



MINUTES OF
COUNCIL MEETING, SEPTEMBER 15, 2015
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:32 p.m. and in open session at 7:19 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (until 7:14 p.m. and again at 8:16 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche, R. Letourneau, J. Mastroianni, D. McLeod, and M. Petrachenko.

Members of Staff and Others Present:

Deputy City Clerk, T. Stephens
Chief, Fire & Emergency Services, D. Prevost (7:19 p.m.)
General Manager, Corporate Services/Treasurer, S. Zorbas (7:19 p.m.)
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure Services/City Engineer, S. Iannello (7:19 p.m.)
Planning Manager, R. Di Felice (7:13 p.m.)
Records Clerk, C. Viger (7:19 p.m.)

(Leanne Standryk, Solicitor; was present during Committee-of-the-whole discussions on the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; labour relations or employee negotiations and personal matters about an identifiable individual, including municipal or local board employees).

15-25 Moved by Grimaldi and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:32 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

15-25 Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:16 p.m. with report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

99-99 Tom Bacolini, Chairman and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation, regarding the corporation's cash flow shortfalls.

PRESENTATION:

Mayor Campion presented a plaque to Danny Ristic for his achievement during the 2015 Special Olympics World Summer Games.

DELEGATIONS:

15-28 Doug Rapelje, Past Chair, Alzheimer Society Niagara Foundation addressed Council regarding its 20th Annual Coffee Break Campaign.

15-28 Tamara Coleman-Lawrie and David D'Angelo, Campaign Chair, United Way South Niagara addressed Council regarding an update on the 2015 Campaign.

99-99 Tom Bacolini, Chairman and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation, addressed Council regarding the corporation's cash flow shortfalls.

PUBLIC MEETING PURSUANT TO SECTIONS 357/358 OF THE MUNICIPAL ACT, 2001 - TAX WRITE-OFFS

- No one spoke.

There being no speakers, the public meeting was concluded.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

15-37 Councillor Fokkens, Chair, Water/Wastewater Ad Hoc Committee, provided a verbal update on the Water/Wastewater Ad Hoc Committee meeting of August 26, 2015.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Mastroianni presided as Chair of the Public Hearing.

15-96Z Complete applications has been made by EDGAR PATRICK THYRET AND DAVID PATRICK THYRET to amend the City of Welland Official Plan by changing the designation of the lands at 566 Ridge Road from RURAL EMPLOYMENT AREA to SITE SPECIFIC RURAL EMPLOYMENT AREA and to rezone the front portion of the lands at 566 Ridge Road from the existing RA - Rural Agricultural District and H-RA-X1 Zone By-law 1538 to a Site Specific Rural Employment District By-law 1538. The purpose of the Amendment is to add a new (RE) District with applicable uses and Zone provisions; to Rezone the front portion of 566 Ridge Road to a Site Specific (RE) District to recognize the existing industrial use of the property, to recognize the permitted uses under the Rural Employment designation in the Official Plan and to add the use of a Motor Vehicle Repair Shop Class A.

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

Felix Lostracco, Accounting Manager, Quality Belt Maintenance Ltd., 6905 Taylor Road, Niagara Falls, ON L2E 6S4 presented on behalf of the applicants.

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 to the application:

- No one spoke to the application.

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

15-1 Moved by P. Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of August 25, 2015 and Special Council Meeting of September 8, 2015, as circulated.

CARRIED

99-99 Moved by Mastroianni and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation made by Tom Bacolini, Chairman and Stephen Fischer, Executive Director, Welland Recreational Canal Corporation (WRCC), regarding the corporation's cash flow shortfalls.

YEAS: Councillors Grimaldi, Fokkens, Mastroianni, Larouche, Petrachenko, Carl, McLeod, and Mayor Campion.

NAYS: Councillors Letourneau, P. Chiocchio, J. Chiocchio and DiMarco.

CARRIED

03-156 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2015-31 for the Assumption of Stonegate Estates Subdivision (Plan 59M-332); and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to execute same.

CARRIED

07-144 Moved by J. Chiochio and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND directs the Economic Development Office to provide Council with quarterly reports on their progress in securing industry, business and investment in the City of Welland.

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07-144 Moved by Carl and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND refers to the Economic Development Office for review and input the time line and report back to Council within one month.

LOST

07-144 Moved by Petrachenko and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND directs the Economic Development Office to provide Council with semi-annual reports on their progress in securing industry, business and investment in the City of Welland.

LOST

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

CARRIED

10-76 Moved by McLeod and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Community Improvement Plan for the Downtown and Health and Wellness Cluster for property municipally known as 50 Division Street for the Building Improvement Grant Program in the estimated amount of \$5,577.50 with the Niagara Region contributing 50% of this amount (\$2,788.75); and further
 THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further
 THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required for participation in the Building Improvement Grant Program.

CARRIED

11-51 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the procurement and installation of Commemorative Street Signs on Frazer Street at West Main Street and Mill Street with all costs being borne by the Rotary Club of Welland.

CARRIED

12-114 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves a Land Use Restriction Exemption Resolution under the Independent Electricity System Operator Fit Rules Version 4.0 for a 500 kW non-rooftop solar project proposed by Resco Energy Inc. at 400 East Main Street; and further
 THAT Welland City Council authorizes the Mayor and Clerk to sign the Land Use Restriction Exemption Resolution attached as Appendix I.

CARRIED

15-3 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for RC Episcopal Corp. - Paroisse Sacre-Coeur.

CARRIED

15-3 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for St. Mary R.C. Church.

CARRIED

15-3 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Niagara Peninsula Community Resource Centre.

CARRIED

15-4 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$8,000.20 as contained in Report FIN-2015-23 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED

15-15 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND suspends the regular order of business.

CARRIED

15-15 Moved by McLeod and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND supports the event at the Welland Fairgrounds by providing emergency services for the Demolition Derby at the Niagara Regional Exhibition at a 50% reduced cost, for a one time commitment in 2015, that is contingent on insurance coverage acceptable through the City.

CARRIED

15-28 Moved by P. Chiocchio and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, Past Chair, Alzheimer Society Niagara Foundation regarding the 20th Annual Coffee Break Campaign and encourages staff and the public to participate in the September 24, 2015 Coffee Break Fundraiser at the Civic Square.

CARRIED

15-28 Moved by Petrachenko and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Tamara Coleman-Lawrie and David D'Angelo, Campaign Chair, United Way South Niagara regarding an update its activities, and its 2015 Campaign.

CARRIED

15-37 Moved by Grimaldi and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Fokkens, Chair, Water/Wastewater Ad Hoc Committee regarding its meeting of August 26, 2015.

CARRIED

15-46 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives REPORT ENG-2015-32 and approves the purchase of one (1) new three quarter (3/4) ton extended cab pickup truck with 8' box from Brock Ford Sales Inc. being the lowest tender submitted who met the specifications at a tendered price of \$27,683.00 plus applicable taxes, as funded through the 2015 Enterprise Fleet Budget Report; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Brock Ford Sales Inc. to execute the sale.

CARRIED

15-88 Moved by McLeod and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from O'Hara Trucking and Excavating of St. Catharines, Ontario, as detailed in Report ENG-2015-30 for Sanitary Sewer Replacement on Lincoln Street; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with O'Hara Trucking and Excavating, to execute the construction; and further
 THAT Welland City Council authorizes the Treasurer to debenture as approved up to \$330,800 for 2015 Wastewater capital budget item - Lincoln Street Sewer Rehabilitation.

CARRIED

15-96 Moved by McLeod and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-49 regarding Amended Applications for Official Plan Amendment and Zoning By-law Amendment for lands on the north side of Ridge Road, west of Doans Ridge Road, municipally known as 566 Ridge Road.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

05-141

15-10 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Kay Annable, Anthony Kuchar, James Takeo, Sandra Vander Veer and Carol Wylde to the Arts and Culture Advisory Committee for the period commencing September 15, 2015 to and including December 31, 2015, with the term potentially continuing until November 30, 2018, subject to Council's consideration of a report reviewing the number and composition of all Committees at a future meeting, as direct by Council.

CARRIED

15-10

15-37 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Kathleen Adams (Residential Consumer), Tim Clutterbuck (Industrial Commercial Consumer - Large), and John Clark (Industrial Commercial Consumer – Small) to the Water/Wastewater Ad Hoc Committee.

CARRIED

15-10

15-19 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Michael Drobot to the Market Square Advisory Committee for the period commencing September 15, 2015 to and including November 30, 2018.

CARRIED

15-52

Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2015-47 dated September 15, 2015 regarding the purchase of City-owned lands west of Miranda Court, east of Chelsea Crescent and north of Wellandvale Drive, being Parts 1 to 5, Plan 59R-15412; and further
 THAT Welland City Council accepts the Offers for the lands west of Miranda Court, east of Chelsea Crescent and north of Wellandvale Drive, being Parts 1 to 5, Plan 59R- 15412; and further
 THAT Welland City Council directs that revenue generated from the sale of the lands west of Miranda Court, east of Chelsea Crescent and north of Wellandvale Drive being Parts 1 to 5, Plan 59R-15412 be deposited to the Planning Act Reserve Fund.

CARRIED

BY-LAWS

Moved by Larouche and Mastroianni

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.

10-76

BYL 2015 - 108

A By-law to authorize execution of a Building Improvement Grant Agreement (Community Improvement Plan) for 50 Division Street.

15-88

BYL 2015 - 109

A By-law to authorize entering into contract with O'Hara Trucking & Excavating Inc. for the Lincoln Street Sanitary Sewer Replacement.

CARRIED

Moved by Larouche 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.

03-156

BYL 2015 - 110

A By-law to Assume Stonegate Estates Subdivision Plan 59M-332.

15-46

BYL 2015 - 111

A By-law to authorize purchase of one new Three Quarter Ton Extended Cab Pickup Truck from Brock Ford Sales Inc.

15-22

BYL 2015 - 112

A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall and to repeal By-law 2015-43.

11-108

BYL 2015 - 113

A By-law to authorize signing officers for the site plan control and other specified matters.

15-52

BYL 2015 - 114

A By-law to authorize acceptance of offers to purchase City-owned lands west of Miranda Court, east of Chelsea Crescent and north of Wellandvale Drive being Parts 1 to 5, Plan 59R-15412 (Woodlawn Estates IV Subdivision).

CARRIED

Moved by Petrachenko 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.

15-1

BYL 2015 - 115

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 15th day of September, 2015.

CARRIED

Councillor J. Chiochio gave Notice of Motion to the following issue to be presented to Council at the October 6, 2015 Regular Council Meeting:

15-27 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to release the City of Welland float to the Welland Rose Festival periodically to be used in parades and other special events within Niagara.

Councillor Grimaldi gave Notice of Motion to the following issue to be presented to Council at the October 6, 2015 Regular Council Meeting:

15-10 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to go back to the method used prior to the Matrix System for board appointments.

Council adjourned at 10:18 p.m.

These Minutes approved and adopted by Motion of Council this 13th day of October, 2015.

MAYOR

CITY CLERK