



**MINUTES OF THE
DECEMBER 9, 2021 SPECIAL COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:05 p.m. and in open session at 5:51 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair (until 6:15 p.m.) Councillor L. Van Vliet took over as chair.

Members Present:

Councillors J. Chiochio (5:52 p.m.), T. DiMarco (5:22 p.m. - 5:51 p.m. and 7:39 p.m. - 8:10 p.m.), B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod (5:40 p.m.), A. Moote (until 8:25 p.m.), C. Richard, G. Speck (5:08 p.m.), 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 Community Services, R. Axiak
Manager of Planning Services, R. Larocque
Transit Manager, E. Zahra (until 6:40 p.m.)
Manager of Human Resources, A. Daisley (until 6:10 p.m.)
Supervisor of Festivals and Events, E. Carl (5:05 p.m. - 5:25 p.m.)
Chief Building Official, J. Tosta (5:51 p.m. - 7:30 p.m.)
Manager of Economic Development, L. DeChellis (5:05 p.m. - 5:45 p.m.)
Facilities Maintenance Supervisor, F. Pearson (5:53 p.m.)
Manager of Fleet, Equipment and Purchasing, A. Beres (until 6:12 p.m.)

2021 - 370**21-25**

Moved by Grimaldi and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:05 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;
 - *Notre Dame Rowing Club Lease.*
- Proposed or pending acquisition or disposition of land by the municipality or local board:
 - *81 Doan's Ridge Road*
 - *33 & 35 Hellems Avenue.*
- Personal matters about an identifiable individual, including municipal or local board employees.
 - *Negotiations Update - UNIFOR and USW (Volunteer Firefighters).*
 - *Benefits update.*

CARRIED**2021 - 371****21-25**

Moved by Moote and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 5:50 p.m. without report.

CARRIED**THE FOLLOWING ITEMS WERE ADDED:**

21-157 Report R&C-2021-28: Public Works Fuel Tank Removal: Contaminated Soils Remediation.

98-152 A By-law to authorize entering into contract with Sun Life for the provision of Short-Term Disability, Long-Term Disability, Accidental Death and Dismemberment, and Loss of Life Insurance.

98-152 A By-law to authorize entering into contract with Green Shield Canada for the provision of Health and Dental Group Benefits.

THE FOLLOWING ITEM WAS DELETED:

21-4 Motion from the Budget Review Committee regarding Permissive Grant for Feast of Assumption, as the Budget Review Committee rescinded the motion at its meeting of December 6, 2021.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

21-4 Councillor McLeod, Chair, Budget Review Committee provided a verbal report on the Budget Review Committee meeting of November 22, 2021.

2021 - 372**98-82**

Moved by Green and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to discontinue the operation of the Civic Square Skating Rink; and further

THAT Welland City Council approves the removal of the existing ammonia refrigeration plant chemicals and equipment as described in this report and for this work to be charged to the Capital Surplus Reserve Account.

CARRIED

2021 - 373**98-152** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves and supports staff recommendations to continue the use of Green Shield Canada for the provision of health and dental group benefits for a three-year term with two optional plus one-year extensions.

THAT THE COUNCIL OF THE CITY OF WELLAND approves and supports staff recommendations to continue the use of Sun Life for the provision of short-term disability (STD), long-term disability (LTD) Accidental Death and Dismemberment (ADD) and Loss of Life Insurance for a three-year term with two optional plus one-year extensions.

THAT Welland City Council directs the City Clerk to provide appropriate By-laws to support the recommendations,

CARRIED**2021 - 374****99-43****12-114** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND removes Dan Degazio as a member of the Welland Solar Joint Venture Management Committee; and further

THAT Welland City Council appoints the Director of Finance/CFO/Treasurer, Steven Fairweather as the second member to the Joint Venture Management Committee as recommended by the Joint Venture Management Committee.

CARRIED**2021 - 375****04-47**

Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by the Welland Public Library; and approves and recommends to Council for approval that Welland Public Library be given a grant in the amount of \$2,336,115 for 2022 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 376****04-91**

Moved by Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by the Welland Historical Museum; and approves and recommends to Council for approval that the Welland Historical Museum be given a grant in the amount of \$232,719 for 2022 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 377****05-50**

Moved by Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by the City of Welland Heritage Advisory Committee; and approves and recommends to Council for approval that the City of Welland Heritage Advisory Committee be given a grant in the amount of \$14,108 for 2022 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 378****08-65**

Moved by Green and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Report ENG-2021-33: Towpath Municipal Drain – Withdrawal from Petition.

CARRIED**2021 - 379****21-4**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Budget Review Committee regarding its meetings of November 22, 2021.

CARRIED

2021 - 380**21-4** Moved by Moved by Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by Rose City Kids; and approves and recommends to Council for approval that Rose City Kids be given a grant in the amount of \$25,000 for 2022 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 381****21-4** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation provided by the Niagara Safety Village; and approves and recommends to Council for approval that Niagara Safety Village be given a grant in the amount of \$6,000 for 2022 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 382****21-4** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Open Arms Mission; and approves and recommends to Council for approval that Open Arms Mission be given a grant in the amount of \$45,000 for 2022 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 383****21-4** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by Niagara College; and approves and recommends to Council for approval that Niagara College be given a grant in the amount of \$50,000 each year for 5 years beginning in 2022, for a total of \$250,000 as recommended by the Budget Review Committee at its meeting of November 22, 2021.

CARRIED**2021 - 384****21-6** Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND declares December 12, 2021 as "Mark Forster Day" in the City of Welland.

CARRIED**2021 - 385****21-12** Moved by Speck and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Leo Van Vliet as Integrated Services Chair for the term December 9, 2021 to November 14, 2022.

CARRIED**2021 - 386****21-13** Moved by Chiocchio and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report PW-55-2021 - Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission from the Niagara Region; and

THAT Welland City Council recognizes the request for local area municipalities to pass resolutions consenting to the By-law No. 2021-96 of the Regional Municipality of Niagara, being a By-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region; and

THAT Welland City Council supports the future state of Inter Regional Transit and the consolidation of Welland, St. Catharines and Niagara Falls Transit Systems, provided the following outstanding issues are addressed:

...continued...

21-13...cont'd.

- a) City of Welland request for 2 members from the City of Welland to be included in the new Transit Commissions Governance structure.
- b) The proposed financial model which will apportion future Transit Operating and Capital costs be updated to present the financial impact to all lower tier municipalities based on approved 2022 Transit Operating Budgets and updated 5- year Transit Capital Budgets.
- c) Clarification on how existing and future Transit Debt for Capital Budgets is to be apportioned to all lower tier municipalities.
- d) That municipalities be compensated for their Transit Fleet based on the net book value valuation as of Dec 31, 2022, of their average vehicle price based on the difference between the lowest municipal valuation per vehicle and that municipalities valuation per vehicle.

THAT Welland City Council requests the local area municipalities (Fort Erie, Grimsby, Lincoln, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, St. Catharines, Thorold, Wainfleet, West Lincoln) present the following amended resolution to their councils for consideration:

"That the Council of (name of municipality) consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a By-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region, only if the following conditions are addressed:

- a. City of Welland request for 2 members from the City of Welland to be included in the new Transit Commissions Governance structure.
- b. The proposed financial model which will apportion future Transit Operating and Capital costs be updated to present the financial impact to all lower tier municipalities based on approved 2022 Transit Operating Budgets and updated 5-year Transit Capital Budgets.
- c. Clarification on how existing and future Transit Debt for Capital Budgets is to be apportioned to all lower tier municipalities.
- d. That municipalities be compensated for their Transit Fleet based on the net book value valuation as of Dec. 31, 2022, of their average vehicle price based on the difference between the lowest municipal valuation per vehicle and that municipalities valuation per vehicle; and further That a copy of this resolution be sent to the Niagara Region and local municipalities."

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

NAYS: None.

CARRIED

2021 - 387

21-15 Moved by Green and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Fire Chief to equip firefighters with Naloxone for the treatment of individuals suffering opioid overdoses.

CARRIED

2021 - 388

21-38 Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receive report P&B-2021-70; and

THAT Welland City Council approves the recommended fees contained in the attached Appendix I; and further

THAT Welland City Council directs the City Clerk to amend By-law 2021-140 with the updated Schedule "A".

CARRIED

2021 - 389**21-122**

Moved by Mastroianni and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves a Plan of Subdivision for lands on the west side of Clare Avenue, north of Woodlawn Road, east of South Pelham Road, south of Heritage Lane, more specifically described as Part of Lot 237, Geographic Township of Thorold, in the City of Welland, Regional Municipality of Niagara, without any municipal address, for the development of seven (7) lots of residential development and two (2) blocks, one (1) block will be reserved for future residential development and the remaining block will be for a 0.3 metre reserve for access and control purposes which will be given to the City, subject to the following conditions:

1. That the Owner enter into a Subdivision Agreement with the City of Welland that is to be registered on title.
2. That no grading or onsite works be commenced prior to the registration of a subdivision agreement on the property.
3. All construction must be in accordance with the City of Welland Municipal Standards as amended.
4. That all necessary easements required for utility purposes be granted to the appropriate Authority, free and clear of all encumbrances.
5. That a subsurface Geotechnical report prepared by a qualified geotechnical engineer is provided at the time of a building permit application submission.
6. That the Owner pay 5% cash-in-lieu of parkland dedication in accordance with City policy, or in accordance with any subsequent community benefits charges.
7. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
8. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the City.
9. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculation] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment Compliance Approval under the Transfer of Review Program.
10. That the owner/developer ensure, throughout all phases of development, that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
11. That the subdivision agreement contain a provisions whereby the owner agrees to preserve parts of Lots 6 and 7 solely for a temporary turnaround until such time that the through-connection is provided.
12. That the temporary easement shall remain until a suitable connection is established, and the turnaround circle constructed at the time of the development, be in accordance with City of Welland standards.
13. That the Owner will be responsible to construct the roadway to City of Welland urban standards, including sidewalks on both sides of the road as per the adjacent subdivision design.
14. That the Developer shall be responsible for all costs associated with the development, including reinstatements of all affected existing municipal infrastructure, to as good or better condition.
15. That the Developer shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards and any other applicable standards that may apply.
16. That the Developer shall conduct home condition surveys prior to the commencement of construction.
17. That prior to construction, the contractor shall submit all documents required by the City, in accordance with the development agreement.
18. That Municipal roadways used for construction access, shall be kept clear of construction material, and maintained throughout construction, including dust control measures to the satisfaction of the City. The proposed construction route shall be provided to the City for review and approval.

....continued...

21-122 ...cont'd.

19.The Engineering Division reserves the right to include additional requirements following the review of the engineering design submission.

20.That prior to granting Approval for the Final Plan, the City of Welland will require written notice from the following upon their respective conditions having been met satisfactorily;

Niagara Region: 7, 8, 9, 10, 11

21.That if Final Approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Plan Approval shall lapse. If the Owner wishes to request extension to Draft Plan Approval, a written request with reasons why the extension is required, must be received by the City prior to the lapsing date; and further

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans once all Conditions have been satisfied.

CARRIED

2021 - 390

21-123 Moved by Mastroianni and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Official Plan Amendment No. 35 to designate a portion of lands on the east side of Rose Avenue, north of Thorold Road, west of Rice Road, more specifically described as Lots 150, 152, 153, 154, 207, 208, and Part of Lot 151 and Lot 209, Registered Plan 655 (Geographic Township of Thorold), City of Welland, Regional Municipality of Niagara, municipally known as 3, 11, 17 Rice Road and 12 Rose Avenue from Low Density Residential to Community Commercial Node; and further

THAT WELLAND CITY COUNCIL approves application for Zoning By-law Amendment to Zoning By-law 2017-117 for lands on the east side of Rose Avenue, north of Thorold Road, west of Rice Road, more specifically described as Lots 148, 149, 150, 152, 153, 154, 207, 208, 209 and of Part of Lot 151 Registered Plan 655 (Geographic Township of Thorold), City of Welland, Regional Municipality of Niagara, municipally known as 3, 11, 17 Rice Road 306, 308 Thorold Road and 12 Rose Avenue from Residential Low Density 1 – RL1 (3, 11, 17 Rice Road and 12 Rose Avenue) and Community Commercial Node 1 – CC1 (306 and 308 Thorold Road) to Site Specific Community Commercial Node 1 – CC1.

CARRIED

2021 - 391

21-145 Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Cantec Security Services for the provision of requested security services, as detailed in RFP21-15; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Cantec Security Services

CARRIED

2021 - 392

21-150 Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase city owned lands located at the Southeast Corner of Classic Avenue and Lewis Street; 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 - 393**21-154** Moved by Fokkens and McLeod

1. THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of Ellis Engineering Inc. to provide professional services for Construction Inspection of the Dain East Subdivision as per their fee proposal dated November 29, 2021, for \$151,600.00 plus HST; and further
2. THAT Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Ellis Engineering Inc. to complete the described work.

CARRIED**2021 - 394****21-157** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Castle Mechanical to remove and remediate the contaminated soils identified at the Public Works Facility located at 99 Federal Road; and further

THAT Welland City Council approves the funding shortfall of approximately \$78,625 plus HST to be funded through the Capital Surplus Reserve Fund.

CARRIED**BY-LAWS**

Moved by Moote and McLeod (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.

21-38

BYL 2021 - 200

A By-law to amend By-law 2020-140, being a By-law under the Building Code Act respecting construction, demolition, change of use, occupancy, transfer of permits and inspections.

21-150

BYL 2021 - 201

A By-law to authorize acceptance of an offer from Nick Mete for the sale of City-owned lands at the southeast corner of Classic Avenue and Lewis Street.

21-145

BYL 2021 - 202

A By-law to authorize acceptance of proposal and to enter into contract with Cantec Security Services Inc., for Security Guard and Patrol Services at Welland Civic Square, Public Works, Local Facilities and Pool Facilities.

21-149

BYL 2021 - 203

A By-law to exempt certain lands from Part-Lot Control - Parts 1-6 (inclusive) on Plan 59R-17092, Lot 6, Plan 59R-468 (4 & 6 Hilda Street), City of Welland.

21-152

BYL 2021 - 204

A By-law to exempt certain lands from Part-Lot Control - Parts 1 - 6 (Inclusive) on Plan 59R-17123, Part of Lot 130, Plan NS-17 (383, 385, 387, and 389 First Avenue), City of Welland.

98-152

BYL 2021 - 205

A By-law to authorize entering into contract with Sun Life for the provision of Short-Term Disability, Long-Term disability, Accidental Death and Dismemberment and Loss of Life Insurance.

98-152

BYL 2021 - 206

A By-law to authorize entering into contract with Green Shield Canada for the provision of Health and Dental Group Benefits.

CARRIED

Moved by Larouche 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.

21-123

BYL 2021 - 207

A By-law to amend City of Welland Zoning By-Law 2017-117 (Hamount Investments Ltd. - File 2021-05) 3, 11, 17 Rice Road, 306, 308 Thorold Road and 12 Rose Avenue.

21-123

BYL 2021 - 208

A By-law to authorize the adoption of Official Plan Amendment. No. 35.

21-154

BYL 2021 - 209

A By-law to authorize entering into contract with Ellis Engineering Inc. for Professional Services for Construction Inspection of the Dain East Subdivision.

CARRIED

Moved by Green and Grimaldi

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.

21-151

BYL 2021 - 210

A By-law to exempt certain lands from Part-Lot Control - Parts 1-4 (Inclusive) on Plan 59R-17108, Lots 109 and 110, Plan 937 (246, 249, 253, 257, Dain Avenue) City of Welland.

CARRIED

Moved by Green and Mastroianni

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.

21-153

BYL 2021 - 211

A By-law to exempt certain lands from Part-Lot Control - Part 1-104 (Inclusive) on Plan 59R-16968, Lots 216 to 223 (inclusive), Lots 232 to 258 (inclusive), Lots 226 to 275 (inclusive), Plan 937 (343-421 Beatrice Street (inclusive), 305-420 Chaffey Street (inclusive), and 352-412 Alberta Street (inclusive)), City of Welland.

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 - 212

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 9th day of December, 2021.

CARRIED

Council adjourned at 8:42 p.m.

These Minutes to be approved and adopted by Motion of Council this 21st day of December, 2021.

MAYOR

CITY CLERK