



MINUTES OF
COUNCIL MEETING, SEPTEMBER 19, 2017
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:47 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. Chiocchio, T. DiMarco (until 9:40 p.m.), B. Fokkens, M.A. Grimaldi, J. Larouche (until 9:35 p.m.), J. Mastroianni, D. McLeod, and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Deputy Clerk, C. Radice (until 6:10 p.m. and again at 7:05 p.m.)
Chief, Fire & Emergency Services, B. Kennedy
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
Manager, Engineering Services, E. Nickel
Manager of Development Approvals, G. Munday
Transit Manager, A. Stockell (8:55 p.m. - 9:15 p.m.)

17-25 Moved by Grimaldi and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:47 p.m. to consider:

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

CARRIED

17-25 Moved by Mastroianni and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:05 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE DELETED:

17-78 A By-law to cancel a portion of Municipal and Regional Taxes for 175 Southworth Street (File: BROWN 2017-03).

02-160 Harold Elston, Integrity Commissioner regarding a Resident Complaint Report.

DELEGATIONS

17-28 Doug Rapelje, Former Board Member, Alzheimer Society of Niagara Region addressed Council regarding its 2017 Coffee Break Campaign.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing:

17-107 A complete application has been made by JSL MANAGEMENT on behalf of NIAGARA PINES DEVELOPMENT LTD. for approval of a Draft Plan of Subdivision for lands on the east side of Aqueduct Street, south of Hilda Street. The subject lands are designated URBAN AREA by the Regional Policy Plan, as LOW DENSITY RESIDENTIAL by the City of Welland Official Plan and zoned SINGLE DETACHED DWELLING - FIRST DENSITY ZONE in the City of Welland Zoning By-law 2667. The application has been made for the development of 0.81 hectares of land for residential purposes.

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

Mario Bevacqua, Agent, 15 Cathy Court, Fonthill, Ontario L0S 1E2.

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:

- Sandra Smelsky, 200 Gadsby Avenue, Welland, Ontario L3C 6M9
- Peter Inman, 227 Gadsby Avenue, Welland, Ontario L3C 6M2

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

17-1 Moved by Carl and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of August 22, 2017, as circulated.

CARRIED

99-43

12-114 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves staff and designated signing authority in order to apply for IESO Energy Partnership Program funding for the 108 Thorold Road FIT 4 Ground Mount Solar Project AND for 950 East Main FIT 4 Ground Mount FIT 4 renewable energy projects.

The City of Welland Mayor and Clerk be the authorizing representatives to sign required program documents on behalf of the Corporation of the City of Welland.

The Corporation of the City of Welland designates the Corporation of the City of Welland as the main contact ("Lead Applicant") to represent the Joint Applicants. Steve Zorbas, General Manager, Corporate Services/Chief Financing Officer/Treasurer or Dan Degazio, Director of Economic Development be the application contact person to communicate with the IESO.

CARRIED

99-99 Moved by McLeod and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND proposes for a purpose built gathering space(s) along the canal be included in the 2018 budget deliberations and be included as a decision unit for committee consideration.

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99-99 Moved by Grimaldi and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND defers the matter regarding a purpose built gathering space(s) along the canal to the Budget Review Committee on October 16, 2017.

CARRIED

04-48 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves the retention of GHD, at a cost of \$99,888.50, excluding HST in order to conduct a Phase Two Environmental Site Assessment (ESA) and Risk Assessment (RA) in pursuance of filing a Record of Site Condition (RSC) for 400 East Main Street; and further

THAT Welland City Council authorizes staff to submit an application to the Federation of Canadian Municipalities (FCM)' Green Municipal Fund (GMF) for funding to assist with the cost of the Phase Two Environmental Site Assessment (ESA) and Risk Assessment (RA).

CARRIED

05-50 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request by the City of Welland Heritage Welland to designate the Brick Archways at Parkway as having Cultural Heritage Value to the City of Welland.

CARRIED

06-75 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the Appeal of the Regional Development Charges By-law; and further
 THAT Welland City Council approves retaining Aird and Berlis LLP to represent the City for this appeal; and further
 THAT Welland City Council remains opposed to the proposed New Regional Development Charges By-law being considered by Regional Council on October 5, 2017.

CARRIED

14-100 Moved by J. Chiocchio and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension of Draft Plan Approval for the Sparrow Meadows Plan of Subdivision Phases 3-7 (File:26T-14-14001) for an additional one (1) year to October 7, 2018.

CARRIED

16-22 Moved by Larouche and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND requests to rescind the following motion, previously approved by Welland City Council on July 19, 2016:
 THAT THE COUNCIL OF THE CITY OF WELLAND requests a 3 way stop sign to be placed at the corner of Goodwillie Drive and Wellandvale Drive due to the safety concerns of the local residents.

YEAS: Councillors Larouche, Carl, McLeod and DiMarco.

NAYS: Councillors Grimaldi, Fokkens, Mastroianni, Van Vliet, Mayor Campion and J. Chiocchio.

LOST

17-2 Moved by Fokkens and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND rescind only Section 8 Schedule 3 Food Vehicle from the motion passed on July 25, 2017; and further
 THAT the Council of the City of Welland deletes Section 8 Schedule 3 Food Vehicle, Section 7 Schedule 2 Food Premises and Exemption Section 10 Schedule 4 Hawker and Peddler from By-law 2011-173.

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17-2 Moved by Van Vliet and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND refers back to staff for report the matter regarding Section 8 Schedule 3 Food Vehicle, Section 7 Schedule 2 Food Premises and Exemption Section 10 Schedule 4 Hawker and Peddler from By-law 2011-173.

CARRIED

17-3 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Plymouth Park Soccer League.

CARRIED

17-3 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Port Colborne Marine Auxiliary Rescue to sell raffle tickets in the City of Welland under authority of Lottery License M789622.

CARRIED

17-4 Moved by Fokkens and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to include in their capital close out reports, the information on the various capital funding sources and if the total capital expenditures exceed 10% of original Council approved budget, explanation for over expenditures; and further
 THAT Welland City Council directs staff to prepare a report to list the details of expenses and reasoning/explanation for the over expenditure which would result in the need to fund from the capital over/under account or from other capital projects.

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17-4 Moved by McLeod and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the matter regarding capital close out reports to the Budget Review Committee.

CARRIED

17-6 Moved by Carl and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of October 2-6, 2017 as "Niagara College Week" in the City of Welland as requested by Niagara College.

CARRIED

17-13 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS-2017-07: Hoist Replacement; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into agreement to purchase a hoist from Novaquip Lifting Systems Inc.

CARRIED

17-13 Moved by Grimaldi and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendations contained in Report TRANS-2017-08: WellTrans Service Provider Agreement; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into this agreement.

CARRIED

17-13 Moved by Carl and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2017-09: Welland Transit Branding, for review; and further
 THAT Welland City Council approves the new Welland Transit brand.

CARRIED

17-22 Moved by Fokkens and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the requirement and costs for having By-law Officers work weekends with minimum cost effect to the city budget, to be included in the 2018 Budget considerations.

CARRIED

17-26 Moved by Van Vliet and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to consider it a top priority in 2018 to rebuild this street including sidewalks and curbs.

CARRIED

17-28 Moved by J. Chiocchio and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, Former Board Member, Alzheimer Society of Niagara Region regarding its 2017 Coffee Break Campaign and encourages staff and the public to participate in the September 21, 2017 Coffee Break Fundraiser at the Civic Square.

CARRIED

17-43 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND declare one seat on Council in Ward 5 vacant in accordance with section 262(1) of the *Municipal Act, 2001*, as a result of a resignation of Councillor Michael Petrachenko; and further
 THAT THE COUNCIL OF THE CITY OF WELLAND requests the Ward 5 vacancy be filled by an appointment of a resident from the community.

CARRIED

17-43 Moved by Fokkens and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND requests that a tree be purchased for \$250.00 and planted on Trail 150 in memory of Ward 5 Councillor Rocky Letourneau.

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17-43 Moved by McLeod and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND amends by adding "by all of Council".

CARRIED

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

CARRIED

17-91 Moved by Larouche and Carl
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Vance Badawey, Member of Parliament, Niagara Centre dated August 18, 2017 regarding Investing in Canada Plan and Bilateral Agreements Provinces and Territories.

CARRIED

17-106 Moved by Carl and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND approves the willingness to participate in the Bridge Bundling Feasibility Initiative with representatives from the Ministry of Infrastructure, the Ministry of Transportation, the Residential and Civil Construction Alliance of Ontario and the Ontario Good Roads Association to determine the feasibility of Alternative Financing and Procurement with regards to the bundling of bridges and culverts into one contract.

CARRIED

17-107 Moved by DiMarco and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-50 regarding Approval of a Draft Plan of Subdivision for lands on the east side of Aqueduct Street, south side of Hilda Street, more specifically described as part of Township Lot 239, in the geographic Township of Thorold, now in the City of Welland, known municipally as 396 Aqueduct Street.

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

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

17-43 Moved by Larouche and Carl
THAT THE COUNCIL OF THE CITY OF WELLAND appoints Claudette Richard to Welland City Council to fill the ward 5 vacancy, due to the passing of Councillor Rocky Letourneau.

CARRIED

BY-LAWS

Moved by McLeod and Van Vliet
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.

17-13
BYL 2017 - 100
A By-law to authorize entering into a Service Provider Agreement with Grand Taxi Inc. for expanded WellTrans Service.

CARRIED

Moved by Larouche and Carl

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.

17-13

BYL 2017 - 99

A By-law to authorize purchase of a hoist from Novaquip Lifting Systems Inc.

17-19

BYL 2017 - 101

A By-law to amend By-law 2010-119, being a By-law to regulate pool enclosures within the City of Welland (Pool Enclosure By-law).

CARRIED

Moved by Mastroianni 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.

17-1

BYL 2017 - 102

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 19th day of September, 2017.

CARRIED

Council adjourned at 10:20 p.m.

These Minutes to be approved and adopted by Motion of Council this 4th day of October, 2017.

MAYOR

CITY CLERK