



**MINUTES OF**  
**COUNCIL MEETING, MAY 6, 2014**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:38 p.m. and in open session at 7:20 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

**Members Present:**

Councillors M. Belcastro, F. Champion, M. Carl, P. Chiocchio, P. Grenier, M.A. Grimaldi, J. Larouche, R. Letourneau, D. McLeod, M. Petrachenko and B. Wright.

**Members of Staff and Others Present:**

City Manager, C. Stirtzinger  
City Clerk, C. Raby  
Deputy Clerk, L. Bubanko (7:20 p.m.)  
Chief, Fire & Emergency Services, D. Prevost  
General Manager, Infrastructure Services/City Engineer, S. Iannello  
General Manager, Corporate Services/City Treasurer, K. Douglas  
General Manager, Human Resources, R. Mantesso  
General Manager, Integrated Services, J. Loveys Smith  
Planning Manager, R. Di Felice (until 5:50 p.m. & 7:20 p.m. - 7:28 p.m.)

(Stephen Zakem, Solicitor was present during Committee-of-the-Whole discussions on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board).

(Stephen Fischer, Executive Director, and Vic Kersch, Treasurer, WRCC, Bruce Smith and Leanne Standryk, Lancaster Brooks and Welch LLP were present during Committee-of-the-Whole discussions on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose).

**14-25** Moved by Larouche and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:38 p.m. to consider:

- the security of the property of the municipality or local board;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

*(Councillor Belcastro was not present during Committee-of-the-Whole discussions on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board).*

**14-25** Moved by Carl and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:06 p.m. with report.

**CARRIED**

**THE FOLLOWING ITEM WAS ADDED:**

**14-13** A By-law to authorize an extension of the Transcab Agreement authorized by By-law 2012-35 and to provide option for renewal.

**DELEGATIONS:**

**14-28** Noelle Antkowiak, Outreach Women's Intervention Advocate and Jennifer McQuestion, Community Engagement Manager, Women's Place of South Niagara addressed Council regarding an update on its services.

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

**09-75** Tony Fisher, Director of Research, Canadian Sports Tourism Alliance (CSTA) addressed Council regarding its report on Canoe Niagara 2013.

**99-99** Vic Kerschl, Treasurer and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation addressed Council regarding its 2013 Year End Interim Budget Variance Reports.

**10-108** Councillor Petrachenko, Member, Facilities Management Review Team, provided a verbal update on the Committee's meeting of April 17, 2014.

**14-1** Moved by Campion and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of April 15, 2014, as circulated.

**CARRIED**

**99-43** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND, as sole Shareholder of Welland Hydro-Electric Holding Corp., requests and accepts excess funds of \$500,000 by way of a dividend from Welland Hydro-Electric Holding Corp., notwithstanding the terms of the Shareholder Declaration.

**CARRIED**

**99-99** Moved by Campion and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-CR-2014-01, the 2013 Canal Lands Operations Interim Budget Variance Report - December 2013.

**CARRIED**

**99-99** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report WRCC-CR-2014-03, the 2013 Interim Budget Variance Report for Projects - December 2013.

**CARRIED**

**01-108** Moved by Larouche and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the Downtown Improvement Incentive Programs for the property known municipally as 1 Niagara Street for the Façade Restoration and Improvement Loan Program in the maximum amount of \$11,435.00 with the Niagara Region contributing 50% of this loan amount (\$5,717.50) and the maximum loan being payable upon successful completion of the qualifying façade improvements to the satisfaction of the City; and further  
 THAT Welland City Council approves the Refund of Local Planning and Building Fees in the approximated amount of \$1,827.93 for the residential and commercial Building Permit Fees, to be reimbursed to the Owner upon project completion and occupancy, to the satisfaction of the City, for 10 new residential dwelling units and one commercial laundromat; and further  
 THAT Welland City Council approves the Application for the Residential Conversion and Intensification Loan Program in the maximum amount of \$38,379.00 with the Niagara Region contributing 50% of this loan amount (\$19,189.50) and the maximum loan being payable upon successful completion of the residential conversion to the satisfaction of the City; and further  
 THAT Welland City Council approves the Application for the Parking Reduction Requirements Program to waive the 8 required parking spaces for the proposed residential units with a Cash-In-Lieu of Parking fee of \$800.00 payable to the City from the Owner prior to the commencement of the proposed residential development and that the funds be deposited into the Cash-in-Lieu of Parking Reserve Fund; and further  
 THAT Welland City Council directs staff to apply the funds for the Refund of the Building Fees, the Façade Restoration and Improvement Loan and the Residential Conversion and Intensification Loan from the Municipal Incentive Grant (MIG) Reserve Fund; and further  
 THAT Welland City Council directs staff to prepare the required Loan and Cash-in-Lieu of Parking Agreements; and further  
 THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Downtown Improvement Incentive Programs.

**CARRIED**

**09-75** Moved by Petrachenko and Campion  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report WRCC-CR-2014-02, the 2013 Interim Budget Variance Report for WIFC - December 2013.

**CARRIED**

**09-75** Moved by Wright and Petrachenko  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Tony Fisher, Director of Research, Canadian Sports Tourism Alliance (CSTA) regarding its Report on Canoe Niagara 2013, and the Economic Impact of the event.

**CARRIED**

**10-108** Moved by Larouche and Belcastro  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Petrachenko, Member, Facilities Management Review Team regarding its meeting of April 17, 2014.

**CARRIED**

**11-58** Moved by McLeod and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review and report back to Council on existing procedures and By-laws to facilitate removal of graffiti and ensure efficient mechanisms are in place to deal with occurrences.

**CARRIED**

**12-136** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND, being a member of the Great Lakes and St. Lawrence Cities Initiative (GLSLCI), supports the position as outlined in the written submission by the GLSLCI dated August 13, 2013 opposing the Deep Geologic Repository proposed by the Ontario Power Generation in Kincardine.

**CARRIED**

**13-86** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 15, 2014 regarding Report PDS 5-2014: Policy Initiation Report - Regional Official Plan Amendment (ROPA 7) - Urban Area Boundary Modification for the City of Welland.

**CARRIED**

**14-4** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND approves the following:

The delinquent tax accounts (3 years in arrears) listed in Schedule 'A' to Report FIN-2014-09 be placed under tax registration; and

The delinquent tax accounts (3 years in arrears) listed in Schedule 'B' to Report FIN-2014-09, having entered into repayment agreements, not be placed under tax registration at this time; and

THAT any accounts listed in Schedule 'B' be placed under tax registration upon default of their repayment agreement.

**CARRIED**

**14-13** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Cindy Forster, M.P.P., Welland, Legislative Assembly of Ontario dated April 23, 2014 regarding a request to provide free bus passes to the financially disadvantaged in the community.

**CARRIED**

**14-19** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND dissolves the Arena Feasibility Study Steering Committee due to the completion of its work; and further

THAT Welland City Council approves the formation of a Welland Arenas Advisory Committee to provide advice on matters pertaining to the facilities, programs and services at the Welland Arenas; and further

THAT Welland City Council approves the Terms of Reference for a Welland Arenas Advisory Committee as outlined in Appendix I.

**CARRIED**

**14-22**

Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2014-06: 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 "VII" - School Bus Loading Zones:

| <b>COLUMN I<br/>HIGHWAY</b> | <b>COLUMN II<br/>FROM</b>   | <b>COLUMN III<br/>TO</b>     | <b>COLUMN IV<br/>SCHOOL OR<br/>INSTITUTION</b> |
|-----------------------------|-----------------------------|------------------------------|--|
| Scholfield Avenue           | 40m North of Lincoln Street | 143m North of Lincoln Street | Princess Elizabeth                             |

ADD the following to Schedule "I" – Municipal-Private Property:

| <b>SKETCH No.</b> | <b>LOCATION</b>   | <b>COMMON NAME</b>    |
|-------------------|-------------------|-----------------------|
| A – 46            | 59 River Road     | Riverview Apartments  |
| A – 47            | 165 Plymouth Road | Medical Arts Building |

DELETE the following from Schedule "V" – Parking Prohibitions (Specified Places, with Signs):

| <b>COLUMN 1<br/>STREET</b> | <b>COLUMN 2<br/>SIDE</b> | <b>COLUMN 3</b> |                 | <b>COLUMN 4<br/>PERIOD<br/>(TIMES\DAY)</b> |
|----------------------------|--------------------------|-----------------|-----------------|--|
|                            |                          | <b>FROM</b>     | <b>TO</b>       |  |
| Gadsby Avenue              | West Side                | Thorold Road    | Margaret Street | 8:00 a.m. to 5:00 p.m.<br>Monday to Friday |

ADD the following to Schedule "VIII" – Limited Parking:

| <b>COLUMN 1<br/>HIGHWAY</b> | <b>COLUMN 2<br/>SIDE</b> | <b>COLUMN 3</b>      |                         | <b>COLUMN 4<br/>PERIOD</b> | <b>COLUMN 5<br/>TIMES/DAYS</b> |
|-----------------------------|--------------------------|----------------------|-------------------------|----------------------------|--------------------------------|
|                             |                          | <b>FROM</b>          | <b>TO</b>               |                            |                                |
| East Main Street            | South Side               | Wallace Avenue South | Scholfield Avenue South | 15 Minutes                 | ANYTIME                        |

ADD the following to Schedule "XVII" – Parking Lots:

| <b>LOT #</b> | <b>LOT NAME</b>        | <b>CONTROL</b> | <b>RATE</b> | <b>TIME OF DAY</b>             | <b>MAXIMUM STAY</b> |
|--------------|------------------------|----------------|-------------|--------------------------------|---------------------|
| 1<br>Area C  | Courthouse Parking Lot | Signage        | Free        | Monday to Friday<br>8am to 6pm | 5 Minutes           |

**CARRIED****14-22**

Moved by Campion and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2014-07: Welland Arena Parking; and further  
 THAT Welland City Council approves Option 1 – Free Parking in Northerly Lot (2-hour Maximum) and directs staff to prepare a By-law to implement the proposed initiative.

**CARRIED****14-28**

Moved by McLeod and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Noelle Antkowiak, Outreach Women's Intervention Advocate and Jennifer McQuestion, Community Engagement Manager, Women's Place of South Niagara regarding an update on its services.

**CARRIED**

**14-67** Moved by Carl and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of 1526957 Ontario Ltd. o/a CTC Contracting of Welland, Ontario, as detailed in Report ENG-2014-12 for the Utility Cut Final Reinstatement 2014 at the tendered price of \$362,892 (excluding taxes); and further

THAT Welland City Council authorizes the Treasurer to debenture as approved up to amounts of \$250,000 for 2014 Wastewater capital budget item - Utility Cuts, and \$250,000 for 2014 Waterworks capital budget item - Utility Cuts; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with 1526957 Ontario Ltd. o/a CTC Contracting, to execute the construction.

**CARRIED**

**14-76** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Niagara-on-the-Lake dated April 15, 2014 regarding Police Services Costs.

**CARRIED**

**14-77** Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 15, 2014 regarding Report PDS 7-2014: Development Services Division - 2013 Year End Report on Development Activity and 4th Quarter Application Summary.

**CARRIED**

**14-78** Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the City Clerk to enter into a Service Agreement with Ontario One Call; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into this Service Agreement with Ontario One Call (ON1Call) and to execute the said agreement in order to ensure compliance with all legislation associated with "The Ontario Underground Infrastructure Notification Systems Act, 2012" (Bill 8).

**CARRIED**

### **BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**14-75** Moved by Larouche and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the Offers of Purchase and Sale in the amount of \$75,000.00 (\$37,500.00 per parcel) from Habitat for Humanity Niagara for lands on the north side of Martin Street, west of Kilgour Avenue being Parts 9 and 10, Plan 59R-8908; and further

THAT Welland City Council authorizes staff to prepare the necessary documents and By-law(s) for the transfer of the subject lands to Habitat for Humanity Niagara; and further

THAT Welland City Council directs that the proceeds from the sale be credited to the Municipal Incentive Grant (MIG) Reserve Fund.

**CARRIED**

### **BY-LAWS**

Moved by Grenier and Petrachenko

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, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**14-78**

BYL 2014 - 50

A By-law to authorize entering into a Service Agreement with Ontario One Call (ON1Call).

**14-67**

BYL 2014 - 51

A By-law to authorize entering into contract with 1526957 Ontario Ltd. o/a CTC Contracting for the Utility Cut Final Reinstatement 2014.

**14-75**

BYL 2014 – 54

A By-law to authorize acceptance of offers from Habitat For Humanity Niagara for the sale of vacant land on Martin Street being Parts 9 and 10 on Reference Plan 59R-8908.

**CARRIED**

Moved by Larouche and Letourneau

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, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**14-22**

BYL 2014 - 52

A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedules "I", "V", "VII", "VIII" and "XVII").

**14-22**

BYL 2014 - 53

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall and to repeal By-law 2014-6.

**14-13**

BYL 2014-55

A By-law to authorize an extension of the Transcab Agreement authorized by By-law 2012-35 and to provide option for renewal.

**CARRIED**

Moved by Larouche and McLeod

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.

**14-1**

BYL 2014 - 56

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 6th day of May, 2014.

**CARRIED**

Mayor Sharpe gave Notice of Motion to the following issue to be presented to Council at the May 20, 2014 Regular Council Meeting:

**08-143** WHEREAS, the recommendation made by Kevin Smith, Niagara Health Services CEO, to construct a new general acute care hospital in “South Niagara” in the QEW and Lyons Creek area will result in downsized and privatized hospital services and will remove vital services now provided to residents of Welland, and  
 WHEREAS, the single South Niagara Hospital option recommended by Kevin Smith will cost \$878,800,800 and will result in operating savings of only \$9.5 million, and the NHS struggled with a \$13 million deficit in 2013, and  
 WHEREAS, the Welland Hospital was built in 1960 and has recently updated facilities for its Emergency Department, and provides important services in our community – for example, the Satellite Dialysis Unit and 60 Interim Long-Term Care beds, and  
 WHEREAS, the Hospital Improvement Plan approved the NHS Board and the LHIN in 2008, identified the Welland Hospital as the location for Centres of Excellence in Ophthalmology and Urology, and  
 WHEREAS, Kevin Smith continues his efforts to sell the 75 bed licences in the Welland Hospital and close the Welland Extencare Unit, and  
 WHEREAS, the new hospital plan calls for the closure of the consolidated Obstetrics/Pediatrics unit at the St. Catharines Hospital, which opened in 2013, and building a replacement unit at the new South Niagara Hospital at a cost of over \$100 million, and  
 WHEREAS, the Hamilton Niagara Haldimand Brant LHIN recognizes that there are “sub-LHIN areas” in both East Niagara (population 112,950) and South Niagara (population 92,035)  
 THEREFORE BE IT RESOLVED:  
 That the Council of the City of Welland endorses and supports an operating model for the NHS based on three acute care hospitals, one of which would be the Welland Hospital, and further;  
 That Council supports planning for a new hospital to serve East Niagara (Niagara Falls and Fort Erie) in the QEW Lyons Creek area, and further;  
 That all Welland Electoral District candidates for the June 12 Provincial Election be asked to provide City Council with a written statement of their position, and the position of their party, on this matter.

Councillor Campion gave Notice of Motion to the following issues to be presented to Council at the May 20, 2014 Regular Council Meeting:

**02-160** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to remove “For the purpose of Educating or Training Members of Council” from reasons for going in-camera.

**02-160** THAT THE COUNCIL OF THE CITY WELLAND directs staff to implement the use of electronic recording devices to record all in-camera proceedings in order to provide a permanent record of in-camera discussions.

Council adjourned at 9:39 p.m.

These Minutes approved and adopted by Motion of Council this 20<sup>th</sup> day of May, 2014.

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MAYOR

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CITY CLERK