



MINUTES OF
COUNCIL MEETING, MAY 15, 2018
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:29 p.m. and in open session at 7:21 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Belcastro, M. Carl (7:25 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod, C. Richard (7:21 p.m.) and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long

Acting City Clerk, C. Radice

Acting Deputy Clerk, C. Viger (7:21 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

General Manager, Infrastructure and Development Services/City Engineer, E. Nickel

Manager of Development Approvals, G. Munday (7:21 p.m.)

Project Manager, Facilities, J. O'Neill (6:29 p.m. – 7: 08 p.m.)

2018-182**18-25**

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 6:29 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.

CARRIED**2018-183****18-25**

Moved by Belcastro and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:17 p.m. without report.

CARRIED**THE FOLLOWING ITEM WAS ADDED:**

- 18-74** Report P&B-2018-25: Request by Wolfgang and Barbara Guembel for an Encroachment Agreement – 10 Thorold Road.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing:

09-83 A complete application has been submitted by UPPER CANADA CONSULTANTS on behalf of 2090572 ONTARIO INC. for a Plan of Subdivision (Part of Lots 18 & 19, Concession 2, Part of Lot 19, Concessions 3 & 4, Lots 33, 34, 47 & 48 and Part of Lots 29, 30, 31, 32, 35, 46, & 49 Plan 975 (Registered Plan 56), Part of the Road Allowance between Lots 18 & 19, Concessions 2 & 3 (closed), Part of the Road Allowance between Concessions 2 & 3 (closed), Part of the Road Allowance between Concessions 3 & 4 (closed), Part of Tutty Street, Plan 975 (closed), Registered Plan 56, now known as Plan 975, in the former Township of Crowland, now in the City of Welland) for lands south of the Central Village Plan of Subdivision and east of the Hunters Pointe Golf Course. The property is designated as LOW DENSITY RESIDENTIAL in the City's Official Plan and zoned LOW DENSITY RESIDENTIAL 1 (RL1) in the City's Zoning By-law 2017-117. The application proposes the development of the 12.37 hectare property with 185 lots for residential purposes.

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

Craig Rohe, Agent, Upper Canada Consultants, 30 Hanover Drive, Unit 3, St. Catharines, ON, L2W1A3
 Jennifer Vida, Agent, Upper Canada Consultants, 30 Hanover Drive, Unit 3, St. Catharines, ON, L2W1A3
 Jim D'Orazio, Property Owner, D'Orazio Group, 2787 Brighton Road, Oakville, ON L6H 6J4

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 of the application:

- No one spoke to the application.

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

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

02-85 Councillor Grimaldi, Accessibility Advisory Committee Member addressed Council regarding Accessibility Advisory Committee's Terms of Reference.

18-47 Councillor McLeod, Chair, Nominating Committee addressed Council regarding its meeting of May 15, 2018.

2018-184

18-1 Moved by Grimaldi and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of May 1, 2018 and Special Council Meeting of May 8, 2018, as circulated.

CARRIED

2018-185

02-85 Moved by Grimaldi and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Grimaldi, Accessibility Advisory Committee, regarding amended Terms of Reference; and further

THAT Welland City Council approves the amended Terms of Reference for the Accessibility Advisory Committee.

CARRIED

2018-186

04-92 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report TRAF-2018-09: the Business Licensing By-Law 2011-173 to staff for a report to a General Committee meeting.

CARRIED

2018-187

08-95

18-4 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2018 budget from the North Welland Business Improvement Area Board as recommended by their board in the amount of \$46,200.00; and further

THAT Welland City Council authorizes the General Manager, Corporate Services/Chief Financial Officer/Treasurer to make arrangements to levy an amount of \$46,200.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the Chief Financial Officer.

CARRIED

2018-188

09-152 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives the correspondence from the City of Thorold; and further

THAT Welland City Council supports the collaborated efforts to host the 2019 Town and Gown Annual Conference with the Town of Niagara on-the-lake, City of Thorold and City of St. Catharines.

CARRIED

2018-189

18-4 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Regional Municipality of Niagara issue debentures in the amount of \$11,022,000 in accordance with the terms of the various authorizing By-laws outlined in Appendix I to Report FIN-2018-09 dated May 15, 2018; and further

THAT Welland City Council directs the Chief Financial Officer to make available to the Regional Municipality of Niagara certified copies of all applicable By-laws and Ministry of Environment Certificates applicable and all other information required in connection thereto to ensure the issue of the debentures in the amount of \$11,022,000 are for the projects described on the said Appendix I.

CARRIED

2018-190

18-4 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the due dates for the 2018 Final Municipal Tax Levy as follows:

Third Installment due: July 3, 2018

Fourth Installment due: September 4, 2018

Final Installment for all non-residential properties: October 1, 2018; and further

THAT Welland City Council approves the Tax Rates and Tax Ratios for the 2018 taxation year attached as Appendix I to Report FIN-2018-11.

CARRIED

2018-191

18-6 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND proclaims the month of May as Building Safety Month.

CARRIED

2018-192

18-22 Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report TRAF-2018-08: Safety Concerns – White Avenue to staff for a report to a General Committee meeting.

CARRIED

2018-193

18-22 Moved by DiMarco and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to remove the stop signs on Wellandvale at Goodwillie Drive that were never deemed warranted or erected as per the guidelines that the city has previously followed as set out by the MTO (Ministry of Transportation); and furthermore

THAT prior to the placing of such signs there was never a complaint, accident, close call, property damage, or injury but since such time, there has been numerous complaints near misses, hence causing legitimate safety concerns.

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18-22 Moved by Grimaldi and VanVliet

THAT THE COUNCIL OF THE CITY OF WELLAND asked to call the question.

YEAS: Councillors Belcastro, J. Chiocchio, Fokkens, Grimaldi, Mastroianni, Richard, Van Vliet and Mayor Campion.

NAYS: Councillors Carl, P. Chiocchio, DiMarco, Larouche and McLeod.

CARRIED

2018-194

18-22 Moved by DiMarco and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to remove the stop signs on Wellandvale at Goodwillie Drive that were never deemed warranted or erected as per the guidelines that the city has previously followed as set out by the MTO (Ministry of Transportation); and furthermore

THAT prior to the placing of such signs there was never a complaint, accident, close call, property damage, or injury but since such time, there has been numerous complaints near misses, hence causing legitimate safety concerns.

YEAS: Councillors DiMarco, McLeod and Richard.

NAYS: Councillors Belcastro, Carl, J. Chiocchio, P. Chiocchio, Fokkens, Grimaldi, Larouche, Mastroianni, Van Vliet and Mayor Campion.

LOST

2018-195

18-35 Moved by McLeod and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Catalina Excavating Inc. as detailed in Report ENG-2018-16 for the Municipal Services Improvement Aqueduct Street – Thorold Road to Niagara Street; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Catalina Excavating Inc. to execute the construction.

CARRIED

2018-196

18-43 Moved by Mastroianni and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the staff report dated May 15, 2018, entitled Lame Duck Provisions; and further That the Municipal Clerk be directed to prepare the necessary By-law prior to Nomination Day (July 27, 2018) delegating authority to the Chief Administrative Officer (CAO) from July 27, 2018 to the earliest of December 1, 2018 or when quorum of members of the newly elected Council swear their Declaration of Office, as outlined:

1. The CAO be delegated authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000; and
2. That the CAO be delegated the authority to execute an Agreement of Purchase and Sale pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal for the acquisition of property; and
3. That the CAO be delegated the authority to appoint or remove any officer from or to an office with the City of Welland;and
4. That the CAO be delegated the authority to hire or dismiss any employee of the municipality; and
5. That the CAO will report to Council if the delegation of authority is exercised under the proposed By-law; and further

That the By-law shall come into force and effect only in the event that less than seventy-five percent (75%) of the current Members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Election as determined by the Municipal Clerk.

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18-43 Moved by McLeod and Larouche

THAT the Chief Administrative Officer (CAO) and Chief Financial Officer (CFO) must agree to delegate authority on financial and personal matters during Lame Duck Provisions.

CARRIED

2018-197

18-43 Moved by Mastroianni and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the staff report dated May 15, 2018, entitled Lame Duck Provisions; and further That the Municipal Clerk be directed to prepare the necessary By-law prior to Nomination Day (July 27, 2018) delegating authority to the Chief Administrative Officer (CAO) and Chief Financial Officer (CFO) from July 27, 2018 to the earliest of December 1, 2018 or when quorum of members of the newly elected Council swear their Declaration of Office, as outlined:

1. The CAO and CFO must agree to delegate authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000; and
2. That the CAO and CFO must agree to delegate the authority to execute an Agreement of Purchase and Sale pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal for the acquisition of property; and
3. That the CAO and CFO must agree to delegate the authority to appoint or remove any officer from or to an office with the City of Welland; and
4. That the CAO and CFO must agree to delegate the authority to hire or dismiss any employee of the municipality; and
5. That the CAO and CFO will report to Council if the delegation of authority is exercised under the proposed By-law; and further

That the By-law shall come into force and effect only in the event that less than seventy-five percent (75%) of the current Members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Election as determined by the Municipal Clerk.

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

CARRIED

2018-198**18-47** Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Nominating Committee, regarding its meeting of May 15, 2018.

CARRIED**2018-199****18-47** Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Mastroianni as Chair of Corporate Services from June 1, 2018 to November 30, 2018, as recommended by the Nominating Committee.

CARRIED**2018-200****18-66** Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from CityView, Division of N. Harris Computer Corporation for the delivery and implementation of Building Permitting and Inspection Software at an upper limit cost of \$153,628.00 (excluding HST); and further THAT Welland City Council directs the City Clerk to prepare the necessary By-law to enter into contract with CityView Division of N. Harris Computer Software for software delivery services.

CARRIED**2018-201****18-71** Moved by Belcastro and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2018-24 regarding application for Draft Plan of Subdivision Approval for lands on the west side of the Welland Shipping Canal, south of Central Village, north of East Main Street, and east of the Lochness Golf Course, more specifically described as Part of Lots 18 & 19, Concession 2, Part of Lot 19, Concessions 3 & 4, Lots 33, 34, 47 & 48 and Part of Lots 29, 30, 31, 32, 35, 46, & 49 Plan 975 (Registered Plan 56), Part of the Road Allowance between Lots 18 & 19, Concessions 2 & 3 (closed), Part of the Road Allowance between Concessions 2 & 3 (closed), Part of the Road Allowance between Concessions 3 & 4 (closed), Part of Tutty Street, Plan 975 (Closed), Registered Plan 56, now known as Plan 975, in the former Township of Crowland, now in the City of Welland, with no municipal address.

CARRIED**2018-202****18-74** Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND agrees to enter into an Encroachment Agreement on the Douglas Avenue Road Allowance to benefit 10 Thorold Road in perpetuity; and further THAT Welland City Council directs staff to prepare the necessary By-law and documentation, as required.

CARRIED**2018-203****18-75** Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives the correspondence from the City of Thorold at its meeting on April 17, 2018 requesting school boards that make decisions to close schools must offer the property to the local municipality for a dollar, be received and supported; and further THAT Welland City Council circulates this motion to area municipalities for support.

CARRIED**2018-204****18-76** Moved by Larouche and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 19, 2018 regarding Report PDS 14-2018: Review and Comments on Watershed Planning in Ontario.

CARRIED

BY-LAWS

Moved by Larouche and McLeod (in block)

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.

18-4

BYL 2018 - 59

A By-law to authorize application to the Regional Municipality of Niagara for the issue of Debentures for Year 2018.

18-4

BYL 2018 - 60

A By-law to establish Tax Ratios and Tax Rates and to Levy Taxes for the Year 2018.

18-66

BYL 2018 - 61

A By-law to authorize the purchase of Building Permitting and Inspections Software from Cityview a Division of N. Harris Computer Corporation.

CARRIED

Moved by Van Vliet and Carl

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.

18-35

BYL 2018 - 62

A By-law to authorize entering into contract with Catalina Excavating Inc. for Municipal Service Improvements to Aqueduct Street (between Thorold Road and Niagara Street).

CARRIED

Moved by Mastroianni and Belcastro

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.

18-1

BYL 2018 - 63

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 May, 2018.

CARRIED

Councillor B. Fokkens gave Notice of Motion to the following issue to be presented to Council at the June 5, 2018, Regular Council Meeting.

18-22 WHEREAS King Street from Main Street to Ontario Road is part of the Wellness Cluster and part of the Community Improvement Plan that is intended to encourage rehabilitation initiatives and/or stimulate development;
AND WHEREAS an initiative to stimulate development, encourage local shopping and to support businesses along this roadway.
NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND approves Free 2 hour parking for King Street from Main Street to Ontario Road in the City of Welland.

Council adjourned at 9:09 p.m.

These Minutes to be approved and adopted by Motion of Council this 5th day of June, 2018.

MAYOR

ACTING CITY CLERK