



**CITY OF
Welland**

**MINUTES OF THE
FEBRUARY 27, 2024 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:33 p.m. and in open session at 7:05 p.m. and again in Committee-of-the-Whole closed to the public at 10:01 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco (virtual), B. Fokkens, B. Green, M.A. Grimaldi (virtual), J. Lee (6:54 p.m.), D. McLeod, A. Moote, C. Richard, S. Setaram, G. Speck, and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, R. Axiak

City Clerk, T. Stephens

General Manager of Corporate & Enterprise Services/CFO, S. Nagel

Fire Chief & Community Emergency Management Coordinator, A. Eckhart (7:05 p.m.)

Director of Community Services, J. Ruddell

Director of Infrastructure Services, SM. Millar

Director of Planning and Development Services, G. Munday

Manager of Economic Development, L. DeChellis

2024 - 51**24-25** Moved by Richard 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 6:33 p.m. to consider:

- Security of the property of the municipality or local board;
 - Potential Purchase of Industrial Lands.

CARRIED**2024 - 52****24-25** Moved by Moote and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:02 p.m. without report.

CARRIED**PRESENTATIONS:**

12-96 Deborah Anshell, Integrity Commissioner and Jeffrey Shapiro, Investigator, ADR Chambers addressed Council regarding Investigation Report Complaint No. IC-26663-0923.

12-96 Deborah Anshell, Integrity Commissioner and Jeffrey Shapiro, Investigator, ADR Chambers addressed Council regarding Investigation Report Complaint No. IC-27155-1023.

2023 - 53**24-1** Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 13, 2024, as circulated.

CARRIED**2024 - 54****06-84** Moved by Van Vliet and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report CS-2024-02:

Hospice Niagara Funding Update for information, and further

THAT Welland City Council directs the City Clerk to follow up with the Town of Fort Erie to advise them that the City of Welland has fulfilled our commitment to Hospice Niagara.

CARRIED

2024 - 55

12-96 Moved by Moote and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Deborah Anshell, Integrity Commissioner and Jeffrey Shapiro, Investigator, ADR Chambers regarding Investigation Report Complaint No.IC-26663-0923; and further

THAT Welland City Council directs that Councillor Tony DiMarco be formally reprimanded for acting with a conflict of interest in his actions on September 5, 2023 from Report Complaint No. IC-26663-0923.

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12-96 Moved by McLeod and Van Vliet

THAT Welland City Council amends to include a suspension of the remuneration paid to Councillor Tony DiMarco for a period of 90 days.

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

NAYS: Lee, Green, Speck, Chiocchio, Richard, Setaram and Fokkens.

LOST

FOLLOWING THE LOST VOTE ON THE AMENDMENT THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

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

NAYS: Lee, Chiocchio and Van Vliet.

CARRIED

2024 - 56

12-96 Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Deborah Anshell, Integrity Commissioner and Jeffrey Shapiro, Investigator, ADR Chambers regarding Investigation Report Complaint No. IC-27155-1023; and further

THAT Welland City Council directs that Councillor Tony DiMarco be reprimanded and in addition, Council shall impose a suspension of the remuneration paid to Councillor Tony DiMarco in respect to his services as a member of council for a period of 60 days from Report Complaint No. IC-27155-1023.

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(Council requested the motions be split for consideration)**12-96**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Deborah Anschell, Integrity Commissioner and Jeffrey Shapiro, Investigator, ADR Chambers regarding Investigation Report Complaint No. IC-27155-1023; and further
 THAT Councillor Tony DiMarco be reprimanded.

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

NAYS: Richard.

CARRIED**12-96**

THAT Council shall impose a suspension of the remuneration paid to Councillor Tony DiMarco in respect to his services as a member of council for a period of 60 days from Report Complaint No. IC-27155-1023.

YEAS: Lee, Green, Speck, McLeod, Grimaldi, Setaram, Moote, Van Vliet and Mayor Campion.

NAYS: Chiocchio, Richard and Fokkens.

CARRIED**2024 - 57****22-112**

Moved by Chiocchio and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves a Mother Earth Day Clean-up Event to be held on Saturday, April 20, 2024, with a rain date of Sunday, April 21, 2024 for different locations within the City; and further
 THAT the event be promoted through the City of Welland website and Engage Welland.

CARRIED**2024 - 58****23-105**

Moved by Green and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B 2024-03 regarding Draft Plan of Common Element Condominium dated February 27, 2024; and THAT Welland City Council approves Draft Plan of Common Element Condominium (File No. 26CD-14-23003) subject to the Schedule of Conditions attached hereto and forming part of this report; and further
 THAT Welland City Council authorizes and directs staff to do all things necessary to give effect to this resolution.

CARRIED

2024 59**24-4** Moved by Fokkens and Setaram (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives the Temporary Borrowing By-law Report FIN-2024-03 for information.

CARRIED**2024 - 60****24-6** Moved by Setaram and Richard

WHEREAS, International Women's Day is a global celebration of the social, economic, cultural, and political achievements of women and girls; and

WHEREAS, International Women's Day is a global day to honour, support, and celebrate the progress made to advance gender equality while recommitting to eliminate all forms of gender inequality to ensure the safety, well-being, and full participation of women and girls for future generations; and

WHEREAS, acknowledging and celebrating the achievements of women and girls should not be limited to a single day but serve as a continuous commitment to fostering an environment that supports and uplifts women and girls in all aspects of life; and further

WHEREAS, the empowerment of women and girls is essential for the progress and development of inclusive and more equitable societies.

NOW, THEREFORE, BE IT PROCLAIMED THAT THE COUNCIL OF THE CITY OF WELLAND recognizes and celebrates International Women's Day on March 8th and commits to:

1. Promoting gender equality in all spheres of life, including education, employment, and representation in decision making roles.
2. Collaborating with individuals, organizations, and governments to advance the cause of gender equality and ensure that women and girls have equal opportunities to thrive and succeed.

By making this proclamation, the City of Welland affirms its commitment to building a world where women and girls are empowered, respected, and afforded equal.

CARRIED**2024 - 61****02-160** Moved by Fokkens and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND challenges the Chair on the ruling regarding the notice of motion from Councillor Fokkens regarding Emerald Ash Borer (EAB) trees.

YEAS: McLeod, Grimaldi, Setaram, Moote, Van Vliet and Mayor Champion.

NAYS: Lee, Green, Speck, Chiocchio, DiMarco, Richard and Fokkens.

LOST

2024 - 62

24-19 Moved by Fokkens and McLeod

WHEREAS, it is understood that it is the responsibility of the Municipality to remove trees affected by the Emerald Ash Borer (EAB), to mitigate the spread of EAB, and to keep residents and City workers safe; and

WHEREAS, the recent deforestation of a section of Merritt Island due high risk areas of the Emerald Ash Borer infestation using an excavator with a logging head by an external contractor is concerning to the Green Advisory Committee which includes, but is not limited to: soil compaction, the destruction of the fauna, flora, natural wildlife habitat, the tree canopy, effects and growth of buck thorn and the question of why an inventory of native trees, fauna and flora was not taken prior the deforestation of the area; and

WHEREAS, The Niagara Region has just established a Niagara wide assessment of the tree and forestry coverage that sites the importance of the tree canopy; and

WHEREAS, Merritt Island is zoned as an Environmental Protection Area; and further

WHEREAS, the City of Welland has municipal exemption to the Regional Woodland Conservation By-law for activities or matters undertaken for municipal purposes, but should be open and transparent to the public and good forestry practices should apply.

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to provide a detailed report to Council on this project, and to include but is not limited to - the specifics and terms of the contract, the bidders, scoring and the awarding of the contract, any damages, future replanting, costs and funding and to include a recommendation to Council, that a city employee who is a member of the Forestry Department - review, consult and report to senior staff on future forestry projects, future trails, protected areas and including the removal of trees for infrastructure projects and their report is to be included in reports, that come to Council on these projects.

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24-19 Moved by McLeod and Moote

THAT Welland City Council refers to the Green Advisory Committee.

LOST

24-19 Moved by Moote and Van Vliet

THAT Welland City Council requests to call the question.

LOST

24-19 Moved by McLeod and Setaram

THAT Welland City Council refers the notice of motion regarding Emerald Ash Borer (EAB) trees back to staff for report.

YEAS: McLeod, Richard, Grimaldi, Setaram, Moote, Van Vliet and Mayor Campion.

NAYS: Lee, Green, Speck, Chiochio, DiMarco and Fokkens.

CARRIED

2024 - 63**24-25** Moved by Lee and Setaram

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 10:01 p.m. to consider:

- Security of the property of the municipality or local board;
 - Potential Purchase of Industrial Lands.

CARRIED**2024 - 64****24-25** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:12 p.m. without report.

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.

24-1

BYL 2024 - 10

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 27th day of February, 2024.

CARRIED

Council adjourned at 10:14 p.m.

These Minutes to be approved and adopted by Motion of Council this 5th day of March, 2024.