



MINUTES OF
SPECIAL COUNCIL MEETING, MARCH 24, 2015
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:32 p.m. and in open session at 6:20 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (6:45 p.m.), J. Chiocchio, T. DiMarco, B. Fokkens, M.A. Grimaldi,
J. Larouche (5:46 p.m.), R. Letourneau, D. McLeod (5:39 p.m.), M. Petrachenko and L. Van Vliet.

Members of Staff and Others Present:

Acting City Manager/General Manager, Integrated Services, J. Loveys Smith
Acting Deputy 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
Manager of Budgets and Financial Reporting/Deputy Treasurer, E. Pankoff (6:20 p.m.)
Revenue Services Coordinator, L. Keca (6:20 p.m.)
Parking & Traffic Supervisor, A. Khan (6:20 p.m.)
Senior By-law Enforcement Officer, J. Cronshaw (6:20 p.m.)

15-25 Moved by Petrachenko 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 5:32 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

15-25 Moved by J. Chiochio and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:16 p.m. without report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

15-63 Letter from Charlene MacLellan requesting to remove the skylight at 20 Evan Street, as per section 33/34 of the *Ontario Heritage Act*.

PUBLIC MEETING PURSUANT TO THE PLANNING ACT

15-37 Public Meeting regarding the 2015 Water/Wastewater Operating Budget and 2015 Rates.

The following people were present to speak on the proposed matter:

- Kathleen Adams, 335 First Avenue, Welland, ON L3C 1Z4
- Dan Fortier, 83 Colbeck Drive, Welland, ON L3C 7B2

There being no other speakers, the public meeting was concluded.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

99-90 Dolores Bujold Wright, Welland Downtown Business Improvement Area addressed Council regarding The Downtown BIA Beautification Plan.

15-4 Councillor McLeod, Chair, Budget Review Committee, provided a verbal update on the Budget Review Committee meetings of February 4, 9, 18, 24, 2015 and March 2, 9, 10, 2015.

99-90 Moved by Letourneau and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dolores Bujold Wright, Welland Downtown Business Improvement Area regarding the Downtown BIA Beautification Plan.

CARRIED

99-90 Moved by Letourneau and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves capital funds (\$59,000.00) requested by Welland Downtown BIA for streetscaping/beautification out of the Downtown Streetscaping Capital Account as outlined in Report TRAF-2015-05: Downtown BIA Beautification Plan.

CARRIED

06-75 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives the Treasurer's Statement attached to Report FIN-2015-07 in accordance with the Development Charges Act, 1997 as amended; and further THAT Welland City Council instructs the City Treasurer to forward a copy of this Statement to the Minister of Municipal Affairs within 60 days of giving this report to Council as per Section 43(3) of the *Development Charges Act, 1997*.

CARRIED

06-150 Moved by Petrachenko and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2014-04: Update to the Noise By-law; and further THAT Welland City Council directs staff to proceed with finalizing the new Noise Control By-law and appendices and upon completion, rescind By-law 10204; and further THAT Welland City Council designate a staff member in accordance with Section 3.3 of the Noise By-law to grant or refuse to grant an exemption permit.

CARRIED

09-75 Moved by Grimaldi and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report R&C-2015-01, regarding the Toronto 2015 Pan Am/Parapan Games Update for information purposes only.

CARRIED

09-102 Moved by DiMarco and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the North Village Subdivision (File: 26T-14-09001) for an additional two (2) years to March 29, 2017.

CARRIED

10-108 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2015 budget for the Youngs Sportsplex (YSP) as recommended by the Facility Management Review Team and as presented by Nustadia Recreation Inc. to Budget Review Committee on March 2, 2015 and that the 2014 deficit of \$760,653 be funded as follows:
 a) \$123,000 from the Capital Project 10-4PB-B40, New Facilities, River Rd. Multi Sportsplex; and
 b) \$637,653 be funded by the Sports and Culture Infrastructure Capital Reserve Fund (SCICRF);
 and further
 THAT Welland City Council authorizes an addendum to the Management and Operating Agreement dated August 25, 2011, that sets out the repayment terms for Nustadia Inc. to reimburse the City for the 2014 YSP budget shortfall, with monies reimbursed to the City being used to replenish the SCICRF; and further
 THAT Welland City Council approves that the 2015 budget forecasted deficit of \$701,474 be funded by the Sports and Culture Infrastructure Capital Reserve Fund (SCICRF); and further
 THAT Welland City Council authorizes an addendum to the Management and Operating Agreement dated August 25, 2011, that sets out the repayment terms for Nustadia Inc. to reimburse the City for the 2015 budget shortfall, with monies reimbursed to the City being used to replenish the SCICRF.

CARRIED

10-130 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) received February 18, 2015 regarding the NRH 2014 4th Quarter Report.

CARRIED

15-4 Moved by McLeod and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Budget Review Committee, regarding its meetings of February 4, 9, 18, 24, 2015 and March 2, 9, 10, 2015.

CARRIED

15-4 Moved by Fokkens and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the exclusion of amortization and post-employment benefit expenses from the 2015 Budgets.

CARRIED

15-5 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2015 Permissive Grants and Waiving of Fees allocations as per Table 1 and Table 2 (attached) as recommended by the Budget Review Committee.

(Councillor Carl disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer, The Hope Centre has made application for a permissive grant).

CARRIED

15-5 Moved by Larouche and Letourneau
 1. THAT THE COUNCIL OF THE CITY OF WELLAND approves an Operating Grant for the Niagara Central Airport in the amount of \$45,540 for 2015 as recommended by the Budget Review Committee.
 2. THAT THE COUNCIL OF THE CITY OF WELLAND approves an Operating Grant for the Welland Public Library in the amount of \$1,931,077 for 2015 as recommended by the Budget Review Committee.
 3. THAT THE COUNCIL OF THE CITY OF WELLAND approves an Operating Grant for the Welland Historical Museum in the amount of \$211,000 for 2015 as recommended by the Budget Review Committee.
 4. THAT THE COUNCIL OF THE CITY OF WELLAND approves an Operating Grant for Heritage Welland in the amount of \$13,234 for 2015 as recommended by the Budget Review Committee.

CARRIED

15-5 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves a Permissive Grant, inclusive of Waiving of Fees, for Faith Outreach Welland in the amount of \$25,000 for 2015 as recommended by the Budget Review Committee.

CARRIED

15-13 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendations contained in REPORT TRANS-2015-02 Webber Road/South Pelham TransCab; and further
 THAT Welland City Council authorizes the Transit Manager to enter into discussions with the current contract provider to provide TransCab service to the Webber Road/South Pelham neighbourhood; and further
 THAT Welland City Council authorizes the City Clerk to prepare and sign any needed and appropriate By-laws to enter into an agreement with 4500 Taxi to provide this TransCab service to the Webber Road/South Pelham neighbourhood.

CARRIED

15-13 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendations contained in Report TRANS-2015-03: Port Colborne Transit Services Agreement Renewal, to enter into an agreement with the City of Port Colborne for the provision of Transit Services; and further
 THAT THE COUNCIL OF THE CITY OF WELLAND directs the City Clerk to prepare all necessary and appropriate By-laws and agreements to enter into an agreement with the City of Port Colborne for the provision of Transit services.

CARRIED

15-13 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendations from Report TRANS-2015-04: Niagara College Student Administrative Council Summer “U Pass” Agreement 2015; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into this agreement.

CARRIED

15-14 Moved by Van Vliet and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report FIN-2015-06 with respect to 2014 Remuneration and Expenditures covering Members of Council.

CARRIED

15-19 Moved by DiMarco and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to include in their annual budgets, the funding to maintain our City’s three (3) main outdoor skating rinks being at Chippawa, Memorial and St. George Parks on weekends and statutory holidays.

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15-19 Moved by McLeod and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the matter regarding the funding to maintain the Chippawa, Memorial and St. George Parks outdoor skating rinks on weekends and statutory holidays to the Budget Review Committee meeting on March 30, 2015.

CARRIED

15-20 Moved by McLeod and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Rib Fest for the Welland Rib Fest to be held on July 10, 11, and 12, 2015 at the Niagara Regional Exhibition grounds; and further
 THAT Welland City Council designates the “Welland Rib Fest” as one of municipal significance; and further
 THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the Welland Rib Fest and to designate such events as one(s) of municipal significance.

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15-20 Moved by Grimaldi and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Rib Fest for the Welland Rib Fest to be held on July 10, 11, and 12, 2015 at the Niagara Regional Exhibition grounds, as one of Municipal significance.

CARRIED

15-22 Moved by Fokkens and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-02 Sixth Street Residential Parking; and further
 THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows;
 DELETE the following from Schedule “XXXIV” – Residential Parking Permits

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Sixth Street		King Street	Canal Bank	ANYTIME

CARRIED

15-37 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves, as recommended by the Budget Review Committee, the following:

- The 2015 Water and Wastewater Revenue and Expenditure Budget estimates (Schedules 'A' & 'B'); and
- The 2015 Water and Wastewater Rate Structure (Schedule 'C'); and
- The 2015 Water Haulage Variable Rates be increased to \$1.16/m³; and further

THAT Welland City Council directs staff to prepare the necessary By-law to establish the 2015 Water and Wastewater billing rates effective April 1, 2015.

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15-37 Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves a reduction in 2015 Operating Expenses of \$649,000 from the following sections:

- Reduce \$500,000 Transfer to Capital.
- Removal of CTV intercompany charges by \$50,000 – increase already included in W/S budget (\$25,000 each water and sewer).
- Reduction of the Engineering rates and Finance intercompany charges by \$50,000 (\$25,000 each water and sewer).
- Reduction of Contract – SWR CTV by \$49,000.

THAT an increase in the Operating Expenses of \$261,000 in the following sections:

- Adjust salaries and benefits to reflect 2014 actual, and an increase of 2% to 2.133 with an increase of \$129,000 (over all wage accounts and benefits – 2% increase).
- Operating equipment and supplies be more reflective of 2014 actual and increase by \$132,000 (400 W + 100 S).

THAT a total increase of Operating Expenses be \$261,000; and further

THAT the net difference of \$388,000 remains in the water and sewer department as a reserve to be used for additional 2016 infrastructure.

YEAS: Councillors Letourneau, Grimaldi, Fokkens, VanVliet, J. Chiocchio, McLeod, DiMarco and Mayor Campion.

NAYS: Councillors Larouche, Petrachenko and Carl

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

15-37 Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND add an additional \$500,000 capital for sewer and wastewater infrastructure.

YEAS: Councillors Van Vliet, Larouche, Petrachenko, Carl and McLeod.

NAYS: Councillors Letourneau, Grimaldi, Fokkens, J. Chiocchio, DiMarco and Mayor Campion.

LOST

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

CARRIED

15-53 Moved by Petrachenko and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated February 6, 2015 regarding Report PDS 6-2015: Changes to the School Closures Accommodation Review Process.

CARRIED

15-54 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and endorses the Town of Aurora Council Resolution of February 10, 2015, re: Bill 52, The Protection of Public Participation Act.

CARRIED

15-56 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated February 6, 2015 regarding Report PDS 7-2015: Planning Implications: Proposed Changes to the Planning Act, Private Members' Bill 39, *Planning Statute Law Amendment Act, 2014*.

CARRIED

15-57 Moved by Larouche and Letourneau
 THAT THE COUNCIL OF THE CITY OF WLELAND receives for information the correspondence from the Region of Niagara dated February 6, 2015 regarding Report PDS 8-2015: Project Initiation Report - 2015 Regional Municipal Comprehensive Review.

CARRIED

15-63 Moved by Van Vliet and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the request submitted by Charlene MacLellan, as per section 33/34 of the *Ontario Heritage Act*, to remove the skylight at 20 Evan Street.

CARRIED

BY-LAWS

Moved by Grimaldi and Van Vliet
 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 - 22

A By-law to amend By-law 89-2000, being a By-law regulating traffic and parking within the City of Welland (Schedule "XXXIV").

06-150

BYL 2015 - 23

A By-law to regulate and control noise in the City of Welland and to repeal By-law 10204.

15-37

BYL 2015 - 24

A By-law to adopt the Water and Wastewater Operating and Capital Budgets with resulting rate structure for the 2015 billing year, effective April 1, 2015.

CARRIED

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.

15-13

BYL 2015 - 25

A By-law to authorize an amendment to the agreement with the City of Port Colborne to provide Welland Transit Services; and to amend By-law 2008-171.

15-13

BYL 2015 - 26

A By-law to enter into agreement with Niagara College Student Administrative Council Inc. to provide Welland Transit U-PASS Service for the 2015 Summer Semester.

15-9

BYL 2015 - 27

A By-law to enter into agreement with SSL Energy Solutions, LLC for the LED Street Lighting Retrofit Program - Phase II.

13-50

BYL 2015 - 28

A By-law to authorize entering into agreement with the municipalities of Port Colborne, Pelham and Wainfleet to change the name of Niagara Central Airport to Niagara Central Dorothy Rungeling Airport.

CARRIED

Moved by Larouche and Petrachenko

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.

14-1

BYL 2015 - 29

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 day 24th day of March, 2015.

CARRIED

Council adjourned at 9:20 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of April, 2015.

MAYOR

ACTING DEPUTY CLERK