



**MINUTES OF**  
**COUNCIL MEETING, JANUARY 17, 2017**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:57 p.m. and in open session at 7:02 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors M. Carl, J. Chiochio, P. Chiochio (until 8:46 p.m.), T. DiMarco (until 7:46 p.m.), B. Fokkens, M.A. Grimaldi, R. Letourneau, J. Mastroianni, 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 (until 7:46 p.m.)  
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas  
General Manager, Human Resources and Legislative Services, R. Mantesso (until 7:46 p.m.)  
General Manager, Infrastructure and Development Services/City Engineer, S. Iannello  
Director of Economic Development, D. Degazio (5:57 p.m. - 6:30 p.m.)  
Manager, Recreation and Culture, R. Morwald (7:02 p.m.)  
Recording Secretary, C. Viger (7:02 p.m.)

**17-25** Moved by Letourneau and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:57 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**

**17-25** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:37 p.m. with report.

**CARRIED**

### **PRESENTATIONS:**

**04-48** Mike Watt, Walker Environmental addressed Council regarding the Atlas Landfill Remediation.

**02-160** Harold Elston, Integrity Commissioner addressed Council regarding the Council Complaint Report.

### **DELEGATIONS**

**17-13** Dennis Kar, Associate, Dillon Consulting Limited and Gary McNeil, President, McNeil Management Services addressed Council regarding Inter-municipal Transit Service Delivery and Governance Report and Recommendations.

**17-28** Elizabeth Zimmerman, Executive Director, Young Women's Christian Association (YWCA) Niagara Region addressed Council regarding its programs and services.

**17-28** Mike Seguin, Club Richelieu addressed Council regarding an update on its activities.

**17-1** Moved by Grimaldi and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of December 20, 2016, as circulated.

**CARRIED**

**99-43** Moved by Mastroianni and Carl

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**

**02-85** Moved by Fokkens and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2017-02 pertaining to the City policy regarding Support Persons under the Integrated Accessibility Standards Regulation; and further

THAT Welland City Council waives the punch card fees for registered support workers supporting the person with the disability.

**CARRIED**

**02-160** Moved by Van Vliet and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for the information the presentation by Harold Elston, Integrity Commissioner regarding the Council Complaint Report.

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

**CARRIED**

**02-160** Moved by Carl and Van Vliet

THAT THAT COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2017-02: Updated Procedural By-law and Code of Conduct for Members of Council - Welland City Council; and THAT Welland City Council approves the revisions to the Procedural By-law and Code of Conduct for Members of Council - Welland City Council as outlined in Report CLK-2017-02; and further THAT Welland City Council authorizes staff to prepare the necessary By-law and the Mayor and Clerk shall execute same.

**CARRIED**

**03-133** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to submit an Application to the Federation of Canadian Municipalities' (FCM) Green Municipal Fund (GMF) for funding to prepare an update to the Brownfield Community Improvement Plan; and further

THAT Welland City Council directs staff to prepare an update to the Brownfield Community Improvement Plan for private lands in the City of Welland, which will include sustainability goals, specific targets, actions, and an implementation and monitoring strategy, contingent on receiving study funding from FCM.

**CARRIED**

**04-48** Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mike Watt, Walker Environmental regarding the Atlas Landfill Remediation.

**CARRIED**

**04-92** Moved by J. Chiochio and Letourneau

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.

**CARRIED**

**09-60** Moved by Carl and Grimaldi

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 412 Enterprise Drive in the City of Welland for the Tax Increment Based Rebate Program in the estimated amount of \$276,620.15 over ten (10) years; and further

THAT Welland City Council authorizes the refund of a Minor Variance Application Fee in the amount of \$998.00 provided the project is completed as proposed in the Application Form; 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 Rebate Program.

**CARRIED**

**12-114** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND, as sole Shareholder of Welland Hydro Energy Services, requests and accepts excess funds of \$300,000 by way of a special dividend from Welland Hydro Energy Services notwithstanding the terms of the Shareholder Declaration; and further THAT Welland City Council approves a payment of \$300,000 to Welland Hydro Energy Services immediately upon receipt of the special \$300,000 dividend to assist with the capital financing requirements of the Solar (PV) Ground Mount (non-rooftop) FIT 4.0 projects located at 950 East Main Street and 108 Thorold Road.

**CARRIED****13-50** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND supports the Region of Niagara assuming sole responsibility and governance of the Niagara Central Dorothy Rungeling Airport (NCDRA) and further directs the Region to assume the costs of the Environmental Site Assessments (ESA) for the NCDRA, or to waive this condition as part of the transfer of ownership.

**CARRIED****16-19** Moved by Mastroianni and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the design- build Proposal of New Line Skateparks Inc of Toronto, Ontario in the amount of \$519,950.00 plus applicable taxes; and That Welland City Council authorizes the Canada 150 Community Infrastructure Program (CIP 150), through the Federal Economic Development Agency of Southern Ontario (FedDev Ontario), for the Improvement of Welland Community Skate Park in the amount of \$216,667.00; and THAT Welland City Council directs the City Clerk to sign the contribution agreement; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into the design build contract with New Line Skateparks Inc. to execute the design and construction.

**CARRIED****16-66** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves the draft Terms of Reference for the establishment of an Active Transportation Advisory Committee; and further THAT Welland City Council authorizes the City Clerk to commence the recruitment and selection process to adequately fulfill the Committee membership requirements and report back to Council with a recommendation on the proposed appointees; and further THAT Welland City Council appoints a City Council representative to the Active Transportation Advisory Committee.

**CARRIED****16-132** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND agrees to enter into an Encroachment Agreement on the Cedar Street Road Allowance to the benefit of 382 Niagara Street to provide for a time frame of 25 years during which the City cannot access the right to termination; and further THAT Welland City Council directs staff to prepare the necessary By-law and documentation as required.

**CARRIED****17-4** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the due dates for the 2017 Interim Municipal Tax Levy as follows:

First Installment due: March 1, 2017

Second Installment due: May 1, 2017 and further

THAT Welland City Council approves the amounts to be levied in accordance with Section 317 of The Municipal Act, 2001 that being 50% of the total levy for the year 2016 (\$39,346,670).

**CARRIED****17-4** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Region dated December 14, 2016 regarding Tax Policy Change.

**CARRIED**

**17-13** Moved by Carl and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dennis Kar, Associate, Dillon Consulting Limited and Gary McNeil, President, McNeil Management Services regarding Inter-municipal Transit Service Delivery and Governance Report and Recommendations; and further

THAT Welland City Council approves an extension of the Inter-municipal Transit pilot project until the Inter-municipal Transit Working Group has concluded their work and a final decision on Inter-municipal Transit has been made by the respective Councils.

**CARRIED****17-22** Moved by Mastroianni and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2017-01: Traffic Safety Study - Colbeck Drive; and further

THAT Welland City Council authorizes staff to amend Schedule XXXIX Community Safety Zones of the Traffic and Parking By-law 89-2000 as follows:

ADD THE FOLLOWING TO SCHEDULE XXXIX Community Safety Zones

| COLUMN 1<br>HIGHWAY | COLUMN 2       | COLUMN 3             | COLUMN 4      |
|---------------------|----------------|----------------------|---------------|
|                     | FROM           | TO                   | TIMES OR DAYS |
| Colbeck Drive       | Carlisle Drive | Prince Charles Drive | Anytime       |

**CARRIED****17-28** Moved by Carl and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Elizabeth Zimmerman, Executive Director, Young Women's Christian Association (YWCA) Niagara Region regarding its programs and services.

**CARRIED****17-28** Moved by Letourneau and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mike Seguin, Club Richelieu regarding an update on its activities.

**CARRIED****17-29** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2017-01, regarding the annual meetings of Council in 2016.

**CARRIED****17-35** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated December 9, 2016 regarding Contraband Tobacco Trade.

**CARRIED****17-37** Moved by Fokkens and Grimaldi

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.

**CARRIED**

**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**04-152** Moved by Mastroianni and Carl  
 THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus to the City's needs lands municipally known as 469 Rice Road.

**CARRIED**

**BY-LAWS**

Moved by Mastroianni and Fokkens  
 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.

**16-19**

BYL 2017 - 1

A By-law to authorize acceptance of the proposal from New Line Skateparks Inc. for the Welland Community Skateboard and BMX Park Redevelopment.

**17-22**

BYL 2017 - 2

A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedule XXXIX).

**09-60**

BYL 2017 - 3

A By-law to authorize execution of an agreement for Tax Increment Grant program (Community Improvement Plan) for 412 Enterprise Drive.

**02-160**

BYL 2017 - 6

A By-law to govern the Proceeding and Conduct of Council and the Committees thereof and to repeal By-law 2013-126.

**CARRIED**

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

**16-132**

BYL 2017 - 4

A By-law to permit an encroachment onto the Cedar Street road allowance to benefit the owners of the property municipally known as 382 Niagara Street.

**17-4**

BYL 2017 - 5

A By-law to provide an Interim Tax Levy for year 2017.

**CARRIED**

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.

**17-36**

BYL 2017 - 7

A By-law to authorize acceptance of an offer from Richard Goupil for the sale of vacant land on Sauer Avenue being Part 2 on reference Plan 59R-15658.

**(Councillor Carl asked to be recorded as opposed to this By-law).**

**17-39**

BYL 2017 - 8

A By-law to authorize acceptance of an offer from Richard Goupil for the sale of vacant land on Sauer Avenue being Part 3 on reference Plan 59R-15658.

**(Councillor Carl asked to be recorded as opposed to this By-law).**

**CARRIED**

Moved by Van Vliet and J. 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.

**17-1**

BYL 2017 - 9

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 17<sup>th</sup> day of January, 2017.

**CARRIED**

Councillor Grimaldi gave Notice of Motion to the following issue to be presented to Council at the February 7, 2017, Regular Council Meeting:

**17-22** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to do a comprehensive and in depth study and fulsome report including various times of the day on traffic flows, parking, sight lines, traffic counts and any and all safety concerns in the area of First Avenue and Rice Road and Woodlawn to Thorold Roads; and further  
THAT this report be provided to Council in a timely manner.

Councillor Letourneau gave Notice of Motion to the following issue to be presented to Council at the February 7, 2017, Regular Council Meeting:

**08-48** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff of both the Building and By-laws Departments to investigate and revisit By-law 2009-108 also known as The Property Standards By-law, with the intent to strengthen its content.

Council adjourned at 9:38 p.m.

These Minutes approved and adopted by Motion of Council this 7<sup>th</sup> day of February, 2017.

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**MAYOR**

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**CITY CLERK**