



**MINUTES OF THE
FEBRUARY 21, 2023 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:38 p.m. and in open session at 7:05 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

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

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, SM. Millar

Director of Planning and Development Services, G. Munday

Director of Community Services, R. Axiak

Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff

Corporate Communications Manager, M. MacDonald (until 7:03 p.m.)

Policy Planning Supervisor, N. Aiello (until 9:08 p.m.)

Planning Supervisor - Development, T. Meadows

Chief Building Official, J. Tosta

Manager of Business & Community Services, A. Degazio (7:05 p.m.)

Supervisor of Parks, Sports Fields, Open Spaces & Cemeteries, D. Steven (7:05 p.m.)

2023 - 145**23-25**

Moved by McLeod 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 6:38 p.m. to consider:

- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization:
 - Rebranding Update.

CARRIED**2023 - 146****23-25**

Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:03 p.m. without report.

CARRIED**LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Speck presided as Chair of the Public Hearing:

22-115 A complete application has been made by 5025299 Ontario Inc. (Zeina Homes) to Part of Lot 241, Geographic Township of Thorold, City of Welland, Regional Municipality of Niagara for lands at 144A Thorold Road (Alayche Trail) from the existing Site Specific Community Commercial Corridor CC2-32 and Residential Low Density 2 – RL2 to Site Specific Residential Low Density 2 – RL2 in Zoning By-law 2017-117. The purpose of the Amendment is to permit an increased lot coverage, to permit an increased porch projection and provide a reduced rear yard setback. The Official Plan designation is Community Commercial Corridor – SPA and Low Density Residential. Application for Draft Plan of Subdivision (File No. 26T-14-22003) is submitted in conjunction with this application.

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

Rachelle Larocque, The Biglieri Group Ltd., 126 Catharine Street North, Hamilton, ON L8R 1J4 presented on behalf of the applicant.

In support of the application:

- No one spoke.

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.

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

PRESENTATIONS:**02-160****12-96**

Deborah C. Anschell, and Jeffrey Shapiro, Integrity Commissioners addressed Council regarding a Report to Council.

22-152

Nicolas Aiello, Policy Planning Supervisor addressed Council regarding Bill 23, More Homes Built Faster Act, 2022.

2023 - 147

23-1 Moved by Grimaldi and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of January 31, 2023 and February 15, 2023 and Regular Council Meetings of December 20, 2022 (amended) and February 7, 2023, as circulated.

CARRIED

2023 - 148

02-160 Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND suspends the rules of order to bring forward rescinding motion regarding Report CS-2032-01: Infrastructure Canada Grant Award (INFC) – Community Trails Strategy Implementation.

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

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

**LOST
(2/3 MAJORITY REQUIRED)**

2023 - 149

02-160

12-96 Moved by Van Vliet and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Deborah C. Anschell and Jeffrey Shapiro, Integrity Commissioners regarding a report to Council.

CARRIED

2023 - 150

99-99 Moved by Setaram and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to enter into a contract with the Welland Downtown Business Improvement Area (WDBIA) for the 2023 Concerts on the Canal Series; and further

THAT Welland City Council directs the City Clerk to prepare all the necessary and appropriate By-laws to enter into an agreement with the WDBIA; and further

THAT Welland City Council approves the use of the Operating Surplus Reserve to fund the top-up funds required at \$3,000.

.....

99-99 Moved by McLeod and Speck

THAT Welland City Council requests to call the question regarding Report CS-2023-07.

CARRIED

**FOLLOWING THE MOTION TO CALL THE QUESTION, THE MAIN
MOTION WAS PUT AND**

CARRIED

2023 - 151

02-160 Moved by Fokkens and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2022-05: Suggested Recommendations to Procedural By-law 2017-6; and

THAT Welland City Council approves Items _____ to be incorporated in the updates to the Procedural By-law.

THAT the updated Procedural By-law be presented at a future Council Meeting for Council consideration.

.....

02-152 Moved by McLeod and Van Vliet

THAT Welland City Council allows for delegations to appear at Council and/or General Committee meetings.

CARRIED

02-160 Moved by Speck and Richard
THAT the July and August Council meetings dates be scheduled on the third Tuesday of the month.

CARRIED

02-160 Moved by Grimaldi and Van Vliet
THAT the Procedural By-law be updated to allow five (5) minutes per delegations during Council and General Committee meetings.

CARRIED

02-160 Moved by Green and McLeod
THAT the Procedural By-law be updated to include a curfew for Special Council and General Committee meetings.

CARRIED

02-160 Moved by Fokkens and Chiocchio
THAT Procedural By-law be updated to reflect that up to two (2) members of Council may bring forward a notice of motion.

CARRIED

02-160 Moved by Setaram and McLeod
THAT Notice of Motions be introduced verbally at a regular Council Meeting.

YEAS: Mayor Campion.

NAYS: Lee, Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Setaram, Fokkens, Moote and Van Vliet.

LOST

02-160 Moved by Fokkens and Van Vliet
THAT the Procedural By-law include the Delegations to Council/General Committee Request Form.

CARRIED

02-160 Moved by Fokkens and DiMarco
THAT the Procedural By-law be updated to reflect that all Special Council meetings (in open session) are to be held at 7:00 p.m.

LOST

02-160 Moved by Fokkens and DiMarco
THAT the deadline to submit a Notice of Motion be 4:00 p.m. on the Tuesday of the week prior to a Council meeting.

CARRIED

02-160 Moved by Speck and Chiocchio
THAT article 13.8 be updated to 10 minute limit for members of Council to speak to an item.

.....

02-160 Moved by Setaram and Fokkens
THAT the motion to update the speaking time for members of Council be deferred to the next meeting when the Procedural By-law is reviewed.

CARRIED

FOLLOWING THE VOTES ON THE AMENDMENTS, THE MAIN MOTION WAS PUT AS AMENDED AND

CARRIED

2023 - 153**10-108**

Moved by Grimaldi and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Green to the Facility Management Review Team (Youngs Sportsplex) for the term February 21, 2023 to November 14, 2026.

CARRIED**2023 - 154****22-115**

Moved by Green and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2017-117, as amended, for lands on the north side of Thorold Road, west of Niagara Street and east of First Avenue, legally described as Part of Township Lot 241, Being Part 1, 2, 3 on plan 59R-16648, City of Welland, Regional Municipality of Niagara, municipally known as 144A Thorold Road, from Site-Specific Community Commercial Corridor 32 – CC2-32 and Residential Low Density 2 – RL2 to Site-Specific Residential Low Density 2 – RL2; and further

THAT THE COUNCIL OF THE CITY OF WELLAND approves a Plan of Subdivision for lands on the north side of Thorold Road, west of Niagara Street and east of First Avenue, legally described as Part of Township Lot 241, Being Part 1, 2, 3 on plan 59R-16648, City of Welland, Regional Municipality of Niagara, municipally known as 144A Thorold Road, to facilitate the subdivision of lands to create sixteen (16) residential lots and two (2) blocks used for access and servicing, subject to the following conditions:

1. That the Owner Enter into a Subdivision Agreement with the City of Welland.
2. That all necessary easements required for utility and servicing purposes be granted to the appropriate Authority free of all encumbrances.
3. That the Owner acknowledges and agrees to incorporate appropriate wording into each and every Offer of Purchase and Sale, stipulating that the streets and services within this Plan are privately owned and the City shall have no responsibility or obligation for maintenance of the infrastructure.
4. That if Final Approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse, if the Owner wishes to request an extension to Draft Approval, a written request, with reasons why the extension is required, must be received by the City prior to the lapsing date; and further

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans once all Conditions have been satisfied.

CARRIED**2023 - 155****22-152**

Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Nicolas Aiello, Policy Planning Supervisor regarding Bill 23, More Homes Built Faster Act, 2022.

CARRIED**2023 - 156****22-152**

Moved by Richard and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2023-03 regarding key amendments to the land use planning system as put forth in Bill 23, which received royal assent on November 28, 2022.

CARRIED**2023 - 157****22-152**

Moved by McLeod and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Town of Niagara-on-the-Lake dated February 10, 2023 regarding Bill 23.

CARRIED**2023 - 158****23-6**

Moved by Grimaldi and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of March 2023 as "Multiple Myeloma Awareness Month" in the City of Welland.

CARRIED

2023 - 159**23-19**

Moved by Grimaldi and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves as a single source, The MBTW Group for professional services based on experience and past performance on similar city lighting projects as summarized; and further

THAT Welland City Council directs staff to prepare all necessary and appropriate By-laws and documents to enter into an agreement with The MBTW Group to be signed by the Mayor and City Clerk.

CARRIED**2023 - 160****02-160**

Moved by Speck and Green

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

LOST**2/3 MAJORITY REQUIRED****BY-LAWS**

Moved by Grimaldi and McLeod (in block)

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.

23-19

BYL 2023 - 19

A By-law to authorize entering into an agreement with the MBTW Group Inc. to provide professional services for the Plymouth Park Baseball Diamond Lighting Upgrades Project.

CARRIED

Moved by McLeod and Green

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.

99-99

BYL 2023 - 20

A By-law to authorize entering into a Memorandum of Understanding with the Welland Downtown Business Improvement Area for the 2023 Concerts on the Canal.

(Councillor Fokkens asked to be recorded as opposed to the By-law).

CARRIED

Moved by Setaram and Grimaldi

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.

23-1

BYL 2023 - 21

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 21st day of February, 2023.

CARRIED

Council adjourned at 10:55 p.m.

These Minutes to be approved and adopted by Motion of Council this 7th day of March, 2023.

MAYOR

CITY CLERK