



MINUTES OF
COUNCIL MEETING, DECEMBER 17, 2019
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:25 p.m., and in open session at 7:05 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco (until 11:03 p.m.), B. Fokkens (until 11:00 p.m.), B. Green (6:37 p.m.), M.A. Grimaldi (6:50 p.m.), J. Larouche, D. McLeod (6:32 p.m.), A. Moote (6:30 p.m.), G. Speck, L. Spinosa, C. Richard and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Legislative Assistant, C. Viger (7:05 p.m.)
Chief, Fire & Emergency Services, B. Kennedy (until 11:00 p.m.)
General Manager, Infrastructure and Development Services, T. Fitzpatrick (6:32 p.m.)
General Manager, Economic Development & Recreation & Culture, D. Degazio
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff
Manager of Human Resources, A. Daisley (until 7:00 p.m.)
Manager of Development Approvals, G. Munday (7:05 p.m.)
Chief Building Official, J. Tosta (7:05 p.m. until 11:07 p.m.)

2019 - 787**19-25**

Moved by Richard and Spinosa

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

- personal matters about an identifiable individual, including municipal or local board employees; and
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED**2019 - 788****19-25**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:00 p.m. without report.

CARRIED**DELEGATIONS****18-87**

Robert MacFarlane, Planner addressed Council regarding Cannabis Operations on Matthews Road, Welland.

PRESENTATIONS

Mayor Campion presented a certificate to Damiano Morrone in recognition of a former Christmas Light Contest Contestant.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT**09-104**

Councillor Richard, Chair, Audit Review Committee provided a verbal report on the Audit Review Committee of December 3, 2019.

2019 - 789**19-1**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of December 3, 2019, as circulated.

CARRIED**2019 - 790****11-100**

Moved by Fokkens and Larouche

THAT Welland City Council amends the rules and brings the notice of motion submitted by Councillor Fokkens (11-100) to be discussed following the public meeting.

CARRIED**2019 - 791****12-113**

Moved by Fokkens and Larouche

THAT Welland City Council allows the notice of motion submitted by Councillor Chiocchio (12-113) to be moved up to be discussed following the public meeting.

CARRIED**2019 - 792****10-108**

Moved by McLeod and Green

THAT Welland City Council allows By-law #11 in the agenda and the notice of motion submitted by Councillor DiMarco (10-108) to be discussed following the public meeting.

CARRIED

2019 - 793**12-113**

Moved by DiMarco and Van Vliet

THAT Welland City Council allows By-law #11 forward before the notice of motion submitted by Councillor Chiocchio (12-113).

CARRIED**2019 - 794****04-47**

Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Van Vliet to the Public Library Board for the term December 17, 2019 to November 14, 2022 or until another successor has been appointed.

(Councillor Spinosa disclosed a conflict of interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he does business with the library).

CARRIED**2019 - 795****04-48**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves an amending Lease Agreement with Walker Environmental Group Inc. concerning the former Atlas Landfill site at 685 River Road; and THAT Welland City Council approves the Atlas Landfill Post-Closure Agreement with Walker Environmental Group Inc. concerning the former Atlas Landfill Site at 685 River Road; and THAT Welland City Council accepts and approves the proposal from Walker Environmental Group Inc. for Post Closure Maintenance of the former Atlas Landfill site at 685 River Road for a period of five (5) years; and

THAT Welland City Council directs staff to establish an Atlas Landfill Post Closure Perpetual Care Reserve Fund; and

THAT Welland City Council funds in the said Atlas Landfill Post Closure Perpetual Care Reserve Fund shall be used exclusively for the maintenance of the closed landfill; and further

THAT Welland City Council future Annual Post Closure Reports required by the Atlas Landfill Closure Plan be presented to Council for information and deposited in the Welland Library main branch.

(Councillor Moote disclosed a conflict of interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he has business interest with Walker Environmental Group Inc.).

YEAS: Councillors Larouche, Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Spinosa, Van Vliet, and Mayor Campion.

NAYS: Councillor Fokkens.

CARRIED**2019 - 796****04-56**

Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves renewal of the Carrie Lynn Pinard Centre lease for a term of 5 years, commencing on May 1st, 2020; and further

THAT Welland City Council authorizes staff to sign the lease renewal contract and prepare the necessary By-Law.

CARRIED**2019 - 797****05-120****19-38**

Moved by Richard and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report 2019-65; Proposed Increase of Building Permit Fees and Accompanying Legislative Process as information; and further

THAT the attached Appendix "I" to Report 2019-65 to amend City of Welland By-law No. 2019-13, the Fees and Charges By-law, be enacted.

CARRIED

2019 - 798**09-60** Moved by Green and McLeod

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 7 Woodlawn Road in the City of Welland for the Tax Increment Based Rebate Program in the estimated amount of \$939,245.94 over ten (10) years and rebate of the Site Plan Control Application Fee of \$2,331.00; 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**2019 - 799****09-104** Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Richard, Chair, Audit Review Committee, regarding its meeting of December 3, 2019.

CARRIED**2019 - 800****10-108** Moved by DiMarco and Green

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to place the Youngs Sports Complex facility on the Real Estate Market with the intentions of securing a potential interested party that would not disturb the current programs offered at this location.

.....

10-108 Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND call the question on placing Youngs Sports Complex facility on the Real Estate Market with the intentions of securing a potential interested party that would not disturb the current programs offered at this location.

CARRIED

**FOLLOWING THE VOTE TO CALL THE QUESTION THE MOTION
WAS PUT IN ITS ORIGINAL FORM AND.....**

YEAS: Councillors DiMarco, Richard, and Fokkens.**NAYS:** Councillors Larouche, Green, Chiocchio, McLeod, Grimaldi, Spinosa, Moote, Van Vliet, and Mayor Campion.**LOST****2019 - 801****11-100** Moved Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND will pay the Spriet Associates London Limited bill in full and that the residents will not be held responsible for the cost.

YEAS: Councillors Larouche, Green, Speck, Chiocchio, DiMarco, Grimaldi, Spinosa, and Fokkens.**NAYS:** Councillors McLeod, Moote, Van Vliet, and Mayor Campion.**CARRIED****2019 - 802****11-108** Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Downtown and Health and Wellness Cluster Community Improvement Plan Application for property municipally known as 268 East Main Street for the Tax Increment Grant Program in the estimated amount of \$27,625.82; and further

THAT Welland City Council supports the circulation of this Report to Niagara Region to request the Region's participation in the Tax Increment Grant Program; and further

...continued...

2019 - 802**11-108...cont'd.**

THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Downtown and Health and Wellness Cluster Incentive Program.

CARRIED**2019 - 803****11-108** Moved by Green and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Downtown and Health and Wellness Cluster Community Improvement Plan Application for property municipally known as 583-585 King Street for the Tax Increment Grant Program in the estimated amount of \$5,739.83; and further THAT Welland City Council supports the circulation of this Report to Niagara Region to request the Region's participation in the Tax Increment Grant Program; and further THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Downtown and Health and Wellness Cluster Incentive Program.

CARRIED**2019 - 804****12-113** Moved by Green and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report CAO-2019-18: Out of the Cold Program.

CARRIED**2019 - 805****12-113** Moved by Chiocchio and Green

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the organizers of Out of the Cold Program to utilize the Welland Tennis Club between January 1, 2020 to March 31, 2020 at no charge for the purpose of creating a shelter. This pilot project be reviewed in spring 2020 and a fall report be submitted to Council for review. The organizers maintain cleanliness of the facility and their volunteers.

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12-113 Moved by Green and Chiocchio

THAT Welland City Council direct staff to provide funding of \$27,500 from Corporate Contingency Budget to fund the program.

LOST

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

YEAS: Councillors Green, Speck, Chiocchio, Fokkens, and Van Vliet

NAYS: Councillors Larouche, McLeod, DiMarco, Richard, Grimaldi, Spinosa, Moote, and Mayor Campion.

LOST

2019 - 806

13-86 Moved by Moote and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND adopts Official Plan Amendment No.: 24 respecting the Northwest Area of the City to expand the City's Urban Area Boundary to include lands in northwest Welland not currently within the City's Urban Area Boundary to within it so as to permit future urban type uses; and further

THAT Welland City Council directs staff to circulate a copy of Report P&B-2019-66 to Niagara Region to advise of its adoption of Official Plan Amendment No.: 24 to permit the urban area expansion to include the Northwest Area of the City; and further

THAT Welland City Council requests that Niagara Region Council approve Official Plan Amendment No.: 24 for the City of Welland.

(Councillor McLeod disclosed an pecuniary interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his parents live within the northwest urban boundary expansion).

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13-86 Moved by Moote and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND amends the motion to include the following: "while protecting all Core Natural Heritage Systems and NPCA approximate regulation lands as identified under O. Reg 97/04".

CARRIED

2019 - 807

13-86 Moved by Moote and

THAT THE COUNCIL OF THE CITY OF WELLAND amends the motion to include the following: acknowledges the historic nature of the Summerlea Subdivision; and further

THAT Welland City Council agrees to maintain its heritage by not permitting the connection of adjacent roadways to the Summerlea Subdivision".

NOT PUT

**FOLLOWING THE VOTE ON THE AMENDING MOTION
THE MAIN MOTION WAS PUT AS AMENDED AND.....**

CARRIED

18-23 Moved by Van Vliet and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND defers the Report 2019-64; Unoccupied Homes in the City of Welland to 2020.

(Councillor McLeod disclosed an pecuniary interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer is engaged in the early stages of renovating a vacant home).

CARRIED

2019 - 808

18-87 Moved by Spinosa and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Robert MacFarlane, Planner regarding Cannabis Operations on Matthews Road, Welland.

CARRIED

2019 - 809

19-4 Moved by Spinosa and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND accepts and approves the 2019 Capital Close Out Report FIN-2019-24 as recommended by the Audit Review Committee at its meeting of December 3, 2019.

CARRIED

2019 - 810

19-4 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts and approves the Year-to-Date 2019 3rd Quarter Report FIN-2019-25 as recommended by the Audit Review Committee at its meeting of December 3, 2019.

CARRIED

2019 - 811

19-46 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of two (2) new snow plow trucks with attachments from Rush Truck Centres of Canada at a cost of \$276,498 for each unit inclusive of applicable taxes, being the offering that met specifications and provided best overall value compared to the other offerings; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a purchase contract with Rush Truck Centres of Canada.

CARRIED

2019 - 812

19-106 Moved by Fokkens and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Rankin Construction Inc. of St. Catharines, Ontario in the amount of \$300,000.00 plus applicable taxes as detailed in Report ENG-2019-48 for the Aqueduct Pedestrian Bridge Removal (West Side) – Tender Award; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Rankin Construction Inc. to execute the construction.

(Councillor Moote disclosed a conflict of interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he has business interest with Rankin Construction Inc.).

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19-106 Moved by Fokkens and DiMarco

THAT Welland City Council defers Report ENG-2019-48 to January 21st, 2020.

LOST

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

CARRIED

2019 - 813

19-120 Moved by Speck and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves award of RFP19-10 Consulting Services for Schofield Avenue South – Welland Street to East Main Street Road Reconstruction to Urban and Environmental Management Inc. in the amount of \$36,832.80 plus applicable taxes; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Urban and Environmental Management Inc. to execute the consulting services.

CARRIED

2019 - 814

19-122 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a By-law that deals with short term rentals and all associated licensing and administration; and further

THAT staff host a public meeting prior to final council consideration.

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19-122 Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND amends the motion to include “report and”.

CARRIED

19-122 Moved by Speck and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the request regarding short term rentals to staff for a report to be recommended to council.

CARRIED

2019 - 815

19-127 Moved by Spinosa and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the award of RFP 19-14; Consulting Services for Level of Service review in the amount of \$88,933.00 plus applicable taxes for DFA Infrastructure International Inc.

CARRIED

Recessed Council meeting at 9:23 p.m.

Reconvened Council meeting at 9:35 p.m.

2019 - 816

02-160 Moved by Moote and Spinosa
 THAT THE COUNCIL OF THE CITY OF WELLAND extends the curfew to 11:30 p.m.

YEAS: Councillors Larouche, Green, Speck, Chiocchio, McLeod, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors DiMarco, Richard, Grimaldi and Fokkens.

CARRIED

BY-LAWS

Moved by Spinosa and Larouche (in block)
 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.

19-46

BYL 2019 - 152

A By-law to authorize the purchase of two snow plow trucks with attachments from Rush Truck Centres of Canada Limited.

19-127

BYL 2019 - 155

A By-law to authorize retention of DFA Infrastructure International Inc. to provide consulting services for Municipal Level of Servicing Plan.

04-56

BYL 2019 - 160

A By-law to authorize entering into a five year lease with Bridgeview Properties Niagara Limited for use of the Carrie Lynn Pinard Centre.

10-108

BYL 2019 - 161

A By-law to authorize entering into an agreement with Riverside Academy Inc. for leased space at Youngs Sportsplex (570 River Road).

13-86

BYL 2019 - 163

A By-law to authorize the adoption of official plan amendment No. 24.

CARRIED

Moved by McLeod 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.

19-120

BYL 2019 - 153

A By-law to authorize retention of Urban and Environmental Management Inc. to provide consulting services for Schofield Avenue south - Welland Street to East Main Street Road Reconstruction.

19-106

BYL 2019 - 154

A By-law to enter into contract with Rankin Construction Inc. for the Aqueduct Pedestrian Bridge Removal (West Side).

04-48

BYL 2019 - 156

A By-law to authorize entering into amending Lease Agreement, Post-Closure Agreement and Post-Closure Maintenance Agreement with Walker Environmental Group Inc. for the Atlas Landfill Site at 685 River Road.

19-38

BYL 2019 - 157

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 municipality to establish rates effective January 1, 2020; and to repeal By-law 89.

11-108

BYL 2019 - 158

A By-law to authorize execution of an agreement for Tax Increment Grant program (Community Improvement Plan) for 268 East Main Street (File No. DHWC 2019-17).

11-108

BYL 2019 - 159

A By-law to authorize execution of an agreement for Tax Increment Grant program (Community Improvement Plan) for 583-585 King Street (File No. DHWC 2019-18).

CARRIED

Moved by Green and DiMarco

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.

18-87

BYL 2019 - 162

A By-law to enact Interim Control Provisions of the Planning Act upon certain lands with the City of Welland.

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Moved by Van Vliet and Moote

THAT Welland City Council defer this bylaw until a staff report can be prepared and presented to council.

LOST

Moved by McLeod and Moote
THAT Welland City Council amends the By-law section 3A & B, defined as
“zoned as A1 agricultural zone, or Re rural zone.”

YEAS: Councillors McLeod, Spinosa, and Moote.

NAYS: Councillors Larouche, Green, Speck, Chiochio, DiMarco, Richard,
Grimaldi, Fokkens, and Mayor Campion.

LOST

**FOLLOWING THE LOST VOTES ON THE AMENDING MOTION,
THE BY-LAW, WAS PUT IN ITS ORIGINAL FORM AND.....**

YEAS: Councillors Larouche, Green, Speck, Chiochio, DiMarco, Richard,
Grimaldi, Fokkens, and Mayor Campion

NAYS: Councillors McLeod, Spinosa, Moote, and Van Vliet.

CARRIED

Moved by Richard and McLeod
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.

19-1

BYL 2019 - 164

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 17th day of December, 2019.

CARRIED

Council adjourned at 11:27 p.m.

These Minutes to be approved and adopted by Motion of Council this 21st day of January, 2020.

MAYOR

CITY CLERK