



MINUTES OF
COUNCIL MEETING, JULY 15, 2014
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:07 p.m. and in open session at 7:15 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors M. Belcastro, F. Campion, M. Carl, P. Chiochio, T. DiMarco, 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 (7:15 p.m.)
Chief, Fire & Emergency Services, D. Prevost
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
Manager, Economic Development, D. Degazio (until 6:52 p.m.)

14-25 Moved by Grenier 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 6:07 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board; and
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

14-25 Moved by Petrachenko and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:00 p.m. with report.

CARRIED

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Chiochio presided as Chair of the Public Hearing:

14-85 Completed applications have been made by QUARTEK GROUP INC. on behalf of NIAGARA REGIONAL MORTGAGE SERVICES INC. AND GARY NEUMANN to amend the City of Welland Official Plan by changing the designation from LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL CORRIDOR and to rezone the lands at 152 Hellems Avenue and 131 Young Street (southeast corner of Hellems Avenue and Young Street) from the existing RM3 - Multiple Dwelling - Third Density Zone By-law 2667 to a Site Specific C1 Zone By-law 2667. The purpose of the Amendment is to permit the existing building to be used for a business office, day care facility, respite care and residential uses; to recognize the existing front yard of 2.8 metres, the existing north side yard of 1.7 metres and a planting strip of 1.7 metres along the north side lot line and 2.8 metres along the front lot line.

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Barbara Wiens, Quartek Group Inc., 89-91 St. Paul Street, Suite 100, St. Catharines, ON L2R 3M3 representing the owner Gary Neumann.

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

- No one spoke to the application.

There being no persons present to speak in opposition to the application, the hearing was concluded.

DELEGATIONS:

10-122 Dan Fortier and Nora Reid, Members, Welland 1812 Bicentennial Committee, addressed Council regarding the receipt of the "Condotta-Merrett Award".

14-28 Bruce Timms, Chair, and Carmen D'Angelo, CAO/Secretary Treasurer, Niagara Peninsula Conservation Authority addressed Council regarding its Strategic Plan.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

10-108 Councillor Petrachenko, Member, Facilities Management Review Team, provided a verbal update on the Committee's meeting of June 19, 2014.

14-1 Moved by Chiocchio and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 17, 2014, and Special Council Meeting of June 24, 2014, as circulated.

CARRIED

99-43 Moved by Grimaldi and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND requests additional dividends from the Welland Hydro Holding Corporation in the amount of \$198,220 in accordance with Welland Hydro Electric Systems Policy for the following sustainable, clean energy and operational efficiency capital projects:

1. Completion of LED Phase 1 Street Lighting \$ 60,220
2. Accent Lighting for East Main Street Bridge \$138,000.

CARRIED UNANIMOUSLY

06-148 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Exemption to Part Lot Control for a period of five (5) years for Lots 1 to 14 (inclusive) and Blocks 15 and 16, Registered Plan 59M-378 (east of Vanier Drive, north of Lincoln Street) to realize the proposed development of these lands for thirty (30) semi-detached dwellings and three (3) street townhouse dwelling units; and further
 THAT Welland City Council authorizes staff to prepare the necessary By-law.

CARRIED

07-135Z Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Order of the Ontario Municipal Board dated June 24, 2014, with respect to the Appeals filed regarding the City's Proposed New Official Plan and Proposed Official Plan Amendment for properties municipally known as 102, 69 and 165 Primeway Drive.

(Councillor Belcastro 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 employed by the Seaway Mall).

CARRIED

09-75 Moved by Larouche and Wright
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Rankin Construction Inc. as detailed in Report ENG-2014-26 for Canal Bank Road Reconstruction, Shaw Street Entrance and Regatta Drive Resurfacing; and further
 THAT Welland City Council approves and accepts the quotation of Rankin Construction Inc. for Canal Trail Resurfacing; and further
 THAT Welland City Council authorizes the Treasurer to debenture up to \$436,500 as approved in the 2014 Capital Budget, Roadways - Canal Bank Road Reconstruction item; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Rankin Construction Inc. to execute the construction.

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

CARRIED

10-76 Moved by McLeod and Campion
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2014-34 regarding the Downtown and Health and Wellness Cluster Community Improvement Plan.

(Councillor Carl 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 employer may be affected by the Community Improvement Plan, once implemented).

CARRIED

10-108 Moved by McLeod 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 June 19, 2014.

CARRIED

10-122 Moved by Petrachenko and Campion
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dan Fortier and Nora Reid, Members, Welland 1812 Bicentennial Committee regarding the receipt of the "Condotta-Merrett Award".

CARRIED

14-19 Moved by Petrachenko and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the landscape drawing for the properties known as 63 Division and 6 Market Lane as shown in Appendix 1; and further
 THAT Welland City Council authorizes \$40,000 of existing capital funds in account 10-4FB-B30 be spent in 2014 and \$95,000 to be identified in the 2015 capital budget for Council's future consideration; and further
 THAT Welland City Council appoints and authorizes the Market Square Steering Committee to implement a community fundraising plan with respect to the development of commemorative memorials as described in Appendix II and Report R&C-2014-05.

CARRIED

14-28 Moved by Grenier and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Bruce Timms, Chair, and Carmen D'Angelo, CAO/Secretary Treasurer, Niagara Peninsula Conservation Authority regarding its Strategic Plan.

CARRIED

14-29 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes a change of date for the August 2014 meeting of Welland City Council, in accordance with section 10.8 of Procedural By-law No. 2013-126 from Tuesday, August 12 to Monday, August 11, 2014.

CARRIED

14-33 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2015-2016 holiday season from the close of business on Thursday, December 24th, 2015 to and including Friday, January 1st, 2016.

CARRIED

14-37 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 4, 2014 regarding Report CSD 47-2014: Corporate Services Committee Report 10-2014, Wednesday, June 25, 2014.

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

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2014-24 and approves the purchase of one (1) new three quarter (3/4) ton crew cab pick-up truck with 8' box, 4 x 4 with a Fleetside type body from Mike Knapp Ford Sales Ltd. being the lowest tender submitted who met the specifications at a tendered price of \$40,880.00 plus applicable taxes, as funded through the 2014 Fleet Capital Budgets Report; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Mike Knapp Ford Sales Ltd. to execute the sale.

(Councillors DiMarco, Letourneau and Grimaldi asked to be recorded as opposed to this motion).

CARRIED**14-55** Moved by Wright and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Brennan Paving Limited as detailed in Report ENG-2014-25 for Churchill Avenue Road Reconstruction, Plymouth Road Watermain and Road Reconstruction, and Hagar and Young Streets Overlay; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Brennan Paving Limited to execute the construction.

CARRIED**14-84** Moved by Grenier and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report FIN-2014-14: Waste Management and Collections for Multi-Residential Condominium Properties; and further

THAT Welland City Council authorizes the Mayor and City Clerk to sign the agreement between the Regional Municipality of Niagara and the City of Welland and prepare any necessary and appropriate By-laws.

CARRIED**14-85** Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to designate the lands on the south-east corner of Hellems Avenue and Young Street, more specifically described as Part Blocks V and Z, Plan 1649, NP564, in the City of Welland, known municipally as 152 Hellems Avenue and 131 Young Street from Low Density Residential to Community Commercial Corridor - Special Policy Area; and further

THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands on the south-east corner of Hellems Avenue and Young Street, more specifically described as Part Blocks V and Z, Plan 1649, NP564, in the City of Welland, known municipally as 152 Hellems Avenue and 131 Young Street from the existing Multiple Dwelling - Third Density (RM3) Zone to a Site Specific C1 Zone to permit a business office, day care facility, respite care and residential uses.

(Councillor Chiochio 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 involved with the project to start up special needs programs).

CARRIED

14-86 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated June 20, 2014 regarding Report PD 18-2014: Statutory Public Meeting Information Report - Regional Official Plan Amendment 5 (ROPA 5) - Source Water Protection Policies.

CARRIED

14-87 Moved by DiMarco and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives the petition from the residents of the Highlands and the Masters at Hunters Pointe regarding insufficient water pressure and refers the matter to staff for study and report to Council.

CARRIED

14-88 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 7, 2014 regarding Report PDS 24-2014: Niagara Water Strategy 2014 Review and Update Report.

CARRIED

14-89 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 7, 2014 regarding Report PDS 26-2014: Development Application Activity Report - First Quarter of 2014.

CARRIED

14-90 Moved by Larouche and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff investigate an appropriate recognition, on a permanent basis, of the contribution that Rosie Smith made to Welland, in accordance with the City's Municipal Naming/Renaming Policy SER-008-0006; and further

THAT Welland City Council directs staff to include consideration of naming a feature of St. George's Park, such as the pool, or all of the Park, in her honour; and further

THAT Welland City Council waives the Municipal Naming/Renaming Policy waiting period requirement for the commemoration; and further

THAT Welland City Council requests that staff prepare a report with recommendations for this recognition, to Council by the fall of 2014.

CARRIED UNANIMOUSLY

BY-LAWS

Moved by Larouche and Carl

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.

06-148

BYL 2014 - 91

A By-law to exempt certain lands from Part-Lot Control - located east of Vanier Drive, north of Lincoln Street, City of Welland (Lots 1 to 14, inclusive, and Blocks 15 and 16, Plan 59M-378) and to repeal By-law 2009-155.

14-43

BYL 2014 - 93

A By-law to provide for reduced hours of voting in institutions and retirement homes.

14-22

BYL 2014 - 94

A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-law 2013-135.

14-15

BYL 2014 - 95

A By-law to authorize the entering into a collective agreement with the Steelworkers Local 1-1000 (I.W.A. Council) representing all Volunteer Firefighters for the Corporation of the City of Welland effective January 1, 2014 to December 31, 2016.

14-24

BYL 2014 - 96

A By-law to authorize the appointment of Steve Zorbas as General Manager, Corporate Services/Treasurer of The Corporation of the City of Welland.

CARRIED

Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

14-15

BYL 2014 - 92

A By-law to authorize purchase of vacant land south of Lincoln Street, east of the Welland Community Wellness Complex and west of King Street, municipally known as 425 King Street and 153 Lincoln Street (3 Parcels of Land).

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

NAYS: Councillors DiMarco, Letourneau, Chiocchio, Campion and Grimaldi.

CARRIED

Moved by McLeod 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.

14-46

BYL 2014 - 85

A By-law to authorize purchase of one new three-quarter ton crew cab pick-up truck.

14-55

BYL 2014 - 86

A By-law to accept the tender and to enter into contract with Brennan Paving Limited for Churchill Avenue Road Reconstruction, Plymouth Road Watermain and Road Reconstruction, and Hagar and Young Streets Overlay.

09-75

BYL 2014 - 87

A By-law to accept the tender and to enter into contract with Rankin Construction Inc. for the Canal Bank Road Reconstruction, Shaw Street Entrance and Regatta Drive Resurfacing and Canal Trail Resurfacing.

14-84

BYL 2014 - 88

A By-law to authorize entering into an Agreement with the Regional Municipality of Niagara for Waste Management and Collections for Multi-Residential Condominium Properties.

14-85

BYL 2014 - 89

A By-law to authorize the adoption of Official Plan Amendment No. 6.

14-85

BYL 2014 - 90

A By-law to amend City of Welland Zoning By-law 2667 (Niagara Regional Mortgage Services Inc. and Gary Neumann - File 2014-04) 152 Hellems Avenue and 131 Young Street.

CARRIED

Moved by DiMarco and Belcastro

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 - 97

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 15th day of July, 2014.

CARRIED

Councillor Campion gave Notice of Motion to the following issue to be presented to Council at the August 11, 2014 Regular Council Meeting:

02-160 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report listing all outstanding, approved Council motions requiring action by staff along with a projected date of completion of the associated action. The report to be updated and attached to the Council meeting agendas.

Council adjourned at 9:55 p.m.

These Minutes approved and adopted by Motion of Council this 11th day of August, 2014.

MAYOR

CITY CLERK