



**MINUTES OF THE
MARCH 21, 2023 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:00 p.m. and in open session at 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio (6:13 p.m.), T. DiMarco (virtual), B. Fokkens (virtual), B. Green, M.A. Grimaldi, J. Lee, D. McLeod, A. Moote, C. Richard, S. Setaram (6:19 p.m.), G. Speck, 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
Policy Planning Supervisor, N. Aiello
Manager of Human Resources, A. Daisley (7:00 p.m.)
Manager of Economic Development, L. DeChellis
Economic Development Officer, L. Allen (until 10:35 p.m.)
Economic Development Researcher, P. Orlando

2023 - 186**23-25**

Moved by McLeod 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 6:00 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board;
 - Declare Cambridge Road Surplus.
 - Purchase and Sale of 186 Silverthorn Street.
 - Purchase and Sale of Seeley Street.

(Councillor McLeod was not present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality or local board regarding the purchase and sale of Seeley Street).

CARRIED**2023 - 187****23-25**

Moved by Moote and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:35 p.m. with report.

CARRIED**LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Speck presided as Chair of the Public Hearing:

23-64 A complete application has been made by QUARTEK GROUP INC. on behalf of BPR DEVELOPMENT INC. for Draft Plan of Condominium Approval for lands legally described as Pt Lot 33 PL 664, Being Pt 2 on 30R-17260; Pt Lot 176 Thorold Township Being Pt 3 & 4 on 30R-17260; S/T Easement Over Pt 4 on 59R17260 As In SN411093; T/W Easement as in RO381865; City of Welland, municipally known as 68 Topham Boulevard. The subject lands are designated Urban Area in the Regional Official Plan, as Low Density Residential in the City of Welland Official Plan, and zoned Residential Low Density 1 – RL1 by By-law 2017- 117. Application is also made for Zoning By-law Amendment (File No. 2022-02) in conjunction with this application.

Grant Munday confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Susan Smyth, Quartek Group Inc., 91 St. Paul Street, St. Catharines, ON L2R 3M3 on behalf of the applicant.

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

- George Sportel, 23 Topham Boulevard, Welland, ON L3C 7E1
- Kevin Day, 188 Milkweed Trail, Welland, ON L3C 7J3

There being no further persons present to speak in opposition to the application, the hearing was concluded.

DELEGATIONS

23-64 Christian Wulf, Niagara Centre (Welland) YMCA addressed Council regarding the YMCA Operating Contribution Partnership proposal.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

06-84 Carol Sernasie, Chair, Senior Citizens Advisory Committee addressed Council regarding an update on its activities.

99-90 Kelly Jones, Chair and Amanda Chistof, Treasurer, Welland Downtown Business Improvement Area (WDBIA) addressed Council regarding an update on its activities and 2023 Budget.

2023 - 188

23-1 Moved by Chiocchio and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of March 7, 2023, as circulated.

CARRIED

02-160 Move by Setaram and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND waive the rules to bring forward the Notice of Motion from Councillors Fokkens and Setaram after the presentations.

CARRIED

2023 - 189

99-90 Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Kelly Jones, chair and Amanda Chistof, Treasurer, Welland Downtown Business Improvement Area (WDBIA) regarding an update on its activities; and

THAT Welland City Council approves the 2023 budget from the Welland Downtown Business Improvement Area Board as recommended by their board in the amount of \$119,413; and further

THAT Welland City Council authorizes the Director of Financial/CFO/Treasurer to make arrangements to levy an amount of \$119,413 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City.

(Councillor McLeod disclosed an interest in a matter, and did not take part in the consideration and discussion of same, as he has an interest in a building which pays the WDBIA Levy).

CARRIED

2023 - 190

06-84 Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Carol Sernasie, Chair, Senior Citizens Advisory Committee regarding an update on its activities.

CARRIED

2023 - 191

23-4 Moved by Moote and Chiocchio (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Chief Financial Officer/ Treasurer to request the Regional Municipality of Niagara to issue debentures not exceeding \$11,970,381 in accordance with the terms of the various authorizing By-laws outlined in Appendix I to Report FIN-2023-07 dated March 21, 2023: and further

THAT Welland City Council directs the Chief Financial Officer/Treasurer to make available certified copies of all applicable By-laws and Ministry of Environment Certificates if applicable and all other information required in connection thereto to ensure the authorization of the issuance of the debentures not exceeding \$11,970,381 for the projects described in Appendix I; and further

...continued...

2023 - 191**23-4...cont'd.**

THAT Welland City Council directs the City Clerk to prepare all the necessary and appropriate By-laws for debenture financing agreements.

CARRIED**2023 - 192****23-14**

Moved by Moote and Chiocchio (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report FIN-2023-06 with respect to 2022 Remuneration and Expenditures for Council Members & Committee of Adjustment Members.

CARRIED**2023 - 193****23-15**

Moved by Moote and Chiocchio (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Fire Chief to contract Rankin Construction Ltd. for the hard surface treatment to the parking lot and installation of sidewalks, for the sum of \$81,300 plus HST.; and

THAT Council directs staff to prepare the necessary By-law and documents to execute the project; and further

THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2023 - 194****23-19**

Moved by Moote and Chiocchio (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receive for information the City of Welland's successful application to the Enabling Accessibility Fund (EAF) small-projects stream, to fund the construction of an accessible ramp at Maple Park Pool, for the maximum funding allotment of \$100,000; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a grant agreement with the Employment and Social Development Agency of Canada (ESDC) to be signed by the Mayor and City Clerk.

CARRIED**2023 - 195****23-41**

Moved by Moote and Chiocchio (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender from Rankin Construction Inc. in the amount of \$598,525.00 (plus HST) being the lowest bid received for the 2023 Utility Cuts contract; and

2. THAT Council directs staff to prepare the necessary By-law and documents to execute the project; and further

3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2023 - 196****23-42**

Moved by Moote and Chiocchio (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Rankin Construction Inc. in the amount of \$230,425.00 (plus HST) being the lowest bid received for the 2023 Asphalt Patching contract; and

2. THAT Council directs staff to prepare the necessary By-law and documents to execute the project; and further

3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED

2023 - 197

23-64 Moved by Setaram and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2023-08 regarding applications for Zoning By-law Amendment (2022- 02) and Draft Plan of Vacant Land Condominium (26CD-14-23001), for lands on the north side of Topham Boulevard, east of the Urban Boundary between the City of Welland and Town of Pelham, west of Crerar Avenue, municipally known as 69 Topham Boulevard.

CARRIED

2023 - 198

23-65 Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Christian Wulf, Niagara Centre (Welland) YMCA regarding its YMCA Operating Contribution Partnership proposal.

CARRIED

2023 - 199

23-65 Moved by Setaram and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves entering into a Tri-Party Contribution Agreement (Appendix C - Draft) between the City of Welland, Town of Pelham, and the Niagara Centre YMCA (Welland location) as outlined in report CS-2023- 10, and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a Tri-Party Contribution Agreement to be signed by the Mayor and City Clerk.

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23-65 Moved by McLeod and Moote

THAT should the facility close that the funds provided by the City of Welland be refunded.

YEAS: Lee, Green, Chiocchio, McLeod, DiMarco, Grimaldi, Setaram, Moote, Van Vliet and Mayor Campion.

NAYS: Speck, Richard and Fokkens.

CARRIED

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

CARRIED

2023 - 200

02-160 Moved by Speck and

THAT THE COUNCIL OF THE CITY OF WELLAND extends curfew to 11:30 p.m.

NOT PUT

BY LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE

Moved by Moote and Chiocchio

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.

23-60

BYL 2023 - 44

A By-law to authorize acceptance of an offer to purchase from 13272721 Ontario Limited for the City owned lands located at 186 Silverthorn Street.

CARRIED

BY-LAWS

Moved by Moote and Chiocchio (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.

23-4

BYL 2023 - 39

A By-law to authorize application to the Regional Municipality of Niagara for the issue of debentures for the year 2023.

23-19

BYL 2023 - 40

A By-law to authorize entering into a Grant Agreement with the Employment and Social Development Agency of Canada for the construction of an accessible ramp at Maple Park Pool.

23-42

BYL 2023 - 41

A By-law to authorize entering into contract with Rankin Construction Inc. for the 2023 Asphalt Patching Project.

23-41

BYL 2023 - 42

A By-law to authorize entering into contract with Rankin Construction Inc. for the 2023 Utility Cuts Project.

23-15

BYL 2023 - 43

A By-law to authorize entering into contract with Rankin Construction Inc. for the Hard Surface Treatment to the parking lot and installation of sidewalks for portions of East Main Firehall.

CARRIED

Moved by McLeod and Richard

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.

23-1

BYL 2023 - 45

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 March, 2023.

CARRIED

Council adjourned at 10:47 p.m.

These Minutes to be approved and adopted by Motion of Council this 4th day of April, 2023.

MAYOR

CITY CLERK