, that being 2-way as well; and further
THAT Welland City Council reduces the speed limit on River Road to 40km/hr from 50km/hr.



COUNCIL MEETING AGENDA – Page 3

Tuesday, July 21, 2015

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

(Councillor Van Vliet)

15-43 THAT THE COUNCIL OF THE CITY OF WELLAND reduces the number of Councillors to six (6) for election year 2018.

(Councillor Van Vliet)

15-13 WHEREAS Council received, at its meeting of June 16, 2015, correspondence from the Region of Niagara regarding Inter-Municipal Transit (attached as Background in Council Member's Agendas).
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND supports the request by the Region for Welland, St. Catharines, and Niagara Falls to work together to provide options on how best to continue to provide Inter-Municipal Transit in the Region of Niagara.
(Background information included in Council Members' Agenda).

7.3 Call for Notices of Motion (for introduction at the meeting)

8. CORPORATION REPORTS

8.1 Councillor Activities Report

8.2 Mayor's Report

8.3 Interim City Manager's Report

9. CONFIRMATORY BY-LAW

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 21st day of July, 2015. Ref. No. 15-1

10. ADJOURNMENT



COUNCIL MEETING AGENDA INDEX

**Tuesday, July 21, 2015
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

AGENDA BLOCK

1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION - Nil

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee-of-the-Whole (closed)

2. Staff Reports

1 - 3 Remove From Block	<u>FIN-2015-18</u>	Gen. Mgr., Corporate Services/Treasurer, S. Zorbas - Application for Tax Write-Offs - Sections 357/358. Ref. No. 15-4
4 - 10	<u>FIN-2015-19</u>	Gen. Mgr., Corporate Services/Treasurer, S. Zorbas - Special Assistance Program - Water and Wastewater. Ref. No. 15-37
11 - 18	<u>ENG-2015-06</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Feasibility and Implications of a potential Road Right-Of-Way for 140 and 144A Thorold Road. Ref. No. 14-22
19 - 21	<u>ENG-2015-17</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Award of Contract to Install Water Meters. Ref. No. 04-124 (See By-law 1)
22 - 23	<u>ENG-2015-19</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Supply one Delivery of (1) New Three Quarter (3/4) Ton Standard Cab Pick Up Truck with 8' Box and 4 Wheel Drive. Ref. No. 15-46 (See By-law 2)
24 - 25	<u>ENG-2015-20</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Supply one delivery of (1) New Rubber Tired 4WD Backhoe Loader with Extendable Dipperstick Attachment, Hydraulic Hammer and Hydraulic Compactor. Ref. No. 15-46 (See By-law 3)
26 - 30	<u>ENG-2015-21</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Selective Sidewalk Replacement Contract Extension. Ref. No. 14-26 (See By-law 4)



COUNCIL MEETING AGENDA INDEX – Page 2

Tuesday, July 21, 2015

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 31 - 32** **ENG-2015-22** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Roof Replacements and Mansard Repairs at the Niagara Sport & Social Club, 469 Rice Road. Ref. No. 04-152 (See By-law 5)
- 33 - 35** **ENG-2015-23** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Watermain Leak Detection Services. Ref. No. 15-83 (See By-law 6)
- 36 - 41** **ENG-2015-24** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Tender Award - Roadway Resurfacing Program 2015. Ref. No. 15-77 (See By-law 7)
- 42 - 43** **ENG-2015-25** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Supply one delivery of (1) New Cab & Chassis 6000 LB G.V.W.R. Tandem Axle Truck Cab, complete with Truck Mounting Multi-Body Transfer System. Ref. No. 15-46 (See By-law 8)
- 44 - 46** **P&B-2015-31** Planning Manager, R. Di Felice - Reallocate Funds for the Brownfield Incentive Programs to the Community Improvement Plan for the Downtown and Health and Wellness Cluster Incentive Programs. Ref. No. 10-76
- 47 - 53** **P&B-2015-32** Planning Manager, R. Di Felice - Application for Tax Increment Grant Program and Planning and Building Fees Grant Program - Community Improvement Plan for the Downtown and Health and Wellness Cluster - 2398809 Ontario Inc. - 383 King Street. Ref. No. 10-76 (See By-law 9)
- 54 - 57** **P&B-2015-33** Planning Manager, R. Di Felice - Street Renaming of Thomas Street to Joanne Court. Ref. No. 15-84 (See By-law 10)
- 58 - 95**
Remove From Block **P&B-2015-34** Planning Manager, R. Di Felice - Municipal Council Resolution reconfirming support of Rooftop and Ground Mounted Solar Applications under the Provincial Feed-In Tariff (FIT) Program. Ref. No. 12-114
- 96 - 101** **P&B-2015-35** Planning Manager, R. Di Felice - Application for Building Improvement Grant Program, Residential Grant Program and Planning and Building Fees Grant Program - Community Improvement Plan for the Downtown and Health and Wellness Cluster - AG Properties Inc. - 14-28 Niagara Street. Ref. No. 10-76 (See By-law 11)



COUNCIL MEETING AGENDA INDEX – Page 3

Tuesday, July 21, 2015

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 102 - 113** **P&B-2015-36** Planning Manager, R. Di Felice - Application for Tax Increment Based Grant Program - City of Welland Niagara Gateway Economic Zone and Centre Community Improvement Plan - HYDAC Corporation - 14 Federal Road. Ref. No. 09-60 (See By-law 12)
- 114 - 117** **P&B-2015-37** Planning Manager, R. Di Felice - Proposed By-law to except from Part Lot Control Blocks 89 and 90, Plan 59M-392 being lands south of Webber Road, east and west of Roselawn Crescent - Clare Estates 3 Subdivision (26T-14-07002). Ref. No. 07-126 (See By-law 13).
- 118 - 120** **P&B-2015-38** Planning Manager, R. Di Felice - Application for Building Improvement Grant Program - Community Improvement Plan for the Downtown and Health and Wellness Cluster - The Rex Hotel Welland Ltd. - 330-346 King Street. Ref. No. 10-76
- 121 - 137** **CLK-2015-04** Gen., Mgr., Human Resources and Legislative Services, R. Mantesso - Changes to various Ontario Legislation affecting municipalities. *Municipal Act, 2001 - City of Toronto Act, 2006 - Municipal Conflict of Interest Act, Municipal Elections Act, 1996.* Ref. No. 02-160

3. NEW BUSINESS

- 138 - 145** 1. Ralph Walton, Regional Clerk, Niagara Region re: Report PDS 24-2015: Agreement for Road & Sanitary Sewer Works - Merritt Meadows Subdivision, Merritt Road, City of Thorold. Ref. No. 15-82

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated June 12, 2015 regarding Report PDS 24-2015: Agreement for Road & Sanitary Sewer Works - Merritt Meadows Subdivision, Merritt Road, City of Thorold.

- 146 - 172** 2. Ralph Walton, Regional Clerk, Niagara Region re: Report CSD 61-2015: Water & Wastewater Rate and Requisition Methodology and Report CSD 62-2015: 2015 Claw Back Percentages and Municipal Tax Adjustments. Ref. No. 15-86

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 6, 2015 regarding Report CSD 61-2015: Water & Wastewater Rate and Requisition Methodology and Report CSD 62-2015: 2015 Claw Back Percentages and Municipal Tax Adjustments.



COUNCIL MEETING AGENDA INDEX – Page 4

Tuesday, July 21, 2015

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 173 - 188** 3. Ralph Walton, Regional Clerk, Niagara Region re: Report PDS 27-2015: Bill 73 Smart Growth for Our Communities Act. Ref. No. 15-87

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 3, 2015 regarding Report PDS 27-2015: Bill 73 Smart Growth for Our Communities Act.

- 189 - 194** 4. R. Bruce Smith, Secretary-Treasurer, Niagara Central Airport Commission/Niagara Central Dorothy Rungeling Airport re: Region assuming operation and control of the Niagara Central Dorothy Rungeling Airport. Ref. No. 13-50

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND supports the recommendation from the Niagara Central Airport Commission/Niagara Central Dorothy Rungeling Airport requesting that the four municipal stakeholders, namely The Corporation of the City of Welland, The Corporation of the City of Port Colborne, The Corporation of the Town of Pelham and The Corporation of the Township of Wainfleet pass the resolution in the format attached or in a substantially similar manner.

- 195 - 196** 5. Kevin Turlo, Account Sales Manager, RESCo Energy Inc. re: Solar project at 400 East Main Street in Welland. Ref. No. 12-114

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND supports the proposed construction and operation of the Project (Ground Mount Solar PV) on the lands known municipally as 400 East Main Street, Welland, Ontario; and further THAT Welland City Council understands that this resolution's sole purpose is to enable the applicant (RESCo Energy Inc) to receive priority points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

- 197** 6. Dolores Bujold Wright, Chair, Welland Downtown Business Improvement Area (WDBIA) requesting approval of its proposed 2015 budget. Ref. No. 99-90/15-4

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2015 budget from the Welland Downtown Business Improvement Area Board as recommended by their board in the amount of \$95,424.00; and further THAT Welland City Council authorizes the General Manager, Financial and Corporate Services/Treasurer to make arrangements to levy an amount of \$95,424.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.



COUNCIL MEETING AGENDA INDEX – Page 5

Tuesday, July 21, 2015

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

4. BY-LAWS

MAY BE VIEWED IN THE CLERK'S DIVISION PRIOR TO THE MEETING IF DESIRED.

1. A By-law to authorize acceptance of a proposal from Neptune Technology Group (Canada) Ltd. for installation of water meters. Ref. No. 04-124
(See Report ENG-2015-17)
2. A By-law to authorize purchase of one new three quarter ton standard cab pickup truck from Brock Ford Sales Inc. Ref. No. 15-46
(See Report ENG-2015-19)
3. A By-law to authorize purchase of a 4WD Backhoe Loader from Toromont Cat. Ref. No. 15-46
(See Report ENG-2015-20)
4. A By-law to authorize entering into contract with 1526957 Ontario Limited O/A CTC Contracting for Selective Sidewalk Replacement (contract extension). Ref. No. 15-26
(See Report ENG-2015-21)
5. A By-law to authorize entering into contract with Dykstra Bros. Roofing Limited for roof repairs at 469 Rice Road (Niagara Sport and Social Club). Ref. No. 04-152
(See Report ENG-2015-22)
6. A By-law to authorize acceptance of a proposal from Watermark Solutions Ltd. for Watermain Leak Detection Services. Ref. No. 15-83
(See Report ENG-2015-23)
7. A By-law to authorize entering into contract with Rankin Construction Inc. for the Roadway Resurfacing Program. Ref. No. 15-77
(See Report P&B-2015-24)
8. A By-law to authorize purchase of one new Cab and Chassis 6000 LB G.V.W.R. Tandem Axle Truck Cab complete with Truck Mounting Multi-Body Transfer System from St. Catharines Truck and Tractor. Ref. No. 15-46
(See Report ENG-2015-25)
9. A By-law to authorize execution of an agreement for Tax Increment Grant Program and Planning and Building Fees Grant Program (Community Improvement Plan) for 383 King Street. Ref. No. 10-76
(See Report P&B-2015-32)



COUNCIL MEETING AGENDA INDEX – Page 6

Tuesday, July 21, 2015

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 10.** A By-law to rename Thomas Street, north of Windsor Street, to Joanne Court.
Ref. No. 15-84
(See Report P&B-2015-33)
- 11.** A By-law to authorize execution of agreements for the Building Improvement Grant Program, The Residential Grant Program, and Planning and Building Fees Grant Program (Community Improvement Plan) for 14-28 Niagara Street. Ref. No. 10-76
(See Report P&B-2015-35)
- 12.** A By-law to authorize execution of an agreement for Tax Increment Grant Program (Community Improvement Plan) for 14 Federal Road. Ref. No. 09-60
(See Report P&B-2015-36)
- 13.** A By-law to exempt certain lands from Part-Lot Control - south of Webber Road, east and west of Roselawn Crescent, in the Clare Estates 3 Subdivision (Blocks 89 and 90, Plan 59M-392), City of Welland. Ref. No. 07-126
(See Report P&B-2015-37)