



# CITY OF Welland

## MINUTES OF THE DECEMBER 12, 2023, SPECIAL COUNCIL MEETING CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:30 p.m. and in open session at 6.58 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

### **Members Present:**

Councillors J. Chiochio (virtual), T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Lee, D. McLeod, A. Moote, C. Richard (virtual), S. Setaram (5:33 p.m. virtual), G. Speck, and L. Van Vliet.

### **Members of Staff and Others Present:**

Chief Administrative Officer, R. Axiak  
City Clerk, T. Stephens (6:58 p.m.)  
Deputy City Clerk, L. Bubanko (until 6:48 p.m.)  
Interim Director of Finance/Chief Finance Officer/Treasurer, E. Pankoff  
Fire Chief & Community Emergency Management Coordinator, A. Eckhart (virtual)  
Director of Infrastructure Services, SM. Millar  
Director of Planning and Development Services, G. Munday  
City Solicitor, C. Woodsford (5:33 p.m. virtual)  
Manager of Fleet, Equipment & Purchasing, A. Beres (5:37 – 8:30 p.m. virtual)  
Interim Director of Community Services, A. Degazio  
Manager of Economic Development, L. DeChellis (until 6:48 p.m.)

Economic Development Officer, L. Allen (until 6:48 p.m.)

Manager of Human Resources, A. Daisley (until 6:10 p.m.)

Manager of Public Works, J. Sticca (virtual)

Chief Building Official, J. Tosta (7:36 - 8:57 p.m.)

**2023 - 520**

**23-25** Moved by Fokkens and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:30 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees:
  - *Citizen appointment to the Niagara Transit Commission Public Advisory Committee.*
  - *Welland Professional Fire Fighters bargaining update.*
  - *Welland Museum Update.*
- Proposed or pending acquisition or disposition of land by the municipality or local board:
  - *Notre Dame Rowing Club update.*
  - *Potential Land Acquisition.*

**(Councillor Speck disclosed an interest in a matter and did not take part in the consideration and discussion of same, as his company provides apparel to the Museum).**

**CARRIED**

**2023 - 521**

**23-25** Moved by Richard and Moote

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**

**2023 – 522**

**99-99** Moved by McLeod and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives this report for information purposes relating to the Legal Opinion re: North Welland Trails Strategy – Motion to Rescind.

**CARRIED**

**2023 – 523**

**05-120** Moved by Grimaldi and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2023-59; and THAT Welland City Council approves the recommended fees contained in the attached Appendix I; and further

THAT Welland City Council directs the City Clerk to amend By-law 2020-140 with the updated Schedule “A”.

**(Councillor McLeod disclosed an interest in a matter and did not take part in the consideration and discussion of same, as his employer is subject to the increase permit fees).**

**CARRIED**

**2023 – 524**

**06-84** Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Fort Erie dated November 28, 2023 regarding encouraging contribution supporting Hospice Niagara.

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**06-84** Moved by McLeod and Fokkens  
 THAT Welland City Council refers the motion back to staff for a report.

**CARRIED**

**Action Items/Direction to Staff:**

- **Report to include amount of support provided.**
- **Information on how to meet capita funding.**
- **Funding model.**

**2023 – 525**

**13-117** Moved by Setaram and Fokkens  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated November 20, 2023 regarding Report PDS-37-2023: Niagara Region Unbuilt Housing Supply Update.

**CARRIED**

**2023 – 526**

**22-112** Moved by Fokkens and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the following:  
 THAT THE GREEN ADVISORY COMMITTEE endorses a Tree Giveaway for the Spring of 2024 and requests that staff provide a staff report to Welland City Council for the cost and process of the event to move it forward.  
 THAT THE GREEN ADVISORY COMMITTEE recommends providing a letter to Welland Council in support of user groups to apply for the Tree Canada Grant in conjunction with the City of Welland before December 3, 2023 for tree plantings.  
 THAT THE GREEN ADVISORY COMMITTEE supports Councillor Bonnie Fokkens to bring a motion to Welland City Council for a staff representative from the Forestry Department be appointed to the Committee; and further  
 THAT THE GREEN ADVISORY COMMITTEE approves adding a staff representative from the Forestry Department appointed to the committee, and the Terms of Reference be updated accordingly.

**CARRIED**

**2023 – 527**

**23-15** Moved by Green and Lee  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Fort Erie dated November 28, 2023 regarding Support Bill C-310 Amendments.

**CARRIED**

**2023 – 528**

**23-29** Moved by McLeod and Fookens  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2023-21 – 2024 Council Meeting Calendar; and further  
 THAT Welland City Council approves the revised Appendix I – 2024 Council Calendar.

**CARRIED**

**2023 – 529**

**23-46** Moved by Green and Lee  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the purchase of two (2) complete, single axle dump trucks with plow attachments from Rush Truck Centres of Canada; and further  
 THAT Welland City Council authorizes Purchasing to issue a Purchase Order to secure the described equipment in accordance with the City's standard contractual terms and conditions.

**CARRIED**

**2023 – 530****23-46**

Moved by Moote and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the purchase of one (1) complete, Tri-Axle dump truck with plow attachment from Rush Truck Centres of Canada; and further THAT Welland City Council authorizes Purchasing to issue a Purchase Order to secure the described equipment in accordance with the City's standard contractual terms and conditions.

**CARRIED****2023 – 531****23-91**

Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Official Plan Amendment (OPA No. 44) to redesignate the lands on the south side of Thorold Road, east of South Pelham Road, west of Clare Avenue, more specifically described as Firstly: Part Township Lot 254 Thorold as in TH14883, Except BB62660; Part Township Lot 254 Thorold, Parts 1 & 2 Plan 59R4112, Part Township Lot 254 Thorold As In RO706284; Secondly: Part Township Lot 254 Thorold As In RO423511; City of Welland. Municipally known as 523, 529, 535, 537 Thorold Road from Low Density Residential to Special Policy High Density Residential; and

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Zoning By-law Amendment (2023-03) to rezone the lands on the south side of Thorold Road, east of South Pelham Road, west of Clare Avenue, more specifically described as Firstly: Part Township Lot 254 Thorold as in TH14883, Except BB62660; Part Township Lot 254 Thorold, Parts 1 & 2 Plan 59R4112, Part Township Lot 254 Thorold As In RO706284; Secondly: Part Township Lot 254 Thorold As In RO423511; City of Welland. Municipally known as 523, 529, 535, and 537 Thorold Road from Residential Low Density 1 – RL1 to Residential High Density Site-Specific Holding – H-RH-125 and Hazard Overlay – HA; and further THAT no additional meetings under the Planning Act are required as the amendments to the original application are minor, in accordance with Section 34(17) of the Planning Act.

**YEAS:** Lee, Green, Speck, McLeod, Richard, Grimaldi, Setaram, Fokkens, Moote, Van Vliet and Mayor Campion.

**NAYS:** DiMarco.

**CARRIED****2023 – 532****23-131**

Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the allocation of funds from the D/C - Roadways and D/C - Water reserve funds to the various projects as identified in the Financial Consideration section of this report.

**CARRIED****2023 – 533****23-132**

Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2023-34 the 2023 Water Quality Management System Update and Operational Plan Endorsement as required per the Safe Drinking Water Act 2002; and

THAT Welland City Council approves and endorses the Water Quality Management System Operational Plan; and further

THAT Welland Council authorizes the Mayor and Clerk to sign the Water Quality Management System Operational Plan on behalf of Council as evidence of Council's endorsement.

**CARRIED****BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)****2023 - 534****23-13**

Moved by Green and Lee (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND nominates Wendy Barnes for appointment to the Niagara Transit Commission Public Advisory Committee for the current term ending November 14, 2026.

**CARRIED**

**BY-LAWS**

Moved by McLeod and VanVliet

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.

**23-91**

BYL 2023 - 164

A By-law to amend City of Welland Zoning By-law 2017-117 (File No. 2023-03) 523, 529, 535, 537 Thorold Road.

**23-91**

BYL 2023 - 165

A By-law to authorize the adoption of Official Plan Amendment No. 44.

**CARRIED**

Moved by DiMarco and McLeod

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.

**23-133**

BYL 2023 - 166

A By-law to exempt certain lands from Part-Lot Control - Block 1, Plan 59M517, Parts 1-5 (inclusive), 59R-17877 (4, 8, 12, 16, 20 West Creek Court), City of Welland.

**23-4**

BYL 2023 - 174

A By-law to cancel city taxes for 1002 Niagara Street (File: BROWN 2023-01).

**CARRIED**

Moved by Green and Lee (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.

**23-133**

BYL 2023 - 167

A By-law to exempt certain lands from Part-Lot Control - Block 2, Plan 59M517, Parts 1-5 (inclusive), 59R-17876 (26, 30, 34, 38, 42 West Creek Court), City of Welland.

**23-133**

BYL 2023 - 168

A By-law to exempt certain lands from Part-Lot Control - Block 3, Plan 59M517, Parts 1-5 (inclusive), 59R-17857 (48, 52, 56, 60, 64 West Creek Court), City of Welland.

**23-133**

BYL 2023 - 169

A By-law to exempt certain lands from Part-Lot Control - Block 4, Plan 59M517, Parts 1-5 (inclusive), 59R-17859 (68, 74, 78, 82, 86 West Creek Court), City of Welland.

**23-133**

BYL 2023 - 170

A By-law to exempt certain lands from Part-Lot Control - Block 5, Plan 59M517, Parts 1-5 (inclusive), 59R-17858 (90, 94, 98, 102 West Creek Court), City of Welland.

**23-134**

BYL 2023 - 171

A By-law to exempt certain lands from Part-Lot Control - Parts 1-3 (inclusive), 59R-17887, Lots 35 and 36, Plan 652 and part of Clifton Avenue, Plan 652 (Formerly Park Avenue) (closed by By-law 5966 as in RO225592), 304 First Avenue, City of Welland.

**23-74**

BYL 2023 - 173

A By-law to delegate authority to staff to enter into any future Family Physician Incentive Agreements on a go forward basis for the remaining \$800,000.00 allotted under the Incentive program.

**CARRIED**

Moved by Moote 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.

**23-19**

BYL 2023 - 172

A By-law to amend By-law 2022-70 being a By-law to regulate swimming pool enclosures within the City of Welland.

**(Councillor DiMarco asked to be recorded as opposed to this motion)**

**CARRIED**

Moved by McLeod and VanVliet

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.

**23-1**

BYL 2023 - 175

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 12<sup>th</sup> day of December, 2023.

**CARRIED**

Council adjourned at 9:30 p.m.

These Minutes to be approved and adopted by Motion of Council this 9<sup>th</sup> day of January, 2024.