



**MINUTES OF THE
DECEMBER 21, 2021 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:45 p.m. and in open session at 7:16 p.m. and again in Committee-of-the-Whole closed to the public at 9:46 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod, A. Moote (7:17 p.m.), C. Richard, and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, S. Zorbas
City Clerk, T. Stephens
Director of Finance/CFO/Treasurer, S. Fairweather
Fire Chief & Community Emergency Management Coordinator, A. Eckhart
Director of Infrastructure Services, SM. Millar
Director of Planning and Development Services, G. Munday
Director of Community Services, R. Axiak
Manager of Economic Development, L. DeChellis (until 7:16 p.m.)
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff
Transit Manager, E. Zahra (until 8:13 p.m.)
Chief Building Official, J. Tosta (until 7:16 p.m.)

2021 - 414**21-25** Moved by Mastroianni and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:45 p.m. to consider:

- 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
 - Renewal of Management Agreement and Operating Agreement Youngs Sportsplex.
- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - Additional offer to purchase additional land for Fire Station #3.

CARRIED**2021 - 415****21-25** Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:15 p.m. with report.

CARRIED**PRESENTATION**

Mayor Campion presented a certificate to Geoff Eden.

2021 - 416**21-1** Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of Regular Council Meeting of November 16, 2021 and Special Council Meetings of November 23, 2021 and December 9, 2021, as circulated.

CARRIED**2021 - 417****02-160** Moved by Richard and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Office of the Ontario Ombudsman dated December 9, 2021.

CARRIED**2021 - 418****07-50** Moved by McLeod and Grimaldi

WHEREAS the parkland dedication by-law was approved in 2014; and further

WHEREAS increased housing density has heightened the importance of neighborhood parks; and further WHEREAS parks provide communal areas for a community to 'Play', which is vital for our citizens physical and mental health.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests staff present a report and updated parkland dedication By-law that supports increased parkland creation, maximizes funding and usage of parkland space for Council consideration.

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

NAYS: Councillor Van Vliet.

CARRIED

2021 - 419**21-4** Moved by Green and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2021 Q3 Year-to-Date Budget Variance Report (FIN-2021-37) from the Manager of Budgets and Financial Reporting/Deputy Treasurer dated December 21, 2021; and further

THAT Welland City Council approves that the 2021 Tax Supported Budget forecasted surplus of \$1,594,186 (unaudited and estimated) to be allocated to the Capital Surplus Reserve Fund; and further

THAT Welland City Council approves the 2021 unallocated Incentive Program forecasted surplus of \$300,000 (unaudited and estimated) to be accrued to the Brownfield Downtown Reserve fund; and further

THAT Welland City Council approves the 2021 Building Sustainability forecasted surplus of \$600,000 (unaudited and estimated) to be allocated to the Building Sustainability Reserve Fund and committed for future use; and further

THAT Welland City Council approve the reallocation within the statement of financial position of \$1,375,481 to the Capital Surplus Reserve Fund; and further

THAT Welland City Council approves the 2021 projected Youngs Sportsplex (YSP) debt and principal payments to be funded by the COVID-19 Safe Restart Reserve Fund, Safe Restart Funding/ 2021 Provincial COVID-19 Recovery Funding for Municipalities or YSP Sustainability Reserve fund, or a combination of the 2021 YSP gross operating profit, the COVID-19 Safe Restart funding received, and the YSP Sustainability Reserve fund.

CARRIED**2021 - 420****21-4** Moved by Green and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Capital Project Close-out report summary and detail for the projects listed in Appendices A & B as attached to Report FIN-2021-38; and further

THAT Welland City Council approves the recommended transfers to/from Capital Surplus Reserve and/or applicable reserve funds as outlined in Appendix A attached to Report FIN-2021-38; and further

THAT Welland City Council receives for information the 2021 3rd Quarter Capital Progress Report as outlined in Appendix C.

CARRIED**2021 - 421****21-4** Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to include in the 2023 base budget for council consideration approval of \$20,000 for Pathstone Foundation and \$25,000 for Faith Welland Outreach into legacy grants, and further that the permissive grant budget be reduced accordingly by \$45,000.

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21-4 Moved by McLeod and Moote

THAT Welland City Council refers to the next Budget Review Committee meeting the notice of motion regarding approval of \$20,000 for Pathstone Foundation and \$25,000 for Faith Welland Outreach into legacy grants, and further that the permissive grant budget be reduced accordingly by \$45,000.

CARRIED**2021 - 422****21-13** Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021- 20;

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2022 hourly rate applicable to Inter Regional Transit provided by Welland Transit; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary By-laws and agreements.

CARRIED

2021 - 423**21-13** Moved by Richard and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Greater Niagara Chamber of Commerce dated December 2, 2021 regarding Transit Amalgamation.

CARRIED**2021 - 424****21-19** Moved by Richard and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-73 and THAT Welland City Council approves the recommended amendments to the Swimming Pool Enclosure By-law 2010-119 and fees contained in the attached Appendix I; and further THAT Welland City Council directs the City Clerk to amend By-law 2010-119 with the updated Schedule "A".

THAT Welland City Council directs the City Clerk to amend By-law 2019-134, the Administrative Penalty By-law for Non-parking Related Offences, as follows:

ADD the following to Schedule "A" – DESIGNATED BY-LAWS

DESIGNATED BY-LAW	BY-LAW NUMBER
Swimming Pool Enclosure By-law	2010-119, as amended

ADD the following to Schedule "C" – SET FINE SCHEDULES

SET FINE SCHEDULE	PAGE NO.:
Swimming Pool Enclosure By-law	17

Page number above reflects the Office Consolidation of By-law 2019-134

ADD Appendix II of this report to Schedule "C".

CARRIED**2021 - 425****21-22** Moved by DiMarco and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition regarding installation of speed bumps and a speed reduction in front of the Park entrance area on Page Drive and refers the matter to staff.

CARRIED**2021 - 426****21-22** Moved by Mastroianni and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the signed petition from the residents of Park Street regarding no parking on the north side of Park Street between Kent Street and King Street and refers the matter to staff.

CARRIED**2021 - 427****21-22** Moved by DiMarco and Green

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to install stop signs on St Lawrence Avenue at Gretel Place; and further THAT Traffic and Parking By-laws staff amend the By-law pertaining to such.

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21-22 Moved by Mastroianni and McLeod
 THAT Welland City Council refers back to staff in January the notice of motion regarding stop signs on St. Lawrence Avenue and Gretel Place.

YEAS: Councillors McLeod, Richard, Grimaldi, Mastroianni, Fokkens, Moote,
 Van Vliet and Mayor Campion.

NAYS: Councillors Green, Chiocchio and DiMarco.

CARRIED

2021 - 428

21-29 Moved by DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts a meeting schedule similar to that of a neighboring municipality and in doing such, eliminate the need for the Budget Review Committee, Audit Review Committee, General Committee and Special Council meetings.

NOT PUT

2021 - 429

21-114 Moved by Chiocchio and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offers to purchase city owned buildings located at 33 and 35 Hellems Avenue; and further
 THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further
 THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further
 THAT Welland City Council directs staff to transfer the proceeds of the sale into the Economic Development Reserve Fund.

CARRIED

2021 - 430

21-141 Moved by Chiocchio and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Nexterra Substructures Inc in the amount of \$1,237,968.82 (plus HST) being the lowest of five (5) bid submissions received for the Clare Avenue Infrastructure Improvement project; and
 THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and
 THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED

2021 - 431

21-147 Moved by Richard and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Rob Axiak, Director of Community Services and Erin Carl, Supervisor of Festivals and Events regarding the 2022 Festivals & Events Approach.

CARRIED

2021 - 432

21-147 Moved by DiMarco and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives and files the information in the Report R&C-2021-24 as related to the Festivals & Events approach for 2022 and beyond.

CARRIED

2021 - 433

21-155 Moved by Richard and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated December 1, 2021 regarding National Childcare Program.

CARRIED

2021 - 434**21-158**

Moved by DiMarco and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives and files Report R&C 2021-29 – Standard Operating Procedure (SOP) - Temporary Closure of City Facilities Due to Extreme Weather Conditions.

CARRIED**2021 - 435****21-159**

Moved by Richard and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase city owned lands located at 81 Doans Ridge Road; and further

THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further

THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further

THAT Welland City Council directs staff to transfer the proceeds of the sale into the Economic Development Reserve Fund.

CARRIED**2021 - 436****21-160**

Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of Kerry T. Howe Engineering Limited to provide professional services for the Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment as per their proposal dated November 5, 2021, for the amount of \$43,950.00 excluding HST; and further

THAT Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Kerry T. Howe Engineering Limited to complete the described work.

CARRIED**2021 - 437****21-161**

Moved by Mayor Campion and Mastroianni

WHEREAS the Region is in the process of reviewing and updating their Official Plan (ROP); and WHEREAS the City of Welland is in the process of reviewing and updating their Official Plan; and WHEREAS the City of Welland is experiencing significant residential growth and intensification; and WHEREAS increased density may negatively impact existing stable residential neighbourhoods; and WHEREAS it is desirable for the City to be able to protect those neighbourhoods; and WHEREAS in order to do so the city will need the ability to successfully defend decisions opposing certain developments in these areas.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Region put policies in their Official Plan to support stable (lower density) residential neighbourhoods by providing for gentle density and/or limiting intensification to appropriate locations; and

THAT Welland City Council directs staff work with the Region on these policies; and further

THAT Welland Planning staff, in the development of Welland's Official Plan consider utilizing these policies to guide/minimize the impacts of intensification and potentially limit intensification to specific areas.

CARRIED**2021 - 414****21-25**

Moved by Moote and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 9:46 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - Additional offer to purchase additional land for Fire Station #3.

CARRIED**2021 - 415****21-25**

Moved by Richard and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:03 p.m. without report.

CARRIED

BY-LAWS

Moved by Richard 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.

21-4

BYL 2021 - 216

A By-law to provide an Interim Tax Levy for year 2022.

21-19

BYL 2021 - 217

A By-law to amend By-law 2010-119, being a By-law to regulate pool enclosures within the City of Welland.

21-22

BYL 2021 - 218

A By-law to amend By-law 2019-134 being a By-law to establish an Administration Penalty System for non-parking related offences.

21-159

BYL 2021 - 219

A By-law to authorize acceptance of an offer from Robert Mark Muir, Patricia Gail Muir and Brooker Terry Muir for sale of city-owned lands located at 81 Doans Ridge Road.

21-22**21-23**

BYL 2021 - 220

A By-law to amend appointment By-laws 2018-48 and 2018-49.

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.

21-114

BYL 2021 - 221

A By-law to authorize acceptance of an offer from Farage Holding Corporation for sale of city-owned lands located at 33 and 35 Hellems Avenue.

21-160

BYL 2021 - 222

A By-law to authorize entering into contract with Kerry T. Howe Engineering Limited for Professional Services for the Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment.

21-141

BYL 2021 - 223

A By-law to authorize entering into contract with Nexterra Substructures Inc. for the Clare Avenue Infrastructure Improvement Project.

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.

10-108

BYL 2021 - 224

A By-law to enter into a Management and Operating Agreement with Global Spectrum Facility Management, L. P. to manage the Youngs Sportsplex.

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

NAYS: Councillor DiMarco.

CARRIED

Moved by Larouche 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.

21-1

BYL 2021 - 225

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 21ST day of December, 2021.

CARRIED

Council adjourned at 10:15 p.m.

These Minutes to be approved and adopted by Motion of Council this 18th day of January, 2022.

MAYOR

CITY CLERK