



**MINUTES OF**  
**COUNCIL MEETING, MAY 17, 2016**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:35 p.m. and in open session at 7:05 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors M. Carl, J. Chiochio, P. Chiochio, T. DiMarco, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod (7:05 p.m.), and L. Van Vliet.

**Members of Staff and Others Present:**

Chief Administrative Officer, G. Long  
Acting City Clerk, T. Stephens  
Chief, Fire & Emergency Services, D. Prevost  
General Manager, Corporate Services and Chief Financial Officer, S. Zorbas  
General Manager, Human Resources and Legislative Services, R. Mantesso  
General Manager, Infrastructure and Development Services/City Engineer, S. Iannello  
Recording Secretary, C. Viger (7:05 p.m.)  
Purchasing Agent, A. Beres (7:05 p.m. - 9:00 p.m.)

**16-25** Moved by Mastroianni and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:35 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- proposed or pending acquisition or disposition of land by the municipality or local board.

**CARRIED**

**16-25** Moved by Carl and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:45 p.m. with report.

**CARRIED**

**THE FOLLOWING ITEM WAS ADDED:**

- 11-58** Report TRAF-2016-06 from Gen. Mgr., Infrastructure and Planning Services/City Engineer, S. Iannello - Existing Procedures and By-laws to facilitate the removal of graffiti.

**THE FOLLOWING ITEM WAS DELETED:**

- 16-82** Notice of Motion from Councillor Letourneau.

- 11-74** Report P&B-2016-31 from Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Request for Extension to Draft Plan Approval - Fusion Homes - 1695525 Ontario Inc. (File 26T-14-10002) south of Forks Road, east of Kingsway and west of the Welland By-Pass Canal.

**DELEGATIONS:**

- 16-28** Chris Grawey, Vice-President and Bruce Allen, Unifor 199 member, Niagara Regional Labour Council addressed Council regarding Trans-Pacific Partnership (TPP).

- 16-28** Alastair Davis, Chief Executive Officer, Habitat for Humanity Niagara addressed Council regarding an update on its activities.

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

- 09-104** Councillor Van Vliet, Chair, Audit Review Committee provided a verbal update on the Audit Review Committee meeting of May 3, 2016.

**16-1** Moved by Grimaldi and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of May 3, 2016 and Special Council Minutes of May 10, 2016, as circulated.

**CARRIED**

**99-90**

**16-4**

Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2016 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, Corporate Services/Chief Financial Officer 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 Chief Financial Officer.

**(Councillor DiMarco asked to be opposed to the motion)**

**CARRIED**

**99-99**

Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2015 Year End Report for the Welland Recreational Canal Corporation (WRCC) attached as Appendix I to Report FIN-2016-22; and further

THAT Welland City Council approves that \$92,210 be funded from the City's Operating Surplus Reserve Fund to offset the cash flow deficit from the 2015 WRCC operations.

**CARRIED**

**99-99**

Moved by Mastroianni and J. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves an operating grant for the Welland Recreational Canal Corporation (WRCC) in the amount of \$332,000 for 2016 to be funded from the Canal Lands Trust Fund; and further

THAT Welland City Council approves an allocation of \$47,500 from the City's 2016 Contingency Budget to fund additional 2016 operating expenditures for the WRCC.

**CARRIED**

**99-99**

Moved by Carl and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the City of Port Colborne dated April 28, 2016 regarding fencing installed along the Welland Canal.

**CARRIED**

**99-99**

Moved by McLeod and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND while the Welland Recreational Canal Corporation is acting as a committee of Council that it follows the same reporting protocol as other committees of Council.

**CARRIED**

**02-85**

**15-6**

Moved by DiMarco and P. Chiocchio

THAT Welland City Council requests staff secure funds from the developer and put them into a reserve fund for sidewalks on Turnberry and Kintyre Trails and those funds to remain in a reserve until a later date.

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**02-85**

**15-26**

Moved by Grimaldi and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND reaffirms its commitment to the citizens of Welland to be a barrier-free community in accordance with the Accessibility for Ontarians with Disabilities Act (AODA), 2005; and further

THAT Welland City Council acknowledges that the benefits of a pedestrian-friendly community are immeasurable and include: a) economic development through increased access to business, b) fewer car trips, resulting in less air pollution and traffic, and c) a sense of community by transforming neighbourhoods into friendlier, safer and more attractive places to live; and further

...continued...

**02-85**

**15-26...cont'd.**

THAT Welland City Council directs staff to prepare a draft Sidewalk Policy that focuses on the creation of new sidewalks, and the improvement and maintenance of existing sidewalks so that all residents can enjoy a pedestrian-friendly environment; and further

THAT Welland City Council directs staff to collaborate with the Accessibility Advisory Committee to develop strategies that will engage citizens in a review of the proposed sidewalk Policy.

**LOST**

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

**YEAS:** Councillors P. Chiocchio, Mayor Campion, Larouche, Carl, J. Chiocchio and DiMarco.

**NAYS:** Councillors Grimaldi, Mastroianni, Van Vliet and McLeod.

**CARRIED**

**09-104**

Moved by Van Vliet and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Van Vliet Chair, Audit Review Committee regarding its meeting of May 3, 2016.

**CARRIED**

**09-126**

Moved by Carl and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Township of Champlain dated April 29, 2016 regarding the Green Energy Act.

**CARRIED**

**10-130**

Moved by Carl and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) dated March 18, 2016 regarding the NRH 2015 4th Quarter report to Council.

**CARRIED**

**11-58**

Moved by J. Chiocchio and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receive for information Report TRAF-2016-06 Existing Procedures and By-laws to facilitate the Removal of Graffiti; and further

THAT Welland City Council allows staff to pay property owners 100% of the cost of removal of graffiti up to a maximum payment of \$500 per year and further

THAT Welland City Council directs staff to end the 100% financial assistance subsidy program on December 31, 2016 and revert back to the original cost sharing subsidy of 50%.

**CARRIED**

**16-4**

Moved by Grimaldi and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year-End Report up to and including December 31, 2015 (FIN-2016-18) as recommended by the Audit Review Committee.

**CARRIED**

**16-19**

**16-45**

Moved by Carl and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report R&C-2016-02: Request from Youngs Insurance to rent the Showmobile to the next Council Meeting.

**CARRIED**

**16-19**

Moved by Carl and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves refunding \$132,500 to the Regional Municipality of Niagara for the double payment of Smarter Niagara Incentive Program (SNIP) Grant funds.

**CARRIED**

**16-22** Moved by Carl and P. Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2016-04 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 Schedule “XXXIV” – Residential Parking Permit Only

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Ash Court	North/South Side	Northwood Drive	Easterly limit of Ash Court	8:00am to 5:00pm Monday - Friday

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

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	
Southworth Street S	Railroad Avenue	Sauer Avenue	40

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

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	
Southworth Street S	Railroad Avenue	Sauer Avenue	40 when flashing

DELETE the following from Schedule “VIII” – Limited Parking

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD
		FROM	TO	
Norway Avenue	North/South Side	Niagara Street	Edgar Street	2-Hour

**CARRIED**

**16-28** Moved by Grimaldi and Mastroianni  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Chris Grawey, Vice-President and Bruce Allen, Unifor 199 member, Niagara Regional Labour Council regarding Trans-Pacific Partnership (TPP).

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**16-28** Moved by Grimaldi and P. Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND requests the Clerk send a letter to the Minister of International Trade stating that the Trans-Pacific Partnership (TPP) in its present form cannot be supported.

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**16-28** Moved by McLeod and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the motion to staff regarding the TPP, and requests a report be presented at the June 7, 2016 Council Meeting.

**LOST**

**FOLLOWING THE VOTE ON THE REFERRAL MOTION, THE AMENDMENT WAS DISCUSSED AND.....**

**YEAS:** Councillors P. Chiochio, Grimaldi, Mayor Campion, Carl, J. Chiochio and DiMarco.

**NAYS:** Councillors Mastroianni, Van Vliet, Larouche and McLeod.

**CARRIED**

**FOLLOWING THE VOTE ON THE AMENDING MOTION, THE MAIN MOTION  
WAS PUT AS AMENDED .....**

**YEAS:** Councillors P. Chiochio, Grimaldi, Mastroianni, Mayor Campion,  
Larouche, Carl, J. Chiochio and, DiMarco.

**NAYS:** Councillors Van Vliet, and McLeod.

**CARRIED**

**16-28** Moved by Carl and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Alastair Davis, Chief Executive Officer, Habitat for Humanity Niagara regarding an update on its activities.

**CARRIED**

**16-37** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND defers the revised Terms of Reference for the Water/Wastewater Committee attached as Appendix 1 to Report FIN-2016-11 to the next Council Meeting.

**CARRIED**

**16-46** Moved by Carl and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2016-20 and approves the purchase of One (1) New Single Axle Cab complete with U-Body Spreader, Plow Wing, Harness Equipment and on board Liquid System with Controls from St Catharine's Truck & Tractor. They are the lowest tender submitted who met the specifications at a tendered price of \$239,626.80, plus applicable taxes, as funded through the 2016 Enterprise Fleet Budget Report; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with St Catharine's Truck and Tractor to execute the sale.

**CARRIED**

**16-75** Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Catalina Excavating Inc. of Catalina Excavating Inc. of Stoney Creek, Ontario in the amount of \$1,316,146.75 plus applicable taxes as detailed in Report ENG-2016-19 for Wright Street Watermain Replacement and Road Rehabilitation; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into contract with Catalina Excavating Inc. to execute the construction.

**CARRIED**

**16-76** Moved by Carl and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the proposal of CCI Group., of Concord Ontario, as detailed in Report ENG-2016-21 Building Condition Assessment Study, for the price of \$103,000.00 plus applicable taxes; and further That Welland City Council directs the Treasurer to transfer funds from account 10-430-E47, Demolition of Buildings, to account 110-520-E36, Building Condition Assessment Study in the amount of \$40,000; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with CCI Group to execute the Building Condition Assessments.

**CARRIED**

**16-83** Moved by Carl and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal of LED Signs Inc. for the purchase of one (1) 335 cm x 610 cm (11 ft. x 20 ft.) full colour, programmable LED Sign for permanent installation to the elevated deck tower outside of the Welland Civic Square building in the amount of \$100,000; and further THAT Welland City Council directs the Clerk to prepare all necessary By-laws to enter into a Purchase Agreement with LED Signs Inc. for the acceptance of their preferred quotation.

**CARRIED**

**16-86** Moved by Carl and P. Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Region of Niagara dated May 4, 2016 regarding Expansion of Customs Pre-Clearance Locations in Canada - Minute Item 9.1, CL 6-2016, April 28, 2016.

**CARRIED**

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

**07-107**

**16-19** Moved by Carl and P. Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to enter into a Licence of Occupation Agreement with Vesna Bazgaloska-Murgoski for the continuation of Provision of Food services at the City of Welland Market Square and Sports Complex; and further  
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws and agreements to enter into a contract with Vesna Bazgaloska-Murgoski for the Provision of Food services.

**CARRIED**

### **BY-LAWS**

Moved by Van Vliet 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.

**16-75**

BYL 2016 - 67

A By-law to authorize entering into contract with Catalina Excavating Inc. for the Wright Street Watermain Replacement and Road Rehabilitation.

**CARRIED**

Moved by Carl and P. Chiochio

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.

**16-22**

BYL 2016 - 66

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

**16-46**

BYL 2016 - 68

A By-law to authorize purchase of one New Single Axle Cab complete with U-Body Spreader, Plow Wing, Harness Equipment and on board Liquid System with controls.

**16-76**

BYL 2016 - 69

A By-law to authorize the acceptance of tender and the entering into contact with CCI Inc. Group for a Building Condition Assessment Study.

**11-108**

BYL 2016 - 70

A By-law to authorize Signing Officers for Site Plan Control and other related matters and to repeal By-law 2015-113.

**07-107****16-19**

BYL 2016 - 71

A By-law to grant a Licenses of Occupation to Vesna Bazgaloska-Murgoski for the provision of food services at the Welland Market Square and the Welland Sports Complex.

**16-24**

BYL 2016 - 72

A By-law to amend By-law 2014-96 and By-law 2008-127 by renaming the titles of the General Managers related thereto (Steve Zorbas and Sal Iannello).

**CARRIED**

Moved by Van Vliet 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.

**16-1**

BYL 2016 - 73

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 17<sup>th</sup> day of May, 2016.

**CARRIED**

Council adjourned at 10:10 p.m.

These Minutes approved and adopted by Motion of Council this 7<sup>th</sup> day of June, 2016.

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**MAYOR**

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**ACTING CITY CLERK**