



MINUTES OF
COUNCIL MEETING, SEPTEMBER 25, 2018
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:30 p.m. and in open session at 6:21 p.m. and again in Committee-of-the-Whole at 8:51p.m.on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Belcastro, M. Carl (6:06 p.m.), J. Chiochio, P. Chiochio (5:41 p.m.),
T. DiMarco (until 8:34 p.m.), B. Fokkens, M.A. Grimaldi, J. Larouche (until 9:10 p.m.),
J. Mastroianni (until 8:56 p.m.), D. McLeod and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
Acting City Clerk, C. Radice
Acting Deputy Clerk, C. Viger (6:21 p.m.)
Chief, Fire & Emergency Services, B. Kennedy
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (until 9:10 p.m.)
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure and Development Services/City Engineer, E. Nickel
Manager of Recreation & Culture, R. Dalton (until 9:10 p.m.)
Manager of Development Approvals, G. Munday (until 8:51 p.m.)

(Tom Hanrahan, Solicitor was present during Committee-of-the-Whole discussion on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board).

2018-334**18-25** 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 5:30 p.m. to consider:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

CARRIED

Council recessed Committee-of-the-Whole at 6:11 p.m.

THE FOLLOWING ITEM WAS DELETED:

Mayor Campion to present a plaque to Welland Warriors Basketball Team for winning the National Championship.

PRESENTATIONS

Mayor Campion presented a plaque to Sandor Mod, gold medalist, IFAF U19 World Championship, Team Canada 2018 and bronze medalist, Team Ontario 2016.

DELEGATIONS

18-28 Doug Rapelje, Board Member, Alzheimer Society of Niagara Region to address Council regarding the 2018 Coffee Break Campaign.

18-28 Alain Breton, Welland Food Drive to address Council regarding the Annual Welland Food Drive Event.

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

- No one spoke to the application.

There being no speakers, the public meeting was concluded.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

16-66 Harold Sawchuk, Chair, Active Transportation Advisory Committee, Assunta Piccini, Vice Chair, Active Transportation Advisory Committee and Sarah Cann, Mayor's Youth Advisory Committee Representative to address Council regarding an Update on Active Transportation Advisory Committee activities.

09-104 Councillor Van Vliet, Chair, Audit Review Committee provided a verbal update on the Audit Review Committee meeting of August 28, 2018.

16-61 Councillor Grimaldi, Chair, Human Resources Committee provided a verbal update on the Human Resources Committee meeting of September 13, 2018.

2018-335

18-1 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 August 28, 2018 and Special Council Meeting of September 6, 2018, as circulated.

CARRIED

2018-336

99-99 Moved by J. Chiocchio and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND supports phase two of the canal redevelopment strategy; and further

THAT Welland City Council directs staff to proceed with the detailed design of phase two including: 1) a new boathouse; 2) public parking improvements; and 3) an area for food truck vending; and further

That Welland City Council directs staff to issue a Request for Proposal (RFP) and that RFP submissions be brought to the new Council for their consideration; and further

THAT Welland City Council supports this project as being eligible for strategic economic development initiatives funding.

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2018-337

99-99 Moved by DiMarco and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report CAO-2018-08 to the December 4, 2018 Council meeting.

LOST

2018-338

99-99 Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to remove an area for food truck vending and replace it with a pickleball court to the Request for Proposal (RFP).

LOST

2018-339

99-99 Moved Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to add a pickleball court to the Request for Proposal (RFP).

YEAS: Councillors P. Chiocchio, Grimaldi, Fokkens, Mastroianni, Van Vliet, Larouche, Mayor Campion, Belcastro, Carl and J. Chiocchio.

NAYS: Councillors McLeod and DiMarco.

CARRIED

2018-340

99-99 Moved DiMarco and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report CAO-2018-08 to the Budget Review Committee meeting.

LOST

FOLLOWING THE LOST VOTES ON THE MOTIONS, THE MAIN MOTION WAS PUT AS AMENDED AND

CARRIED

2018-341**99-99**

Moved by J. Chiochio and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND supports phase two of the canal redevelopment strategy; and further

THAT Welland City Council directs staff to proceed with the detailed design of phase two including: 1) a new boathouse; 2) public parking improvements; and 3) an area for food truck vending; and further

That Welland City Council directs staff to issue a Request for Proposal (RFP) and that RFP submissions be brought to the new Council for their consideration; and further

THAT Welland City Council supports this project as being eligible for strategic economic development initiatives funding; and further

THAT Welland City Council directs staff to add a pickleball court to the Request for Proposal (RFP).

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

NAYS: Councillors McLeod and DiMarco.

CARRIED**2018-342****09-60**

Moved by DiMarco and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves a rebate cap for the City of Welland portion of the property taxes for the City of Welland Niagara Gateway Economic Zone and Centre Community Improvement Plan (CIP) Tax Increment Based Rebate Program of \$1,000,000.00 per year and a maximum \$10 million over 10 years in a Strategic Location for Investment and \$5 million over 5 years in the remainder of the CIP Area; and further

THAT Welland City Council authorizes staff to make the necessary adjustments to the Community Improvement Plan document and program guide to implement the rebate cap; and further

THAT Welland City Council directs staff to inform the Ministry of Municipal Affairs and Region of Niagara of this change.

CARRIED**2018-343****09-104**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Van Vliet, Chair, Audit Review Committee, regarding its meetings of August 28, 2018.

CARRIED**2018-344****11-58**

Moved by Mastroianni and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2018-16 Update to Public Nuisance By-law; and further

THAT Welland City Council directs the City Clerk to amend Public Nuisance By-law 2011-129 as follows:

RENAME the following:

PART 5 – PENALTIES/ OFFENCES	to	PART 6 – PENALTIES/ OFFENCES
PART 6 – GENERAL	to	PART 7 – GENERAL
PART 7 – SHORT TITLE OF BY-LAW	to	PART 8 –SHORT TITLE OF BY-LAW
PART 8 – FORCE AND EFFECT	to	PART 9 – FORCE AND EFFECT

ADD the following:

PART 5 – NUISANCE PARTIES

- 5.1 No person shall sponsor, conduct, continue, host, create, attend, allow, cause or permit a nuisance party.
- 5.2 No person, who individually or jointly with others, is an owner, occupant, tenant or who otherwise has rightful possession of or control of any premises, shall allow, cause or permit a nuisance party on the premises under their possession or control.
- 5.3 Order to Discontinue Activity:

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11-58...cont'd.

- i) Upon the order of the Chief of Police or his/her designate a Nuisance Party shall cease and all persons not residing on the Premises shall leave immediately.
- ii) No person shall fail to leave the Premises after having been directed to leave the Premises by an order to discontinue activity under this By-law.

ADD the following to PART 1 – DEFINITIONS

“Chief of Police” means the Chief of Police for the Niagara Regional Police Service, or designate;

“Municipality” means the area within the geographic limits of the City of Welland;

“Nuisance Party” means a gathering of persons on a premises and which, by reason of the conduct of the persons in attendance, results in any one or more of the following activities occurring:

- a) Public disorderly conduct;
- b) Public drunkenness or public intoxication;
- c) The unlawful sale, furnishing, or distribution of alcoholic beverages or controlled substances or illegal substances;
- d) The deposit of refuse on public or private property;
- e) Damage to or destruction of public or private property;
- f) Pedestrian traffic, vehicular traffic, or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
- g) Unreasonable noise, including loud music or shouting;
- h) Unlawful open burning or fireworks;
- i) Public disturbances, including public brawls, public fights or violence;
- j) Outdoor public urination or defecation;
- k) Use of or entry upon a roof not intended for such occupancy;

“Premises” means any public space or private place in the Municipality;

RENUMBER all definitions within PART 1, including current additions to ensure all are listed alphabetically.

ADD the following to PART 7 – GENERAL

7.4 A Municipal Law Enforcement Officer or Police Officer designated to perform inspections pursuant to this by-law may enter upon any land for the purpose of carrying out an inspection to determine whether or not this By-law is being contravened.

ADD the following to SCHEDULE “A” – Set Fine Schedule

<u>ITEM</u>	<u>COLUMN 1</u> Short Form Wording	<u>COLUMN 2</u> Offence creating provision or defining offence	<u>COLUMN 3</u> Set Fine
9	Participate in a Nuisance Party	Section 5.2 and 5.3	\$300.00

CARRIED

2018-345

11-108 Moved by Belcastro and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Amendment to the Official Plan to designate the lands on the east side of Viger Drive, west of the Welland Shipping Canal and north and west of Memorial Park, more specifically described as Lots 37, 38, 54, 55, 56, Block 74 and 78 on plan 59M-440, in the City of Welland, municipally known as 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive, from Low Density Residential and Parks, Open Space and Recreation to Low Density Residential to permit the development of the property for residential purposes;

THAT Welland City Council approves an amendment to the Zoning By-law for lands on the east side of Viger Drive, west of the Welland Shipping Canal and north and west of Memorial Park, more specifically described as Lots 37, 38, 54, 55, 56, Block 74 and 78 on plan 59M-440, in the City of Welland, municipally

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11-108...cont'd.

known as 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive, from the existing Residential Low Density 2 and Community Open Space (02) to a Holding Site Specific Residential Low Density 2 (RL2) Zone;

THAT Welland City Council directs that prior to the lifting of the Holding Symbol (H), the Owner must provide to the City documentation that a Ministerial Order in Council, protecting the Controlled Access Highway corridor across the subject lands, has been lifted to the satisfaction of the Province;

THAT Welland City Council approves a Draft Plan of Vacant Land Condominium for lands on the east side of Viger Drive, west of the Welland Shipping Canal and north and west of Memorial Park, more specifically described as Lots 37, 38, 54, 55, 56, Block 74 and 78 on plan 59M-440, in the City of Welland, municipally known as 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive, subject to the following conditions:

1. That the Owner enter into a Condominium Agreement with the City of Welland to be registered on Title.
2. That the Owner enter into a Site Plan Agreement with the City of Welland to be registered on Title.
3. That no grading or construction work shall commence on site until such time as a Site Plan Agreement has been entered into, and financial securities are in place.
4. That all development must conform to the City of Welland's 'Municipal Standards', as amended.
5. That all necessary easements required for utility and servicing purposes be granted to the appropriate Authority free and clear of all encumbrances.
6. That the Owner agrees to pay Cash-in-Lieu of Parkland Dedication of 5%, subject to the City's Parkland Dedication and Cash-in-Lieu of Parkland Dedication Policy.
7. That the Owner is responsible for the installation of all infrastructure required to support the development.
8. That the Owner is responsible for the costs associated with abandoning any existing infrastructure that is already installed to the property, but is not currently used.
9. That the following clauses be included in the Condominium Agreement:

Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify Archaeology Programs Unit of the Ontario Ministry of Tourism, Culture and Sport (MTCS) (416-212-8886) and a licensed archaeologist (owner's archaeology consultant) is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services in Toronto (416-326- 8800) must be contacted. In situations where human remains are associated with archaeological resources MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.
10. That the Owner acknowledges that draft approval does not include a commitment of servicing allocation by the Niagara Region as the servicing allocation will be assigned at the time of final approval of the condominium for registration purposes and any pre- servicing will be at the sole risk/responsibility of the developer.
11. That the Owner promptly provide the Niagara Region with a written undertaking that all offers and agreements of purchase and sale, which may be negotiated prior to registration of the condominium, shall contain a clause clearly indicating that a servicing allocation for this condominium will not be assigned until the plan is granted final approval for registration, and a similar clause be inserted in the condominium agreement between the Owner and the City.
12. That prior to approval of the final Plan of Condominium or the undertaking of any on- site grading or storm servicing, the Owner shall submit a detailed stormwater management plan and all associated engineering drawings (stamped and signed by a qualified professional engineer in accordance with the Ministry of Environment Conservation and Park's 'Stormwater Management Planning and Design Manual' (2003) and the Niagara Peninsula Conservation Authority's 'Stormwater Management Guidelines' (2010)) to the Niagara Region Planning and Development Services Department for review and approval. The required stormwater management engineering submission shall include (but not limited to)

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11-108...cont'd.

- a. Detailed grading plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b. Detailed storm servicing plans, noting both existing and proposed storm services including all supporting design details and calculations;
 - c. Detailed stormwater management plans including all supporting details, calculations, and computer models;
 - d. Detailed construction erosion and sediment control plans;
 - e. Detailed construction phasing plans (as required).
13. That the following clause be included in the Condominium Agreement and inserted into all offers and agreements of purchase and sale or lease for each of the dwelling units:
- "That in order to accommodate Regional waste collection services, waste, recycling and organics shall be brought to the Viger Drive curbside on the designated collection day."*
14. That (if necessary) the Owner submit an update/addendum to the Noise Study completed by dBA Environmental Services, dated January, 2012 (submitted as part of the previous Canal View Heights Plan of Subdivision). Upon confirmation from the Ministry of Transportation that they are pursuing the Highway 406 corridor/extension outlining appropriate warning clauses and mitigation measures to the satisfaction of the Niagara Region. These warning clauses and mitigation measures shall be incorporated into the Condominium Agreement and inserted into all offers and agreements of purchase and sale or lease for each of the dwelling units.
15. That prior to final approval, the owner shall submit to the Ministry of Transportation for its review and approval, a stormwater management report indicating the intended treatment of the calculated runoff and the impacts of drainage on the Future Highway 406 corridor.
16. That the Ministerial Order in Council, protecting the Controlled Access Highway corridor across the subject lands be lifted to the satisfaction of the Province.
17. That the Owner include on all offers of purchase and sale, a statement that advises the prospective purchaser:
- a. That the home/business delivery will be from a designated Centralized Mail Box.
 - b. That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
18. The owner further agrees to:
- a. Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - b. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
 - c. Identify the pads *above* on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - d. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
19. That prior to granting Approval for the Final Plan, the City of Welland will require written notice from the following upon their respective conditions having been met satisfactorily:
- Region of Niagara: 9, 10, 11, 12, 13, 14
 Ministry of Transportation: 15, 16
 Canada Post: 17, 18
20. That if Final Approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request extension to Draft Plan Approval, a written request with reasons why the extension is required and the applicable application fee, must be received by the City prior to the lapsing date; and further THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans once all Conditions have been satisfied.

CARRIED

2018-346**14-100** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2018-29 for the cost sharing payment to 1454417 Ontario Ltd, developer of Sparrow Meadows Phase 1-6 subdivision, for the reconstruction of Gaiser Road in the amount of \$52,283.09 plus 13% HST as per the Subdivision Agreement as the project was identified in the 2018 Capital budget; and further

THAT Welland City Council approves the reallocation of \$23,204.09 from the 2017 South Pelham Road Top Asphalt project to be used towards the Gaiser Road Reconstruction cost sharing payment.

CARRIED**2018-347****16-61** Moved by Grimaldi and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Grimaldi, Chair, Human Resources Committee, regarding its meeting of September 13, 2018; and further

THAT Welland City Council approves the Hiring Policy; and further

THAT Welland City Council approves the Unreasonable Customer Behaviour Policy as recommended by the Human Resources Committee.

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2018-348**16-61** Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND refers both Policies Hiring Policy and Unreasonable Customer Behaviour Policy to the new Council.

CARRIED**2018-349****16-66** Moved by Carl and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Harold Sawchuk, Chair, Active Transportation Advisory Committee, Assunta Piccini, Vice Chair, Active Transportation Advisory Committee and Sarah Cann, Mayor's Youth Advisory Committee Representative regarding an update on its activities; and further

THAT Welland City Council directs staff to review the recommendations presented by the Active Transportation Advisory Committee and forwards the recommendations to the Budget Review Committee.

CARRIED**2018-350****17-76** Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2018-16: Update Webcasting for the City of Welland; and further

THAT Welland City Council approves a one (1) year agreement with iSi Live for webcasting services; and further

THAT Welland City Council directs the Clerk to prepare all necessary By-laws to enter into an agreement with iSi Live for municipal webcasting.

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2018-351**17-76** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report CLK-2018-16 back to staff for review and report in 3 months.

CARRIED**2018-352****18-3** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Hillside 5 Pin Bowlers Association Welland.

CARRIED**2018-353****18-3** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Fonthill and District Kinetite Club to sell raffle tickets in the City of Welland under authority of Lottery License M783989.

CARRIED

2018-354**18-4** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts and approves the consolidated financial statements of the Corporation of the City of Welland for the fiscal year ending December 31, 2017.

CARRIED**2018-355****18-4** Moved by Belcastro and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$13,758.16 as contained in Report FIN-2018-19 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of The Municipal Act, 2001; and further

THAT Welland City Council requests that applications 17-18 and 17-22 be removed from Appendix 1 of Report FIN-2018-19.

CARRIED**2018-356****18-6** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of November 2018 "Pulmonary Hypertension (PH) Awareness Month" in the City of Welland.

CARRIED**2018-357****18-13** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS-2018-08: Niagara College Student Administrative Council Agreement Renewal for Transit Services 2018 - 2019; and further

THAT Welland City Council authorizes the Mayor and City Clerk to sign the agreement; and further

THAT Welland City Council authorizes the City Clerk to prepare any necessary By-laws to enter into the agreement.

CARRIED**2018-358****18-13** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS-2018-09: Brock University Students' Union Agreement Renewal for Transit Services 2018 - 2019; and further

THAT Welland City Council authorizes the Mayor and City Clerk to sign the agreement; and further

THAT Welland City Council authorizes the City Clerk to prepare any necessary By-laws to enter into the agreement.

CARRIED**2018-359****18-13** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts Transit Report: TRANS-2018-10 and approves the purchase of the Transit Farebox TRIM Units.

CARRIED**2018-360****18-22** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2018-17: 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 "XXXIV" – RESIDENTIAL PARKING PERMIT ONLY.

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Northwood Drive	Both Sides	Eastwood Drive	Woodrush Avenue	6:00am to 6:00pm Monday - Saturday

CARRIED

2018-361**18-24**

Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Spencer Pierce, C.Tech. as Drainage Superintendent as per Section 93(1) of the Drainage Act R.S.O. 1990 as outlined in Report ENG-2018-28: Appointment of a Drainage Superintendent; and further

THAT Welland City Council un-appoints Michael Kowalczyk, C.E.T. as Drainage Superintendent; and further

THAT Welland City Council authorizes the preparation of the necessary By-law(s) to formalize the above appointment and un-appointment.

CARRIED**2018-362****18-28**

Moved by Mastroianni and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, Board Member, Alzheimer Society of Niagara Region regarding its 2018 Coffee Break Campaign.

CARRIED**2018-363****18-28**

Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Alain Breton, Welland Food Drive regarding the kick off of the 2018 Welland Food Drive held on Saturday, November 3, 2018 and encourages all residents to participate.

CARRIED**2018-364****18-68**

Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2018-08; and further

THAT Welland City Council directs staff to maintain Maple Park courts for use of the Welland Pickleball Club for 2019.

CARRIED**2018-365****18-90**

Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the Town of Fort Erie resolution regarding The Right of Passage Act requesting to ensure that the public has the right to walk along all Great Lake shorelines between the water's edge and the high water mark, requiring removal by property owners of all fences running vertical to the shoreline a distance of no less than 10 feet from the water's edge and any other obstructions to the public's right to walk the shore, permit public access to the Great Lakes shoreline only via public lands, such as parks, road allowances or easements, and prohibit the public from any activity on privately owned waterfront, other than a right to walk along the shoreline.

CARRIED**2018-366****18-91**

Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves the establishment of a crematorium at 421 Prince Charles Drive South; and further

THAT Welland City Council directs the Clerk to forward the necessary documentation to the Registrar (Funeral, Burial and Cremation Services Act) and to the Applicant/Owner; and further

THAT Welland City Council directs the Clerk to have published a notice of decision on the local newspaper in accordance with Funeral, Burial and Cremation Services Act.

CARRIED

2018-367**18-92** Moved by Mastroianni and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for the costs to collect and update data for the City's Stormwater system; and further

THAT Welland City Council commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program: Collection and updating of data for the City's Stormwater system including but limited to field data collection and verification of sewer sizes, material, elevations, and age and to input this data into the City's GIS system for the purpose of Asset Management.

CARRIED

Council resumed Committee-of-the-Whole at 8:51 p.m.

2018-368**18-25** Moved by Mastroianni 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 8:51 p.m. to consider:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED**2018-369****18-25** Moved by Fokkens and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 9:10 p.m. without report.

CARRIED**BY-LAWS**

Moved by Mastroianni and Larouche

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.

11-108

BYL 2018 - 104

A By-law to authorize the adoption of Official Plan Amendment No. 18.

11-108

BYL 2018 - 105

A By-law to amend City of Welland Zoning By-law 2017-117 (Upper Canada Consultants - File 2018-04) 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive.

18-24

BYL 2018 - 106

A By-law to authorize the appointment of Spencer Pierce as Drainage Superintendent; and to repeal By-law 2017-32.

CARRIED

Moved by Mastroianni and Belcastro

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.

11-58

BYL 2018 - 102

A By-law to amend Public Nuisance By-law 2011-129.

18-22

BYL 2018 - 103

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

18-13

BYL 2018 - 107

A By-law to authorize entering into agreement with Niagara College Student Administrative Council Inc. to provide Welland Transit Services for the 2018 to 2019 Academic Term.

18-13

BYL 2018 - 108

A By-law to authorize entering into agreement with Brock University Students' Union, Inc. to provide Welland Transit Services for the 2018 to 2019 Academic Term.

18-86

BYL 2018 - 109

A By-law to amend By-law 10937 being a By-law to approve and authorize the execution of a Standard Conditional Permit Agreement.

CARRIED

Moved by Grimaldi and Carl

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.

18-1

BYL 2018 - 110

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 25th day of September, 2018.

CARRIED

Council adjourned at 9:25 p.m.

These Minutes to be approved and adopted by Motion of Council this 20th day of November, 2018.

MAYOR

ACTING CITY CLERK