



**MINUTES OF**  
**COUNCIL MEETING, AUGUST 28, 2018**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in open session at 6:02 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, B. Fokkens, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod, 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  
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 (6:08 p.m.)  
General Manager, Infrastructure and Development Services/City Engineer, E. Nickel  
Infrastructure Planner, M. Kowalczyk (6:02 p.m. – 9:14 p.m.)  
Engineering Technician I, S. Pierce (6:02 p.m. – 8:26 p.m.)  
Manager of Development Approvals, G. Munday (6:02 p.m. – 9:14 p.m.)  
Chief Building Official, J Tosta (6:02 p.m. – 9:14 p.m.)  
Infrastructure Planning & Development Supervisor, M. Ingebrigtsen (6:02 p.m. - 8:26 p.m.)

**LEGISLATED PUBLIC HEARINGS PURSUANT TO THE DRAINAGE ACT R.S.O 1990.**

Mayor Campion presided as Chair of the Public Hearing:

**11-100** Browns Tap Drain.

Persons to speak to the petition:

Jeff Ward, 797 Forks Road West, Wainfleet, ON L0S 1V0  
 Roger Demers, 800 Forks Road West, Welland, ON L0S 1V0  
 Sara Scott, 869 Forks Road West, Welland, ON L0S 1V0  
 Marla Guglielmi, 14 Rosedale Place, Welland, ON L3B 1J2

There being no other speakers, the public meeting was adjourned to a date that will be provided to the affected landowners.

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

**09-152** Councillor Carl, Chair, Town and Gown Advisory Committee addresses Council regarding its meeting of August 22, 2018.

**2018-308**

**18-1** Moved by P. Chiochio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of July 24, 2018 and Special Council Meeting of August 9, 2018, as circulated.

**CARRIED**

**2018-309**

**03-133**

**11-108** Moved by J. Chiochio and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2018-44 being a quarterly summary report of approved 2018 Community Improvement Plan Incentive Applications between April 1, 2018 and June 30, 2018.

**CARRIED**

**2018-310**

**05-87**

**06-132**

**07-126** Moved by J. Chiochio and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2018-27 for the Assumption of the Webber Estates (Plan 59M-359), Clare Estates Phase 1 (Plan 59M-371) and Blue River Estates Phase 1 (Plan 59M-369) Subdivisions; and further

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

**CARRIED**

**2018-311**

**05-114**

Moved by DiMarco and P. Chioocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2018-26 regarding the Hunter’s Pointe Water Booster Station Project Update.

.....

**05-114**

Moved by P. Chioocchio and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND approves that staff will move forward with preliminary site preparation and servicing; and further THAT Welland City Council requests that the tender report come back no later than the first Council meeting in December.

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

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

**CARRIED**

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

**05-114**

Moved by P. Chioocchio and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2018-26 regarding the Hunter’s Pointe Water Booster Station Project Update and approves that staff will move forward with preliminary site preparation and servicing; and further THAT Welland City Council requests that the tender report come back no later than the first Council meeting in December.

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

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

**CARRIED**

**2018-312**

**05-114**

Moved by DiMarco and P. Chioocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives the petition for information regarding insufficient water pressure in the Highlands and Hunter’s Pointe communities; and further THAT Welland City Council refers the petition to engineering staff.

**CARRIED**

**2018-313**

**06-126**

Moved by Van Vliet and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND denies an extension to Draft Plan Approval for the Dain City Subdivision (File: 26T-14-06002) and that Draft Plan Approval expires on September 6, 2018 if all conditions are not satisfied by that time.

**CARRIED**

**2018-314****09-152**

Moved by Carl and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Carl, Chair, Town and Gown Committee, regarding its meeting of August 22, 2018; and further THAT Welland City Council approves the request of paying \$1,048.64 for off duty police officers to patrol in the Niagara College area on September 7 and 8, 2018; and further THAT Welland City Council approves utilizing 2018 Contingency Fund of \$1,048.64 for use of off duty police officers for an extra weekend if required.

**YEAS:** Councillors Carl, J. Chiochio, P. Chiochio, DiMarco, Fokkens, Grimaldi, Larouche, Mastroianni, McLeod, Richard, Van Vliet and Mayor Campion.

**NAYS:** Nil

**UNANIMOUSLY CARRIED****2018-315****11-100**

Moved by Carl and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND adjourns the Public Hearing pursuant to the *Drainage Act* to a date that will be provided to the affected landowners.

**CARRIED****2018-316****18-3**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Niagara College Welland.

**CARRIED****2018-317****18-3**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Central United Church Welland.

**CARRIED****2018-318****18-3**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Niagara Peninsula Community Resource Centre Welland.

**CARRIED****2018-319****18-4**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the capital project close out reports for the projects listed in Appendix 'A' attached to Report FIN-2018-16.

**CARRIED****2018-320****18-4**

Moved by McLeod and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated August 1, 2018 regarding Report CSD 41-2018; Results of Stakeholder Engagement for Vacancy Rebate Program Revisions.

**CARRIED****2018-321****18-6**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares September 4, 2018 as "National Polycystic Kidney Disease (PKD) Awareness Day" in the City of Welland.

**CARRIED**

**2018-322****18-15**

Moved by DiMarco and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves funding from the Capital Surplus Reserve to perform repairs to the 2003 Spartan fire truck at a cost of estimate of \$136,000.

**CARRIED****2018-323****18-20**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Welland County Motorcycle Club for Biketoberfest to be held on September 14 and 15, 2018 on the grounds of Welland County Motorcycle Club at 603 Netherby Road, Welland; and further THAT Welland City Council designates "Biketoberfest" as one of municipal significance; and further THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the Biketoberfest and to designate such events as one(s) of municipal significance.

**CARRIED****2018-324****18-20**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Niagara College Student Administrative Council for NCSAC Carnival to be held on September 7, 2018 on the Welland Campus at 100 Niagara College Boulevard, Welland; and further THAT Welland City Council designates "NCSAC Carnival" as one of municipal significance; and further THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the NCSAC Carnival and to designate such events as one(s) of municipal significance.

**CARRIED****2018-325****18-20**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Niagara Regional Agricultural Society for Welland Fair to be held on September 14, 15 and 16, 2018 on the grounds of Niagara Regional Exhibition at 1100 Niagara Street North, Welland; and further

THAT Welland City Council designates "Welland Fair" as one of municipal significance; and further THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the Welland Fair and to designate such events as one(s) of municipal significance.

**CARRIED****2018-326****18-22**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2018-15 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	
Canal Bank Street	East and West Side	Fifth Street	N.Y.C Underpass	Any Time

...continued...

**18-22...cont'd.**

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	
Canal Bank Street	West Side	Fourth Street	N.Y.C Underpass	Any Time
Canal Bank Street	East Side	Sixth Street	N.Y.C Underpass	Any Time

DELETE the following from SECTION 8.1 – OCCUPANCY OF HIGHWAY

8.1.5 Where a permit holder fails to comply with any of the provisions of any Section 8.1, the City of Welland may perform the works necessary to effect compliance with this section and all costs and expenses incurred thereby shall be borne by the permit holder.

ADD the following to SECTION 8.1 – OCCUPANCY OF HIGHWAY

8.1.5 Where a permit holder fails to comply with any of the provisions of this Section 8.1 and the City of Welland elects to perform the works necessary to effect compliance with this Section 8.1, or if any city permit is revoked pursuant to Section 8.1.17 then in either situation all costs and expenses incurred thereby shall be borne by the permit holder.

ADD the following to SECTION 8.1 – OCCUPANCY OF HIGHWAY

8.1.17 The City Engineer or official designate may revoke any road occupancy permit at any time and all costs and expenses incurred thereby shall be borne by the permit holder.

**CARRIED**

**2018-327**

**18-22** Moved by McLeod and DiMarco

WHEREAS residents continue to struggle with dealing with rats; and  
WHEREAS the only winning formula is a collective and persistent one; and  
WHEREAS the city bears a responsibility in getting residents and neighbours working together, vigilantly, in order to affect change.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff propose an action plan that includes problem identification, education, neighbourhood outreach, resident tool kits and a framework for financial rebates; and further  
THAT financial and staff resources be accounted for as part of the action plan proposal.

**CARRIED**

**2018-328**

**18-26** Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Signature Contractors Windsor Inc. as detailed in Report ENG-2018-24 for the 2018 Sidewalk Construction/Replacement; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into contract with Signature Contractors Windsor Inc. and execute the construction.

***(Councillor Carl asked to be recorded as opposed to the motion)***

**CARRIED**

**2018-329**

**18-33** Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2019-2020 holiday season from the close of business on Tuesday, December 24, 2019 to and including Wednesday, January 1, 2020.

**CARRIED**

**2018-330****18-36**

Moved by Van Vliet and Mastroianni (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2018-25 regarding the New River Road and Downs Drive Industrial Park.

**CARRIED**

**2018-331****18-86**

Moved by Van Vliet and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives the report of the Chief Building Official dated August 28, 2018; and further

THAT Welland City Council authorizes the Clerk and Chief Building Official to enter into and execute Conditional Permit Agreements with qualified applicants on behalf of the City, as authorized by the Building Code Act, and at the discretion of the Chief Building Official.

**CARRIED**

### **BY-LAWS**

Moved by Mastroianni 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.

**18-26**

BYL 2018 - 97

A By-law to authorize entering into contract with Signature Contractors Windsor Inc. for the 2018 Sidewalk Construction/Replacement.

**05-87****06-132****07-126**

BYL 2018 - 98

A By-law to assume Webber Estates Plan 59M-359, Clare Estates (Phase 1) Plan 59M-371 and Blue River Estates (Phase 1) Plan 59M-369 Subdivisions.

**CARRIED**

Moved by Van Vliet and Mastroianni (in block)

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.

**18-22**

BYL 2018 - 99

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedule V and Section 8.1).

**CARRIED**

Moved by Mastroianni 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.

**18-1**

BYL 2018 - 100

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 28<sup>th</sup> day of August, 2018.

**CARRIED**

Council adjourned at 9:14 p.m.

These Minutes to be approved and adopted by Motion of Council this 25<sup>th</sup> day of September, 2018.

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**MAYOR**

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**ACTING CITY CLERK**