



CITY OF Welland

MINUTES OF THE SEPTEMBER 5, 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, T. DiMarco (until 7:26 p.m.), B. Fokkens, B. Green, J. Lee, D. McLeod, (9:01 p.m.), C. Richard, S. Setaram, G. Speck, and L. Van Vliet (until 6:40 p.m.).

Members of Staff and Others Present:

Interim Chief Administrative Officer/ Director of Infrastructure Services, SM. Millar
City Clerk, T. Stephens
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff
Director of Planning and Development Services, G. Munday
Director of Community Services, R. Axiak
City Solicitor, C. Woodsford (until 6:40 p.m.)
Manager of Economic Development, L. DeChellis
Manager of Engineering, L. McEachern, (6:06 p.m.)
Manager of Fleet, Equipment & Purchasing, A. Beres (7:00 p.m. - 8:15 p.m.)
Manager of Parks, Forestry and open spaces, D. Steven (7:15 p.m. - 8:35 p.m.)

2023 - 399

23-25 Moved by Van Vliet and Setaram

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:

- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose:
 - *Empire Memorandum of Understanding Information.*
- Proposed or pending acquisition or disposition of land by the municipality or local board:
 - *Stopping Up, Closing of Road Allowances in the Northern Reach Area.*
- Personal matters about an identifiable individual, including municipal or local board:
 - *Citizen appointment to the Arts & Culture Advisory Committee.*

CARRIED

2023 - 400

23-25 Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:40 p.m. with report.

CARRIED

2023 - 401

23-1 Moved by Richard and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of July 17, 2023 and August 1, 2023 and Regular Council Meeting of July 18, 2023 and as circulated.

CARRIED

2023 - 402

02-160 Moved by DiMarco and Green

THAT THE COUNCIL OF THE CITY OF WELLAND waives the rules to rescind a By-law.

YEAS: Lee, Green, Speck, Chiocchio, DiMarco, Richard, Setaram and Fokkens.

NAYS: Mayor Campion.

**CARRIED
2/3 MAJORITY REQUIRED**

(The matter that council waived the rules was ruled out of order and not considered).

2023 - 403

02-160 Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report CLK-2023-17: Options for Council Seating Policy; and

THAT Welland City Council approves the establishment of a Council Seating Policy, and;

THAT Welland City Council approves option 2 regarding council seating arrangements for meetings of council; and further

THAT the seating arrangements be effective the next term of council in 2026.

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2023 - 404

02-160 Moved by Speck and Chiocchio

THAT Welland City Council flips the order on the right side to be 6 to 1, opposite of left side.

CARRIED

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

CARRIED

2023 - 405

02-160 Moved by Speck and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND shall be notified in camera if any entity including but not limited to committees, commissions, agencies or boards that the city funds, or approves members or places members of council on, if this entity experiences any litigation involving its members.

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02-160 Moved by Setaram and Green

THAT Welland City Council refers back to staff the notice of motion.

CARRIED

2023 - 406

21-30 Moved by Setaram and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from The Federation of Northern Ontario Municipalities regarding affordable housing and support for people at risk of homelessness.

CARRIED

21-30 Moved by Setaram and Lee

Whereas Niagara Region has a No Person Left Behind Policy but cannot guarantee that there will be a bed available for every person in need of shelter in the City of Welland;

THAT Welland City Council directs staff to work collaboratively with the Niagara Region and service organizations to:

- a) Report back by the end of 2023 with options on where a permanent shelter in the City of Welland could be located where the current Welland permanent beds could be transferred, and additional capacity could be added, including how the shelter will be funded by the Niagara Region and other sources; and
- b) to report back on the use of modular housing units.

CARRIED

2023 - 407

21-51 Moved by Chiocchio and Green

THAT THE COUNCIL OF THE CITY OF WELLAND approves an increase to the maximum amount for the 25% reduction in development charge credits from \$4,000,000 to \$8,484,000.

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21-51 Moved by Fokkens and Chiocchio

THAT Welland City Council directs staff to prepare a revised agreement with Empire to ensure legally and binding provisions.

CARRIED

FOLLOWING THE VOTE ON THE AMENDMENT, THE MAIN WAS PUT AS AMENDED AND

CARRIED

2023 - 408

22-95 Moved by Setaram and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to begin the process of stopping up and closing the following road allowances:

1. Part Road Allowance Between Lots 223 and 224 Thorold designated as Part 9 on 59R9255.
2. Part Road Allowance Between Lots 223 and Lot 223 Broken Front, Thorold.
3. Part Road Allowance Between Lots 223 and 224, Thorold.
4. Part Road Allowance Between Lots 223 Broken Front and Lot 229, Thorold.
5. Part Road Allowance Between Lots 224 and Lot 229, Thorold.
6. Part Road Allowance Between Lots 222 and Lot 215 Broken Front, Thorold.

That Welland City Council authorizes the stopping up and closing of these road allowances; and further THAT staff be authorized to prepare the necessary By-law(s) to be presented to Council at a future Council meeting.

CARRIED

2023 - 409

22-105 Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report EDO-2023-04: Sale of City-Owned Land Policy and the Stopping Up and Closing of Highways; and further THAT Welland City Council approves the revised Sale of City-Owned land Policy and the Stopping Up and Closing of Highways.

CARRIED

2023 - 410

23-6 Moved by Setaram and Richard

WHEREAS, the municipality of Welland Ontario does affirm and acknowledge the harm and hardship caused by the drug poisonings; and WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to drug poisonings and ending the stigma of drug-related deaths; and WHEREAS, we resolve to play our part in reducing the toll of drug poisonings in our community, which claimed the lives of more than 115 residents of the Niagara Region in 2022 with countless more affected forever; and further WHEREAS, we affirm that the people affected by the drug poisoning crisis are our children, parents, friends, and neighbours, and deserving of our love, compassion and support. NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND does hereby proclaim August 31, 2023, as International Overdose Awareness Day in Welland, Ontario.

CARRIED

2023 - 411

23-19 Moved by Fokkens and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Consultancy Award to The MBTW GROUP for professional services and oversight of the three playground replacements that were approved in the 2023 Capital Budget for Deere Street Park, St. George Park, and Memorial Park, along with professional services for the future Michael Drive Parkette as approved in Report CS-2023-21 – Playground Renewal Advancement; and further THAT Welland City Council directs staff to prepare all necessary and appropriate By-laws and documents to enter into an agreement with The MTBW GROUP to be signed by the Mayor and City Clerk.

CARRIED

2023 - 412

23-22 Moved by Setaram and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Region dated August 17, 2023 regarding a Council inquiry.

CARRIED

2023 - 413

23-24 Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2023-18: CAO Hiring Committee Appointment; and further THAT Welland City Council appoints the following members of council to the CAO Hiring Committee, from the list of interested members, outlined in this report.

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23-24 Moved by Green and Lee

THAT Welland City Council appoints Councillors Setaram, Speck, Richard and Fokkens to the CAO Hiring Committee.

CARRIED

FOLLOWING THE MOTION TO AMEND, THE MAIN MOTION WAS PUT AS AMENDED AND

CARRIED

2023 - 414**23-46**

Moved by Setaram and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the purchase of one (1) complete, new 2024 GMC Sierra 3500 from Niagara Motors complete with service body as approved in the 2023 Fleet Rate Supported Capital Budget.

CARRIED**2023 - 415****23-111**

Moved by Setaram and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Town of Grimsby dated August 11, 2023 regarding legislative amendments to improve Municipal Codes of Conduct and Enforcement.

CARRIED**2023 - 416****23-111**

Moved by Setaram and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Region of Niagara dated August 23, 2023 regarding Referred Motion - Support for Association of Municipalities of Ontario (AMO) Municipal Code of Conduct Recommendations.

CARRIED**2023 - 417****23-112**

Moved by Chiocchio and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Region of Niagara dated August 11, 2023 regarding provisions of curbside collection on behalf of producers for residential blue box program.

CARRIED**2023 - 418****23-113**

Moved by Setaram and Fokkens (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of GM BluePlan Engineering Limited to provide professional services for the Fitch Street & Clare Avenue Area Sewershed – I/I Investigation & Remediation Action Plan as per their proposal dated June 27, 2023 for the amount of \$73,915.00 excluding HST.; and

THAT Welland City Council authorizes the direct appointment of GM BluePlan Engineering Limited to provide professional services for the Woodlawn Road Area Sewershed – I/I Investigation & Remediation Action Plan as per their proposal dated August 27, 2023 for the amount of \$69,195.00 excluding HST.; and

THAT Welland Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with GM BluePlan Engineering Limited to complete the described work; and further

THAT Welland Council authorizes the Mayor and Clerk to execute all necessary documents and agreements for the contracts.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)****2023 - 419****05-141**

Moved by Setaram and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Holly Treddenick to the Arts & Culture Advisory Committee for the term of September 5, 2023 to November 14, 2026.

CARRIED

BY-LAWS

Moved by Setaram and Fokkens

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.

23-113

BYL 2023 - 127

A By-law to authorize entering into contract with GM Blueplan Engineering Limited to provide professional services for the Fitch Street & Clare Avenue Area Sewershed - I/I Investigation & Remediation Action Plan.

23-113

BYL 2023 - 128

A By-law to authorize entering into contract with GM Blueplan Engineering Limited to provide professional services for the Woodlawn Road Area Sewershed - I/I Investigation & Remediation Action Plan.

23-24

BYL 2023 - 129

A By-law to appoint Anka Vuksan-Scott as Acting Deputy Treasurer for the Corporation of the City of Welland.

23-24

BYL 2023 - 130

A By-law to appoint Elizabeth Pankoff as Interim Director of Finance/CFO/Treasurer for the Corporation of the City of Welland.

CARRIED

Moved by Setaram and Fokkens

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.

23-19

BYL 2023 - 131

A By-law to authorize entering into contract with the MBTW Group Inc. for professional services including oversight of three playground replacements and design of a parkette.

CARRIED

Moved by McLeod and Lee

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 - 132

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 5th day of September, 2023.

CARRIED

Council adjourned at 9:10 p.m.

These Minutes to be approved and adopted by Motion of Council this 19th day of September, 2023.

MAYOR

CITY CLERK