



**MINUTES OF**  
**COUNCIL MEETING, APRIL 21, 2015**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:46 p.m. and in open session at 7:01 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors M. Carl (7:01 p.m.), J. Chiocchio, P. Chiocchio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche (6:10 p.m.), R. Letourneau, D. McLeod (6:12 p.m.), and L. Van Vliet.

**Members of Staff and Others Present:**

Acting Interim Manager/General Manager, Integrated Services, J. Loveys Smith  
Acting Deputy Clerk, T. Stephens  
General Manager, Infrastructure Services/City Engineer, S. Iannello (7:01 p.m.)  
General Manager, Corporate Services/Treasurer, S. Zorbas  
General Manager, Human Resources and Legislative Services, R. Mantesso  
Recording Secretary, C. Viger (7:01 p.m.)  
Planning Manager, R. Di Felice (5:46 p.m. - 9:35 p.m.)

(Bruce Smith, City Solicitor, and Melissa Binns, Gowlings, Lafleur, Henderson LLP, were present during Committee-of-the-Whole discussions on personal matters about an identifiable individual, including municipal or local board employees).

**15-25** Moved by Letourneau and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:46 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;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**15-25** Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:23 p.m. with report.

**CARRIED**

Mr. James Takeo recited a poem in honour of April being Poetry Month.

**THE FOLLOWING ITEM WAS ADDED:**

**15-6** 2015 Lou Ann Binning, President, Niagara Regional Labour Council requesting to declare April 28, as “National Day of Mourning” and all flags be flown at Half-Mast at City Hall.

**15-3** Edward Wright, Event Coordinator, Knights of Columbus requesting to sell lottery tickets in the City of Welland.

**DELEGATIONS:**

**10-123** Ron Walker, Member, The Niagara Poverty Reduction Network addressed Council regarding a highlight and update on the Niagara Poverty Reduction Network.

**15-28** Liz Palmieri, Executive Director and Madeline Woodhead, Chair, Niagara Community Foundation addressed Council regarding an update on its activities.

**AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS**

**15-28** Mayor’s Youth Advisory Council addressed Council regarding a year end update on its activities.

**15-4** Councillor McLeod, Chair, Budget Review Committee, provided a verbal update on the Budget Review Committee meetings of March 30, 31, and April 13, 20, 2015.

**PUBLIC MEETING PURSUANT TO CITY OF WELLAND BY-LAW 2013-127**

Public Meeting regarding 2015 Water/Wastewater Capital Budget and 2016-2024 Capital Forecast.

- No one spoke to the matter.

There being no speakers, the public meeting was concluded.

## **LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Van Vliet presided as Chair of the Public Hearing.

### **14-85**

**14-85Z** Complete applications have been made by JOHN PERRY on behalf of GARY NEUMANN to amend the City of Welland Official Plan by changing the designation of the lands at 170 Hellems Avenue (east side of Hellems Avenue, south of Young Street) from LOW DENSITY RESIDENTIAL to COMMUNITY COMMERCIAL CORRIDOR and to rezone the lands at 152 Hellems Avenue, 170 Hellems Avenue and 131 Young Street (south east corner of Hellems Avenue and Young Street) from the existing C1-X13 and RM2 Zones to a Site Specific C1 Zone. The purpose of the Amendment is to permit the construction of a two and a half storey (504.69 sq m) addition to the existing building for a 52 bed respite care facility. The proposed Site Specific C1 Zone would add respite care as a permitted use to the 170 Hellems Avenue lands and permit a parking requirement of one parking space per four beds.

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

John Perry, Planning Consultant, 15 Fairlawn Crescent, Welland, ON L3C 5Z2 and Fran Johnson, 169 Price Avenue, Welland, ON L3C 3Y5 representing the owner.

(Councillor P. Chiochio disclosed an interest in this matter, and was not present during the Statutory Public Meeting, as his sister has special needs and he will be assisting with the development of this project).

### **In support of the application:**

- Shelby Lang, 296 Glenridge Avenue, St. Catharines, ON L2T 3K4
- Kayla Fuller, 144 Afton Avenue, Welland, ON L3B 1V9
- Jessica Utotroni, 86 Murfield Trail, Welland, ON L3B 6G5
- Jessica Lower, 594 First Avenue, Welland, ON L3C 1Z3

There being no other persons present to speak in support of the application, the Chair asked for those opposing the application.

### **In opposition to the application:**

- David Middleton, 42 Margery Road, Welland, ON L3B 2P6
- Barbara Varasko, 83 Kent Street, Port Robinson, ON L0S 1K0
- Brian Fargo, 180 Hellems Avenue, Welland, ON L3B 3B4

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

Councillor Van Vliet presided as Chair of the Public Hearing.

**15-58** A complete application has been made by GREG WOODS on behalf of THE HOPE CENTRE COMMUNITY RESOURCES IN ADVOCACY to rezone Part of Block F, Plan 574 for lands at 570 King Street from the existing C3-X1 Zone to a Site Specific C3 Zone. The purpose of the Amendment is to permit the conversion of the existing building to a social services hub which would include such uses as a clinic, volunteer training, adult education, social services, community programming, a food bank and soup kitchen. The Official Plan designation is HEALTH AND WELLNESS CLUSTER.

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Greg Woods, President and Board of Directors, The Hope Centre, 2 Spencer Lane, Fonthill, ON L0S 1E0 and Brenda Lannigan, 106 Chapel Crescent, Welland, ON L3C 6G9

(Councillor Carl disclosed an interest in this matter, and was not present during the Statutory Public Meeting, as The Hope Centre is his employer).

**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 to the application:**

- No one spoke to the application.

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

**15-1** Moved by P. Chiochio and Carl  
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 17, 2015, and Special Council Meetings of March 10 and 24, 2015, as circulated.

**CARRIED**

**99-99** Moved by Larouche and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information REPORT CM-2015-01;  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves to include \$32,000 for the Canoe and Paddle Boat Program in the 2015 Recreation Division's Operating Budget and for staff to explore partnership opportunities and report back with a plan; and  
 THAT THE COUNCIL OF THE CITY OF WELLAND directs the Interim City Manager to create a plan for the operational and governance of the Welland Recreational Canal Corporation, for Council consideration.

**CARRIED**

**99-99** Moved by McLeod and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Illuminaqua concert series be supported and funded as a city promotional event; and further  
 THAT the number of concerts be consistent with past Illuminaqua series.

**LOST**

**03-59** Moved by P. Chiochio and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-07 Update to Clean Yards By-law 10727, as amended; and further  
 THAT Welland City Council directs the City Clerk to amend the recitals of the Clean Yards By-law in accordance with new/ updated legislation.  
 THAT Welland City Council directs the City Clerk to amend the Clean Yards By-law as follows;  
 DELETE the following:

2.4 "Owner" means an owner, lessee or occupant.

2.7 "Waste" means any article, thing, matter or any effluent that appears to be waste material; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this clause it is hereby declared that waste extends to the following classes of waste material:

...continued...

**03-59...cont'd.**

- 2.8 "Waste Material" mean material or effluent that, in the opinion of the By-law Enforcement Officer:
- 3.1 Every owner, lessee, or occupant of grounds, yard or vacant lands in the City of Welland shall keep and maintain the same in a clean and clear condition and free from waste of any kind including the removal or trimming of weeds or grass more than eight (8) inches in height.
- 3.2 No person shall throw, place or deposit by any means any waste on private property without the written authority of the owner or occupant of the property.
- 3.3 No person shall throw, place or deposit any waste of any kind on City property or Regional Property without the written authority of the City or Region and where such property is occupied by a person other than the owner, without the written authority of the occupant.
- 3.4 No owner shall permit waste to remain on any property within the City.
- 3.5 Every owner, lessee or occupant shall, in accordance with the provisions of the Environmental Protection Act, dispose of waste at a site approved by the Ministry of Environment and Energy.
- 3.7 The By-law Enforcement Officer may by registered mail send a notice to the owner, lessee or occupant at the address shown on the last revised assessment roll, requiring the owner, lessee or occupant to, within a specified time:
- (a) Remove all waste from the identified land or structure;
- (b) Fill in any yard or opening in any yard.
- 3.8 The By-law Enforcement Officer may inspect any land or structure for the purpose of determining whether the land or structure is used for the dumping or disposal of waste of any kind or in compliance with this By-law or to ascertain that the owner, lessee or occupant has complied with any notice sent by the By-law Enforcement Officer.
- 3.9 Where the owner, lessee or occupant is in default of doing the matter or thing required to be done under this By-law, the By-law Enforcement Officer may have the said grounds, yards, or vacant lands, filled up, drained, cleaned or cleared up, by any means necessary to attain compliance with this By-law.
- 3.10 Where any of the matters or things are done in accordance with Subsection 3.9, the expense of having the thing done shall be recovered in a like manner as municipal taxes, in accordance with Section 326 of the Municipal Act.

ADD the following:

- 2.4 "owner" means and includes an owner, lessee or occupant.
- 2.5 "person" means and includes an individual, corporation or other entity.
- 2.8 "Refuse" means any article, thing, matter or any effluent that appears to be refuse; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this clause it is hereby declared that refuse extends to the following classes of refuse material:
- 2.9 "Refuse Material" means material or effluent that, in the opinion of the By-law Enforcement Officer:
- 3.1 Every owner, lessee, or occupant of grounds, yard or vacant lands in the City of Welland shall keep and maintain the same in a clean and clear condition and free from refuse of any kind.
- 3.2 No person shall throw, place or deposit by any means any refuse on private property without the written authority of the owner or occupant of the property.
- 3.3 No person shall throw, place or deposit any refuse of any kind on City property or Regional property without the written authority of the City or Region and where such property is occupied by a person other than the owner, without written authority of the occupant.
- 3.4 No owner shall permit refuse to remain on any property within the City.
- 3.5 Every owner shall in accordance with the provisions of the Environmental Protection Act, dispose of refuse at a site approved by the Ministry of Environment and Energy.
- 3.7 Every owner of grounds, yard or vacant lands in the City of Welland shall cut, trim or remove the grass and weeds whenever the growth of the grass or weeds exceeds fifteen centimeters (15 cm) in height.
- 3.8 The By-law Enforcement Officer may inspect any land or structure for the purpose of determining whether the land or structure is used for the dumping or disposal of refuse of any kind or in compliance with this By-law or to ascertain the owner, lessee or occupant has complied with any notice sent by the By-law Enforcement Officer.
- 3.9 Where the owner, lessee or occupant is in default of doing the matter or thing required to be done under this By-law, the By-law Enforcement Officer may have said grounds, yards, or vacant lands, filled up, drained, cleaned or cleared up, by any means necessary to attain compliance with this By-law.

...continued...

**03-59...cont'd.**

3.10 Where any of the matters or things are done in accordance with Subsection 3.9, the expense of having the thing done shall be recovered in a like manner as municipal taxes, in accordance with Section 446 of the Act.

**SECTION 4 ADMINISTRATION, ENFORCEMENT AND RIGHT OF ACCESS**

4.1 This By-law shall be administered and enforced by the City, the By-law Enforcement Officer or any person appointed or otherwise delegated the authority of administration and enforcement.

4.2 If there is a conflict between a provision of this By-law and a provision of any other City By-law, the provision in this By-law shall apply.

4.3 It is hereby declared that notwithstanding that any part of this By-law, or parts thereof, may be found by any Court of law to be invalid or beyond the power of Council to enact such section or sections or parts thereof shall be deemed to be severable and that all other sections or parts of this By-law are separate and independent there from and enacted as such.

4.4 Pursuant to the provisions of Sections 23.1 to 23.5 of the Act, 2001 the Clerk of the City of Welland is hereby authorized to effect any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature or kind to this By-law as may be necessary after the passage of this By-law.

4.5 A By-law Enforcement Officer designated to perform inspections pursuant to this by-law may at all reasonable times, enter upon any land for the purpose of carrying out an inspection to determine whether or not this By-law is being contravened.

4.6 Any notice given under this by-law may be given by ordinary mail, registered mail or hand delivered to the address of the owner according to the last revised Assessment Roll of the subject property or the notice may be posted at the subject property, and such service shall be deemed good and sufficient service.

4.7 The By-law Enforcement Officer may give notice requiring the owner, within a specified time:

(a) Remove all refuse or refuse material from the identified land or structure;

(b) Fill in any yard or opening in any yard;

(c) Cut, trim or remove any grass and weeds exceeding fifteen centimeters in height.

(i) Only one (1) notice per calendar year under subsection 4.7 (c) is required. If, after a notice has been served in accordance with this by-law, the By-law Enforcement Officer, determines that a subsequent violation has occurred, the Municipality may proceed with the remedy set forth in Section 4.8 without further notice.

(ii) In addition, the City shall publish annual notice once in a local newspaper of general circulation advising residents of the requirements of Section 4.7 (c)(i).

4.8 Where the owner is in default of doing the matter or thing required to be done under this By-law, the By-law Enforcement Officer may have the said grounds, yards or vacant lands, filled up, drained, cleaned or cleared up, by any means necessary to attain compliance with this By-law.

4.9 Where any of the matters or things are done in accordance with Subsection 4.8, the expense of having the thing done shall be recovered in a like manner as municipal taxes, in accordance with Section 446 of the Act.

4.10 The By-law Enforcement Officer shall have inspection powers described in Section 436 of the Act.

4.11 No person shall obstruct or hinder, or attempt to obstruct or hinder, a By-law Enforcement Officer, in the exercise of a power or the performance of a duty under this by-law.

4.12 No person shall refuse to produce any documents or things required by a By-law Enforcement Officer under Section 4.5 and 4.10 of this By-law, and every person shall assist any entry, inspection, examination, or inquiry by a By-law Enforcement Officer.

4.13 No person shall knowingly furnish false information in any form to the City of By-law Enforcement Officer with respect to this by-law.

REINDEX Section 4: Penalty and Section 5: Repeal of other By-laws to SECTION 5 PENALTY and SECTION 6 REPEAL OF OTHER BY-LAWS respectively.

**CARRIED**

**04-55**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2015-04 for the Assumption of the Woodlawn Meadows Subdivision (Plan 59M-361); and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

**CARRIED**

**06-148** Moved by McLeod and P. Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the transfer of Part of Block 15, Plan 59M-378 and Part of Lot 20, Concession 6, former Township of Crowland, now City of Welland being Parts 1, 2, 3, 4, and 5, Plan 59R-15286 from Laurent Viger Construction Limited for lands north and south of the easterly terminus of Lincoln Street; and further  
 That Welland City Council authorizes staff to prepare the necessary By-law(s) to lay out, establish and name Part of Block 15, Plan 59M-378 and Part of Lot 20, Concession 6, former Township of Crowland, now City of Welland being Parts 1, 2, 3, 4, and 5 on Plan 59R-15286 part as Lincoln Street.

**CARRIED**

**09-60** Moved by Larouche and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 5, 2015 regarding Report PDS 12-2015: Gateway Economic Zone and Centre - Community Improvement Plan Application for 316 Enterprise Drive, City of Welland.

**CARRIED**

**10-76** Moved by Larouche and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Community Improvement Plan for the Downtown and Health and Wellness Cluster for property municipally known as 77-79 East Main Street for the Building Improvement Grant Program in the estimated amount of \$9,784.75 with the Niagara Region contributing 50% of this amount (\$4,892.37); and further  
 THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further  
 THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required for participation in the Building Improvement Grant Program.

**CARRIED**

**10-123** Moved by Carl and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ron Walker, Member, The Niagara Poverty Reduction Network regarding a highlight and update on the Niagara Poverty Reduction Network.

**CARRIED**

**11-107** Moved by Larouche and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Canal View Heights Subdivision (File: 26T-14-11002) for an additional one (1) year to May 9, 2016 subject to the following:

1. Amending Condition 12 to indicate that the Region will only be responsible for the review and approval of the design drawings for the sanitary and storm sewers and the City of Welland will be responsible for the review and approval of watermains under the MOE Water License Program;
2. Amending Condition 13 to change reference to "Ministry of the Environment Certificates of Approval" to "Environmental Compliance Approvals";
3. Amending Condition 22 to change the dates where vegetation cannot be removed from "May 1st to July 23rd to "March 25th to August 31st ; and further

THAT Welland City Council deems the revised Conditions to be minor.

**CARRIED**

**14-19** Moved by Larouche and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information REPORT R&C-2015-02.

**CARRIED**

**14-85****14-85Z**

Moved by Van Vliet and J. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-14 regarding Applications for Official Plan Amendment and Zoning By-law Amendment for lands on the southeast corner of Hellems Avenue and Young Street more specifically described as Part of Blocks V and Z, Plan 564 in the City of Welland, known municipally as 152 Hellems Avenue, 170 Hellems Avenue and 131 Young Street.

**(Councillor P. Chiocchio disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his sister has special needs, and he will be assisting with the development of this project).**

**CARRIED**

**14-97**

Moved by Letourneau and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2015-05 with respect to the status of the Gaiser Road Storm Water Management Facility as it relates to the previous Council recommendation of August 11, 2014.

**CARRIED**

**14-99**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the extension of the 2014 Lead Water Service Replacement contract with Vic Vatrt Contracting Ltd. of Welland, Ontario, as detailed in Report ENG-2015-07 for additional Lead Water Service Replacements, subject to the formal approval of 2015 Water and Wastewater Capital budgets; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

**CARRIED**

**15-3**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Knights of Columbus to sell raffle tickets in the City of Welland under authority of Lottery License M749955.

**CARRIED**

**15-3**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Gordon Public School.

**CARRIED**

**15-3**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Burloak Canoe Club to sell raffle tickets in the City of Welland under authority of Lottery License M717633.

**CARRIED**

**15-4**

Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Budget Review Committee, regarding its meetings of March 30, 31 and April 13, 20, 2015.

**CARRIED**

**15-4**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND refers the Notice of Motion, from the February 3, 2015 Council Meeting, to the Interim City Manager for review of the policy and the percentages to be dropped, and to report back to Council at the next General Committee Meeting.

**CARRIED**



**15-4** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves the following:

The delinquent tax accounts (3 years in arrears) listed in Schedule 'A' to Report FIN-2015-10 be placed under tax registration;

The delinquent tax accounts (3 years in arrears) listed in Schedule 'B' to Report FIN-2015-10, having entered into repayment agreements, not be placed under tax registration at this time; and further

THAT any accounts listed in Schedule 'B' be placed under tax registration upon default of their repayment agreement.

**CARRIED****15-6** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves the request submitted by the Niagara Regional Labour Council, dated March 5, 2015; to recognize April 28, 2015 as the National Day of Mourning to remember those who have suffered and died on the job by lowering the flags at the Civic Square to half-mast.

**CARRIED****15-9** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-03:LED Street Light Retrofit Program - Phase II; and further

THAT Welland City Council approves entering into an Agreement with SSL Energy Solutions as outlined in Report TRAF-2015-03, LED Street Lighting Retrofit Program - Phase II; and further

THAT Welland City Council approves financing of a capital cost of \$1,321,292 to the LED Street Lighting Retrofit Program to be funded with a debenture from Ontario Infrastructure and Lands Corporation (OILC) by utilizing the savings incurred through this program to payback this cost; and further

THAT Welland City Council approves Schedule 'C' (semi annual payments to SSLES) as per the agreement attached with this report as Appendix II.

**CARRIED****15-15** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Stephan Namisniak, Architect, Principal, and Przemyslaw (Shem) Myszkowski, Intern Architect, KNY Architects, at the General Committee Meeting of March 10, 2015 regarding the Facility Needs Study for Fire & Emergency Services, Report on Parts 1, 2, and 3.

**CARRIED****15-15** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report F&ES 2015-02 Facility Needs Study for Fire & Emergency Services, Report on Parts 1, 2, and 3.

**CARRIED****15-19** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2015-04 regarding the 2015 Welland Summer Concert Series Proposals; and further

THAT Welland City Council approves that the \$40,000 for the 2015 Welland Summer Concert Series is allocated as follows:

Downtown BIA/North Welland BIA receives \$30,000.

Downtown Summer Music Festival Series receives \$10,000.

**CARRIED**

**15-22**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information REPORT TRAF-2015-06 - 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:

DELETE the following from Schedule "V" – Parking Prohibitions (Specified Places with Signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Madison Court East	South Side	Lancaster Drive	West limit of municipal address 50 Madison Ct. E	AT NO TIME
Madison Court West	South Side	Lancaster Drive	East limit of municipal address 114 Madison Court West	AT NO TIME
Jackson Court East	South Side	Lancaster Drive	West limit of municipal address 56 Jackson Court East	AT NO TIME
Jackson Court West	South Side	Lancaster Drive	East limit of municipal address 86 Jackson Court West	AT NO TIME
Jefferson Court East	South Side	Lancaster Drive	West limit of municipal address 56 Jefferson Court East	AT NO TIME
Jefferson Court West	South Side	Lancaster Drive	East limit of municipal address 50 Jefferson Court West	AT NO TIME
Preston Place	North Side	Champlain Avenue	McGill Street	9:00 am – 5:00 pm
Preston Place	North Side	McGill Street	785 feet west	Monday to Friday 8:30 am – 4:30 pm

ADD the following to Schedule "V" – Parking Prohibitions (Specified Places with Signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Madison Court East	South Side	Lancaster Drive	A point 65 metres east of Lancaster Drive	AT NO TIME
Madison Court West	South Side	Lancaster Drive	A point 155 metres west of Lancaster Drive	AT NO TIME
Jackson Court East	South Side	Lancaster Drive	A point 82 metres east of Lancaster Drive	AT NO TIME
Jackson Court West	South Side	Lancaster Drive	A point 120 metres west of Lancaster Drive	AT NO TIME
Jefferson Court East	South Side	Lancaster Drive	A point 67 metres east of Lancaster Drive	AT NO TIME
Jefferson Court West	South Side	Lancaster Drive	A point 65 metres west of Lancaster Drive	AT NO TIME

Westdale Drive	West Side	Westmount Crescent (southerly intersection)	Fitch Street	AT NO TIME
Promenade Richelieu	North Side	Wellington Street	A point 250 east of Wellington Street	AT NO TIME
Promenade Richelieu	West Side	A point 185 metres north of Tanguay Avenue	Tanguay Avenue	AT NO TIME
Hagar Street	North Side	Scholfield Avenue	A point 30 metres east of Scholfield Avenue	8:00am – 4:00pm Monday to Friday School Days Only

ADD the following to Schedule “XXXIV” – Residential Parking Permit Only

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Colonial Street	East Side	Cabot Street	Northgate Drive	8:30 am – 4:30 pm Monday to Friday
Poplar Crescent	Even Numbered Side	Eastwood Drive	Eastwood Drive	8:30 am – 4:30 pm Monday to Friday
Preston Place	North Side	245 metres west of Champlain Avenue	Champlain Avenue	8:30 am – 4:30 pm Monday to Friday
Preston Place	South Side	160 metres west of McGill Street	McGill Street	8:30 am – 4:30 pm Monday to Friday

DELETE the following from Schedule “XXVII” – Speed Limits on Highways

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/H)
	FROM	TO	
Canal Bank Road	Broadway Street	Townline Road	60
Canal Bank Road	Townline Road	450 metres south of Townline Road	80

ADD the following to Schedule “XXVII” – Speed Limits on Highways

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/H)
	FROM	TO	
Canal Bank Road	Ontario Road	A point 1100 metres south of Humberstone Road/Townline Tunnel Road	60

CARRIED

**15-28** Moved by P. Chiocchio and Larouche  
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Liz Palmieri, Executive Director, and Madeline Woodhead, Chair, Niagara Community Foundation regarding an update on its activities.

**CARRIED**

**15-28** Moved by McLeod and Fokkens  
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by the Mayor's Youth Advisory Council regarding an update on its activities.

**CARRIED**

**15-37** Moved by McLeod and Grimaldi  
THAT THE COUNCIL OF THE CITY OF WELLAND approves, as recommended by the Budget Review Committee, the following:

- 2015 Water and Wastewater Capital Budget estimates of \$2,431,242 including debenture funding of \$997,300 (Schedule 'A'); and
  - The 2016-2024 Water and Wastewater Capital Budget Forecast of \$32,273,658; and further
- THAT Welland City Council directs the Clerk to prepare the necessary By-law to adopt the 2015 Water and Wastewater Capital Budget and 2016-2024 Water and Wastewater Capital Budget Forecast.

**CARRIED**

**15-37** Moved by Fokkens and Grimaldi  
THAT THE COUNCIL OF THE CITY OF WELLAND establish a committee no later than May 20, 2015 to review and monitor the 2015 Water/Sewer performance between expenses and revenues and that a rate structure(s) be developed that is reasonable, equitable and affordable for the users and sustainable for infrastructure, to be presented with options for the W/S rates and Capital projects to the 2016 Budget Review Committee.

.....

**15-37** Moved by Larouche and McLeod  
THAT Welland City Council amends the motion to monitor the 2015 water/sewer performance on a "quarterly basis".

**CARRIED**

**15-37** Moved by McLeod and Larouche  
THAT Welland City Council amends the motion to state "the rate structures(s) be reviewed to ensure that it is reasonable".

**LOST**

**YEAS:** Councillors Larouche, Carl, J. Chiocchio and McLeod.

**NAYS:** Councillors Letourneau, P. Chiocchio, Grimaldi, Fokkens and Mayor Campion.

**FOLLOWING THE LOST VOTE ON THE AMENDED MOTION, THE MAIN MOTION WAS THEN PUT IN ITS ORIGINAL FORM AND .....**

**CARRIED**

**15-55** Moved by Fokkens and Grimaldi  
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to consolidate the Arts & Culture Advisory Committee, the Market Square Advisory Committee, the Welland Community Wellness Complex Advisory Committee and the Welland Arenas Advisory Committee to form the Recreation & Culture Advisory Committee; and further  
THAT Welland City Council approves the Terms of Reference for the Recreation & Culture Advisory Committee as outlined in Appendix I; and further  
THAT Welland City Council rescinds the City Council member appointees to the Arts & Culture Advisory Committee, the Market Square Advisory Committee, the Welland Community Wellness Complex Advisory

...continued...

**15-55...cont'd.**

Committee and the Welland Arenas Advisory Committee; and further  
 THAT Welland City Council appoints a member of Council to the Recreation & Culture Advisory Committee.

.....

**15-55**

Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report R&C-2015-03: Advisory Committee Consolidation to the May 12, 2015 General Committee Meeting.

**CARRIED**

**15-58**

Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-13 regarding Application for Zoning By-law Amendment for lands on the east side of King Street, south of Fourth Street, more specifically described as Part Block F, Plan 574, in the City of Welland, known municipally as 570 King Street.

**(Councillor Carl disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as The Hope Center is his employer).**

**CARRIED**

**15-60**

Moved by Carl and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the multi-year tender from 1526957 Ontario Ltd. o/a CTC Contracting of Welland, Ontario, as detailed in Report ENG-2015-10 for Utility Cuts Final Reinstatement 2015-2018 at the tendered price of \$272,400.00 (excluding taxes); and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with 1526957 Ontario Ltd. o/a CTC Contracting, to execute the construction.

**CARRIED**

**15-61**

Moved by Larouche and Grimaldi

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-2015-11, Empire Street Area Watermain Replacement and Sewer Separation at the tendered price of \$592,275.15 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 Vatr Contracting Ltd. to execute the construction.

**CARRIED**

**15-64**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from Associated Engineering (Ont.) Ltd. for the Sanitary Sewer Flow Monitoring Program 2015/2016, subject to approval of the 2015 Water and Wastewater capital budget, as presented in report Eng-2015-09; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to, subject to budget approval, enter into contract with Associated Engineering (Ont.) Ltd. to perform the flow monitoring services at their proposal price of \$186,236.00 plus applicable taxes; and additional flow monitoring as required, and dictated by engineering services.

**CARRIED**

**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**09-152**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Kathleen Annable, resident-at-large; Douglas Thomas, resident-at-large; and Serge Daoust, resident-at-large to the Town & Gown Committee for the period commencing April 21, 2015 to and including December 31, 2015.

**CARRIED**

**10-123** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Extension to Closing to Purchase Agreement with Strategy to End Poverty (STEP) Niagara to April 30, 2015 for lands east of Southworth Street, north of McCabe Avenue and west of McLaughlin, more specifically described as Lots 210 to 241 inclusive and Lots 292 to 323 inclusive, Plan 24, now known as Plan 946 together with Part of the unopened Louise Street Road Allowance lying between Sauer Avenue and McCabe Avenue; and further THAT Welland City Council authorizes staff to make any changes to the Purchase Agreement deemed necessary.

**CARRIED****15-13** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND appoints William Barnes Jr., Meredith Hicks, Jennifer Howarth, Gregory Furtney, Dave Duffus, Joseph Morris, and Steven Soos to the Transit Advisory Committee for the period commencing April 21, 2015 to and including December 31, 2015.

**CARRIED****15-65** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND waives the requirements of its Policy regarding the Sale of City-Owned Lands for the transfer of lands municipally known as 812 Lyons Creek Road (Jewish Cemetery); and further

THAT Welland City Council transfers the subject lands to Jewish Niagara for a nominal fee of \$1.00 subject to an operator's licence having been issued to Jewish Niagara; and further

THAT Welland City Council requires Jewish Niagara to establish a care and maintenance fund in the amount of \$10,000.00 for the Cemetery and authorizes entering into a contract with Jewish Niagara for the future maintenance of the Cemetery by City forces; and further

THAT Welland City Council acknowledges that the City will become responsible for the Cemetery should its future care and maintenance not be maintained (the Cemetery be abandoned) as required by the Funeral, Burial and Cremation Services Act, 2002; and further

THAT Welland City Council authorizes staff to prepare the necessary documentation for the transfer of the lands known municipally as 812 Lyons Creek Road to Jewish Niagara for the sum of \$1.00.

**CARRIED****BY-LAWS**

Moved by P. Chiocchio and Larouche

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.

**03-59**

BYL 2015 - 33

A By-law to amend By-law 10727, being a By-law to provide for maintaining land in a clean and clear condition (Clean Yards By-law).

**CARRIED**

Moved by Larouche and Letourneau

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.

**15-60**

BYL 2015 - 37

A By-law to authorize entering into contract with 1536957 Ontario Ltd. O/A CTC Contracting for Utility Cut final Reinstatement 2015-2018.

**CARRIED**

Moved by Fokkens and McLeod

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.

**06-148**

BYL 2015 - 39

A By-law to authorize acceptance of a land transfer of Parts 1,2,3,4 and 5, Plan 59R-15286 from Laurent Viger Construction Limited being lands located north and south of the easterly terminus of Lincoln Street.

**CARRIED**

Moved by Grimaldi and Carl

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.

**06-148**

BYL 2015 - 40

A By-law to authorize to Lay Out, Establish and Name Part of Block 15, Plan 59M-378 and Part of Lot 20, Concession 6, former Township of Crowland, being Parts 1, 2, 3, 4, and 5, Plan 59R-15286 as part of Lincoln Street for the City of Welland.

**CARRIED**

Moved by McLeod and Fokkens

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.

**15-37**

BYL 2015 - 42

A By-law to adopt the 2015 Water and Wastewater Capital Budget.

**CARRIED**

Moved by Larouche and Grimaldi

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.

**15-22**

BYL 2015 - 32

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

**04-55**

BYL 2015 - 34

A By-law to assume Woodlawn Meadows Extension Subdivision Plan 59M-361.

**14-99**

BYL 2015 - 35

A By-law to extend the contract with Vic Vatr Contracting Ltd. for additional lead water service replacements.

**15-64**

BYL 2015 - 36

A By-law to authorize entering into contract with Associated Engineering (Ont.) Ltd. for the Sanitary Sewer Flow Monitoring Program 2015/2016.

**15-61**

BYL 2015 - 38

A By-law to authorize entering into contract with Vic Vatr Contracting Ltd. for the Empire Street Area Watermain Replacement and Sewer Separation.

**10-76**

BYL 2015 - 41

By-law to authorize execution of a Building Improvement Grant Agreement with 2438862 Ontario Limited for 77-79 East Main Street.

**15-22**

BYL 2015 - 43

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 2014-141.

**CARRIED**

Moved by Larouche and Fokkens

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.

**15-1**

BYL 2014 - 44

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 21<sup>st</sup> day of April, 2015.

**CARRIED**

Councillor Grimaldi gave Notice of Motion to the following issue to be presented to Council at the May 5, 2015 Regular Council Meeting:

**15-67** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the selection process for appointments to Boards and Advisory Committees in order to enable Council to make the selection based on an assessment of the application and ensure the process is open and transparent. Staff are to report back no later than July 2015 in order to effect the new 2016 appointment timelines.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 19<sup>th</sup> day of May, 2015.

---

**MAYOR**

---

**ACTING DEPUTY CLERK**