



MINUTES OF
SPECIAL COUNCIL MEETING, OCTOBER 13, 2020
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:28 p.m. and in open session at 7:19 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, G. Speck, L. Spinosa, C. Richard and L. Van Vliet.

Members of Staff and Others Present:

Interim CAO/General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
City Clerk, T. Stephens

General Manager, Infrastructure and Development Services, T. Fitzpatrick

General Manager, Economic Development & Recreation & Culture, D. Degazio

Manager of Human Resources, A. Daisley (until 7:02 p.m.)

Manager of Recreation & Culture, R. Dalton (until 9:32 p.m.)

Manager of Public Works, V. Beaudoin (until 9:34 p.m.)

2020 - 249

20-25

Moved by Van Vliet 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 6:28 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees; and
 - *Human Resources Matter.*
- A trade secret or scientific, technical, commercial financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
 - *Update regarding developments.*

CARRIED

2020 - 250

20-25

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:18 p.m. without report.

CARRIED

2020 – 251

99-99

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with issuing an RFP for purchase and installation of a "Waterfront Swimming Feature" as described in Report R&C-2020-06; and further

THAT Welland City Council approves the funding of this project from the Strategic Initiatives capital project, account 10-710-17095.

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

NAYS: Councillors Green, Speck, Chiochio, DiMarco, Richard and Fokkens.

CARRIED

2020 – 252

02-160

12-96

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2020-23: Integrity Commissioner; and

THAT Welland City Council directs staff to proceed with a Request for Proposal to engage an Integrity Commissioner; and further

THAT Welland City Council initiates a \$200 filing fee for any resident submitting a complaint, will be refunded if the complaint is found to be valid.

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02-160

12-96

Moved by Green and McLeod

THAT Welland City Council adds the wording "and not frivolous" to the end of the motion.

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02-160

12-96

Moved by Moote and McLeod

THAT Welland City Council adds the wording “in the opinion of the Integrity Commissioner” to the end of the amendment.

CARRIED

**FOLLOWING THE VOTE TO AMEND THE AMENDMENT, THE AMENDMENT
WAS PUT AS AMENDED AND CARRIED**

02-160

12-96

Moved by McLeod and Green

THAT Welland City Council amends the filing fee to \$45.00.

YEAS: Councillors Larouche, Green, McLeod, Grimaldi, Moote and Mayor Campion.

NAYS: Councillors Speck, Chiocchio, DiMarco, Richard, Spinosa, Fokkens and Van Vliet.

LOST

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

02-160

12-96

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2020-23: Integrity Commissioner; and further THAT Welland City Council directs staff to proceed with a Request for Proposal to engage an Integrity Commissioner.

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

NAYS: Councillor DiMarco.

CARRIED

02-160

12-96

Moved by McLeod and Spinosa

THAT Welland City Council initiates a \$200 filing fee for any resident submitting a complaint, will be refunded if the complaint is found to be valid.

YEAS: Councillor Grimaldi.

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

LOST

2020 – 253

11-41 Moved by McLeod and Spinosa

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendments to By-law 2011-3 “A By-law to constitute and appoint a Committee of Adjustment; to delegate the authority of Council to give consent to the Committee; and to set policies, procedures and conditions for its operation” by delegating approval of Applications for Consent to the General Manager of Infrastructure Services (GM) where there are no related minor variances; and further
2. THAT Welland City Council authorizes staff to prepare the necessary By-laws.

YEAS: Councillors Larouche, Spinosa, Van Vliet and Mayor Campion.

NAYS: Councillors Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Fokkens and Moote.

LOST

2020 – 254

11-108 Moved by Green and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the following amendments to By-law 2016-104, being a By-law to Delegate Various Planning and Community Improvement Approvals to staff as follows:

Plans of Subdivision/Condominium

- i) Delegating approval of Draft Plan Approval for Plans of Subdivision and Condominium or exemption to the General Manager of Infrastructure & Development Services (GM) where there are no Official Plan Amendment and or Zoning By-law Amendments needed;
- ii) Clarifying that various other approvals associated to Application for Plans of Condominium are delegated to the GM, the same of which are already delegated for Plans of Subdivision.

2. THAT Welland City Council authorizes staff to prepare the necessary By-laws.

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11-108 Moved by McLeod and DiMarco

THAT Welland City Council request to call the question regarding Report P&B-2020-52: Delegation to Staff of Approval of certain Plans of Subdivision/Condominium under the Planning Act.

CARRIED

FOLLOWING THE VOTE TO CALL THE QUESTION, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

YEAS: None.

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

LOST

2020 – 255

11-108 Moved by McLeod and Larouche (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the following amendments to By-law 2016-104, being a By-law to Delegate Various Planning and Community Improvement Approvals to staff:

- i) THAT approval of Applications for Part Lot Control Exemption be delegated to the GM and that the necessary By-law be included on a Council Agenda without a staff report.

2. THAT Welland City Council authorizes staff to prepare the necessary By-laws.

CARRIED

2020 – 256

11-108 Moved by Van Vliet and Speck

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the following amendments to By-law 2016-104, being a By-law to Delegate Various Planning and Community Improvement Approvals to staff: Applications for Tax Increment Grants (TIG) and Tax Assistance Program (TAP) under the City's Community Improvement Plans (CIP)

- i) Delegating approval of TAPs and TIGs for the City's three CIPs to the GM; and
- ii) Replacing the current \$75,000.00 delegated approval authority cap and replacing it with yearly budgeted amount for the current year.

2. THAT Welland City Council authorizes staff to prepare the necessary By-laws.

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

NAYS: Councillors McLeod, DiMarco, Richard, Spinosa and Fokkens.

CARRIED

2020 – 257

11-108 Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2020-55 being a quarterly summary Report of approved Community Improvement Plan Incentive Applications between July 1, 2020 and September 30, 2020.

CARRIED

2020 – 258

20-19 Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2020-05: Memorial Park Development Plan Update.

CARRIED

2020 – 259

20-22 Moved by Chiocchio and Speck

1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2020-05: Parking Permit Request: Lot behind Civic Square; and further

2. THAT Welland City Council authorizes staff to issue five parking permits in Municipal Lot 1 Area C at a monthly cost of \$ 100.00 per permit to Peters Group.

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20-22 Moved by Chiocchio and Speck

THAT Welland City Council approves \$50.00 for 5 parking permits in Municipal Lot 1, Area C at a monthly cost of \$50.00 per permit to Peters Group.

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

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

LOST

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

CARRIED

2020 – 260

20-22 Moved by Richard and Larouche

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2020-06: Update to Traffic and Parking By-law 89-2000; and further

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

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

SKETCH No.	LOCATION	COMMON NAME
No Sketch	153 SOUTHWORTH STREET NORTH	FIRESIDE RESTAURANT

CARRIED

2020 – 261

20-28 Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the written delegation from the Welland Food Drive, regarding the 2020 Welland Food Drive.

CARRIED

2020 – 262

20-29 Moved by Speck and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2020-22 regarding the 2021 Meeting Calendar for Council and establishes the Council meeting dates for 2021 as set out in Appendix I.

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20-29 Moved by Speck and Green

THAT Welland City Council changes August 3, 2021 meeting to August 10, 2021.

CARRIED

FOLLOWING THE VOTE ON THE AMENDMENT, THE MAIN MOTION WAS PUT AS AMENDED AND

CARRIED

2020 – 263

20-106 Moved by Chiocchio and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the signed petition from the residents of Caithness Drive regarding turning an established residential area from a single family homes to duplexes; and further

THAT Welland City Council refers this petition to Planning staff for review.

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

NAYS: Councillors Spinosa.

CARRIED

2020 – 264

20-107 Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND supports the application for a manufacturer's "by the glass" license for Liq'D Spirits, located at 36 Darte Drive, Unit 1, Welland, Ontario.

CARRIED

2020 – 265**20-108**

Moved by DiMarco and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus to the City's needs a portion of land on the north-east corner of Fourth Street and Canal Bank Street, as shown Part 5 on Plan 59R-10161, Part of Lot 27, Concession 7, former Township of Crowland, City of Welland.

(Councillors Fokkens and DiMarco asked to be recorded as opposed to this resolution)

CARRIED**2020 – 266****20-109**

Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of Kerry T. Howe Engineering Limited (KTH) to complete a topographic survey in preparation for the detailed design of a new trunk sanitary sewer as per their proposal dated September 23, 2020 for an amount not to exceed \$21,500 excluding HST; and further

THAT Welland City Council authorizes the direct appointment KTH to complete the detailed design of a new trunk sanitary sewer as per their proposal dated September 29, 2020 for an amount not to exceed \$63,350 excluding HST; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with KTH to complete the described work.

CARRIED

Council recessed at 9:55 p.m. and reconvened at 10:01 p.m.

BY-LAWS

Moved by McLeod and Larouche (in block)

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.

20-24

BYL 2020 - 116

A By-law to authorize the appointment of Cindy Viger as Acting Deputy Clerk of the Corporation of the City of Welland and to repeal By-laws 2020-9, 2019-129, 2018-117, 2017-122, 2017-12, 2012-99, 2010-129, 2007-4, 2006-55, 2002-183.

CARRIED

Moved by Van Vliet and Grimaldi

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.

20-22

BYL 2020 - 117

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).

20-109

BYL 2020 - 118

A By-law to enter into contract with Kerry T. Howe Engineering Limited for the Broadway Avenue Trunk Sanitary Sewer Design.

CARRIED

Moved by McLeod and Moote

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 - 119

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 13th day of October, 2020.

CARRIED

Council adjourned at 10:49 p.m.

These Minutes to be approved and adopted by Motion of Council this 20th day of October, 2020.

MAYOR

CITY CLERK