



MINUTES OF
COUNCIL MEETING, MAY 3, 2016
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:20 p.m. and in open session at 7:07 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
Chief, Fire & Emergency Services, D. Prevost
General Manager, Corporate Services/Treasurer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure Services/City Engineer, S. Iannello
Recording Secretary, C. Viger (7:07 p.m.)

16-25 Moved by Grimaldi and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:20 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

16-25 Moved by Petrachenko and Van Vliet
 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

THE FOLLOWING ITEM WAS ADDED

09-159 THAT THE COUNCIL OF THE CITY OF WELLAND approves funding for the Forks Road Bridge repairs, upset limit of \$120,000.00 from the balance sheet account 29009-20-000-000.

DELEGATIONS

16-28 Victoria Wikston, Vice Chair and Bram Cotton, Chief Executive Officer, Niagara Sports Commission addressed Council regarding contract services 2016.

16-1 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of April 19, 2016, as circulated.

CARRIED

99-99 Moved by McLeod and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND recognizes the importance of engaging Welland's community in attracting high caliber board members and an Executive Director; and further THAT staff prepare a report outlining key attributes of prospective board members; and further THAT staff outline the best public application process to maximize community engagement, attract quality applicants and provide a proposed timetable.

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99-99 Moved by P. Chiochio and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND requests to call the question regarding the Notice of Motion submitted by Councillor McLeod.

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

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

LOST

FOLLOWING THE LOST VOTE TO CALL THE QUESTION, THE MAIN MOTION WAS DISCUSSED AND

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

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

LOST

99-99 Moved by Van Vliet and Carl
THAT THE COUNCIL OF THE CITY OF WELLAND requests that all salaries, wages and operational costs for the Welland Recreational Canal Corporation be funded by the 2016 Welland Recreational Canal Corporation budget.

CARRIED

99-99 Moved by DiMarco and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND requests staff to prepare a report on the current Go Quiet Policy and potential alternatives to expand the use of our waterway by the general public and to report back to Council.

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99-99 Moved by McLeod and Carl
THAT THE COUNCIL OF THE CITY OF WELLAND requests staff to prepare a report regarding potential alternatives to expand the use of our waterway by the general public and to report back to Council.

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99-99 Moved by Grimaldi and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND requests to Challenge the Chair regarding the decision to allow the amendment to proceed.

YEAS: Councillors P. Chiocchio, Mastroianni, Van Vliet, Mayor Campion, Larouche, Petrachenko, Carl and McLeod.

NAYS: Councillors Letourneau, Grimaldi, Fokkens, J. Chiocchio and DiMarco

LOST

FOLLOWING THE LOST VOTE TO CHALLENGE THE CHAIR, THE AMENDMENT WAS DISCUSSED AND.....

YEAS: Councillors P. Chiocchio, Letourneau, Mastroianni, Van Vliet, Mayor Campion, Larouche, Petrachenko, Carl, McLeod and DiMarco.

NAYS: Councillors Grimaldi, Fokkens and J. Chiocchio.

CARRIED

FOLLOWING THE VOTE ON THE AMENDING MOTION, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND....

CARRIED

07-126 Moved by Carl and P. Chiocchio
THAT THE COUNCIL OF THE CITY OF WELLAND approves an Exemption to Part Lot Control for Blocks 87 and 88, Plan 59M-392 Clare Estates 3 Subdivision, to permit the development of street townhouses; and further
THAT Welland City Council authorizes staff to prepare the necessary By-law.

CARRIED

07-144 Moved by McLeod and Petrachenko
THAT THE COUNCIL OF THE CITY OF WELLAND appoints Mark Melloni to the Welland Development Commission as recommended by the Welland/Pelham Chamber of Commerce for the term May 3, 2016 to November 30, 2018.

CARRIED

09-159 Moved by Carl and P. Chiocchio
THAT THE COUNCIL OF THE CITY OF WELLAND approves funding for the Forks Road Bridge repairs, upset limit of \$120,000.00 from the balance sheet account 29009-20-000-000.

CARRIED

11-107 Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Canal View Heights Subdivision (File: 26T-14-11002) for an additional two (2) years to May 9, 2018.

CARRIED

13-50 Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated April 13, 2016 from the Niagara Central Airport Commission regarding the first quarter of 2016 update on its activities and developments at the Niagara Central Dorothy Rungeling Airport.

CARRIED

15-105 Moved by Fokkens and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Memorandum dated May 3, 2016 regarding Reconstruction of Niagara Street (Regional Road 50).

CARRIED

15-110Z Moved by Grimaldi and Carl
 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.

(Councillors DiMarco, Letourneau and Larouche asked to be recorded as opposed to the motion).

CARRIED

16-4 Moved by Fokkens and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff, in that effective for fiscal year 2016, all losses or gains on closed Capital projects, shall be charged to an account specific for Capital projects gains or losses, and an itemized balance of the accounts shall be available for review by Council, and that any requests to Council for additional monies over approved Capital projects or for new unbudgeted Capital projects shall be allocated from the same account upon Council's approval.

CARRIED

16-4 Moved by J. Chiocchio and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to investigate and report back to Council the Participating Budget System now being adopted by Ward 1 and Ward 2 in the City of Hamilton and now being adopted by many communities across the country.

CARRIED

16-6 Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of May as "Brain Tumour Awareness Month" in the City of Welland as requested by Donna Christie-Fobert.

CARRIED

16-24 Moved by Petrachenko and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report CAO-2016-06: Re-organization - Strategic Alignment with Council Priorities; and further
 THAT Welland City Council authorizes the CAO to proceed with the re-organization recommendations as outlined in the report.

CARRIED

16-24 Moved by P. Chiocchio and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2016-07 on the filling of the vacancy in the Engineering Division of Infrastructure Services for the position of Engineering Design Supervisor; and further
 THAT Welland City Council authorizes the General Manager, Human Resources to follow hiring procedures in order to fill this position.

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16-24 Moved by Grimaldi and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND refers Report ENG-2016-07: Filling of Vacancy - Engineering Design Supervisor to staff to provide a report with alternatives.

LOST

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

CARRIED

16-24 Moved by Carl and J. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the creation of an Arena Foreman position as detailed in Report ENG-2016-08; and further
 THAT Welland City Council authorizes the General Manager, Human Resources to follow hiring procedures in order to fill this position.

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16-24 Moved by Grimaldi and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND defers Report ENG-2016-08: Arena Foreman Position until the management of the Welland Recreational Canal Corporation (WRCC) decision is made, and to report back to Council, following the decision regarding the WRCC

YEAS: Councillors Letourneau, P. Chiocchio, Grimaldi, Mayor Campion, J. Chiocchio, Fokkens and Mastroianni.

NAYS: Councillors Van Vliet, Carl, McLeod, DiMarco, Larouche and Petrachenko.

CARRIED

16-28 Moved by Letourneau and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Victoria Wikston, Vice Chair and Bram Cotton, Chief Executive Director, Niagara Sport Commission (NSC) regarding the contract services that the NSC will be providing to the City of Welland in 2016.

CARRIED

16-29 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2016-03, regarding the annual meetings of Council in 2015.

CARRIED

16-46 Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2016-18 and approves the purchase of three (3) New Nissan Juke AWD SV from Airport Nissan Corp. being the lowest tender submitted who met the specifications at a tendered price of \$83,697.00, plus applicable taxes, as funded through the 2016 Enterprise Fleet 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 Airport Nissan Corp. to execute the sale.

CARRIED

16-74 Moved by Van Vliet and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report HR-2016-01: Accumulative Costs for information.

CARRIED

16-79 Moved by Grimaldi and Larouche
 THAT THAT COUNCIL OF THE CITY OF WELLAND support Bill 158, Saving the Girl Next Door Act, 2016, support MPP Laurie Scott's motion for a multi-jurisdictional and coordinated task force of law enforcement agencies, Crown prosecutors, judges, victim's services and frontline agencies; and further THAT a copy of this resolution be forwarded to all Members of Provincial Parliament and municipalities.

CARRIED

16-80 Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated April 6, 2016 from the Eastern Ontario Wardens' Caucus and supports the application from Union Gas (EB-2015-0179) to expand natural gas service to rural and remote communities.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

12-116Z Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND declares approximately 690 square metres of land west of Regent Street surplus to its needs in accordance with City Policy; and further THAT Welland City Council directs staff to negotiate with the Owner of lands known municipally as 1 Griffith Street for an Option to Purchase Agreement to contain Conditions related to Report P&B-2016-28.

CARRIED

16-81 Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the transfer of land being Lot 881, Plan 14 from the Estate of Elizabeth M. Hutchinson with no compensation; and further THAT Welland City Council authorizes staff to prepare the necessary By-law and documentation to complete the transaction.

CARRIED

BY-LAWS

Moved by Mastroianni and P. 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.

15-110Z

BYL 2016 - 60

A By-law to amend City of Welland Zoning By-law 2667 (1825081 Ontario Inc. - File 2015-07) 309 Beatrice Street.

(Councillor Larouche asked to be recorded as opposed to the By-law).

CARRIED

Moved by Carl and P. Chiocchio

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.

16-46

BYL 2016 - 59

A By-law to authorize purchase of three (3) Nissan Juke AWD SVS from Airport Nissan Corp.

07-126

BYL 2016 - 61

A By-law to exempt certain lands from Part-Lot Control - south of Webber Road, east and west of Silverwood Avenue, in the Clare Estates 3 Subdivision (Blocks 87 and 88, Plan 59M-392), City of Welland.

16-4

BYL 2016 - 62

A By-law to establish tax ratios and tax rates and to levy taxes for the year 2016.

16-81

BYL 2016 - 63

A By-law to authorize acceptance of a transfer of lands to the City being Lot 881, Plan 14 now Plan 984.

CARRIED

Moved by Larouche and Fokkens

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 2016 - 64

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 3rd day of May, 2016.

CARRIED

Councillor Letourneau gave Notice of Motion to the following issue to be presented to Council at the May 17 2016, Regular Council Meeting:

16-82 THAT THE COUNCIL OF THE CITY OF WELLAND requests staff to investigate the banning of door to door sales of in home services and utilities in the City of Welland. These services include heating, natural gas, electricity, water heaters, air conditioning as well as water treatment devices. This would not include lawn maintenance services.

Councillor McLeod gave Notice of Motion to the following issue to be presented to Council at the May 17 2016, Regular Council Meeting:

99-99 WHEREAS the Welland Recreation Canal Corporation is compromised entirely of City Councillors; AND WHEREAS all Committees of Council report to Council after every meeting. THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND while the Welland Recreational Canal Corporation is acting as a committee of Council that it follows the same reporting protocol as other committees of Council.

Council adjourned at 10:23 p.m.

These Minutes approved and adopted by Motion of Council this 17th day of May, 2016.

MAYOR

ACTING CITY CLERK