



**CITY OF  
Welland**

**MINUTES OF THE**

**MAY 28, 2024 COUNCIL MEETING**

**CIVIC SQUARE, COUNCIL CHAMBERS  
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:33 p.m. and in open session at 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiocchio (virtual at 5:37 p.m.), T. DiMarco (virtual at 5:40 p.m. - 10:11 p.m.), B. Fokkens, B. Green, M.A. Grimaldi (virtual), J. Lee, D. McLeod, A. Moote, C. Richard, S. Setaram (5:37 p.m.), G. Speck (5:35 p.m.), 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 (7:00 p.m.)

Manager of Economic Development, L. DeChellis

Director of Community Services, J. Ruddell

Director of Infrastructure Services, SM. Millar

Director of Planning and Development Services, G. Munday

Manager of Facility Operations & Development, F. Pearson (until 6:14 p.m.)

Senior By-Law Enforcement Officer, J. Cronshaw (7:00 p.m. - 8:25 p.m. and again at 10:00 p.m.)

Manager of Human Resources, A. Daisley (7:00 p.m. - 9:50 p.m.)

(Johanna McNulty, Solicitor, Iron Law, was present during Committee-of-the-Whole discussion on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board).

**2024 - 163**

**24-25** Moved by McLeod 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 5:33 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
  - 296 King Street.
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - Welland International Flatwater Centre Update.

**CARRIED**

**2024 - 164**

**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 6:45 p.m. without report.

**CARRIED**

**PRESENTATION**

**02-85** Ather Shabbar, Chair and Terry Scott, Vice Chair, Members of the Accessibility Advisory Committee addressed Council regarding an update on its activities.

**DELEGATION**

**02-160** Emily McIntosh, the Women of Ontario Say No addressed Council regarding AMO Recommendations - Code of Conduct.

**2024 - 165**

**24-1** Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of March 19 and April 2, 2024, as amended and Special Council Meeting of March 26, 2024, as amended and Regular Council Meeting of May 14, 2024, as circulated.

**CARRIED**

**2024 - 166**

**02-85** Moved by Fokkens and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation from the Accessibility Advisory Committee regarding an update on its activities.

**CARRIED**

**2024 - 167****02-160** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation from the Women of Ontario Say No regarding AMO Recommendations - Code of Conduct.

**CARRIED****2024 - 168****02-160** Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND SUPPORTS the recommendations made by AMO that:

- Codes of Conduct should be updated to include workplace safety and harassment policies;
- Codes of Conduct should have an escalating enforcement mechanism through administrative monetary penalties that recognize local circumstances;
- Integrity Commissioners should have better, standardized training to improve consistency of decisions across the province;
- In the most egregious cases, such as harassment or assault, municipalities should be able to apply to a judge to remove a sitting member if recommended by an Integrity Commissioner;
- A member removed under this process should be unable to sit in another election during the term of office removed and the subsequent term; and

THAT Welland City Council URGES the Ontario Government to table and pass legislation to make these changes as soon as possible; and

THAT Welland City Council REINFORCES that the time to act is past due as articulated and expressed by AMO; and further

THAT this motion BE CIRCULATED to AMO and Niagara members of provincial parliament and local area municipalities.

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

**NAYS:** Speck, Chiocchio, Richard and Fokkens.

**CARRIED****2024 - 169****02-160** Moved by Chiocchio and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to find a suitable provider to begin streaming Welland City Council Meetings on Facebook in a professional technical manner to enhance the residents experience and to engage a broader audience. Staff to report back to council with options.

**CARRIED****2024 - 170****12-96** Moved by McLeod and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2024-07: Integrity Commissioner Annual Report Summary.

**CARRIED**

**2024 - 171****24-22** Moved by Setaram and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2024-05: Update to the Administrative Penalty By-law For Non-parking Related Offences; and further

THAT Welland City Council directs the City Clerk to amend Administrative Penalty By-law for Non-parking Related Offences 2019-134, as follows:

DELETE the following:

“Administrative Penalty” means a monetary penalty set out in Schedule “C” attached to this By-law and approved by Council for a contravention of a Designated By-law;

ADD the following:

“Administrative Penalty” means a monetary penalty or fine as set out in a Designated By-law;

DELETE the following:

3.2 Schedule “C” of this By-law sets out Administrative Penalties for the Designated By-laws.

ADD the following:

3.2 This by-law will enforce all administrative penalties.

DELETE Schedule “C”.

**CARRIED****2024 - 172****24-22** Moved by Chiocchio and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND directs By-law staff present to Council a formal presentation update on property standards, grass cutting, fines and enforcement, empty buildings within the City.

**CARRIED****2024 - 173****24-24** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2024-06: Non-Union Compensation and Performance Management Policies; and further THAT Welland City Council approves the Compensation Policy, shown in Appendix B.

**CARRIED****2024 - 174****24-40** Moved by Speck and Green

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender from Circle P. Paving Inc. in the amount of \$632,805.00 (plus HST) being the lowest bid received for the 2024 Surface Treatment Program – Rural Roads contract; and further

THAT Welland City Council authorizes the Mayor and Clerk to sign all necessary documents to execute the contract.

**CARRIED**

**2024 - 175****24-56** Moved by Setaram and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender from Clearwater Municipal Services Inc. in the amount of \$780,390.00 (plus HST) being the lowest of five (5) compliant bids received for the 2024 Sanitary Sewer Rehabilitation Program; and

THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents and agreements for the contracts.

**CARRIED****2024 - 176****24-65** Moved by Setaram and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the funding allocation for the lead replacement program for the 2025 budget cycle.

**CARRIED****2024 - 177****24-66** Moved by Setaram and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND nominates Sharmila Setaram, City Councillor for the position of Director on the Small Urban Caucus on the AMO Board of Directors for the 2024-2026 term.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND if the Councillor is elected to the AMO Board of Directors travel and accommodation expenses to participate in the board meetings will be covered by the City of Welland.

**CARRIED****2024 - 178****24-67** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2024-08: Council Policies and Administrative Policies; and

THAT Welland City Council recognizes the distinction between policy development and the approval processes carried out by the council and staff; and further

THAT Welland City Council adopts the Appendix I - Municipal Policy Governance Framework.

**CARRIED**

**BY-LAWS**

Moved by Setaram and Richard

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.

**24-22**

BYL 2024 - 43

A By-law to amend By-law 2019-134 being a By-law to establish an Administrative Penalty System for Non-Parking related offences.

**24-56**

BYL 2024 - 44

A By-law to authorize entering into a contract with Clearwater Municipal Services Inc. for the 2024 Sanitary Sewer Rehabilitation Program.

**CARRIED**

Moved by Speck 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.

**24-40**

BYL 2024 - 45

A By-law to authorize entering into a contract with Circle P. Paving Inc. for the 2024 Surface Treatment Program for Rural Roads.

**CARRIED**

Moved by McLeod and Richard

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 - 46

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 28<sup>th</sup> day of May, 2024.

**CARRIED**

Council adjourned at 10:25 p.m.

These Minutes to be approved and adopted by Motion of Council this 18<sup>th</sup> day of June, 2024.