



MINUTES OF
COUNCIL MEETING, NOVEMBER 19, 2013
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:30 p.m. and in open session at 7:09 p.m. and again in Committee-of-the-Whole at 10:43 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors M. Belcastro, F. Campion, M. Carl, T. DiMarco, P. Grenier, R. Letourneau, D. McLeod, M. Petrachenko and B. Wright.

Members of Staff and Others Present:

Acting City Manager/General Manager, Human Resources, R. Mantesso
City Clerk, C. Raby
Deputy Clerk, L. Bubanko (7:09 p.m. – 10:42 p.m.)
Chief, Fire & Emergency Services, D. Prevost (7:09 p.m. – 10:42 p.m.)
General Manager, Corporate Services/City Treasurer, K. Douglas
General Manager, Integrated Services, J. Loveys Smith
Parking and Traffic Supervisor, A. Khan (7:09 p.m. – 10:42 p.m.)

13-25 Moved by McLeod and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:30 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- labour relations or employee negotiations.

CARRIED

13-25 Moved by Letourneau and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:00 p.m. without report.

CARRIED

PRESENTATION:

Councillors Campion and McLeod presented a Community Involvement Recognition plaque to Rob D'Onofrio.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS:

13-47 Councillor Grenier, Chair, Nominating Committee, addressed Council regarding an appointment of the Integrated Services Chair.

13-4 Councillor Grenier, Chair, Budget Review Committee, provided a verbal update on the Budget Review Committee meeting of November 12, 2013.

99-99 Vic Kerschl, Treasurer and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation (WRCC) addressed Council regarding its WRCC 2013 Interim Budget update.

99-99 Vic Kerschl, Treasurer, Welland Recreational Canal Corporation (WRCC) addressed Council regarding its WRCC 2014 Budget.

13-1 Moved by McLeod and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of November 5, 2013 and Special Council Meeting of November 12, 2013, as circulated.

CARRIED

99-99 Moved by McLeod and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-SR-2013-11: the 2013 Canal Lands Operations Interim Variance Report.

CARRIED

99-99 Moved by Campion and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-SR-2013-12: the 2013 IlluminAqua Interim Variance Report.

CARRIED

99-99 Moved by Grenier and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report-WRCC-SR-2013-13: the 2013 Rental Program Interim Variance Report.

CARRIED

99-99 Moved by McLeod and Wright
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-SR-2013-14:
the 2013 Movies in the Park Interim Variance Report.

CARRIED

99-99 Moved by Belcastro and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Welland Recreational
Canal Corporation (WRCC) Board of Directors approved WRCC 2014 Operations Budget as presented in
Report 99-WRCC-BR-2013-01.

YEAS: Councillors Petrachenko, Carl, Grenier, McLeod, DiMarco, Letourneau,
Campion, Wright, Belcastro and Mayor Sharpe.

NAYS: None.

CARRIED

99-99 Moved by Belcastro and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND approves the Welland Recreational Canal
Corporation (WRCC) 2014 Operations Budget as outlined in Report 99-WRCC-BR-2013-01, in
accordance with the principles of By-law 1999-32 (Canal Lands Trust Fund By-law).

.....

99-99 Moved by Campion and Letourneau
THAT THE COUNCIL OF THE CITY OF WELLAND refers the Welland Recreational Canal Corporation
(WRCC) 2014 Operations Budget, as outlined in Report 99-WRCC-BR-2013-01, to the Budget Review
Committee for consideration.

LOST

**FOLLOWING THE LOST VOTE ON THE MOTION TO REFER, THE MAIN
MOTION WAS PUT IN ITS ORIGINAL FORM AND.....**

YEAS: Councillors Carl, Grenier, McLeod, Wright, Belcastro and Mayor Sharpe.

NAYS: Councillors Petrachenko, DiMarco, Letourneau and Campion.

CARRIED

06-156 Moved by Belcastro and Wright
THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to receive for information Report TRAF-
2013-11: Contract – Welland Humane Society, a new contract with the Welland Humane Society, 2014 to
2016; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to
enter into contract with the Welland and District Humane Society.

CARRIED

09-75 Moved by Wright and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-SR-2013-10
regarding Canoe Niagara 2013, the ICF World Junior and Under 23 Canoe Sprint Championships,
financial activities and position for the period April 2011 through November 2013.

CARRIED

09-75

Moved by Wright and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-SR-2013-15: the 2013 WIFC Interim Variance Report.

CARRIED**12-114**

Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND supports the construction and operation of the Project (Rooftop Solar) on the Lands known municipally as 300 Lincoln Street, Welland, Ontario; and further

THAT Welland City Council understands that this resolution's sole purpose is to enable the Applicant (2391395 Ontario Inc.) to receive priority points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

CARRIED**12-114**

Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND supports the construction and operation of the Project (Rooftop Solar) on the Lands known municipally as 555 Canal Bank Street, Welland, Ontario; and further

THAT Welland City Council understands that this resolution's sole purpose is to enable the Applicant (Wirsol Solar Canada Inc.) to receive priority points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

CARRIED**13-2**

Moved by Belcastro and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2013-10: Proposed Amendments to the Business Licence By-law; and further

THAT Welland City Council authorizes staff to amend Schedule "A" and Schedule "B" of the Business Licence By-law 2011-173 as per Appendix I and III, respectively; and further

THAT Welland City Council authorizes staff to add Schedule 9 to the Business Licence By-law 2011-173 as per Appendix II; and further

THAT Welland City Council authorizes staff to amend the Business Licence By-law 2011-173 as follows:

Remove: 5 (b) (ii) the application fee, as set out in City of Welland Fees and Charges By-law 2011-23, as amended;

Add: 5 (b) (ii) the application fee and deposit fee (if required), as set out in City of Welland Fees and Charges By-law 2006-193, as amended;

Remove: 34 (a) All notices, orders or other written communications pursuant to this By-law shall, unless otherwise set out herein this by-law, be sufficiently served if hand delivered or sent by registered mail addressed to the Applicant or Licensee, as the case may be, according to the Licensing Officer's records.

34 (b) When service is made by registered mail or regular mail, the service shall be deemed to be received on the seventh day after the day of mailing, and where served by hand delivery shall be deemed to be received immediately.

Add: 34. All notices, orders or other written communications pursuant to this By-law shall, unless otherwise set out herein this by-law, be sufficiently served:

i) Personally on the Applicant, Licensee, Owner or Operator;

ii) Mailed by registered mail or by regular mail to the Applicant, Licensee, Owner or Operator at the address provided on the Application or most recent address provided by the Applicant, Licensee, Owner or Operator, as the case may be, according to the Licensing Officer's records.

iii) When service is made by registered mail or by regular mail, the service shall be deemed to be received on the fifth (5th) day after it is mailed or where served by hand delivery or posted on site at the business location provided on the Application shall be deemed to be received immediately.

THAT Welland City Council authorizes staff to amend By-law 2006-193 User Fee By-law to include the addition of Donation Collection Bins as follows:

Donation Collection Bin – Application Fee	\$25.00
---	---------

...continued...

13-2...cont'd.

Donation Collection Bin – By-law Inspection Fee	\$30.00
Donation Collection Bin – Yearly Renewal Fee	\$25.00
Donation Collection Bin – Deposit Fee	\$250.00.

.....

13-2 Moved by McLeod and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND amends s.12, Schedule 9 of By-law 2011-173 so that the signage requirements on bin(s) include the telephone number to contact the City of Welland By-law Enforcement Division to report any concerns.

CARRIED

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

CARRIED

13-4 Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Grenier, Chair, Budget Review Committee, regarding its meeting of November 12, 2013.

CARRIED

13-12

13-47 Moved by Grenier and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Chiochio as Chair of Integrated Services until November 30, 2014, as recommended by the Nominating Committee.

CARRIED

13-19 Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to proceed with a strategic plan for the use of Memorial Park including engaging the public.

CARRIED

13-29 Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CCLS-2013-06 regarding the 2014 Meeting Calendar for Council and establishes the Council meeting dates for 2014 as set out in Appendix I attached thereto.

CARRIED

13-115 Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of St. Catharines dated November 6, 2013 regarding Additional Downtown Policing.

CARRIED

13-116 Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the memorandum from the Ministry of the Environment dated November 12, 2013 regarding Notice of Approval: Terms of Reference for the Environmental Assessment for the Proposed Humberstone Landfill Expansion, Niagara Region - EAIMS# 12022.

CARRIED

BY-LAWS

Moved by Petrachenko and Belcastro

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.

13-2

BYL 2013 - 155

A By-law to amend By-law 2011-173, being a By-law to regulate Business Licensing.

13-38

BYL 2013 - 156

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality; and to repeal By-law 2013-133.

CARRIED

Moved by Belcastro and Wright

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.

06-156

BYL 2013 - 157

A By-law to authorize entering into agreement with the Welland and District Society for the Prevention of Cruelty to Animals to provide Animal Control and Municipal Pound Services within the City of Welland for the period from January 1, 2014 to December 31, 2016.

13-10

13-12

BYL 2013 - 158

A By-law to appoint certain members of Council as Vice Mayor for four (4) month terms of office for the period commencing December 1, 2013 and ending November 30, 2014.

13-22

BYL 2013 - 159

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Park on Driveway Section 3.13.3).

CARRIED

Moved by McLeod and Wright

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.

13-1

BYL 2013 - 160

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 November, 2013.

CARRIED

13-25 Moved by Petrachenko and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 10:43 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- labour relations or employee negotiations.

CARRIED

13-25 Moved by Campion and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:56 p.m. without report.

CARRIED

Council adjourned at 10:57 p.m.

These Minutes approved and adopted by Motion of Council this 3rd day of December, 2013.

MAYOR

CITY CLERK