



MINUTES OF
COUNCIL MEETING, FEBRUARY 16, 2016
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:34 p.m. and in open session at 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl, J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi,
J. Larouche, R. Letourneau, J. Mastroianni, D. McLeod, M. Petrachenko and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
Acting City Clerk, T. Stephens (5:45 p.m.)
Chief, Fire & Emergency Services, D. Prevost (5:45 p.m.)
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure Services/City Engineer, S. Iannello (5:45 p.m.)
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (7:00 p.m.)
Planning Manager, R. Di Felice (5:45 p.m. - 8:01 p.m.)
Manager, Economic Development, D. Degazio (5:45 p.m. - 6:30 p.m.)
Recording Secretary, C. Viger (7:00 p.m.)

- 16-25** Moved by McLeod and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:34 p.m. to consider:
- personal matters about an identifiable individual, including municipal or local board employees;
 - proposed or pending acquisition or disposition of land by the municipality or local board; and
 - for the purpose of educating or training members of Council.

CARRIED

- 16-25** Moved by McLeod and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:33 p.m. with report.

CARRIED**THE FOLLOWING ITEM WAS DELETED:****DELEGATION**

- 16-28** Eric McLoughlin, Lindsay McKillop, Rachel Wilson, Alayna Simpson and Sarah Matthews, Students, Niagara College Canada regarding Many Hands Project event.

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

- No one spoke.

There being no speakers, the public meeting was concluded.

- 16-1** Moved by Grimaldi and J. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 2, 2016 and Special Council Meeting of February 9, 2016, as circulated.

CARRIED

- 99-43** Moved by J. Chiochio and Grimaldi
 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**99-90**

- 16-10** Moved by Mastroianni and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the request from the Welland Downtown Business Improvement Area to appoint Stephen Billyard and Kelly Jones to replace Ellie Hodder and Graham Walker on the Board of Management effective February 16, 2016 and ending November 30, 2018.

CARRIED

- 02-160** Moved by Van Vliet and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND directs all notice of motions brought forward in a regular council meeting be dealt with in a regular meeting and the recommendation to be in effect following approved changes to the Procedural By-law 2013-126.

CARRIED

09-60 Moved by P. Chiochio and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Niagara Gateway Economic Zone and Centre Community Improvement Plan Incentive Program for the property known municipally as 989-1013 Niagara Street in the City of Welland for the Tax Increment Based Grant Program in the estimated amount of \$500,300.00 over five (5) years; and further THAT Welland City Council directs staff to prepare the required By-law(s) and Agreement(s); and further THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy the conditions related to participation in the Tax Increment Based Grant Program.

CARRIED

13-50 Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated January 25, 2016 from the Niagara Central Airport Commission regarding the Niagara Central Dorothy Rungeling Airport 2015, 4th Quarter Report.

CARRIED

15-105 Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report ENG-2016-04 regarding Niagara Street (Regional Road 50) Reconstruction, Front-End Financing of Regional Cost Sharing; and further

THAT Welland City Council authorizes the City Treasurer to front end up to \$1,500,000 for the Niagara Region's cost-sharing component of the Reconstruction of Niagara Street (Regional Road 50) as part of the joint City/Region infrastructure replacement and roadway improvement project.

CARRIED

15-110Z Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended for lands on the east side of Beatrice Street, south of Devon Street, more specifically described as Lots 262, 263, 264, 265, Plan 937, municipally known as 309 Beatrice Street from the existing RM2 – Multiple Dwelling - Second Density Zone to a Site Specific RM2 Zone to permit a supportive living residence with site specific provisions for parking in the required front yard, recognition of an existing accessory building in the front yard and the provision of two (2) parking spaces instead of the required five (5) parking spaces.

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15-110Z Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report P&B-2016-12: Zoning By-law Amendment Application - 1825081 Ontario Inc. - Lots 262, 263, 264, 265, Plan 937 for lands on the east side of Beatrice Street, south of Devon Street, municipally known as 309 Beatrice Street (File 2015-07) for 60 days and to be presented at the next Council meeting following the 60 days.

CARRIED

16-4 Moved by Van Vliet and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$5,290.23 as contained in Report FIN-2016-07 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED

16-4 Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND requests the 2017 budget be completed before the last Regular Council Meeting of 2016.

YEAS: Councillors Letourneau, P. Chiochio, Mastroianni, Van Vliet, Mayor Campion, Larouche, Petrachenko, J. Chiochio and McLeod.

NAYS: Councillors Grimaldi, Fokkens, Carl and DiMarco.

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

CARRIED

16-13 Moved by Grimaldi and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendations contained in Report TRANS-2016-01, for the purchase of one (1) large accessible bus from Nova Bus, a division of Volvo Group Canada Inc., through the Metrolinx Joint Procurement Initiative at a cost of \$497,907 plus applicable taxes; and further
 THAT Welland City Council approves the transfer of \$35,000 from the Provincial Gas Tax (PGT) reserves to the 2015 Capital Large Bus account; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws and agreements to enter into an agreement with Nova Bus, a division of Volvo Group Canada Inc., for the purchase of a new bus.

CARRIED

16-19 Moved by Mastroianni and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the Memorandum and Report R&C-2016-01, 2016 Merritt Park Amphitheatre Summer Concert Series to the Chief Administrative Officer (CAO); and further
 THAT Welland City Council requests the CAO meet with the Welland Downtown Business Improvement Area (WDBIA) and R&B Productions to discuss the 2016 Summer Concert Series.

CARRIED

16-19 Moved by DiMarco and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff create a budget item to be considered on a yearly basis for the Chippawa Park ice rink to be cleaned on weekends and holidays, beginning with the 2017 budget.

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16-19 Moved by McLeod and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff create a budget item to be considered on a yearly basis for the Chippawa Park ice rink clearing beginning with the 2017 budget.

LOST

FOLLOWING THE LOST VOTE ON THE AMENDED MOTION, THE MAIN MOTION WAS THEN PUT IN ITS ORIGINAL FORM AND..... CARRIED

16-37 Moved by Fokkens and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND extends the Water/Wastewater Ad Hoc Committee term for continued review of the water/wastewater rates for the 2017 budget presentation; and further
 THAT a review of the Terms of Reference be conducted.

CARRIED

16-53 Moved by Fokkens and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from Region of Niagara dated January 18, 2016 regarding Report PW 3-2016: Illegal Dumping Working Group Terms of Reference and Crime Stoppers.

CARRIED

16-54 Moved by Carl and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and requests staff prepare a report regarding the correspondence dated January 18, 2016 from Habitat for Humanity Niagara regarding refund/grant back fees paid and refers the matter to staff for a report to come back to Council.

CARRIED

16-56 Moved by Van Vliet and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND requests that the self imposed debt limit be lifted for the year 2016 and funds be borrowed to complete the infrastructure on River Road as required. The necessary funds be debentured when required.

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16-56 Moved by Letourneau and J. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND refers the notice of motion regarding self imposed debt limit to the Budget Review Committee.

YEAS: Councillors Letourneau, P Chiochio, Grimaldi, Fokkens, J Chiochio and DiMarco.

NAYS: Councillors Mastroianni, Van Vliet, Mayor Campion, Larouche, Petrachenko, Carl and McLeod.

LOST

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

YEAS: Councillors Mastroianni, Van Vliet, Petrachenko, Carl and McLeod.

NAYS: Councillors Letourneau, P. Chiochio, Grimaldi, Fokkens, Mayor Campion, Larouche, J. Chiochio and DiMarco.

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-43 Moved by Grimaldi and Petrachenko
THAT THE COUNCIL OF THE CITY OF WELLAND waives the requirements of its Policy regarding the Sale of City-Owned Lands for the transfer of lands on the east side of Federal Road, specifically described as Parts 2 to 5, Plan 59R-15477; and further
THAT Welland City Council transfers the subject lands to Welland Hydro-Electric System Corp. for a nominal fee of \$1.00; and further
THAT Welland City Council authorizes Staff to prepare the necessary documentation for the transfer of the lands on the east side of Federal Road, specifically described as Parts 2 to 5, Plan 59R-15477 to Welland Hydro-Electric System Corp. for the sum of \$1.00.

CARRIED

BY-LAWS

Moved by Mastroianni and Larouche
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.

09-60
BYL 2016 - 23
A By-law to authorize execution of an agreement for Tax Increment Grant Program (Community Improvement Plan) for 989-1013 Niagara Street.

CARRIED

Moved by Grimaldi 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, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

16-13

BYL 2016 - 22

A By-law to authorize purchase of one large accessible bus from Nova Bus, a division of Volvo Group Canada Inc. (Metrolinx Joint Procurement Initiative).

16-52

BYL 2016 - 24

A By-law to authorize acceptance of conveyance of land, being Parts 2 and 5 on Plan 59R-15483 (File No. B003/2015WELL and B004/2015WELL) (653 and 663 Clare Avenue).

99-43

BYL 2016 – 25

A By-law to authorize sale of City-owned lands east side of Federal Road being Parts 2 to 5 on Reference Plan 59R-15477 to Welland Hydro-Electric System Corp.

CARRIED

Moved by Larouche and Mastroianni

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.

16-1

BYL 2015 - 26

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 16th day of February, 2016.

CARRIED

Council adjourned at 8:54 p.m.

These Minutes approved and adopted by Motion of Council this 1st day of March, 2016.

MAYOR

ACTING CITY CLERK