



MINUTES OF
COUNCIL MEETING, JUNE 17, 2014
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:28 p.m. and in open session at 7:02 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors F. Campion (until 10:30 p.m.), M. Carl, P. Chiocchio, T. DiMarco (until 10:38 p.m.), P. Grenier, M.A. Grimaldi (7:02 p.m.), J. Larouche (6:33 p.m.), R. Letourneau (until 10:37 p.m.), 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 (7:02 p.m.)
General Manager, Infrastructure Services/City Engineer, S. Iannello
Acting General Manager, Corporate Services/City Treasurer, S. Zorbas
General Manager, Human Resources, R. Mantesso
General Manager, Integrated Services, J. Loveys Smith
Deputy Chief, Fire & Emergency Services, B. Kennedy

14-25 Moved by McLeod and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:28 p.m. to consider:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees; and
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

14-25 Moved by Grenier and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:47 p.m. without report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

14-22 A By-law to establish the position of Hearings Officer.

PUBLIC MEETING PURSUANT TO SECTIONS 357/358 OF THE MUNICIPAL ACT, 2001 - TAX WRITE-OFFS

- No one was present to speak.

There being no submissions the public meeting was concluded.

PUBLIC MEETING PURSUANT TO DEVELOPMENT CHARGES BY-LAW

06-75 Public Meeting pursuant to Section 12 of the Development Charges Act, 1997, to present and obtain public input on the City's proposed Development Charges By-law and Development Charge Background Study.

Jim Bruzzese, CGA, PMM, BMA Management Consulting Inc. addressed Council regarding the Development Charges By-law.

The following people were present to speak on the proposed matter:

- Maureen Barrell, 129 Turnberry Trail, Welland, ON L3B 0B7

There being no other speakers, the public meeting was concluded.

DELEGATION:

12-36 Reverend Bob Bond and Dick Halverson, addressed Council regarding an update on the status of and plans for the Cordage Green Sustainable Living development in Welland.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

10-108 Ed Paveo, Vice President, Business Development, Nustadia Recreation Inc. and Adam Bennett, General Manager, Youngs Sportsplex, addressed Council regarding the Youngs Sportsplex 2013 Audited Financial Statements, 2014 Business Plan, and 10 Year Forecast Budget.

04-47 Janet C. Booth, Secretary/CEO and Melanie Gross-Kerho, Chair, Welland Public Library Board, addressed Council regarding an update on its activities.

99-99 Stephen Fischer, Executive Director, Welland Recreational Canal Corporation addressed Council regarding its First Interim 2014 Budget Variance Reports.

14-1 Moved by Chiocchio and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 3, 2014, as circulated.

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

CARRIED

99-99 Moved by McLeod and Wright
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report-WRCC-CR-2014-04, the 2014 Canal Lands Operations Interim Budget Variance Report - March 2014.

CARRIED

99-99 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-CR-2014-06, the 2014 Interim Budget Variance Report for Projects - March 2014.

CARRIED

01-42 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Draper's Creek Estates (Phase 3) Subdivision (File 26T-14-20002) for an additional one (1) year to July 11, 2015.

CARRIED

02-41 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the repealing of By-law 2002-123 which designated 111 Victoria Street in the City of Welland, known as the Vaughan Seed Company, as a heritage property; and further
 THAT Welland City Council directs the City Clerk to proceed with the repealing in accordance with the *Ontario Heritage Act* and prepare the necessary By-law.

CARRIED

02-47 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated May 26, 2014 regarding Report PDS 14-2014: 2014 Smart Growth Design Criteria and Application Process for Development Charge Reductions in Designated Areas.

CARRIED

04-47 Moved by Petrachenko and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Janet C. Booth, Secretary/CEO, and Melanie Gross-Kerho, Chair, Welland Public Library Board regarding an update on its activities.

CARRIED

06-75 Moved by Chiocchio and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts Report ENG-2014-22, the City of Welland 2014 Development Charges Background Study and Addenda prepared by BMA Management Consulting Inc. dated May 8, 2014 as revised June 10, 2014; and further
 THAT Welland City Council approves the attached proposed Development Charge By-law, Appendix C of the City of Welland 2014 Development Charges Background Study and Addenda prepared by BMA Management Consulting Inc. dated May 8, 2014 as revised June 10, 2014; and further
 THAT Welland City Council directs the City Clerk to prepare the necessary By-law; and further
 THAT Welland City Council authorizes the Mayor and the City Clerk to execute the By-law.

CARRIED

07-115 Moved by Petrachenko and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2014-21: Scholfield Avenue Development Watermain Replacement; and further
 THAT Welland City Council authorizes staff to proceed with the previous agreement with FELICE DELPRIORE, GAETANO LIMONCELLI, and ALFONSO LIMONCELLI to provide servicing to the approved 17 lots fronting onto Scholfield Ave.; and further
 THAT Welland City Council authorizes staff to proceed with the tendering of the replacement of the existing watermain in which the development fronts, in conjunction with the development servicing.

CARRIED

08-77 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the West Creek Subdivision (File: 26T-14-08002) for an additional one (1) year to June 25, 2015 subject to the following:
 1. Amending Condition 18 to clarify the City's responsibility for the review and approval of watermains under the Ministry of Environment (MOE) Water License Program;
 2. Amending Condition 20 to replace "Certificates of Approvals" with "Environmental Compliance Approvals"; and further
 THAT Welland City Council deems the revised Conditions to be minor.

CARRIED

09-75 Moved by Grenier and Campion
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WRCC-CR-2014-05, the 2014 Interim Budget Variance Report for WIFC - March 2014.

CARRIED

10-108 Moved by Petrachenko and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ed Paveo, Vice President, Business Development, Nustadia Recreation Inc. and Adam Bennett, General Manager, Youngs Sportsplex, regarding the Youngs Sportsplex 2013 Audited Financial Statements, 2014 Business Plan, and 10 Year Forecast Budget.

CARRIED

10-108 Moved by Petrachenko and Wright
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the 2013 operating deficit of Youngs Sportsplex in the amount of \$252,715 to be funded by the surplus in the Multi-Sports Complex Capital Account.

CARRIED

11-58 Moved by Campion and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2014-10: Existing Procedures and By-laws to Facilitate the Removal of Graffiti.

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11-58 Moved by McLeod and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND refers Report TRAF-2014-10: Existing Procedures and By-laws to Facilitate the Removal of Graffiti back to staff for more information regarding service standards, assistance for the property owners with timely removal, and a process of removal from Region of Niagara property and other properties within the City.

CARRIED

12-36 Moved by Carl and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Reverend Bob Bond and Dick Halverson, regarding an update on the status of and plans for the Cordage Green Sustainable Living development in Welland.

CARRIED

12-138 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Exemption to Part Lot Control for Lots 12, 13 and 14, Plan 59M-402 (310, 314, 318, 322, 326 and 330 First Avenue) to realize the three (3) proposed semi-detached dwellings on these lands; and further
 THAT Welland City Council authorizes staff to prepare the necessary By-law.

CARRIED

14-4 Moved by DiMarco and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Regional Municipality of Niagara issue debentures in the amount of \$3,125,000 in accordance with the terms of the various authorizing By-laws outlined in Appendix I to Report FIN-2014-12 dated June 17, 2014; and further
 THAT Welland City Council directs the City Treasurer to make available to the Regional Municipality of Niagara certified copies of all applicable By-laws and Ministry of Environment Certificates applicable and all other information required in connection thereto to ensure the issue of the debentures in the amount of \$3,125,000 are for the projects described on the said Appendix I.

CARRIED

14-4 Moved by Grenier and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$6,328.18 as contained in Report FIN-2014-13 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED

14-13 Moved by Carl and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS-2014-08: London Transit Bus Purchase, for the purchase of three used buses from London Transit Commission; and further THAT Welland City Council authorizes the City Clerk to prepare any necessary and appropriate By-laws.

CARRIED**14-22** Moved by Larouche and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2014-09: 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:

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

SKETCH No.	LOCATION
A – 48	100 Lancaster Drive

ADD the following to Schedule "V" - Parking Prohibitions:

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
Rolling Acres Drive	South Side	Nottingham Crescent	First Avenue	AT NO TIME

ADD the following to Schedule "VI" - Fire Routes:

NO.	STREET ADDRESS	COMMON NAME	SKETCH DATE
A-79	620 River Road	Jean Vanier Catholic High School	May 23, 2014
A-80	555 Prince Charles Drive	Welland McMaster Family Health Team	May 23, 2014

CARRIED**14-36** Moved by Larouche and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated May 26, 2014 regarding Report PDS 15-2014: Niagara Nodes and Corridors Study.

CARRIED**14-46** Moved by Larouche and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2014-18 and approves the purchase of one (1) new rubber tired 4WD backhoe loader from Nortrax Canada Inc. being the lowest tender submitted who met the specifications at a tendered price of \$124,910 plus applicable taxes, as funded through the 2014 Waterworks Budget Report; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Nortrax Canada Inc. to execute the sale.

CARRIED

14-74 Moved by Grenier and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2014-19 on the subject of Public-Side Lead Water Service Replacements; and further
THAT Welland City Council approves the recommendation to cancel Tender No. ENG14-11, Ref. No. 14-74 for Public Lead Service Replacement 2014, and re-issue a smaller scoped tender for lead water service replacements in the Riverside Drive area.

(Councillor McLeod 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 owns property in the subject area).

CARRIED

14-79 Moved by Petrachenko and Carl

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-2014-20 for the Fitch Street and Sydney Place Sanitary Sewer and Road Reconstruction, and First Avenue Urbanization at the tendered price of \$1,029,176 (excluding taxes); and further
THAT Welland City Council authorizes the Treasurer to debenture as approved up to amounts of \$90,200 for 2014 Roadways capital budget item - First Avenue Urbanization, and \$350,000 for 2014 Storm Sewer capital budget item - First Avenue Urbanization; 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

14-80 Moved by Larouche and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of 788893 Ontario Limited o/a Niagara Crack Sealing of Port Colborne, Ontario, as detailed in Report ENG-2014-23 for the Crack Sealing Program 2014 at the reduced tendered price of \$ 85,000 (excluding taxes); and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with 788893 Ontario Limited o/a Niagara Crack Sealing, to execute the construction.

CARRIED

14-83 Moved by Larouche and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Association of Municipalities of Ontario (AMO) Communications dated June 2, 2014 regarding the New Building Canada - Member Update.

CARRIED

BY-LAWS

Moved by Chiocchio and Letourneau

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.

06-75

BYL 2014-75

A By-law to establish Development Charges for the City of Welland for designated services in accordance with the *Development Charges Act, 1997* and to repeal By-law 2009-93 and By-law 2011-124.

CARRIED

Moved by Larouche 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.

14-4

BYL 2014 - 70

A By-law to authorize application to the Regional Municipality of Niagara for the issue of debentures for year 2014.

14-13

BYL 2014 - 71

A By-law to authorize purchase of three (3) used buses from London Transit Bus Purchase.

14-22

BYL 2014 - 72

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", "VI").

14-46

BYL 2014 - 73

A By-law to authorize purchase of one 4WD Backhoe Loader from Nortrax Canada Inc.

14-79

BYL 2014 - 74

A By-law to authorize entering into contract with 1526957 Ontario Ltd. o/a CTC Contracting for the Fitch Street and Sydney Place Sanitary Sewer and Road Reconstruction and First Avenue Urbanization.

14-80

BYL 2014 - 76

A By-law to authorize entering into contract with 788893 Ontario Limited o/a Niagara Crack Sealing for the Roadway Crack Sealing Program 2014.

12-138

BYL 2014 - 77

A By-law to exempt certain lands from Part-Lot Control - north side of Trent Avenue, east of First Avenue, in the Woods View Estates Subdivision (Plan 59M-402), City of Welland.

14-22

BYL 2014 - 78

A By-law to amend By-law 89-2000 to implement the Administrative Monetary Penalty (AMP) System.

14-22

BYL 2014 - 79

A By-law to amend By-law 11027 to implement the Administrative Monetary Penalty (AMP) System.

14-22

BYL 2014 - 80

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 2014-66.

14-22

BYL 2014 - 81

A By-law to establish the position of Hearings Officer.

CARRIED

Moved by Carl and Chiocchio

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 - 82

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 17th day of June, 2014.

CARRIED

Council adjourned at 10:52 p.m.

These Minutes approved and adopted by Motion of Council this 15th day of July, 2014.

MAYOR

CITY CLERK