



MINUTES OF
COUNCIL MEETING, JULY 7, 2020
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:02 p.m. and in open session at 7:02 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present Electronically:

Councillors J. Chiochio, T. DiMarco (8:55 p.m.), B. Fokkens, B. Green, M.A. Grimaldi (5:07 p.m.), D. McLeod (5:20 p.m.), A. Moote, G. Speck, L. Spinosa, C. Richard and L. Van Vliet.

Members of Staff and Others Present:

City Clerk, T. Stephens
Deputy Fire Chief, A. Eckhart (electronically)
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
General Manager, Infrastructure and Development Services, T. Fitzpatrick
General Manager, Economic Development & Recreation & Culture, D. Degazio

2020 - 218

20-25

Moved by Spinosa and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:02 p.m. to consider:

- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - *Update regarding developments.*
- proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Expropriate of Part of Lot 16 Concession 7 - Designated as Part 1 to 4, Plan 59R-3342 - City of Welland.*

CARRIED

2020 - 219

20-25

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:48 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE DELETED:

Legislated Public Meeting pursuant to Section 357/358 of the *Municipal Act, 2001*.

20-4 Report FIN-2020-16: Application for Tax Write-Offs - Section 357/358.

2020 - 220

20-1

Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of June 9 and 23, 2020 and Regular Council Meeting of June 16, 2020, as circulated.

CARRIED

2020 - 221

99-90

99-99

Moved by Chiochio and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND receives staff report regarding revenue sources for the Downtown Welland 2020 Summer Concert Series event.

(Councillor Spinosa disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is a sponsor of the concert series).

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99-90

99-99

Moved by Green and Speck

THAT Welland City Council defers Report CAO-2020-03: Welland Summer Concert Series to the August 4, 2020 Council Meeting to have staff present at the meeting.

YEAS: Councillors Green, Speck, Chiochio, Richard, Fokkens and Moote.

NAYS: Councillors McLeod, DiMarco, Grimaldi, Van Vliet and Mayor Campion.

CARRIED

2020 - 222**99-99**

Moved by Chiocchio and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Stolk Construction Inc. in the amount of \$73,540.00 (plus HST) being the only tender received for the Lincoln Street Docks Swim Dock Design and Installation project; and further
2. THAT Welland Council directs staff to prepare the necessary By-law and documents to execute the project; and further
3. THAT Welland Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2020 - 223****02-160**

Moved by Fokkens and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to update the Code of Conduct Policy to include a Code of Conduct for Staff to Council and to update the Council and Staff Relationship Policy to include reference to the revised Code of Conduct in the Roles and Responsibilities of Staff and that it is brought to Council for review on July 21, 2020.

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02-160

Moved by McLeod and Van Vliet

THAT Welland City Council refers the Code of Conduct Policy to the Human Resources Committee.

YEAS: Councillors Green, Speck, McLeod, Richard, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Chiocchio and Fokkens.

CARRIED**2020 - 224****04-91**

Moved by McLeod and Fokkens

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the requested renovations at the Welland Historical Museum as set out in its letter of June 3, 2020; and further
2. THAT Welland City Council directs the City Clerk to advise the Welland Historical Museum accordingly.

(Councillor Speck disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his business supplies goods to the Welland Museum).

(Councillors Spinosa disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his business provides services to the Welland Museum).

(Councillor Moote disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as one of his contractors works for the Welland Museum).

CARRIED**2020 - 225****06-126**

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Dain City Subdivision (File: 26T-14-06002) for an additional three (3) years to September 6, 2023; and further

That Welland City Council approves a policy amendment to allow for the Dain City Subdivision to be provided with an Extension to Draft Plan of Subdivision Approval for three (3) years which exceeds the one (1) year extension provided through Policy SER-012-0014.

CARRIED

2020 - 226**11-108**

Moved by

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the following amendments to By-law 2016-104, Being a By-law to Delegate Various Planning and Community Improvement Approvals to staff:
 - A. Plans of Subdivision/Condominium
 - i) Delegating approval of Draft Plan Approval for Plans of Subdivision and Condominium or exemption to the General Manager of Infrastructure & Development Services (GM) where there are no Official Plan Amendment and or Zoning By-law Amendments needed;
 - ii) Clarifying that various other approvals associated to Application for Plans of Condominium are delegated to the GM, the same of which are already delegated for Plans of Subdivision.
 - B. Part Lot Control Exemption
 - i) That approval of Applications for Part Lot Control Exemption be delegated to the GM and that the necessary By-law be included on a Council Agenda without a Staff Report.
 - C. Applications for Tax Increment Grants (TIG) and Tax Assistance Program (TAP) under the City's Community Improvement Plans (CIP)
 - i) Delegating approval of TAPs and TIGs for the City's three CIPs to the GM and
 - ii) Replacing the current \$75,000.00 delegated approval authority cap and replacing it with yearly budgeted amount for the current year.
2. THAT Welland City Council approves the amendments to By-law 2011-3 being the by-law dealing with the Committee of Adjustment by delegating approval of Applications for Consent to the GM where there are no related minor variances.
3. THAT Welland City Council authorizes Staff to prepare the necessary By-laws.

NOT PUT**11-108**

Moved by Speck and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND challenge the Chair regarding Delegation to Staff of Various Approvals under the Planning Act.

YEAS: Councillors McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Green, Speck, Chiochio, DiMarco, Richard and Fokkens.

LOST**2020 - 227****12-142**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the renewal proposal of Bell Mobility Inc. for Municipal Mobile and Smartphone Hardware and Services for a period of 48 months from contract execution; and further

THAT Welland City Council directs the Clerk to prepare all necessary By-laws to enter into a contract with Bell Mobility Inc. for the provision of Mobile and Smartphone Hardware and Services from 2020 to 2024 inclusive, featuring a minimum pre-tax estimated savings of \$25,085 per year compared to our current negotiated offering.

CARRIED

2020 - 228**18-70** Moved by McLeod and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Peters Excavating Inc. in the amount of \$3,665,186.67 (plus HST) being the lowest of five (5) tenders received for the Edgar/Elgin Sewer Separation (Phase 3); and further
2. THAT Welland City Council approves the extension of GHD Limited contract as per RFP17-04 and proposal letter to provide contract administration and construction inspection for the Edgar/Elgin Sewer Separation (Phase 3) in the amount of \$187,000.00 plus applicable taxes; and further
3. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further
4. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2020 - 229****20-13** Moved by McLeod and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2020-03: Transit Joint Procurement Agreement; and further
 THAT Welland City Council approves the agreement as outlined within this report.

CARRIED**2020 - 230****20-27** Moved by Richard and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to establish a line item in our City's budget to fund our City's Welland Rose Festival; and further
 THAT this budget allocation be established at the amount of \$90,000 per year and will increase annually at the rate of inflation.

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20-27 Moved by Grimaldi and Moote

THAT Welland City Council refers the matter to the Budget Review Committee.

YEAS: Councillors Green, Speck, McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Champion.

NAYS: Councillors Chiocchio, Richard and Fokkens.

CARRIED**2020 - 231****20-48** Moved by McLeod and Green (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Alfred Beam Excavating Ltd. in the amount of \$880,576.00 (plus HST) being the lowest of seven (7) bid submissions received for the Watermain Replacement 2020 (Part 2) project; and
2. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further
3. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2020 - 232****20-64** Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of Brantford dated May 28, 2020 regarding Essential Day - March 17, 2020.

CARRIED

2020 - 233**20-75**

Moved by McLeod and Van Vliet

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Clean Water Works Inc. in the amount of \$753,330.00 (plus HST) being the lowest of four (4) tenders received for the 2020 Sewer Rehabilitation/Lining Program tender; and further
2. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further
3. THAT Welland city Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2020 - 234****20-79**

Moved by McLeod and Green (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Peninsula Construction Inc. in the amount of \$177,235.00 (plus HST) being the lowest of two (2) tenders received for the Guide Rail Replacement project; and further
2. THAT Welland City Council approves the transfer of \$90,000.00 from the 2016 Road Resurfacing Account (10-320-16021); and further
3. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further
4. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****2020 - 235****20-82**

Moved by Van Vliet and Speck

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for Approval to Expropriate Land for lands described as Part of Lot 16 Concession 7 former Township of Crowland now City of Welland, designated as Parts 1 to 4 inclusive Plan 59R-3342 and Part of Road Allowance between Lots 17 and 17 Crowland designated as Part 1 Plan 59R-6954; and further
2. THAT Welland City Council authorizes staff to give all necessary notices and take all necessary measures to proceed with the expropriation of the said lands.

YEAS: Councillors Green, Speck, McLeod, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Chiocchio, DiMarco, Richard, Grimaldi and Fokkens.

(Councillor Chiocchio asked to be recorded as opposed to the motion).

CARRIED**BY-LAWS**

Moved by Van Vliet and Moote

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.

18-70

BYL 2020 - 72

A By-law to authorize entering into contract with Peters Excavating Inc. for the Edgar/Elgin Sewer Separation (Phase 3) and contract extension with GHD Limited.

20-75

BYL 2020 - 73

A By-law to authorize entering into contract with Clean Water Works Inc. for the 2020 Sewer Rehabilitation/Lining Program.

99-99

BYL 2020 - 74

A By-law to authorize entering into contract with Stolk Construction Inc. for the Lincoln Street Docks Swim Dock Design and Installation Project.

CARRIED

Moved by McLeod and Green (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.

12-142

BYL 2020 - 75

A By-law to authorize entering into contract with Bell Mobility Inc. for Mobile Smartphone Hardware and Services.

20-79

BYL 2020 - 76

A By-law to authorize entering into contract with Peninsula Construction Inc. for the Guide Rail Replacement.

CARRIED

Moved by McLeod 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.

20-1

BYL 2020 - 77

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 7th day of July, 2020.

CARRIED

Council adjourned at 9:14 p.m.

These Minutes to be approved and adopted by Motion of Council this 4th day of August, 2020.

MAYOR

CITY CLERK