



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

Council met in Committee-of-the-Whole closed to the public at 5:15 p.m. and in open session at 7:05 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (5:26 p.m. - 6:45, and again at 8:34 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche, R. Letourneau, D. McLeod (5:20 p.m.) and M. Petrachenko.

Members of Staff and Others Present:

Acting City Clerk, T. Stephens
Chief, Fire & Emergency Services, D. Prevost
General Manager, Corporate Services/Treasurer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure Services/City Engineer, S. Iannello
Manager, Economic Development, D. Degazio (5:40 p.m. - 6:01 p.m.)
Recording Secretary, C. Viger (7:05 p.m.)

(Rob Little was present during Committee-of-the-whole discussions on personal matters about an identifiable individual, including municipal or local board employees).

15-25 Moved by DiMarco 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 5:15 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;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

15-25 Moved by Letourneau and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:55 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE DELETED:

15-24 Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Arena Foreman Position.

09-104 Councillor Mastroianni, Chair, Audit Review Committee - meeting of December 1, 2015.

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 December 2, 2015.

15-1 Moved by Larouche and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of November 24, 2015 and December 8, 2015 and Regular Council Meeting of December 1, 2015, as circulated.

CARRIED

99-99 Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND recognizes the importance of engaging Welland's community in attracting high caliber board members and an Executive Director; and further THAT staff prepare a report outlining key attributes of prospective board members; and further THAT staff outline the best public application process to maximize community engagement, attract quality applicants and provide a proposed timetable.

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99-99 Moved by DiMarco and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND defers the Notice of Motion presented by Councillor McLeod to the February 2, 2016 Council Meeting.

YEAS: Councillors DiMarco, Letourneau, Mayor Campion.

NAYS: Councillors Larouche, Petrachenko, Carl, J. Chiocchio, McLeod, P. Chiocchio, Grimaldi, Fokkens.

LOST

99-99 Moved by Grimaldi and P. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND defers the Notice of Motion presented by Councillor McLeod to the February 9, 2015 General Committee Meeting.

YEAS: Councillors Larouche, J. Chiochio, DiMarco, Letourneau, P. Chiochio, Grimaldi Fokkens and Mayor Campion.

NAYS: Councillors, Petrachenko, Carl and McLeod.

CARRIED

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

CARRIED

03-110 Moved by Larouche and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND approves the updated policy Sale of City-Owned Land and the Stopping Up and Closing of Highways.

CARRIED

04-47 Moved by Petrachenko and J. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND requests the Minister of Tourism, Culture and Sport to work with the federal and the other provincial and territorial governments to find a solution that will allow public libraries to purchase e-books from publishers at a fair and reasonable price; and further THAT a copy of this resolution be sent to the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO).

CARRIED

10-130 Moved by Larouche and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) received November 23, 2015 regarding the NRH 2015 3rd Quarterly Report to Council.

CARRIED

12-114 Moved by Larouche and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2015-59 for information purposes.

CARRIED

13-106 Moved by Larouche and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to waive the Welland Transit cash fares for two program supervisors and forty children enrolled in the Ontario After School Program in Welland operated by Centre de santé communautaire Hamilton/Niagara for the school term that occurs between January 2016 to June 2016 as detailed in Report R&C-2015-11.

CARRIED

15-4 Moved by Larouche and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year To Date Report - 3rd Quarter up to and including September 30, 2015 (FIN-2015-36) as recommended by the Audit Review Committee.

CARRIED

15-5 Moved by Larouche and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendments to the Grants & Special Assistance Policy as outlined in Report FIN-2015-21

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15-5 Moved by Grimaldi and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND defers report FIN-2015-21 to the General Committee on February 9, 2016.

CARRIED

15-6 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of December as “Wrap It Up Red Holiday Campaign” in the City of Welland as requested by the Niagara Canadian Blood Services.

CARRIED

15-15 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report F&ES 2015-05: Fire dispatch Contract, 2016-2017; and further
 THAT Welland City Council directs the Mayor and the City Clerk to execute the agreement between the City of St. Catharines and the City of Welland for the provision of computer aided fire dispatching services by the City of St. Catharines to the City of Welland for the years 2016 and 2017.

CARRIED

15-19 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the proposal from A.B.C. Recreation Ltd. of Paris, Ontario, as detailed in Report ENG-2015-39 for the Design, Supply and Installation of a New Splash Pad and Amenities at Glenwood Park per their proposed price of \$209,727.75 (excluding taxes); and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into contract with A.B.C. Recreation Ltd. of Paris, Ontario.

CARRIED

15-19 Moved by J. Chiochio and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of SCOTT CONSTRUCTION NIAGARA INC., of Niagara Falls, Ontario, as detailed in Report ENG-2015-40 for the Welland Market Square Posts Repair project, at the Welland Market Square for the tendered price of \$53,223.75 plus applicable taxes; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Scott Construction Niagara Inc. to execute the construction.

CARRIED

15-22 Moved by DiMarco and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-15 Update to Traffic and Parking By-law 89-2000; and further
 THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:
 ADD the following to Schedule “V” – Parking Prohibitions (Specified Places, With Signs)

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Northgate Drive	Inside (Even numbered houses)	First Avenue	A point 160 metres northwest of Cabot Street	8:30am – 4:30pm Monday to Friday
Westdale Drive	East Side	A point 45 metres north of Fitch Street	A point 55 metres north of Fitch Street	AT NO TIME
Westdale Drive	East Side	A point 85 metres north of Fitch Street	A point 115 metres north of Fitch Street	AT NO TIME
Westdale Drive	East Side	A point 165 metres north of Fitch Street	A point 270 metres north of Fitch Street	AT NO TIME

...continued...

15-22..cont'd.

DELETE the following from Schedule "V" – Parking Prohibitions (Specified Places, With Signs)

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Northgate Drive	West/South	Cabot Street	A point 160 metres northwest	AT NO TIME

ADD the following to Schedule "XXXIV" – Residential Parking Permit Only

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Northgate Drive	Outside (Odd numbered houses)	First Avenue	A point 160 metres northwest of Cabot Street	8:30am – 4:30pm Monday to Friday

ADD the following to Schedule "I" – Municipal/Private Property

SKETCH No.	LOCATION	COMMON NAME
No Sketch	570 River Rd	Youngs SportsPlex

CARRIED

15-22 Moved by DiMarco and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information **REPORT TRAF-2015-16** Update to Administrative Penalty By-law; and further THAT Welland City Council authorizes staff to add Schedule D to the Administrative Penalty By-law 2014-64 as per Appendix I; and further THAT Welland City Council directs the City Clerk to amend Administrative Penalty By-law 2014-64 as follows:

REMOVE the following:

3. City By-laws, or portions of City By-laws, that are listed in Schedules "A" and "B" to this By-law shall be Designated By-laws and are hereby designated for the purpose of section 3(1)(b) of the Regulations. The provisions of this By-law shall apply to any contravention of a Designated By-law. Schedules "A" and "B" shall set out the short form working to be used for the contraventions of Designated By-laws and also set out the Administrative Penalties imposed for the contraventions.
5. Every Person who contravenes a provision of a Designated By-law shall, when given a Penalty Notice, be liable to pay to the City an Administrative Penalty in the amount specified in Schedules "A", "B" and "C".
- 7.(d) the contravention wording listed in Schedules "A", "B" and "C", which describes particulars of the contravention;

ADD the following:

3. City By-laws, or portions of City By-laws, that are listed in Schedules "A", "B" and "D" to this By-law shall be Designated By-laws and are hereby designated for the purpose of section 3(1)(b) of the Regulations. The provisions of this By-law shall apply to any contravention of a Designated By-law. Schedules "A", "B" and "D" shall set out the short form working to be used for the contraventions of Designated By-laws and also set out the Administrative Penalties imposed for the contraventions.
5. Every Person who contravenes a provision of a Designated By-law shall, when given a Penalty Notice, be liable to pay to the City an Administrative Penalty in the amount specified in Schedules "A", "B", "C" and "D".

...continued...

15-22..cont'd.

7.(d) the contravention wording listed in Schedules "A", "B", "C" and "D", which describes particulars of the contravention;

Reinstate Item 9 and 18 of Schedule "A" as follows:

Item	Column 1 Short Form Wording – Set Fines	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
9	Park within accessible parking space without valid permit displayed	3.4.1.1	\$300.00
18	Park vehicle exceeding 6.5 meters without authority	3.9(1)f	\$250.00

CARRIED

15-37 Moved by Fokkens and Grimaldi

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 December 2, 2015.

CARRIED

15-37 Moved by P. Chiochio and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND approves the High Water Leak Adjustment Policy for the 2016 Water and Wastewater Budget.

CARRIED

15-37 Moved by McLeod and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Water Meter Inspection Fee in the amount of \$50.00 effective January 1, 2016.

CARRIED

15-37 Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Regional Municipality of Niagara dated November 20, 2015 regarding Report CSD 76-2015: 2016 Budget - Water & Wastewater Rate Setting & Requisition.

CARRIED

15-55 Moved by Petrachenko and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CLK-2015-11 regarding a review of the Advisory Committees Structure; and further

THAT Welland City Council approves the Market Square Advisory Committee and Arts & Culture Advisory Committee to remain separate Committees of Council; and further

THAT Welland City Council approves the disbanding of the Welland Community Wellness Complex Advisory Committee and the Welland Arena Advisory Committee; and further

THAT Welland City Council approves extending the term of the current members of the Accessibility Advisory Committee, the Arts & Culture Advisory Committee, the Heritage Welland Committee, the Senior Citizens Advisory Committee, the Town & Gown Committee, and the Transit Advisory Committee to November 30, 2018; and further

THAT Welland City Council approves the following statement to be included in the Terms of Reference for the Accessibility Advisory Committee, Market Square Advisory Committee, Town & Gown Committee, and the Transit Advisory Committee:

"In the event the number of required member position(s) cannot be filled in each target group, Council may consider applicants from other target groups to fill these positions".

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15-55 Moved by DiMarco and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND removes the recommendation to disband the Welland Arena Advisory Committee.

CARRIED

15-55 Moved by Grimaldi and J. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND removes the recommendation to disband the Welland Community Wellness Complex Advisory Committee.

CARRIED

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

CARRIED

15-111 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Regional Municipality of Niagara dated December 7, 2015 regarding Report CSD44-2015: Agreement for Port Robinson Servicing, City of Thorold.

CARRIED

15-112 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Municipality of Neebing dated October 9, 2015 regarding Consultation on the Police Services Act.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

15-10 Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Diane Zakraysek as a member of the Property Standards Committee/Dog Control Appeal Committee for a three-year term commencing January 1, 2016 to December 31, 2018.

CARRIED

99-99 Moved by DiMarco and Grimaldi
 THAT THE CITY OF WELLAND appoints Councillors Grimaldi, P. Chiochio and Fokkens to the Welland Recreational Canal Corporation Board.

CARRIED

BY-LAWS

Moved by Larouche and Letourneau
 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.

15-22
 BYL 2015 - 143
 A By-law to amend By-law 89-2000, being a By-law regulating traffic and parking within the City of Welland (Schedules I, V and XXXIV).

15-22
 BYL 2015 - 144
 A By-law to amend Administrative Penalty By-law 2014-64.

15-19

BYL 2015 - 145

A By-law to authorize the acceptance of a proposal from A.B.C. Recreation Ltd. for new splash pad and amenities at Glenwood Park.

15-19

BYL 2015 - 146

A By-law to authorize acceptance of tender from Scott Construction Niagara Inc. for Welland Market Square Posts Repair.

CARRIED

Moved by Larouche and McLeod

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.

15-15

BYL 2015 - 147

A By-law to authorize execution of an agreement with the City of St. Catharines to provide fire dispatching services for Welland Fire and Emergency Services for years 2016 and 2017.

01-115

BYL 2015 - 148

A By-law to cancel a portion of Municipal and Regional Taxes for 381 Clare Avenue.

15-24

BYL 2015 - 149

A By-law to authorize the appointment of a Chief Administrative Officer for the Corporation of the City of Welland.

CARRIED

Moved by Larouche 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.

15-1

BYL 2015 - 150

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 December, 2015.

CARRIED

Councillor Grimaldi gave Notice of Motion to the following issue to be presented to Council at the January 19, 2016, Regular Council Meeting:

15-12 THAT THE COUNCIL OF THE CITY OF WELLAND directs the Chairs of Integrated Services and Corporate Services and the Mayor to work together to ensure that their respective committees do not meet on the same day and time to ensure that all Council Members have a voice at the meetings.

Council adjourned at 8:49 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of January, 2016.

MAYOR

ACTING CITY CLERK