



MINUTES OF
COUNCIL MEETING, JUNE 18, 2019
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:40 p.m. and in open session at 7:01 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco (6:45 p.m.), B. Fokkens, B. Green (7:01 p.m.), M.A. Grimaldi (until 6:50 p.m.), J. Larouche (until 8:37 p.m.), D. McLeod (6:45 p.m.), A. Moote (6:44 p.m.), G. Speck, L. Spinosa, C. Richard and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Deputy Clerk, C. Radice (7:01 p.m.)
Chief, Fire & Emergency Services, B. Kennedy (6:45 p.m.)
General Manager, Human Resources and Legislative Services, R. Mantesso (7:37 p.m.)
Manager, Engineering Services, C. Anders (7:01 p.m. - 10:19 p.m.)
Manager of Development Approvals, G. Munday
Chief Building Official, J. Tosta (7:01 p.m.)
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (7:01 p.m.)
Transit Manager, D. Stuart (7:01 p.m. - 9:38 p.m.)
Manager of Recreation & Culture, R. Dalton (7:01 p.m. - 9:49 p.m.)

2019 - 538**19-25**

Moved by Fokkens 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 6:40 p.m. to consider:

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

CARRIED**2019 - 539****19-25**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:50 p.m. with report.

CARRIED**ADDITIONS TO AGENDA:****2019 - 540****19-1**

Moved by Van Vliet and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves the following items be added to the June 18, 2019 Council agenda listed By-law to authorize acceptance of an offer from Walter Lucchetta for the sale of vacant land (PT TWP Lot 239, Thorold/Gadbsy Avenue), By-law to authorize acceptance of an offer from Lucchetta Builders Inc. for the sale of vacant land (Part 2, Plan 59R7365, Aqueduct Street), By-law to enter into contract with Nexterra Substructures Inc. for the Pine Street Municipal Services Improvements and a By-law to enter into contract with Alfred Beam Excavating Ltd. for the River Road Industrial Subdivision.

YEAS: Councillors Richard, Spinosa, Fokkens, Moote, Van Vliet, Mayor Campion, Larouche, Green, Speck, Chiochio and McLeod.

NAYS: Councillor DiMarco.

LOST**PRESENTATIONS**

02-160 Harold Elston, Integrity Commissioner addressed Council regarding Legislative procedures.

19-87 Dr. Barry Wright, CEO and Vittoria Wikston, Senior Manager, Marketing & Community Development, 2021 Canada Games Hosts Society addressed Council regarding State of the Games.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

09-104 Mayor Campion, Chair, Audit Review Committee provided a verbal report on the Audit Review Committee meeting of June 4, 2019.

2019 - 541**19-1**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meeting of May 28 and Regular Council Meeting of June 4, 2019, as circulated.

CARRIED

2019 - 542**02-160**

Moved by Spinosa and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Harold Elston, Integrity Commissioner regarding legislative procedures.

CARRIED**2019 - 543****09-60**

Moved by Chiocchio and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report 2019-28 entitled "Spatial Separation Agreement with RJR Excavating and Waterproofing"; and further
That the Mayor and Clerk be authorized to execute a Spatial Separation Agreement with RJR Excavating and Waterproofing once the conditions of approval have been satisfied and the Spatial Separation Agreement finalized.

(Councillor Spinosa disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property across the street and may benefit financially from the passing of this report).

(Councillor Richard disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as this owner is the nephew of my Common-Law Husband).

(Councillor McLeod disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he has an interest in a property nearby the proponent).

CARRIED**2019 - 544****09-60**

Moved by Chiocchio and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Downtown and Health and Wellness Cluster Community Improvement Plan Application for property municipally known as 37 Niagara Street for the Tax Increment Grant Program in the estimated amount of \$37,638.82; and further
THAT Welland City Council supports the circulation of this Report to Niagara Region to request the Region's participation in the Tax Increment Grant Program; 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 to satisfy conditions related to participation in the Downtown and Health and Wellness Cluster Incentive Program.

(Councillor Richard disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as this owner is the nephew of my Common-Law Husband).

CARRIED**09-75**

Moved by Van Vliet and Moote

THAT Welland City Council request to call the question regarding Report HR-2019-03: Staffing Levels at the Welland International Flatwater Center (WIFC).

YEAS: Councillors Richard, Spinosa, Fokkens, Moote, Van Vliet, Mayor Campion, Green, Chiocchio and McLeod.

NAYS: Councillors Speck and DiMarco.

CARRIED

The Mayor recessed the meeting at 9:27 p.m. and reconvened at 9:34 p.m.

2019 - 545**09-75**

Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report HR-2019-03 entitled Staffing Levels at the Welland International Flatwater Center (WIFC).

CARRIED**2019 - 546****09-104**

Moved by Richard and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Mayor Campion, Chair, Audit Review Committee, regarding its meeting of June 4, 2019.

CARRIED**2019 - 547****09-104**

Moved by Fokkens and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND forward to Council for information the 2018 Draft and Unaudited Year-End Report up to and including December 31, 2018 (FIN-2019-13); and further THAT Welland City Council approves that the 2018 Tax Supported Budget forecasted surplus (unaudited and estimated to be \$1,034,456) be allocated to the Operating Surplus Reserve Fund; and further THAT Welland City Council approves that the 2018 Rate Supported Budget forecasted surplus (unaudited and estimated to be \$188,202) be allocated to the Water/Wastewater Reserve Fund as recommended by the Audit Review Committee.

As recommended by the Audit Review Committee at its meeting of June 4, 2019.

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09-104

Moved by Fokkens and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND amends the motion to the following "THAT staff provide Council with a report of options in which to apply the 2018 tax supported budget for forecasted surplus; and further".

CARRIED

(Councillor McLeod asked to be recorded as opposed to this Resolution).

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

CARRIED**2019 - 548****15-41**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Kay Matthews, Executive Director, Ontario Business Improvement Area Association (OBIAA) regarding Municipal Business Improvement Area (BIA).

CARRIED**2019 - 549****19-4**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Regional Municipality of Niagara issue debentures in the amount of \$5,188,000 in accordance with the terms of the various authorizing By-laws outlined in Appendix I to Report FIN-2019-14 dated June 18, 2019; and further THAT Welland City Council directs the Chief Financial Officer to make available to 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 \$5,188,000 are for the projects described in Appendix I.

CARRIED**2019 - 550****19-13**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2019-03: Transit Service Revisions; and further THAT Welland City Council approves the revisions to routes 508 and 509 as outlined within the report.

CARRIED

2019 - 551

19-58 Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Nexterra Substructures Inc. as detailed in Report ENG-2019-25 for the Pine Street Municipal Services Improvements; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Nexterra Substructures Inc. to execute the construction.

CARRIED

2019 - 552

19-74 Moved by Green Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Alfred Beam Excavating Ltd. as detailed in Report ENG-2019-26 for the River Road Industrial Subdivision; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Alfred Beam Excavating Ltd. to execute the construction.

CARRIED

2019 - 553

19-79 Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Pipetek Infrastructure Services for the CCTV Camera Survey of Gravity Sewers 2019 and 2020 with possible two (2) year extension, as presented in Report ENG-2019-27; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a two (2) year contract with Pipetek Infrastructure Services, to execute the 2019 and 2020, with possible two (2) year extension CCTV Camera Survey of Gravity Sewers at the tender price of \$ 350,830.00, excluding applicable taxes, with the 2020 to 2022 portion being subject to budget approval.

CARRIED

2019 - 554

19-83 Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by David Heyworth, Official Plan Policy Consultant on behalf of the Niagara Region, regarding Creating a new Regional Official Plan - Spring 2019 Update.

CARRIED

2019 - 555

19-83 Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sean Norman, Senior Planner, Niagara Region, Planning and Development Services regarding Natural Environment Background Study for the Regional Official Plan.

CARRIED

2019 - 556

19-84 Moved by Speck and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to bring back a report on the level of service of snow removal on sidewalks specifically on East Main Street between Wellington Street and Division Street; and further

THAT the report be completed in time to revise the level of service before the next snowfall.

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19-84 Moved by Van Vliet and Spinosa

THAT Welland City Council refers the matter with respect to level of service of snow removal on sidewalks to the Budget Review Committee.

CARRIED

2019 - 557**19-85**

Moved by Speck and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to report back to Council on developing an anti-nepotism policy. This should compare and investigate the policies of other large municipalities such as Hamilton or Toronto, and also compare the City of Welland hiring policy, specifically but not limited to Section 1 Paragraph 3. This should be completed to report back during September.

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19-85

Moved by Fokkens and Van Vliet

THAT Welland City Council refers developing an anti-nepotism policy to the next Human Resources Committee meeting.

YEAS: Councillors Richard, Spinosa, Fokkens, Van Vliet, Mayor Campion, McLeod and DiMarco.

NAYS: Councillors Moote, Green, Speck and Chiocchio.

CARRIED**2019 - 558****19-87**

Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dr. Barry Wright, CEO and Vittoria Wikston, Senior Manager, Marketing & Community Development, 2021 Canada Games Hosts Society regarding State of the Games.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****2019 - 559****06-84**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Carol Rae to the Senior Citizens Advisory Committee for the term June 18, 2019 to November 14, 2022 or until another successor has been appointed.

CARRIED**BY-LAWS**

Moved by McLeod and Van Vliet

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.

19-79

BYL 2019 - 72

A By-law to enter into contract with Pipetek Infrastructure Services Inc. for CCTV Camera Survey of Gravity Sewers 2019 and 2020.

CARRIED

Moved by Chiochio and Moote

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.

09-60

BYL 2019 - 73

A By-law to authorize entering into a Spatial Separation Agreement with 2231048 Ontario Inc. and Goupil Investments Inc. affecting 2 Frazer Street and 37 Niagara Street.

CARRIED

Moved by Chiochio and Van Vliet

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.

09-60

BYL 2019 - 74

A By-law to execution of a Tax Increment Grant Program Agreement (Community Improvement Plan) for 37 Niagara Street (File No. DHWC 2019-03).

CARRIED

Moved by McLeod and Green (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.

19-12

BYL 2019 - 75

A By-law to appoint a Vice Mayor for the period from June 19, 2019 to June 22, 2019.

19-90

BYL 2019 - 76

A By-law to Lay Out and Establish as public roadway and name Part 1, Plan 59R-16385 and Part 1, Plan 59R-16438 as part of Sumbler Road.

CARRIED

Moved by Fokkens and Van Vliet

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.

19-1

BYL 2019 - 77

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 18th day of June, 2019.

CARRIED

Councillor Green gave Notice of Motion to the following issue to be presented to Council at the July 9, 2019 Regular Council Meeting.

03-59 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the Clean Yards By-law and to forward a report to General Committee on any possible changes. Further to focus specifically on additional fines and immediate action for repeat offenders for both long grass and refuge on property.

Councillor McLeod gave Notice of Motion to the following issue to be presented to Council at the July 9, 2019 Regular Council Meeting.

19-93 THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff provide a service level review of snow removal and identify areas of improvement, providing costs associated with increase service delivery.

Council adjourned at 10:31 p.m.

These Minutes to be approved and adopted by Motion of Council this 9th day of July, 2019.

MAYOR

CITY CLERK