



MINUTES OF
COUNCIL MEETING, DECEMBER 20, 2016
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:35 p.m. and in open session at 7:01 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (8:39 p.m.), J. Chiocchio, P. Chiocchio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche (5:46 p.m.), R. Letourneau, J. Mastroianni, D. McLeod (5:45 p.m.), M. Petrachenko and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Chief, Fire & Emergency Services, B. Kennedy
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure and Development Services/City Engineer, S. Iannello (7:01 p.m.)
Recording Secretary, C. Viger (7:01 p.m.)
Manager, Recreation & Culture, R. Morwald (7:01 p.m. - 8:11 p.m.)
Employment Services Coordinator, G. Lapierre (7:01 p.m. - 7:08 p.m.)

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

16-25 Moved by Grimaldi 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 5:35 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
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

CARRIED

16-25 Moved by Mastroianni and P. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:45 p.m. with report.

CARRIED

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

09-104 Councillor McLeod, member, Audit Review Committee, provided a verbal update on the Audit Review Committee meeting of December 5, 2016.

16-1 Moved by P. Chiochio and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of December 6, 2016 and Special Council Meeting of December 13, 2016, as circulated.

CARRIED

99-90

16-4 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2017 budget from the Welland Downtown Business Improvement Area Board as recommended by their board in the amount of \$95,424.00; and further
 THAT Welland City Council authorizes the General Manager, Corporate Services, Chief Financial Officer/Treasurer to make arrangements to levy an amount of \$95,424.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.

CARRIED

99-99 Moved by McLeod and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receive the Welland Recreational Canal Corporation (WRCC) update for information.

CARRIED

01-43 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2016-38 for the Assumption of the Harvest Estates Subdivision Phase 2 (plan 59M-299) Lots 21 through 75, Blocks 76, 77, 78, 79, 83, 84, 85, Part of Colbeck Drive, Part of Hillsdale Road, and Part of Carlisle Drive; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

CARRIED

04-48 Moved by DiMarco and J. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND rescinds the motion passed on September 21, 2010 approving Report CM-2010-10, a motion dedicating revenues generated by the Atlas Landfill Site Remediation Project to "a Sports and Culture Infrastructure Capital Reserve Fund".

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

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

LOST

09-104 Moved by McLeod and P. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, member, Audit Review Committee regarding its meeting of December 5, 2016.

CARRIED

10-130 Moved by Mastroianni and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) dated November 18, 2016 regarding the NRH 2016 3rd Quarter report to Council.

CARRIED

16-4 Moved by Larouche and Grimaldi
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year To Date Report - 3rd Quarter up to and including September 30, 2016 (FIN-2016-41) as recommended by the Audit Review Committee.

CARRIED

16-4 Moved by Grimaldi and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Capital Project Close Out Reports for the projects listed in Appendix 'A' attached to Report FIN-2016-42 as recommended by the Audit Review Committee.

CARRIED

16-4 Moved by Van Vliet and Mastroianni
THAT THE COUNCIL OF THE CITY OF WELLAND establishes a deadline of January 1 yearly, for Welland City Council to approve the Tax Supported Operating and Capital Budgets; Capital Forecast; Water and Wastewater Operating and Capital Budgets; and 10 year Water/Wastewater Capital Forecast.

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16-4 Moved by J. Chiochio and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND establishes a firm deadline of January 25 yearly for Welland City Council to approve the Tax Supported Operating and Capital Budgets; Capital Forecast; Water and Wastewater Operating and Capital Budgets; and 10 year Water/Wastewater Capital Forecast.

YEAS: Councillors Fokkens, J. Chiochio and DiMarco.

NAYS: Councillors Letourneau, P. Chiochio, Grimaldi, Mastroianni, Van Vliet, Mayor Campion, Petrachenko and McLeod.

LOST

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

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

NAYS: Councillors Fokkens and J. Chiochio.

CARRIED

16-19 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2016-12 regarding the development of a concept plan for future improvements to Memorial Park.

CARRIED

16-19 Moved by Letourneau and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to enter into an agreement with R & B Productions to produce and manage the 2017 Summer Concert Series for a grant in the amount of \$40,000.00; and further
 THAT Welland City Council directs R & B Productions to obtain public liability insurance for the event as outlined in RFP13-2015 and provide a Certificate of Insurance and stipulates that the HST rebate of \$5,200.00 remain with the City; and further
 THAT Welland City Council authorizes the City Clerk to prepare the appropriate documents and By-law to enter into a contract with R & B Productions for the 2017 Summer Concert Series.

CARRIED

16-22 Moved by Van Vliet and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2016-13 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 "V" – Parking Prohibitions (Specified Places with Signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Wiltshire Boulevard	South Side	Champlain Avenue	Woodington Place	8:00 am to 5:00 pm Monday to Friday

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16-22 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND refers report TRAF-2016-13 back to staff to provide an additional report and present at a future Council meeting.

YEAS: Councillors Letourneau, P. Chiochio, Mayor Campion, Larouche, Petrachenko, J. Chiochio, McLeod and DiMarco.

NAYS: Councillors Grimaldi, Fokkens, Mastroianni and Van Vliet.

CARRIED

16-37 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the proposal from GMBlueplan of Vaughan, Ontario for the construction of a City of Welland Wastewater model and associated reporting in the amount of \$99,813.00 plus applicable taxes; and further
 THAT Welland City Council directs staff to prepare a letter of agreement with the Region of Niagara committing to cost sharing with them for the construction of the wastewater model and associated reporting.

CARRIED

16-43 Moved by Van Vliet and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND requests the Premier of Ontario reconsiders the Election Modernization Changes, and further
 THAT Welland City Council requests a copy of this resolution be submitted to all area municipalities, Associations of Municipalities Ontario (AMO), and Federation of Canadian Municipalities (FCM).

YEAS: Councillors P. Chiochio, Grimaldi, Fokkens, Mastroianni, Van Vliet, Mayor Campion, Petrachenko, J. Chiochio, McLeod and DiMarco.

NAYS:

CARRIED

16-45 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2016-03, regarding the City's Insurance Renewal; and
 THAT Welland City Council authorizes the appointment of Frank Cowan Company to deliver the City's 2017 Insurance Program and Risk Management Services at the quoted price of \$659,810 plus applicable taxes, effective January 1, 2017 for a period of one (1) year; and further
 THAT Welland City Council authorizes the preparation of an RFP for insurance services for 2018.

CARRIED

16-123Z Moved by Mastroianni and Van Vliet
 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 South Pelham Road, south of Gaiser Road, more specifically described as Part Township Lot 260, former Township of Thorold, now City of Welland, municipally known as 150 South Pelham Road from the existing RA - Rural Agricultural Zone to a Site Specific R3 Zone to permit a reduced front yard setback of 4.5 metres for the face of a dwelling and 6 metres for an attached garage and to allow an overall maximum lot coverage of 50%.

CARRIED

16-129 Moved by Mayor Campion and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND requests Premier Kathleen Wynne direct the appropriate Ontario Provincial body to determine and fund the action required to determine if any inappropriate or illegal activity has occurred at the Niagara Peninsula Conservation Authority (NPCA); and
 THAT the required actions could include, but are not limited to, a forensic audit, value-for-money audit, or Ontario Provincial Police (OPP) investigation; and further
 THAT all municipalities within the NPCA catchment area, local MPPs, NPCA Board, be advised by the Province, what actions the Province proposes to take, reasoning, and cost to the Provincial taxpayer.

YEAS: Councillors Letourneau, P. Chiochio, Grimaldi, Fokkens, Mastroianni, Van Vliet, Carl, Larouche, Mayor Campion, Petrachenko, J. Chiochio and DiMarco.

NAYS: Councillor McLeod.

CARRIED

16-131 Moved by Fokkens and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the payment to LUCCHETTA CONSTRUCTION for the reimbursement of funds paid to oversize the Balsam Area Storm Water Management Facility in the amount of \$53,086.57, inclusive of 7% GST, as per correspondence from Kerry T. Howe Engineering Ltd. and as per Report ENG-2016-37.

CARRIED

16-133 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2016-39 for the Assumption of 'The Highlands - The Masters' Subdivision (Plan 59M-326), and 'Block 150' Subdivision (Plan 59M-373); and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

CARRIED

16-134 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND calls on the federal government to provide long-term, predictable, and formula-based funding in its Phase 2 programs for municipal governments; and further THAT Welland City Council calls on the federal government to change incremental requirements in Phase 2 to recognize in Ontario that a municipal government asset management plan meets a municipal incremental infrastructure requirement.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

16-10 Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Ingrao to the Property Standards Committee/Dog Control Appeal Committee for the term January 1, 2017 to December 30, 2019.

CARRIED

BY-LAWS

Moved by Mastroianni and Van Vliet
 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.

16-123Z

BYL 2016 - 170

A By-law to amend City of Welland Zoning By-law 2667 (Ena Boersema and Johannes Boersema - File 2016-07) 150 South Pelham Road.

16-37

BYL 2016 - 171

A By-law to authorize entering into contract with GM Blueplan Engineering Limited to provide a Wastewater Model for the City of Welland.

01-43

BYL 2016 - 172

A By-law to assume Harvest Estates Subdivision Plan 69M-299 (Phase 2).

16-133

BYL 2016 - 173

A By-law to assume the Highlands - The Masters Subdivision Plan 59M-326 and Block 150 Subdivision Plan 59M-373.

04-92

BYL 2016 - 174

A By-law to amend Sign By-law 2005-21.

16-38

BYL 2016 - 175

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality.

10-108

BYL 2016 - 176

A By-law to enter into a management and operating agreement with Global Spectra Facility Management Limited to manage the Youngs Sportsplex.

09-102Z

BYL 2016 - 177

A By-law to amend Zoning By-law 2667 upon the application of 2090572 Ontario Inc. to remove the holding symbol "H" from certain lands on the west side of the Welland By-Pass Canal, north of Kintyre and Turnberry Trails and south of the Welland River (File 2009-07).

16-4

BYL 2016 - 178

A By-law to amend By-law 2013-82, being a By-law to authorize signing authority to certain persons on behalf of the City of Welland with respect to banking.

CARRIED

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.

16-1

BYL 2016 - 179

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 20th day of December, 2016.

CARRIED

Councillor Fokkens gave Notice of Motion to the following issue to be presented to Council at the January 17, 2017, Regular Council Meeting:

16-37 THAT THE COUNCIL OF THE CITY OF WELLAND extends the Water/Wastewater Ad Hoc Committee for 2017, and that the Water/Wastewater Ad Hoc Committee provide support to staff to develop the new concept for retail rates as recommended by the Water/Wastewater Ad Hoc Committee in 2016; and further
THAT the existing Terms of Reference for the Water/Wastewater Ad Hoc Committee that were approved in 2016 be carried through for 2017.

Councillor J. Chiochio gave Notice of Motion to the following issue to be presented to Council at the January 17, 2017, Regular Council Meeting:

04-92 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff and the Niagara Region to review the City of Welland entrance signage at all points, regarding population numbers and condition of signs; and further
THAT Welland City Council directs staff to review Welland entrance signs as to their condition and develop a clear look Welland brand and to engage community groups and any costs associated with it.

Council adjourned at 9:27 p.m.

These Minutes approved and adopted by Motion of Council this 17th day of January, 2017

MAYOR

CITY CLERK