



MINUTES OF
COUNCIL MEETING, MAY 5, 2020
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:28 p.m. and in open session at 5:36 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present Electronically:

Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, D. McLeod, A. Moote (until 9:05 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

Chief, Fire & Emergency Services, B. Kennedy (electronically)

General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas

General Manager, Infrastructure and Development Services, T. Fitzpatrick

Manager of Recreation & Culture, R. Dalton (electronically) (6:20 p.m. - 8:45 p.m.)

2020 - 132

20-25 Moved by Chiocchio and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:28 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Lease updates.*

(Councillor Spinosa was not present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality or local board).

CARRIED

2020 - 133

20-25 Moved by Moote and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 5:34 p.m. without report.

CARRIED

PRESENTATION

02-160 Harold Elston, Integrity Commissioner addressed Council regarding two (2) Complaint Reports.

2020 - 134

20-1 Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of April 21, 2020 as circulated.

CARRIED

2020 - 135

99-43 Moved by Speck and Green

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves an Easement(s) to permit the crossing of City-owned land along the east side of Welland Market Square Parking Lot to the benefit of Welland Hydro-Electric System Corporation; and further

2. THAT Welland City Council directs staff to prepare the necessary By-law(s) and documentation and also authorizes the Mayor and Clerk to execute the same.

CARRIED

2020 - 136

99-99 Moved by Green and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the awarding of RFP20-07 to PT Watersports Inc.; and further

THAT Welland City Council authorizes staff to enter into contract negotiations with PT Watersports Inc., pursuant to terms presented in RFP20-07.

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99-99 Moved by Fokkens and Chiocchio

THAT Welland City Council refers back to staff Report R&C-2020-02: Award of RFP20-07, Inflatable Water Park.

YEAS: Councillors Chiocchio, DiMarco, Richard and Fokkens.

NAYS: Councillors Larouche, Green, Speck, McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

LOST

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

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

NAYS: Councillors Chiocchio, DiMarco, Richard and Fokkens.

CARRIED

2020-137

02-160

Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for the information the presentation by Harold Elston, Integrity Commissioner regarding a Council Complaint Report in relation to a matter of a complaint against Councillor Lucas Spinosa dated May 9, 2019 and accepts the recommendation from the Integrity Commissioner; and further

THAT Welland City Council accepts the apology made by Councillor Lucas Spinosa, on May 5, 2020.

CARRIED

02-160

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for the information the presentation by Harold Elston, Integrity Commissioner regarding a Council Complaint Report in relation to a matter of a complaint against Councillor DiMarco by Councillor Moote; and further

THAT Councillor DiMarco be asked to apologize to Councillor Moote and all of Council.

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

NAYS: None.

CARRIED

02-160

Moved by Fokkens and Chiocchio

THAT Councillor DiMarco be reprimanded for his actions.

YEAS: Councillors Larouche, Green, Speck, Chiocchio, Richard, Fokkens and DiMarco.

NAYS: Councillors McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

CARRIED

2020 - 138

03-133

11-108

Moved by Green and speck

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2020-22 being a quarterly summary report of approved Community Improvement Plan Incentive Applications between January 1, 2020 and March 31, 2020.

CARRIED

2020 - 139

08-48

20-22

Moved by Speck and DiMarco

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2020-02: Update to Traffic and Parking By-law 89-2000 and Property Standards By-law 2008-109; and further

2. THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:

...continued...

08-48

20-22...cont'd.

ADD the following to Schedule "I" – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	383 KING STREET	PETRO CANADA
No Sketch	190 DIVISION STREET	FLETT BECCARIO
No Sketch	579 CLARE AVENUE	ROYAL TOWERS
No Sketch	152 THOROLD ROAD	DH WESTVIEW PROPERTIES LTD

DELETE the following from Schedule "V" – PARKING PROHIBITIONS (SPECIFIED PLACES, WITH SIGNS):

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
Pine Street	North Side	Niagara Street	Aqueduct Street	AT NO TIME

ADD the following to Schedule "V" – PARKING PROHIBITIONS (SPECIFIED PLACES, WITH SIGNS):

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
Pine Street	South Side	Niagara Street	Aqueduct Street	AT NO TIME

3. THAT Welland City Council directs the City Clerk to amend Property Standards By-law 2009-108 as follows:

DELETE Section 8.2.2. and replace with:

8.2.2. Yard storage/ parking of construction equipment, backhoes, skid steers, excavators, dump trucks, tractors, farm tractors and utility tractors is not permitted in a residential zone.

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08-48

20-22

Moved by DiMarco and Speck

THAT Welland City Council requests the to "proposed amendment section 8.2.2. - Yard storage/parking of construction equipment, backhoes, ski steers, excavators, dump trucks, tractors, farm tractors and utility tractors is not permitted in a residential zone" remain in the bylaw. (Page 3 of the staff report).

YEAS: Councillors Speck, Chiochio, DiMarco and Richard.

NAYS: Councillors Larouche, Green, McLeod, Grimaldi, Spinosa, Fokkens, Moote, Van Vliet and Mayor Campion.

LOST

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

CARRIED

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

2020 - 140**18-36** Moved by McLeod and Fokkens (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND lay out, establish and open Part 8 on Plan 59R-16655 as part of River Road; and
2. THAT Welland City Council lays out, establishes and opens Part 6 on Plan 59R-16655 as part of Downs Drive; and further
3. THAT Welland City Council authorizes the Mayor and Clerk to sign the By-law(s) authorizing these changes.

CARRIED**2020 - 141****20-29** Moved by McLeod and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2020-13, regarding the amendment to the 2020 Council Meeting Calendar; and further THAT Welland City Council approves the amendment to reschedule the Welland Hydro Annual Shareholder Meeting to September 22, 2020.

CARRIED**2020 - 142****20-40** Moved by McLeod and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 24, 2020 regarding Report PDS 19-2020: 2019 End of Year Growth Report - Minute Item 9.2 CL 6-202, April 23, 2020.

CARRIED**2020 - 143****20-64** Moved by McLeod and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 24, 2020 regarding Report CSD 30-2020 COVID-19 Preliminary Overview of financial Impacts Minute Item 9.1.1 CL 6-2020, April 23, 2020.

CARRIED**2020 - 144****20-72** Moved by Fokkens and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 24, 2020 regarding Report PDS 13-2020 2019 Reserve Water and Wastewater Treatment Capacities - Minute Item 9.2 CL 6-2020, April 23, 2020.

CARRIED**2020 - 145****20-73** Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 24, 2020 regarding Report CSD 8-2020 Optional Tax on Vacant Residential Units - Minute Item 9.2 CL 6-2020, April 23, 2020.

CARRIED**BY-LAWS**

Moved by Van Vliet and McLeod

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.

99-43

BYL 2020 - 47

A By-law to Grant an Easement over Part 1 Plan 59R-16676 to Welland Hydro-Electric System Corp. located on the west side of Market Square Parking Lot.

20-22

BYL 2020 - 48

A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedule "I" - Municipal/Private Property) and Schedule "V" - Parking Prohibitions Specified Places, with Signs).

CARRIED

Moved by McLeod 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.

18-36

BYL 2020 - 49

A By-law to Lay Out, Establish as Public Roadway Part 8 Plan 59R-16655 as River Road and Part 6 Plan 59R-16644 as Downs Drive.

CARRIED

Moved by Grimaldi 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.

20-1

BYL 2020 - 50

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 5th day of May, 2020.

CARRIED

Council adjourned at 9:14 p.m.

These Minutes to be approved and adopted by Motion of Council this 19th day of May, 2020.

MAYOR

CITY CLERK