



MINUTES OF
COUNCIL MEETING, OCTOBER 17, 2017
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:50 p.m. and in open session at 7:18 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (5:55 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod (6:05 p.m.), and C. Richard.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Deputy Clerk, C. Radice (7:18 p.m.)
Chief, Fire & Emergency Services, B. Kennedy
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
Manager, Engineering Services, E. Nickel
Manager of Development Approvals, G. Munday (7:18 p.m.)
Director of Economic Development, D. Degazio (until 7:11 p.m.)
Chief Building Official, J. Tosta (7:18 p.m. - 10:13 p.m.)
Transit Manager, A. Stockwell (7:18 p.m. - 9:50 p.m.)

17-25 Moved by Mastroianni 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 5:50 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- proposed or pending acquisition or disposition of land by the municipality or local board.

17-25 Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:11 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE ADDED:

13-117 A By-law to establish a New Comprehensive Zoning By-law pursuant to the Planning Act (File 2015-09).

13-117 Amendment to motion for Comprehensive Zoning By-law.

PRESENTATIONS:

04-124 Erik Nickel, Manager, Engineering Services and David Iacocca, Director, Business Development, Alert Labs Inc. addressed Council regarding Water Meter Customer Service Tool.

DELEGATIONS:

17-28 Alain Breton, Welland Food Drive addressed Council regarding Kick Off of the 2017 Welland Food Drive.

17-1 Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of October 4, 2017 and Special Council Meeting of October 10, 2017, as circulated.

CARRIED

04-124 Moved by P. Chiocchio and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Erik Nickel, Manager, Engineering Services and David Iacocca, Director, Business Development, Alert Labs Inc. regarding Water Meter Customer Service Tool.

CARRIED

04-124 Moved by Mastroianni and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report FIN-2017-26: Water Meter Investigation Project - Update.

CARRIED

04-124 Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2017-37 regarding a Water Metering Customer Service Tool Partnership; and further THAT Welland City Council approves of the partnership with Alert Labs Inc. of Kitchener, Ontario for delivery of the customer service tool.

CARRIED

05-120 Moved by McLeod and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2017-55 as information; and further
 THAT Welland City Council directs Building Division staff to proceed with the notice of public meeting prescribed in the Building Code Act.

(Councillor DiMarco recorded as opposed to this motion).

CARRIED

11-108 Moved by Mastroianni and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives and supports the correspondence from the Town of Fort Erie dated October 11, 2017 regarding the Region to continue to financially support Community Improvement Program (CIP).

CARRIED

13-117 Moved by Mastroianni and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation from Grant Munday, Manager of Development Approvals regarding the City of Welland Comprehensive Zoning By-law.

CARRIED

13-117 Moved by Fokkens and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the City of Welland Comprehensive Zoning By-law; and further
 THAT the properties known as 418, 424 and 430 Aqueduct Street; 650, 656, 664, 670, 678, 684 and 698 Niagara Street; and 69, 102, 165 and 158 Primeway Drive be excluded from the By-law; and further
 THAT the excluded areas proceed through further consultation and review; and further
 THAT pursuant to Section 34(17) of the Planning Act, no further notice is determined to be necessary for the changes made to the proposed Comprehensive Zoning By-law; and further
 THAT pursuant to Section 34(10.0.0.2) of the Planning Act, applications for Minor Variance and Zoning By-law Amendment are permitted during the two-year period after the By-law is approved.

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13-117 Moved by Fokkens and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND excludes east side of Plymouth Road between First Street and Second Street and follow regular review process.

CARRIED

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

CARRIED

14-94 Moved by J. Chiochio and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Rankin Construction Inc. as detailed in Report ENG-2017-36 for Clare Avenue Extension Phase Two; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Rankin Construction Inc. to execute the construction; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Upper Canada Consultants for contract administration and inspection.

CARRIED

16-4 Moved by Mastroianni and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Steve Zorbias, General Manager, Corporate Services, Chief Financial Officer/Treasurer regarding For Profit Municipal Service Corporation.

CARRIED

16-4 Moved by J. Chiochio and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report FIN-2017-24: For Profit Municipal Service Corporation - Update (Welland City Development Corporation); and further THAT this item be further discussed at the General Committee meeting of November 14, 2017.

YEAS: Councillors P. Chiochio, Grimaldi, Mastroianni, Mayor Campion, Larouche, Carl and McLeod.

NAYS: Councillors Richard, Fokkens, J. Chiochio and DiMarco.

CARRIED

17-13 Moved by DiMarco and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Transit Report TRANS-2017-10: Saturday Evening and Sunday Ridership Levels.

CARRIED

17-15 Moved by Mastroianni and Grimaldi
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation from Nora Reid, Chair, Central Station Education Initiative and Claire Masswohl regarding the Central Fire Hall; and further THAT THE CITY OF WELLAND grant Central Station Education Initiative a 5 year lease for \$1.00 per year.

YEAS: Councillors Richard, P. Chiochio, Grimaldi, Fokkens, Mastroianni, Larouche, Carl, J. Chiochio and DiMarco.

NAYS: Mayor Campion and McLeod.

CARRIED

17-19 Moved by DiMarco and Fokkens
THAT THE COUNCIL OF THE CITY OF WELLAND renames Memorial Park to the Rocky Letourneau Memorial Park, in honor of the late Councillor Rocky Letourneau.

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17-19 Moved by Carl and Richard
THAT THE COUNCIL OF THE CITY OF WELLAND refers back to staff renaming Memorial Park to the Rocky Letourneau Memorial Park, in honor of the late Councillor Rocky Letourneau for further review.

CARRIED

17-26 Moved by Grimaldi and Carl
THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to immediately develop a report on installing sidewalks on South Pelham Road from Foss Road to Thorold Road and that the report be forwarded to the Budget Review Committee for consideration for inclusion in the 2018 budget.

CARRIED

17-28 Moved by McLeod and Richard
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Alain Breton, Welland Food Drive regarding the Kick Off of the 2017 Welland Food Drive held on Saturday, November 4, 2017 and encourages all residents to participate.

(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 the Hope Centre is his employer).

CARRIED

17-29 Moved by DiMarco and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2017-16 regarding the 2018 Meeting Calendar for Council and establishes the Council meeting dates for 2018 as set out in Appendix 1 attached thereto.

CARRIED

17-90 Moved by J. Chiocchio and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to explore renting Christmas lights for the downtown core for the 2017 holiday season and to re-engage the Welland Downtown Business Improvement Area for the 2018 holiday season and onward.

YEAS: Mayor Campion and J. Chiocchio.

NAYS: Councillors Richard, P. Chiocchio, Grimaldi, Fokkens, Mastroianni, Larouche, Carl, McLeod and DiMarco.

LOST

17-110 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND agrees to enter into an Encroachment Agreement on the Nelles Road Allowance to the benefit of 95 Bishop Street to provide for a time frame of 25 years during which the city cannot access the right to termination; and further
 THAT Welland City Council directs staff to prepare the necessary By-law and documentation as required.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

17-4 Moved by Mastroianni and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Extension Agreement for the property listed in Appendix I as attached to Report FIN-2017-25; and further
 THAT Welland City Council directs the City Clerk to prepare the appropriate By-law to enter into an Extension Agreement.

CARRIED

17-43 Moved by Mastroianni and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Michael Belcastro to Welland City Council to fill the ward 5 vacancy, due to the resignation of Michael Petrachenko.

CARRIED

BY-LAWS

Moved by Mastroianni 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.

17-110

BYL 2017 - 108

A By-law to permit an Encroachment onto Nelles Road Allowance to benefit the owners from time to time of the property known municipally as 95 Bishop Street.

14-94

BYL 2017 - 109

A By-law to authorize entering into contract with Rankin Construction Inc. for the Clare Avenue Extension Phase II and Upper Canada Consultants for Contract Administration and Inspection.

13-117

BYL 2017-117

A By-law to establish a New Comprehensive Zoning By-law pursuant to the Planning Act (File 2015-09).

CARRIED

Moved by Mastroianni 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.

11-108

BYL 2017 - 110

A By-law to accept the transfer of certain Blocks for access purposes from 1650672 Ontario Ltd. to the Corporation of the City of Welland in the Canal View Heights Subdivision (File 26T-14-11002).

11-108

BYL 2017 - 111

A By-law to accept the transfer of certain parkland and open space purposes from 1650672 Ontario Ltd. to the Corporation of the City of Welland in the Canal View Heights Subdivision (File 26T-14-11002).

11-108

BYL 2017 - 112

A By-law to accept the transfer of an easement(s) for storm sewers from 165072 Ontario Ltd. to the Corporation of the City of Welland in the Canal View Heights Subdivision (File 26T-14-11002).

01-42

BYL 2017 - 113

A By-law to accept the transfer of certain open space and municipal purposes from Baiocco Development Corp. to the Corporation of the City of Welland in the Draper's Creek Estates (Phase 3) Subdivision (File 26T-14-20002).

16-15

BYL 2017 - 114

A By-law to amend By-law 2016-164, being a By-law to authorize acceptance of an offer from Plazacomm Investments Ltd. for the sale of vacant land municipally known as 425 King Street and 153 Lincoln Street.

17-111

BYL 2017 - 115

A By-law to accept transfer of easements for catch basin purposes over the lands municipally known as 190, 194, 202 and 206 South Pelham Road.

17-4

BYL 2017 - 116

A By-law to authorize an extension agreement with the registered owner of the land municipally known as 300 Major Street.

CARRIED

Moved by Larouche and Mastroianni

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.

17-1

BYL 2017 - 118

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 17th day of October, 2017.

CARRIED

Councillor Fokkens gave Notice of Motion to the following issue to be presented to Council at the November 7, 2017, Regular Council Meeting:

02-160 THAT THE COUNCIL OF THE CITY OF WELLAND receives the hard copies of the agenda and reports on Thursday nights prior to Council and General Committee meetings.

Councillor Larouche gave Notice of Motion to the following issue to be presented to Council at the November 7, 2017, Regular Council Meeting:

17-22 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to amend Traffic By-law to restrict commercial tow trucks from parking on City streets unless actively engaged in the towing of an area residences vehicle.

Councillor McLeod gave Notice of Motion to the following issue to be presented to Council at the November 7, 2017, Regular Council Meeting:

02-160 WHEREAS 'calling the question" can be perceived as stifling debate.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND when a motion to call the question passes, that any Councillor who has not spoken to the motion, be allowed the opportunity to speak, prior to the motion being voted upon.

Council adjourned at 10:42 p.m.

These Minutes to be approved and adopted by Motion of Council this 7th day of November, 2017.

MAYOR

CITY CLERK