



***AMENDED**

**MINUTES OF THE
DECEMBER 20, 2022 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:02 p.m. and in open session at 7:03 p.m. and again in Committee-of-the-Whole at 10:23 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiocchio (in person), T. DiMarco (in person), B. Fokkens (in person), B. Green (virtually), M.A. Grimaldi (virtually), J. Lee (in person), D. McLeod (in person), A. Moote (in person), C. Richard (in person), S. Setaram (in person), G. Speck (virtually), and L. Van Vliet (in person).

Members of Staff and Others Present:

Chief Administrative Officer, S. Zorbas
City Clerk, T. Stephens
Fire Chief & Community Emergency Management Coordinator, A. Eckhart
Director of Infrastructure Services, S.M. Millar (until 10:25 p.m.)
Director of Planning and Development Services, G. Munday
Director of Community Services, R. Axiak (until 10:25 p.m.)
Manager of Economic Development, L. DeChellis (until 7:03 p.m.)
Economic Development Officer, L. Allen (until 7:03 p.m.)
Chief Building Official, J. Tosta (until 10:25 p.m.)
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (until 10:25 p.m.)
Manager of Human Resources, A. Daisley (until 10:25 p.m.)
Manager, Traffic/Parking/Bylaws, A. Khan (7:03 p.m. – 10:15 p.m.)
Capital & Payables Manager, A. Vuksan Scott (7:03 p.m. – 10:15 p.m.)
Revenue Services Manager, M. Lostracco (7:03 p.m. – 10:15 p.m.)

2022 - 390**22-25**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:02 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board;
 - 18 Rose Avenue.
 - Gadsby Avenue.

CARRIED**2022 - 391****22-25**

Moved by Setaram and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:01 p.m. without report.

CARRIED**THE FOLLOWING ITEM WAS ADDED:**

22-22 A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (SCHEDULE XVII).

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Speck presided as Chair of the Public Hearing:

22-160 A complete application has been made by UPPER CANADA CONSULTANTS on behalf of MOUNTAINVIEW DEVELOPMENTS GEN II LTD. for Draft Plan of Subdivision Approval for lands Part of Lot 237, Geographic Township of Thorold, in the City of Welland, municipally know as 905 Clare Avenue. The subject lands are designated Urban (Built-Up) Area in the Reginal Official Plan, as Low Density Residential in the City of Welland Official Plan, and zoned Residential Low Density 2-RL2 by By-law 2017-117.

Grant 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, Upper Canada Consultants, 30 Hannover Drive, St. Catharines, ON L2W 1A3 on behalf of applicant.

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.

PRESENTATION:

22-154 Rob Axiak, Director of Community Services addressed Council regarding Corporate Strategic Plan.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

22-4 Councillor Fokkens Chair, Budget Review Committee provided a verbal report on the Budget Review Committee meetings of November 28 and December 13, 2022.

2022 - 392

22-1 Moved by McLeod and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of December 6, 2022, as circulated.

CARRIED

2022 - 393

99-90 Moved by Chiocchio and Fokkens

THAT Welland City Council defers the slate of Officers and Directors for term of 2022-2026 to the January 17, 2023 Council Meeting, to discuss in-camera.

(Councillor McLeod did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property and pays a downtown Business Improvement Area levy.)

CARRIED

2022 - 394

22-4 Moved by Fokkens and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Fokkens, Chair, Budget Review Committee regarding its meetings of November 28, 2022 and December 13, 2022.

CARRIED

2022 - 395

22-4 Moved by Fokkens and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Capital Project Close-out report summary listed in Appendix A as attached to Report FIN-2022-21 and further THAT Welland City Council approves the recommended transfers to/from the respective reserves and recommended projects as outlined in Appendix A attached to Report FIN-2022-21.

CARRIED

2022 - 396

22-4 Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2022 Q3 Year-to-Date Budget Variance Report and Capital Progress report (FIN-2022-20) from the Manager of Budgets and Financial Reporting/Deputy Treasurer dated December 13, 2022; and further

THAT Welland City Council approves that the 2022 Tax Supported Budget forecasted surplus of \$1,513,267 (unaudited and estimated) to be allocated to the Capital Surplus Reserve Fund; and further

THAT Welland City Council approves the 2022 unallocated Incentive Program forecasted surplus of \$295,000 (unaudited and estimated) to be accrued to the Brownfield Downtown Reserve fund; and further

THAT Welland City Council approves any 2022 Building Sustainability surplus to be allocated to the Building Sustainability Reserve Fund and committed for future use; and further

THAT Welland City Council approves any 2022 Youngs Sportsplex (YSP) surplus/deficit to be funded/transferred by the Sports & Culture Infrastructure Reserve fund.

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***22-4** Moved by Fokkens and DiMarco
 THAT Welland City Council amends the motion to “any 2022 Youngs Sportsplex (YSP) surplus/deficit to be funded/ transferred by the Youngs Sportsplex Sustainability Reserve fund”.

YEAS: Lee, Speck, Chiocchio, DiMarco, Richard, Setaram, and Fokkens

NAYS: Green, McLeod, Grimaldi, Moote, Van Vliet and Mayor Campion.

CARRIED

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

CARRIED

2022 - 397

22-4 Moved by Moote and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the fees and charges for 2023 set out in Appendices I and II, as amended; and further
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Budget Review Committee's recommendations to Council for approval that the Clerk be directed to prepare an amendment to By-law 2006-193 to reflect the rates for the year 2023 or such other date as set out in Appendices I and II.

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2022 - 398

22-4 Moved by Fokkens and Lee
 THAT Welland City Council amends Line 279 Account 20-435-00000 Empire Sportsplex – Ball Equipment Rental from \$2.00 to \$0 per hour.

CARRIED

2022 - 399

22-4 Moved by Fokkens and Lee
 THAT Welland City Council amends Line 280 Ball and Racquet Rental to no charge.

YEAS: Lee, Speck, Chiocchio, DiMarco, Richard, Setaram, Green, McLeod, Grimaldi, Moote, Fokkens and Mayor Campion.

NAYS: Van Vliet

CARRIED

2022 - 400

22-4 Moved by Fokkens and Setaram
 THAT Welland City Council amends Corn Hole Equipment from \$5.00 per hour to no charge.

CARRIED

2022 - 401

22-4 Moved by Fokkens and Lee
 THAT Welland City Council amends Lawn Bowling Equipment to no charge.

CARRIED

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

CARRIED

2022 - 402

22-19 Moved by Van Vliet and Moote
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the surplus lands designation as shown in Appendix A, to be reserved for a future recreation facility.

CARRIED

2022 - 403

22-22

Moved by Speck and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2022-54: Flashing Beacon on Stop Signs.

CARRIED

2022 - 404

22-22

Moved by Chiocchio and Setaram

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2022-59 Lease Agreement - State Street Parking Lot; and further

THAT Welland City Council directs the City Solicitor to prepare a lease agreement with 2873548 Ontario Inc. for the lease of the State Street Parking Lot located at the intersection of State Street and King Street; 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 "XVII", PARKING LOTS:

Lot #	Lot Name	Control	Rate	Time of Day	Maximum Stay
12	State Street Parking Lot	Macfrugal's	Lease	Monday to Sunday	24 Hours

ADD the following to Schedule "XVII", PARKING LOTS:

Lot #	Lot Name	Control	Rate	Time of Day	Maximum Stay
12	State Street Parking Lot	2873548 Ontario Inc.	Lease	Monday to Sunday	24 Hours

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22-22

Moved by McLeod and Richard

THAT Welland City Council amends the motion to include that the cost of to lease the parking lot be paid by the leasee.

CARRIED

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

CARRIED

2022 - 405

22-22

Moved by Speck and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2022-58: 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 "I" – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	300 Prince Charles Drive	Best Western Plus Rose City Suites - Hotel

CARRIED

2022 - 406

22-23

Moved by Chiocchio and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2022-06 Hybrid Work Agreement Policy; and further

THAT Welland City Council approves the Hybrid Work Agreement Policy.

CARRIED

2022- 407**22-136**

Moved by Speck and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Official Plan Amendment No. 40 to designate the lands on the south side of Ontario Road, bounded by Alberta Street to the east and Chaffey Street to the west, more specifically described as Part of Lot 24, Concession 7, Part of Block B, Plan 931, shown as Part 1 on 59R-6361, Geographic Township of Crowland, in the City of Welland, Regional Municipality of Niagara, known municipally as 526 Ontario Road, from Medium Density Residential to Medium Density Residential Site Specific.

CARRIED**2022 - 408****22-154**

Moved by Setaram and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Rob Axiak, Director of Community Services regarding the Corporate Strategic Plan.

CARRIED**2022 - 409****22-154**

Moved by Chiocchio and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND approves the development of a City of Welland Corporate Strategic Plan for the new term of Council 2022-2026 as outlined in Report CAO-2022-02.

CARRIED**2022 - 410****22-160**

Moved by Chiocchio and Setaram

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2022-61 regarding an application for Draft Plan of Subdivision (File No. 26T-14-22003) for lands on the west side of Clare Avenue, north of Woodlawn Road and east of South Pelham Road, legally described as Part of Lot 237, Geographic Township of Thorold, In the City of Welland, municipally known as 905 Clare Avenue.

CARRIED**2022 - 411****02-160**

Moved by Speck and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND extends curfew to 11:30 p.m.

LOST**2/3 majority required****2022 - 412****22-25**

Moved by Chiocchio and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 10:23 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board.
 - 18 Rose Avenue.
 - Gadsby Avenue.

CARRIED**2022 - 413****22-25**

Moved by Van Vliet and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:57p.m. without report.

CARRIED

BY-LAWS

Moved by Speck and Moote (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.

22- 22

BYL 2022 - 205

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedule "I").

22-136

BYL 2022 - 206

A By-law to authorize the Adoption of Official Plan Amendment No. 40.

CARRIED

Moved by Richard and Chiocchio

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.

22-22

BYL 2022 - 207

A By-law to authorize entering into a lease agreement with 2873548 Ontario Inc. for the lease of State Street Parking Lot .

22-22

BYL 2022 - 208

A By-law to amend By-Law 89-2000, being a By-Law Regulating Traffic and Parking within the City of Welland (Schedule XVII).

CARRIED

Moved by Moote and Chiocchio

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.

22-19

BYL 2022 - 209

A By-law to amend By-law 2022-70 being a By-law to regulate swimming pool enclosures with the City of Welland.

CARRIED

Moved by Moote and Lee

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.

22-38

BYL 2022 - 210

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality to establish rates effective January 1, 2023.

CARRIED

Moved by Richard 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.

22-1

BYL 2022 - 211

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 20th day of December, 2022.

(Councillor McLeod recorded as opposed to this motion)

CARRIED

Council adjourned at 10:58 p.m.

These Minutes to be approved and adopted by Motion of Council this 21st day of February, 2023.

MAYOR

CITY CLERK