



**MINUTES OF THE
DECEMBER 8, 2022 SPECIAL COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in in open session at 5:03 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco (in person), B. Fokkens (in person), B. Green,
M.A. Grimaldi (in person), J. Lee (in person), D. McLeod (in person), A. Moote, S. Setaram
and G. Speck (in person).

Members of Staff and Others Present:

Chief Administrative Officer, S. Zorbas
City Clerk, T. Stephens
Director of Finance/CFO/Treasurer, S. Fairweather

THE FOLLOWING ITEMS WERE ADDED:

22-155 P&B-2022-57: Lay Out, Establish and Name The 0.3 Metre Reserve – Block 95, Plan 59M-176 (Woodlawn Estates Phase IV Subdivision).

22-155 A By-law to A By-law to Lay Out, Establish and name Block 95, Plan 59M-176 being a 0.3 metre reserve for the City of Welland as Wellandvale Drive.

22-13 Correspondence from Bruce Zvaniga, Chair, Transit Commission Steering Committee and Carla Stout, General Manager, Niagara Transit Commission, Regional Municipality of Niagara regarding report CAO-2022-03.

2022 – 374

22-155 Moved by DiMarco and Green

THAT THE COUNCIL OF THE CITY OF WELLAND waives the rules to add Report P&B-2022-57: Lay Out, Establish and Name the 0.3 Metre Reserve – Block 95, Plan 59M-176 (Woodlawn Estates - Phase IV Subdivision) and related By-law.

CARRIED

2022 - 375

22-13 Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information this report and provides direction to staff regarding Council’s previous position on the items still in dispute; and further

THAT Welland City Council directs the Mayor and Clerk to execute the Municipal Transfer Agreement (MTA) even though the MTA still contains disputed items related to Future Employee Benefits – Retired Employees and Current and Future Employee Benefits – Active Employees; and further

THAT Welland City Council executes the necessary By-laws for the Mayor and Clerk to sign the MTA; and further

THAT Welland City Council directs staff to include within the Land Lease Agreements to be executed, the annual rental charge of \$56,000 per annum with an annual indexing mechanism; and further

THAT Welland City Council directs staff to seek legal advice on the methodology applied to compute the 2023 levy allocation for transit operating costs, and then report back to Council on the results.

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22-13 Moved by Moote and Grimaldi

THAT Welland City Council defers the motion regarding Report CAO-2022-03 until after the regional letter, received on December 8, 2022, is received and considered.

CARRIED

2022- 376

22-13 Moved by Setaram and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information correspondence from Bruce Zvaniga, Chair, Transit Commission Steering Committee and Carla Stout, General Manager, Niagara Transit Commission, Regional Municipality of Niagara regarding report CAO-2022-03.

CARRIED

2022- 377

22-13 Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information this report and provides direction to staff regarding Council’s previous position on the items still in dispute; and further

THAT Welland City Council directs the Mayor and Clerk to execute the Municipal Transfer Agreement (MTA) even though the MTA still contains disputed items related to Future Employee Benefits – Retired Employees and Current and Future Employee Benefits – Active Employees; and further

THAT Welland City Council executes the necessary By-laws for the Mayor and Clerk to sign the MTA; and further

THAT Welland City Council directs staff to include within the Land Lease Agreements to be executed, the annual rental charge of \$56,000 per annum with an annual indexing mechanism; and further

THAT Welland City Council directs staff to seek legal advice on the methodology applied to compute the 2023 levy allocation for transit operating costs, and then report back to Council on the results.

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22-13 Moved by Speck and McLeod
 THAT Welland City Council amends the order of the original motion to move motion 4 up in the order to position 2; and further
 THAT Welland City Council amends the original motion to change the annual rental charge from \$56,000 to \$22,200 per annum with an annual indexing mechanism.

(The amending motions were spilt as requested by Council)

2022- 378

22-13 Moved by Speck and McLeod
 THAT Welland City Council amends the order of the original motion to move motion 4 up in the order to position 2.

CARRIED

2022- 379

22-13 Moved by Speck and McLeod
 THAT Welland City Council amends the original motion to change the annual rental charge from \$56,000 to \$22,200 per annum with an annual indexing mechanism.

YEAS: Lee, Speck, Chiocchio, Setaram, and Fokkens.

NAYS: Green, McLeod, DiMarco, Grimaldi, Moote, and Mayor Campion.

LOST

FOLLOWING THE VOTE ON THE AMENDING MOTIONS, THE MAIN MOTION WAS SPLIT AND

2022- 380

22-13 Moved by Green and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information this report and provides direction to staff regarding Council's previous position on the items still in dispute; and further

CARRIED

2022- 381

22-13 Moved by Green and Fokkens
 THAT Welland City Council directs staff to include within the Land Lease Agreements to be executed, the annual rental charge of \$56,000 per annum with an annual indexing mechanism; and further

YEAS: McLeod, Grimaldi, Setaram, Moote, and Mayor Campion.

NAYS: Lee, Green, Speck, Chiocchio and Fokkens.

LOST

2022- 382

22-13 Moved by Green and Fokkens
 THAT Welland City Council directs the Mayor and Clerk to execute the Municipal Transfer Agreement (MTA) even though the MTA still contains disputed items related to Future Employee Benefits – Retired Employees and Current and Future Employee Benefits – Active Employees.

YEAS: Lee, Green, Speck, Chiocchio, Grimaldi, Setarem, Fokkens, Moote, and Mayor Campion.

NAYS: McLeod.

CARRIED

2022- 383**22-13**

Moved by Green and Fokkens

THAT Welland City Council executes the necessary By-laws for the Mayor and Clerk to sign the MTA;

CARRIED**2022- 384****22-13**

Moved by Green and Fokkens

THAT Welland City Council directs staff to seek legal advice on the methodology applied to compute the 2023 levy allocation for transit operating costs, and then report back to Council on the results.

CARRIED**2022 – 385****22-155**

Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-law(s) to lay out, establish and name the 0.3 metre Reserve described as Block 95, Plan 59M-176 as Wellandvale Drive.

CARRIED**BY-LAWS**

Moved by Lee 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.

22-13

BYL 2022 – 200

A By-law to authorize execution of the Municipal Transfer Agreement with the Regional Municipality of Niagara.

(Councillor McLeod asked to be recorded as opposed to this By-Law)**22-155**

BYL 2022 – 201

A By-law to Lay Out, Establish and name Block 95, Plan 59M-176 being a 0.3 metre reserve for the City of Welland as Wellandvale Drive.

CARRIED

Moved by Fokkens 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.

22-1

BYL 2022 - 202

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 8th day of December, 2022.

CARRIED

Council adjourned at 8:09 p.m.

These Minutes to be approved and adopted by Motion of Council this 17th day of January, 2023.

MAYOR

CITY CLERK