



MINUTES OF
SPECIAL COUNCIL MEETING, APRIL 13, 2021
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:50 p.m. and in open session at 8:27 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio (until 10:41 p.m.), T. DiMarco, B. Fokkens, B. Green, D. McLeod, A. Moote, G. Speck, C. Richard and L. Van Vliet.

Members of Staff and Others Present:

Interim CAO/Director of Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
City Clerk, T. Stephens
Deputy City Clerk, L. Bubanko
Director of Infrastructure Services, SM. Millar
Director of Planning and Development Services, G. Munday
Manager of Parks, Facilities & Canal Lands, P. Boyce (8:32 p.m. - 10:10 p.m.)
Manager of Recreation & Culture, R. Dalton (8:32 p.m. - 10:51 p.m.)
Manager of Fleet, Equipment and Purchasing, A. Beres (8:32 p.m. - 10:35 p.m.)
Transit Manager, D. Stuart (8:32 p.m. - 10:35 p.m.)
Manager of Human Resources, A. Daisley (until 8:08 p.m.)

2021 - 131**21-25** Moved by McLeod and Green

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:50 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Youngs Sportsplex - Amendment to Tenant Lease.*
- Personal matters about an identifiable individual, including municipal or local board employees; and
 - *CUPE Negotiations update.*
- A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board:
 - *Niagara Central Airport Commission.*

CARRIED**2021 - 132****21-25** Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 8:26 p.m. without report.

CARRIED**2021 - 133****99-43** Moved by DiMarco and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND, as sole Shareholder of Welland Hydro-Electric Holding Corp., requests and accepts excess funds of \$800,000 by way of a dividend from Welland Hydro-Electric Holding Corp., notwithstanding the terms of the Shareholder Declaration.

CARRIED**2021 - 134****99-99** Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes a \$2.00 increase in the Welland Boat Rental Program fees for the 2021 season.

YEAS: Councillors Green and Mayor Campion.

NAYS: Councillors Speck, McLeod, DiMarco, Richard, Fokkens, Moote, and Van Vliet.

(Councillor DiMarco asked to be recorded as opposed to this resolution)

LOST**2021 - 135****02-160** Moved by DiMarco and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2021-10: Code of Conduct Informal Complaint Protocol for Members of Council; and further THAT Welland City Council approves the Code of Conduct Informal Complaint Protocol for Members of Council as outlined in "Appendix I" of this report.

CARRIED

2021 - 136

02-160

Moved by Fokkens and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2021-11: Ward 3 Vacancy Appointment Process; and further THAT Welland City Council approves the appointment process as outlined in "Appendix I" of this report, with the elimination of the following items:

- 1. If there are three (3) or more candidates remaining, the City Clerk shall by lot select one such candidate to be excluded from the subsequent voting;
- 2. If only two (2) candidates remain, the tie shall be broken and the vacancy shall be filled by the candidate selected by lot, as conducted by the City Clerk.
- If council is not comfortable with the City Clerk making a selection by lot, members of council can choose to proceed in one of the following ways:

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02-160

Moved by Speck and Chiocchio

THAT steps 1 to 5 be held in closed session.

YEAS: Councillors Speck, Chiocchio, DiMarco and Fokkens.

NAYS: Councillors Green, McLeod, Richard, Moote, Van Vliet and Mayor Campion.

LOST

02-160

Moved by McLeod and Moote

THAT the process be amended to the following:

- 1) The nominee names will be provided to council.
- 2) Council will be asked to put forward names they would like to have considered on a nominee short list.
- 3) Council will then be asked to put forward a name from the nominee short list as a candidate.
- 4) If the candidate receives majority support they are the appointee, if not council will be asked to select another candidate and then vote until we have a candidate selected or not.

LOST

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

CARRIED

2021 - 137

04-91

Moved by Fokkens and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves providing funding to the Museum in the amount of \$17,800 for the Humidity control units to be funded from the Capital Surplus Reserve.

(Councillor Speck disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, his company supplies apparel to the museum gift shop).

CARRIED

2021 - 138

21-13

Moved by Speck and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-01: Update on Niagara Region Transit (NRT) Governance Strategy; and further

THAT Welland City Council supports the current levels of Niagara Region Transit service in place and the emergence of on-demand services for smaller municipalities, which do not provide conventional and specialized services; and further

THAT Welland City Council defers approval for the proposed Niagara Transit Governance Strategy until 2023 due to the potential negative financial impact to Welland taxpayers; and further

THAT Report TRANS-2021-01: Update on Niagara Region Transit (NRT) Governance Strategy be circulated to all area municipalities.

CARRIED

2021 - 139**21-19**

Moved by Chiocchio and Green

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Henderson Recreation Equipment Limited for provision and installation of three (3) shade structures to be placed in specified locations of Rotary Club of Welland Park; and further

THAT Welland City Council directs the City Clerk to prepare all the necessary and appropriate By-laws to enter into a purchase agreement with Henderson Recreation Equipment Limited.

CARRIED**2021 - 140****21-19**

Moved by Green and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2021-10; and further

THAT Welland City Council authorizes the use of the Recreation and Culture branding.

CARRIED**2021 - 141****21-46**

Moved by Green and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of one (1) complete roll-off truck assembly from Rush Truck Centres of Canada Limited being the offering that met specifications and provided best overall value; 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 Limited.

CARRIED**2021 - 142****21-70**

Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to ClearRisk, Inc. for Incident and Claims Management Software; and further

THAT Welland City Council directs the City Clerk to prepare all the necessary and appropriate By-laws to enter into an agreement with ClearRisk, Inc.

CARRIED**BY-LAWS**

Moved by McLeod and Richard

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.

21-19

BYL 2021 - 43

A By-law to authorize entering into contract with Henderson Recreation Equipment Limited for shade structure installation at Rotary Park.

21-70

BYL 2021 - 44

A By-law to authorize entering into an agreement with ClearRisk Inc. for Incident and Claims Management Software.

CARRIED

Moved by Green 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.

21-46

BYL 2021 - 45

A By-law to authorize purchase of one new Roll-Off Truck Unit from Rush Truck Centres of Canada Limited.

21-19

BYL 2021 - 46

A By-law to authorize an amending agreement with William Black C.O.B. as Penalty Box Lounge for use of the Welland Main Arena Lounge; and to repeal By-law 2012-29 and all amendments.

21-15

BYL 2021 - 47

A By-law to authorize the execution of the Fire Safety Grant Transfer Payment Agreement with Her Majesty The Queen in Right of Ontario as represented by the Office of the Fire Marshall.

21-67

BYL 2021 - 48

A By-law to authorize the release of an easement over Part Block HH, Plan 564, lands municipally known as 155 Hagar Street, Welland.

21-68

BYL 2021 - 49

A By-law to exempt certain lands from Part-Lot Control - Parts 1 and on Plan 59R-16895, Pat Lot 34, Plan 664 (33 Montgomery Road), City of Welland.

21-69

BYL 2021 - 50

A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Block 141 on Plan 59M-446 as Part of Gaiser Road.

CARRIED

Moved by Moote 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.

21-1

BYL 2021 - 51

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 April, 2021.

CARRIED

Council adjourned at 10:53 p.m.

These Minutes to be approved and adopted by Motion of Council this 20th day of April, 2021.

MAYOR

CITY CLERK