



MINUTES OF
COUNCIL MEETING, OCTOBER 4, 2016
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:30 p.m. and in open session at 7:02 p.m. on the above date and again in Committee-of-the-Whole closed to the public at 9:35 p.m.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (6:32 p.m.), J. Chiochio, P. Chiochio, T. DiMarco (7:02 p.m.), B. Fokkens, M.A. Grimaldi (6:35 p.m.), J. Larouche (until 8:30 p.m.), R. Letourneau, J. Mastroianni, D. McLeod (6:32 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, B. Kennedy (7:02 p.m.)
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 (until 9:35 p.m.)
Planning Supervisor, R. Larocque (7:02 p.m. until 8:30 p.m.)
Recording Secretary, C. Viger (7:02 p.m. until 9:35 p.m.)
Deputy Fire Chief, A. Eckhart (7:02 p.m.)

(Ken Su, Chief Executive Officer and Secretary-Treasurer and Melanie Gross-Kerho, Chair were present during Committee-of-the-Whole discussions on a personal matters about an identifiable individual, including municipal or local board employees and a proposed or pending acquisition or disposition of land by the municipality or local board).

16-25 Moved by Mastroianni and Letourneau

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

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

CARRIED

16-25 Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:55 p.m. without report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

16-39 A By-law to Lay Out, Establish and Name Parts 7 and 8, Plan 59R-15540, being 0.3 metre reserves for the City of Welland as part of Lincoln Street.

THE FOLLOWING ITEMS WERE DELETED:

10-123Z Report P&B-2016-48 from Gen. Mgr., Infrastructure and Development Services/City Engineer, S. Iannello - Zoning By-law Amendment Application (File No. 2016-02) by Cordage Green Housing and Community Services for lands on the north side of McCabe Avenue, east of Southworth Street.

10-123Z A By-law to amend City of Welland Zoning By-law 2667 (The Corporation of the City of Welland - File 2016-02) north of McCabe Avenue, east of Southworth Street.

16-110 Tara Stephens, Acting City Clerk, Memorandum from Mickey Cruickshank, Acting Director Legal and Court Services re: Report CL-C 86-2016: Waukesha Water Diversion Application.

THE FOLLOWING ITEM WAS AMENDED:

16-04 Report TRAF-2016-10 under Financial Consideration speaks to the operating budget account, it should read "54050 not "54000".

DELEGATIONS

16-5 Dan Patterson, President and Greg Medulun, Vice President, External Relations, Niagara College addressed Council regarding a grant request.

16-28 Peter McKinley, Director of Development and Joe Maggiolo, Chair of the Board, OneFoundation - Niagara Health System addressed Council requesting funding for equipment needs for the Niagara Health System - Welland Site.

04-91 Penny Morningstar, Museum Manager/Curator and Tami Daoust, Assistant Curator, Welland Museum addressed Council regarding "Night of the Dead" event.

06-156 Steven Soos addressed Council regarding animal abuse.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

16-4 Councillor McLeod, Chair, Budget Review Committee, provided a verbal update on the Budget Review Committee meeting of September 21, 2016.

09-104 Councillor Grimaldi, Chair, Audit Review Committee, provided a verbal update on the Audit Review Committee meeting of September 21, 2016.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Grimaldi presided as Chair of the Public Hearing:

16-65Z A complete application has been made by ROBERT J. LAW AND WILLIE A HAFTAR on behalf of PROPERTY OWNERS to rezone Lots 70, 71, 73 to 86, Plan 59M-230 for lands at 6, 16, 24, 32, 40, 48, 56, 64, 74, 82, 90, 98,106, 114, 130 and 138 Gretel Place from the existing R3-X5 Zone to a Site Specific R3Zone. The purpose of the Amendment is to permit structures within 4 metres of the rear lot line, including: pools, decks, stairs, railings, hot tubs and shed; to allow the construction of a fence along the rear lot line; and to allow for a maximum of 50% lot coverage. The Official Plan designation is LOW DENSITY RESIDENTIAL.

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

Willie Haftar, applicant, 106 Gretel Place, Welland, ON L3C 7H5

Robert Law, applicant, 98 Gretel Place, Welland, ON L3C 7H5

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 of the application:

- No one spoke to the application.

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

16-1 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of September 21, 2016, as circulated.

CARRIED

99-99 Moved by Fokkens and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2016-08 regarding a review of the 'Go Quiet' policy and 'Urban Fishing Initiative' related to the use of the Welland Recreational Waterway.

CARRIED

02-160 Moved by Letourneau and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND directs staff eliminate hence forth Section 8.1
Councillor Activities Report from the Agenda.

YEAS: Councillors Letourneau, P. Chiocchio, Grimaldi, Mastroianni, Van Vliet,
Mayor Campion and DiMarco.

NAYS: Councillors Fokkens, Carl, J. Chiocchio and McLeod.

CARRIED

04-91 Moved by Mastroianni and Carl
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Penny
Morningstar, Museum Manager/Curator and Tami Daoust, Assistant Curator, Welland Museum regarding
the Night of the Dead event.

CARRIED

06-156 Moved by Letourneau and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND directs Legal to send a letter to the Attorney General
of Ontario and College of Veterinarians of Ontario and ask for a more severe penalty for animal abuse by
veterinarians.

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06-156 Moved by Van Vliet and Mastroianni
THAT THE COUNCIL OF THE CITY OF WELLAND adds "and others" to the main motion.

CARRIED

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

CARRIED

06-156 Moved by Letourneau and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Steven
Soos regarding animal abuse.

CARRIED

06-156 Moved by P. Chiocchio and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2016-10,
Contract Renewal – Welland Humane Society; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to
enter into contract with the Welland and District Humane Society.

CARRIED

09-104 Moved by Grimaldi and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by
Councillor Grimaldi, Chair, Audit Review Committee regarding its meeting of September 21, 2016.

CARRIED

16-4 Moved by Fokkens and Grimaldi
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2017 Budget Call Report
presentation and memorandum dated September 21, 2016, regarding the 2017 Tax Supported Budget,
2017-2026 Capital Budget, and 2017 Rate Supported Budget; and further
THAT Welland City Council directs staff to prepare a Tax Supported Budget for 2017; and further
THAT Welland City Council directs staff to target an overall 2017 tax rate increase (City, Region, and
Education taxes combined) which maintains existing service levels while minimizing the impact to the
taxpayer as a key priority; and further

...continued...

16-4...cont'd.

THAT Welland City Council directs staff to present Decision Units as part of the 2017 Tax Supported Budget to support corporate strategic initiatives that could not be accommodated within the Tax Supported Budget; and further

THAT Welland City Council directs staff to prepare a Capital Budget and forecast for 2017-2026; and further

THAT Welland City Council directs staff to present the Capital Budget by Asset Category and align with the Asset Management Plan; and further

THAT Welland City Council directs staff to fully fund all ten years of the capital forecast; and further

THAT Welland City Council directs staff to prepare a 2017 Rate Supported Budget; and further

THAT Welland City Council approves the 2017 Budget Timetable attached as Appendix I to the Budget Call memorandum dated September 21, 2016, as recommended by the Budget Review Committee at its meeting of September 21, 2016.

CARRIED**16-4** Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Budget Review Committee, regarding its meeting of September 21, 2016.

CARRIED**16-4** Moved by P. Chiochio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year To Date Report – 2nd Quarter up to and including June 30, 2016 (FIN-2016-32) as recommended by the Audit Review Committee.

CARRIED**16-5** Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dan Patterson, President and Greg Medulun, Vice President, External Relations, Niagara College regarding a grant request and the item be referred to the Budget Review Committee for consideration.

CARRIED**16-13** Moved by P. Chiochio and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS-2016-09 and the recommended funding sources as part of the 2017 Capital Budget Process.

CARRIED**16-28** Moved by McLeod and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Peter McKinley, Director of Development and Joe Maggiolo, Chair of the Board OneFoundation - Niagara Health System regarding the request for funding for equipment needs for the Niagara Health System - Welland Site and the request be referred to Budget Review Committee for consideration.

CARRIED**16-33** Moved by P. Chiochio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2017-2018 holiday season from the close of business on Friday, December 22, 2017 to and including Monday, January 1, 2018.

CARRIED**16-37** Moved by McLeod and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2016-33 regarding the Clean Water and Wastewater Fund (CWWF) infrastructure funding opportunity.

CARRIED

16-65Z Moved by P. Chiocchio and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended for lands on the north side of Gretel Place, east of St. Lawrence Drive, more specifically described as Lots 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 on Plan 59M-230, municipally known as 6, 16, 24, 32, 40, 48, 56, 64, 74, 82, 90, 98, 106, 114, 130, and 138 Gretel Place from the existing Site Specific R3 – Single-Detached Dwelling – Third Density Zone to a Site Specific R3 Zone and to amend the existing RM3-X5 Zone to permit accessory structures to have rear yard setbacks of 4 metres, which will include: pools, decks, stairs, railings, hot tubs and sheds, subject to approval of the Niagara Peninsula Conservation Authority; to allow for a maximum lot coverage of 50%; and to allow the construction of a fence along the side and rear lot lines.

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16-65Z Moved by DiMarco and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND absorbs the costs incurred by residents to submit the application.

LOST

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

CARRIED

16-109 Moved by P. Chiocchio and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the City of Thorold dated September 13, 2016 regarding energy from waste.

CARRIED

BY-LAWS

Moved by McLeod and P. 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.

16-65Z
 BYL 2016 - 130
 A By-law to amend City of Welland Zoning By-law 2667 (Property Owners) - File 2015-05), 6, 16, 24, 32, 40, 48, 56, 64, 74, 82, 90, 98, 106, 114, 130 and 138 Gretel Place.

CARRIED

Moved by P. Chiocchio and Larouche
 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.

14-100
 BYL 2016 - 131
 A By-law to accept the transfer of certain blocks for access purposes from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Sparrow Meadows Estates Subdivision (File 26T-14-14001).

14-100
 BYL 2016 - 132
 A By-law to accept the transfer of certain parkland and open space purposes from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Sparrow Meadows Estates Subdivision (File 26T-14-14001).

14-100

BYL 2016 - 133

A By-law to accept the transfer of an easement(s) for storm sewers from Lea Silvestri Investments Ltd. to the Corporation of the City of Welland in the Sparrow Meadows Estates Subdivision (File 26T-14-14001).

16-15

BYL 2016 - 134

A By-law to authorize the appointment of Adam Eckhart as Deputy Fire Chief for the Welland Fire and Emergency Department; and to repeal By-laws 1999-71, 1976-6217, 1936-933.

12-116

BYL 2016 - 135

A By-law to authorize the entering into an agreement with Ray Khanna (1435587 Ontario Inc.) to provide for an option to purchase approximately 770 square metres of land west of Regent Street Road Allowance.

16-39

BYL 2016 - 136

A By-law to Lay Out, Establish and Name Parts 7 and 8, Plan 59R-15540, being 0.3 metre reserves for the City of Welland as part of Lincoln Street.

CARRIED

Councillor Fokkens gave Notice of Motion to the following issues to be presented to Council at the November 1, 2016, Regular Council Meeting:

02-85 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review and update our policies to be reflective of the changes made by the Accessibility for Ontarians with Disabilities Act effective July 1, 2016 regarding supportive persons and waiving of fees and to advise Council at the December 20, 2016 Council Meeting.

Councillor J. Chiochio gave Notice of Motion to the following issues to be presented to Council at the October 18, 2016, Regular Council Meeting:

16-22 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to report back to Council regarding traffic patterns in the area of Colbeck Avenue, Springhead Gardens, Hillside Drive and crossing Webber Road into Clare Avenue and look at common measures and costs to reduce reckless speeding.

16-25 Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 9:35 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 Fokkens and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:03 p.m. without report.

CARRIED

Moved by Van Vliet and Grimaldi

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.

16-1

BYL 2016 - 137

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 4th day of October, 2016.

CARRIED

Council adjourned at 10:04 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of October, 2016.

MAYOR

ACTING CITY CLERK