



MINUTES OF
COUNCIL MEETING, DECEMBER 5, 2017
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:33 p.m. and in open session at 7:08 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Belcastro, M. Carl, J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens,
M.A. Grimaldi, J. Larouche (until 8:36 p.m.), D. McLeod (6:38 p.m.), C. Richard and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
Acting City Clerk, C. Radice
Acting Deputy Clerk, C. Viger (7:08 p.m.)
Chief, Fire & Emergency Services, B. Kennedy
General Manager, Human Resources and Legislative Services, R. Mantesso (7:08 p.m.)
Acting General Manager, Infrastructure and Development Services/City Engineer, E. Nickel
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (7:08 p.m.)
Planning Supervisor, R. Larocque (7:08 p.m.)
Manager of Fleet, Equipment and Purchasing, A. Beres (7:08 p.m.)
Acting Manager of Recreation & Culture, R. Dalton (7:08 p.m.)

17-25 Moved by Carl and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:33 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

17-25 Moved by Fokkens and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:58 p.m. with report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

17-24 A By-law to appoint a Vice Mayor for the period from December 1, 2017 to March 31, 2018 and to repeal By-law 2017-128

PRESENTATIONS

07-144 Dan Degazio, Director of Economic Development and Mike Melinyshyn, Chair, Welland Development Commission addressed Council regarding 2017 Economic Development Office Activities.

DELEGATIONS

17-22 Thomas Newburgh addressed Council regarding parking heavy vehicles on city streets.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

09-104 Councillor P. Chiochio, Chair, Audit Review Committee provided a verbal report on the Audit Review Committee meeting of November 28, 2017.

17-4 Councillor Van Vliet, Chair, Budget Review Committee provided verbal reports on the Budget Review Committee meetings of November 20 and November 27, 2017.

16-61 Councillor Grimaldi, Chair, Human Resources Committee provided a verbal report on the Human Resources Committee meeting of November 23, 2017.

17-47 Councillor P. Chiochio, Chair, Nominating Committee provided a verbal report on the Nominating Committee meeting of December 5, 2017.

PUBLIC MEETING PURSUANT TO SECTIONS 357/358 OF THE MUNICIPAL ACT, 2001 - TAX WRITE-OFFS

- No one spoke

There being no speakers, the public meeting was concluded.

17-1 Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of November 21, 2017, as circulated.

CARRIED

99-90**17-19** Moved by Carl and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal submitted by the Downtown BIA to produce and manage the 2018 Concert Series for a grant in the amount of \$40,000; and further THAT Welland City Council considers the approval of additional funding in the amount of \$10,000, if required, for use to produce the opening ceremonies for the Canoe Polo event as a 2018 Budget Decision Unit; and further

THAT Welland City Council directs the Downtown BIA to obtain public liability insurance for the event as outlined in the original RFP document and provide a Certificate of Insurance; and further

THAT Welland City Council authorizes the City Clerk to prepare the appropriate documents and By-law to enter into a contract with the Downtown BIA for the 2018 Summer Concert Series.

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Councillor Fokkens requested that the vote be split in regards to the funding amount of \$10,000 for the opening ceremonies for the Canoe Polo event.

99-90**17-19** Moved by DiMarco and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report FIN-2017-36: 2018 Concert Series to staff for report.

YEAS: Councillors DiMarco, Richard and Fokkens.

NAYS: Councillors Larouche, Belcastro, Carl, J. Chiocchio, McLeod, P. Chiocchio, Grimaldi, Van Vliet and Mayor Campion.

LOST**99-90****17-19** Moved by Carl and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal submitted by the Downtown BIA to produce and manage the 2018 Concert Series for a grant in the amount of \$40,000; and further

THAT Welland City Council directs the Downtown BIA to obtain public liability insurance for the event as outlined in the original RFP document and provide a Certificate of Insurance; and further

THAT Welland City Council authorizes the City Clerk to prepare the appropriate documents and By-law to enter into a contract with the Downtown BIA for the 2018 Summer Concert Series.

YEAS: Councillors Larouche, Belcastro, Carl, J. Chiocchio, McLeod, P. Chiocchio, Grimaldi, Van Vliet and Mayor Campion.

NAYS: Councillors DiMarco, Richard and Fokkens.

CARRIED**99-90****17-19** Moved by Carl and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND considers the approval of additional funding in the amount of \$10,000 if required, for use to produce the opening ceremonies for the Canoe Polo event as a 2018 Budget Decision Unit.

YEAS: Councillors Larouche, Belcastro, Carl, J. Chiocchio, McLeod, P. Chiocchio, Grimaldi, Fokkens, Van Vliet and Mayor Campion.

NAYS: Councillors DiMarco and Richard.

CARRIED

02-130 Moved by Grimaldi and Larouche (in block)
THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2017-42 for the Assumption of the Tetherwood Subdivision Phase 2 of plan 59M-360; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

CARRIED

02-160 Moved by DiMarco and J. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND suspend the rules of Council; and further
THAT Welland City Council remove pages 111-116 from block.

UNANIMOUSLY CARRIED

02-160 Moved by McLeod and Van Vleit
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Ombudsman Report Investigation into a closed meeting held by the City of Welland, November 2017.

CARRIED

03-55

13-73 Moved by Grimaldi and Larouche (in block)
THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2017-41 for the Assumption of the Forest Creek Estates Subdivision (Plan 59M-410) and the Brookhaven Estates Subdivision (Plan 59M-355); and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

CARRIED

05-141 Moved by Grimaldi and Larouche (in block)
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the email dated November 28, 2017 from Steve Kostyk, Vice President, Niagara Region Musicians Association regarding Tariff of Minimum Fees.

CARRIED

06-84 Moved by P. Chiochio and Grimaldi
THAT THE COUNCIL OF THE CITY OF WELLAND work with Hospice Niagara who will engage Healthcare Partners who need to look for a free standing Residential Hospice and Palliative Care Centre of Excellence.

UNANIMOUSLY CARRIED

07-144 Moved by Larouche and P. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dan Degazio, Director of Economic Development and Mike Melinyshyn, Chair, Welland Development Commission regarding the 2017 Economic Development Office Activities.

UNANIMOUSLY CARRIED

09-75 Moved by Grimaldi and Larouche (in block)
THAT THE COUNCIL OF THE CITY OF WELLAND approves the budget for the 2018 Canoe Polo World Championships as presented in Report R&C-2017-12; and further
THAT Welland City Council authorizes staff to enter into an agreement with Canoe Kayak Canada (CKC) to designate the City of Welland, operating through the Welland International Flatwater Centre, as the Host of the 2018 Canoe Polo World Championships.

CARRIED

09-104 Moved by P. Chiochio and Grimaldi
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor P. Chiochio, Chair, Audit Review Committee, regarding its meeting of November 28, 2017.

CARRIED

13-50 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by Richard Rybiak of the Dorothy Rungeling Central Airport regarding the 2018 Budget request; and further THAT Welland City Council refers the aforementioned Budget request to the Budget Review Committee meeting of December 11, 2017, for decision as recommended by the Budget Review Committee at its meeting of November 27, 2017.

CARRIED

16-61

Moved by Grimaldi and Larouche (in block)
17-47 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Richard to the Human Resources Committee as recommended by the Nominating Committee.

CARRIED

16-61

Moved by Grimaldi and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Grimaldi, Chair, Human Resources Committee, regarding its meeting of November 23, 2017.

CARRIED

16-61

Moved by Grimaldi and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the terms of reference presented at the Council Meeting of December 5, 2017.

CARRIED

17-4

Moved by VanVliet and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal reports by Councillor Van Vliet, Chair, Budget Review Committee, regarding its meetings of November 20 and 27, 2017.

CARRIED

17-4

Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the revised 2018 Budget Timetable included in the Budget Review Committee meeting agenda of November 20, 2017 as recommended by the Budget Review Committee at its meeting of November 20, 2017.

CARRIED

17-4

Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year To Date Report - 3rd Quarter up to and including September 30, 2017 (REPORT FIN-2017-32).

CARRIED

17-4

Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$49,441.62 as contained in Report FIN-2017-33 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of *the Municipal Act, 2001*.

CARRIED

17-4

Moved by Fokkens and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Chief Financial Officer/Treasurer to borrow, on an interim basis, up to \$9,000,000 to meet current and capital expenditures for the year 2018 while awaiting permanent funding by way of taxation, water and sewer billings, Provincial/Federal grants, and Regional debentures; and further THAT Welland City Council directs the Clerk to prepare the necessary By-law.

CARRIED

17-4

Moved by Belcastro and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the exclusion of amortization and post-employment benefit expenses from the 2018 Budgets.

CARRIED

17-15 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Brian Kennedy, Community Emergency Management Coordinator regarding the Emergency Response Plan.

CARRIED

17-15 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the new City of Welland Emergency Response Plan 2017; and further
 THAT Welland City Council amends Schedule A in the By-law 2004-153.

CARRIED

17-22 Moved by Carl and Richard
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Thomas Newburgh regarding parking heavy vehicles on city streets.

CARRIED

17-22 Moved by J. Chiochio and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2017-08: 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 PART I - DEFINITIONS:
 "heavy vehicle" means any commercial motor vehicle having an unloaded vehicle weight in excess of four thousand five hundred (4,500) kilograms (9,925 lbs), but does not include ambulances, fire apparatus, vehicles owned by or operated for the City of Welland, Regional Municipality of Niagara, the Ministry of Transportation (Ontario);
 ADD the following to PART I – DEFINITIONS:
 "heavy vehicle" means any commercial motor vehicle having an unloaded vehicle weight in excess of four thousand five hundred (4,500) kilograms (9,925 lbs).
 DELETE the following from Section 10.7 – Exemptions – Municipal Vehicles:
 10.7.2 Vehicles operated by or on behalf of the Regional Municipality of Niagara and any area municipality while on official business, provided appropriate identification is displayed in the front window of the drivers side dashboard;
 ADD the following to Section 10.7 – Exemptions – Municipal Vehicles:
 10.7.2 Vehicles operated by or on behalf of the Regional Municipality of Niagara and any area municipality while attending official meetings, provided appropriate identification is displayed in the front window of the driver's side dashboard.

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17-22 Moved by McLeod and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND refers Report TRAF-2017-08: Update to Traffic and Parking By-law 89-2000 and By-law back to the next General Committee meeting.

CARRIED

17-37 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the update presented by the General Manager, Corporate Services, Chief Financial Officer/Treasurer regarding the proposed 2018 Water & Wastewater Operating Budgets and Rates as recommended by the Budget Review Committee at its meeting of November 27, 2017.

CARRIED

17-37 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to present an additional option to show the impact on the proposed 2018 Water/Wastewater rates, based on the current Options #1-3, of not proceeding with the third and final year of the 3-year phase-in of equivalency factor for fixed charges for the Multi-residential class (2-6 units) and provide same to the Budget Review Committee at its meeting on December 4, 2017 as recommended by the Budget Review Committee at its meeting of November 27, 2017.

CARRIED

17-37 Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by the General Manager, Corporate Services, Chief Financial Officer/Treasurer regarding the revised proposed 2018 Water/Wastewater Operating Budgets & 2018 Rates as recommended by the Budget Review Committee at its meeting of November 20, 2017.

CARRIED

17-38 Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by the General Manager, Corporate Services, Chief Financial Officer/Treasurer regarding the revised proposed 2018 Fees & Charges.

THAT THE WELLAND CITY COUNCIL approves the fees and charges set out in Appendix I to Report LEG-2017-01 for the year 2018; and further

THAT the Clerk prepares an amendment to By-law 2006-193; and further

THAT this report, along with all other Budget reports be approved by Council on December 19, 2017 as recommended by the Budget Review Committee at its meeting of November 27, 2017.

CARRIED

17-47 Moved by P. Chiochio and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor P. Chiochio, Chair, Nominating Committee regarding its meeting of December 5, 2017.

CARRIED

17-107 Moved by Van Vliet and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves a Plan of Subdivision, for lands on the east side of Aqueduct Street and on the 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, subject to the following conditions:

1. That the Owner enter into a Subdivision Agreement with the City of Welland that is to be registered on Title.
2. That no grading or construction work shall commence until such time as the Subdivision Agreement has been entered into and financial securities are in place.
3. That all development must conform to the City's 'Municipal Standards', as amended.
4. That all necessary easements are provided to the appropriate Authority, free and clear of all encumbrances.
5. That the Owner agrees to pay a Cash-in-Lieu of Parkland Dedication of 5% in accordance with the City's Parkland Dedication and Cash-in-Lieu of Parkland Dedication Policy.
6. That the applicant must contact Regional System Maintenance staff 72 hours prior to construction in the area of the noted Regional sanitary and water infrastructure to ensure the protection of the Regional Infrastructure.
7. That the development is in accordance with the Regional Municipality of Niagara policy C3.007, Requirement for Commencement of Collection for New and Redevelopments in order to receive free Regional waste collection or the owner/corporation shall provide waste collection through a private contractor.
8. That the Developer shall provide two access points in the centre island along Hilda Street, to the satisfaction of the City of Welland Infrastructure and Development Services - Engineering Division.
9. That the applicant completes the installation of services under one contract and by a single contractor.
10. That if Final Approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request extension to Draft Approval, a written request with reasons why the extension is required, must be received by the City prior to the lapsing date; and further

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans once all Conditions have been satisfied.

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17-107 Moved by Grimaldi and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the report back to staff for review prior to expiry of the legislative time frame to Council.

YEAS: Mayor Campion, Councillors Belcastro, J Chiochio, P Chiochio, DiMarco, Fokkens, Grimaldi, Larouche, McLeod and Richard.

NAYS: Councillors Carl and Van Vliet.

CARRIED

17-117 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the Fair Workplaces, Better Jobs Act (Bill 148).

CARRIED

16-66

17-10 Moved by Grimaldi and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Sarah Cowie to the Welland Active Transportation Advisory Committee commencing December 5, 2017 to November 30, 2018.

CARRIED

BY-LAWS

Moved by Larouche and Van Vliet
 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.

17-4

BYL 2017 - 133

A By-law authorizing the Temporary Borrowing of up to \$9,000,000 to meet Current and Capital Expenditures for Year 2018.

99-90

17-19

BYL 2017 - 134

A By-Law to accept the proposal by the Downtown Business Improvement Area Board to produce and manage the 2018 Concert Series (Concerts On The Canal)

CARRIED

Moved by Grimaldi and Larouche (in block)
 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.

17-15

BYL 2017 - 132

A By-Law to adopt an Emergency Management Program and Emergency Response Plan; and to amend By-Law 2004-153.

03-55

13-73

BYL 2017 - 135

A By-Law to assume Forest Creek Estates Subdivision Plan 59M-410 and Brookhaven Estates Subdivision Plan 59M-355.

02-130

BYL 2017 - 136

A By-Law to assume Tetherwood Subdivision Plan 59M-360 (Phase 2).

09-75

BYL 2017 - 137

A By-Law to authorize entering into agreement with Canoe Kayak Canada for the 2018 Canoe Polo World Championships.

17-104

BYL 2017 - 138

A By-law to authorize entering into contract with O'Hara Trucking & Excavating Inc. for the Municipal Services Improvements at Dorothy Street, Evan Street, River Road and Margery Road.

12-109

BYL 2017 - 139

A By-law to authorize amending the contract with Cantec Security Services Inc., for uniformed guard and patrol services.

17-12

BYL 2017 - 140

A By-law to appoint a Vice Mayor for the period from December 1, 2017 to March 31, 2018, and to repeal By-law 2017-128.

CARRIED

Moved by Larouche 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.

17-1

BYL 2017 - 141

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 5th day of December, 2017.**CARRIED**

Councillor McLeod gave Notice of Motion to the following issue to be presented to Council at the December 19, 2017, Regular Council Meeting

02-160 WHEREAS calling the question can be perceived as stifling debate.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests a report indicating the motion to call the question can be modified or eliminated.

Council adjourned at 10:02 p.m.

These Minutes to be approved and adopted by Motion of Council this 19th day of December, 2017.

MAYOR

ACTING CITY CLERK