

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, February 22, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Staff Present: A. LaPointe, Acting Director of Planning and Development/City Clerk
S. Luey, Chief Administrative Officer
C. Madden, Deputy Clerk (minutes)
B. Boles, Director of Corporate Services/Treasurer
C. Kalimootoo, Director of Public Works
S. Lawson, Fire Chief

- 1. Call to Order**
Mayor Steele called the meeting to order.
- 2. National Anthem**
- 3. Land Acknowledgment**
- 4. Proclamations**
- 5. Adoption of Agenda**

Moved by Councillor E. Beauregard
Seconded by Councillor M. Bagu

That the agenda dated February 22, 2022 be confirmed, as circulated.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council - February 8, 2022

Moved by Councillor D. Kalailieff
Seconded by Councillor G. Bruno

That the minutes of the regular meeting of Council, held on February 8, 2022, be approved as presented.

Carried

8. Staff Reports

Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

That items 8.1 to 8.3 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Municipal Modernization Program – Funding Update and Transfer Agreements, 2022-31

That Chief Administrative Office Report 2022-31 be received;

That Council approve the Transfer Payment Agreements between the City of Port Colborne and the provincial government for funding from the Municipal Modernization Program, attached as Appendices B to G to Chief Administrative Office Report 2022-31;

That a by-law to enter into the Transfer Payment Agreements with the provincial government be brought forward; and

That the 2022 Capital and Related Project Budget be adjusted to fund the projects by repurposing the funds previously budgeted for the

Departmental Organization Review and Route Patrol Software which total \$47,000 and \$31,258 from the capital contingency fund.

8.2 Grants for Non-Profits, 2022-41

That Chief Administrative Office Report 2022-41 be received; and

That Council approve the community grant requests totalling \$27,751 for the first allocation of community grants for 2022 as follows:

\$3,600 Community Living Port Colborne-Wainfleet

\$1,500 Friends of Roselawn

\$4,500 Niagara Health Foundation

\$13,001 POCOMAR

\$2,150 Port Colborne Feline Initiative

\$3,000 Women's Place of South Niagara Inc.

8.3 COVID Update – February 2022, 2022-42

That Chief Administrative Office Report 2022-42 be received for information.

9. Correspondence Items

Moved by Councillor A. Desmarais

Seconded by Councillor H. Wells

That items 9.1 and 9.2 be received for information.

Carried

9.1 Niagara Region - 2022 T. Roy Adams Humanitarian of the Year Award

9.2 Township of Limerick - Gypsy Moth Reporting

10. Presentations

10.1 Niagara Regional Police Service - City of Port Colborne Municipal Presentation

Senior members of the Niagara Regional Police Service provided an overview and update on the Niagara Regional Police Service and responded to questions received from Council.

10.2 David Heyworth, Official Plan Policy Consultant, and Erik Acz, Manager of Community Planning, Niagara Region - Niagara Region Official Plan Update

David Heyworth, Official Plan Policy Consultant and Erik Acz, Manager of Community Planning, Niagara Region provided an update on the Niagara Region Official Plan and responded to questions received from Council.

11. Delegations

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

Regional Councillor Butters provided an update to City Council.

14. Staff Remarks

15. Councillors' Remarks

15.1 Potholes - Reporting and Repair (Beauregard)

In response to Councillor Beauregard's inquiry on pothole repairs, the Director of Public Works confirmed that repairs will begin on City streets and pothole concerns can be reported to the City's Customer Service Division.

15.2 Snow Removal on Sidewalks (Bagu)

In response to Councillor Bagu's inquiry on whether City staff will clear snow from City sidewalks, the Director of Public Works stated that the City does not currently provide that service for all municipal sidewalks.

15.3 Update on the Hamilton Oshawa Port Authority (HOPA Ports) Negotiations and Resolutions (Kalailieff)

In response to Councillor Kalailieff's request for an update on HOPA Port negotiations and resolutions, the Manager of Strategic Initiatives relayed that there are no further updates at this time, but discussions continue with HOPA.

15.4 Guaranteed Income Supplement Rebate Credit for Water Bills (Desmarais)

Councillor Desmarais asked if seniors must re-apply for the GIS Wastewater Credit annually. The Director of Corporate

Services/Treasurer stated that seniors do not have to re-apply annually for the credit.

15.5 Resident Ideas on the City's Future (Desmarais)

Councillor Desmarais informed Council that she has been receiving calls from residents who have future ideas for the City. Councillor Desmarais requested that the residents email their ideas to all of Council.

15.6 Municipal Consent Permits on Municipal Roadways (Wells)

In response to Councillor Wells' inquiry regarding Municipal Consent Permits, the Director of Public Works explained the consent and authority the City has on these permits, and the considerations given when reviewing permit applications.

15.7 Tarp on Sand Dome at Operations Centre (Danch)

Councillor Danch had inquired with staff on the ripped tarp at the Sand Dome located at the City's Operation Centre, staff informed Councillor Danch it would be repaired the following week.

15.8 Erie Street Construction (Danch & Bruno)

Councillors Danch and Bruno requested a progress update on the Erie Street construction project. The Design and Construction Supervisor provided an update on the project and indicated the anticipated completion date is June 2022. The Director of Public Works stated that residents can visit the City's website to find progress updates on the Erie Street Watermain Project.

16. Consideration of Items Requiring Separate Discussion

16.1 Vision Zero Road Safety Program – Niagara Region Courts Inter-Municipal Amending Agreement, 2022-05

Carolyn Ryall, Beth Brens and Judy MacPherson from the Transportation Services Division, Niagara Region provided a presentation on the Niagara Region Transportation Division's Vision Zero Road Safety program and responded to questions received from Council.

Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

That Public Works Department Report 2022-05 be received;

That the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement attached as Appendix A to Public Works Department Report 2022-05 be approved for purposes of advancing the Vision Zero Program;

That the Mayor and Clerk be authorized to execute the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement.

Carried

16.2 Pop-Up Patio Review and Recommendations, 2022-22

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2022-22 be received;

That the recommendations outlined in Appendix A to Chief Administrative Office Report 2022-22 be approved and adopted as a City policy; and

That Council approve discontinuing Encroachment Application COVID-19 and that patio fees for 2022 be waived.

Lost

Amendment:

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2022-22 be received;

That the recommendations outlined in Appendix A to Chief Administrative Office Report 2022-22 be amended to include a clause that allows up to two parking spaces to be approved per sponsor business, with the length of the patio not to exceed the frontage of the building;

That the amended recommendations outlined in Appendix A to Chief Administrative Office Report 2022-22 be approved and adopted as City policy; and

That Council approve discontinuing Encroachment Application COVID-19 and that patio fees for 2022 be waived.

Lost

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That Chief Administrative Office Report 2022-22 be reconsidered.

Carried

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That Chief Administrative Office Report 2022-22 be referred back to the Economic Development Officer to investigate further options for Pop-Up Patios and bring a report forward to Council.

Carried

16.3 Short-Term Accommodations, 2022-44

Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

That Planning and Development Department Report 2022-44 be received;

That the Manager of By-law Services be directed to establish an education campaign for renters, owners, and neighbours of short-term accommodations;

That Council supports the Manager of By-law Services enforcing City by-laws by directly ticketing owners in accordance with the City's by-law Enforcement Policy; and

That the City Clerk be directed to bring forward a recommendation for licensing short-term accommodations that rent two or more units.

Amendment:

Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

That Planning and Development Department Report 2022-44 be received;

That the Manager of By-law Services be directed to establish an education campaign for renters, owners, and neighbours of short-term accommodations;

That Council supports the Manager of By-law Services enforcing City by-laws by directly ticketing owners in accordance with the City's by-law Enforcement Policy;

That the City Clerk be directed to bring forward a recommendation for licensing short-term accommodations that rent two or more units; and

That a registration program be implemented for short-term accommodations.

Carried

a. Delegation material from Douglas W. Lockyer, resident

16.4 Recommendation Report for Official Plan and Zoning By-law Amendments at 335 Wellington Street, File D09-05-21 and D14-17-21, 2022-36

Moved by Councillor H. Wells

Seconded by Councillor F. Danch

That Planning and Development Report 2022-36 be received;

That the Official Plan Amendment attached as Appendix A to Planning and Development Report 2022-36 be approved;

That the Zoning By-law Amendment attached as Appendix B to Planning and Development Report 2022-36 be approved; and

That Planning staff be directed to circulate the Notice of Adoption and Passing in accordance with the Planning Act.

Carried

16.5 RFP for Affordable Housing Strategy, 2022-30

Moved by Councillor D. Kalailieff

Seconded by Councillor A. Desmarais

That Chief Administrative Office Report 2022-30 be received for information.

Carried

16.6 Administrative Municipal Penalty System (AMPS) Sharing of Hearing Officer - revised, 2022-43

Moved by Councillor R. Bodner

Seconded by Councillor G. Bruno

That Community Safety & Enforcement Department Report 2022-43 be received;

That the Mayor and Clerk be authorized to execute the Administrative Municipal Penalty System Shared Service Agreement for the Appeal Hearing Officer, attached as Appendix A to Community Safety & Enforcement Department Report 2022-43; and

That a by-law to enter into an Administrative Municipal Penalty System Shared Service agreement with the Town of Pelham, The Town of Grimsby, the Town of Lincoln, the City of Niagara Falls, the Town of Niagara-on-the-Lake, the City of St. Catharines, the City of Thorold, the Township of Wainfleet, and the Township of West Lincoln, be brought forward.

Carried

16.7 Social Determinants of Health Advisory Committee - Everyone Matters - Early Learning and Child Care Plan

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That Council support the request from the Social Determinants of Health Advisory Committee – Everyone Matters and send a letter to the province asking them to support the Early Learning and Child Care Plan whereby the province would enter into an agreement with the federal government to implement this plan and that the letter be circulated to all Niagara municipalities for support.

Carried

16.8 Health Canada - Response to City of Port Colborne's Letter Regarding Cannabis Licensing and Enforcement

Moved by Councillor H. Wells
Seconded by Councillor D. Kalailieff

That correspondence received from Health Canada regarding Cannabis Licensing and Enforcement, be received for information.

Carried

16.9 Township of Perth South - Support City of Sarnia - Catch and Release Justice

Moved by Councillor M. Bagu
Seconded by Councillor A. Desmarais

That correspondence received from the Township of Perth South regarding Catch and Release Justice be referred to the Clerk's Department to send to the Niagara Regional Police Service and Police Service Board for more information; and

That Clerk's Staff bring the correspondence back to Council at a future meeting.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

Moved by Councillor H. Wells
Seconded by Councillor E. Beauregard

That items 19.1 to 19.3 be approved, as presented.

Carried

19.1 Social Determinants of Health Advisory Committee - Everyone Matters Minutes, February 6, 2020

19.2 Port Colborne Public Library Board Minutes, January 11, 2022

19.3 Grant Policy Committee Minutes, July 26, 2021

20. By-laws

Moved by Councillor R. Bodner
Seconded by Councillor M. Bagu

That items 20.1 to 20.6 be enacted and passed.

Carried

20.1 By-law to Authorize Entering into an Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement

20.2 By-law to Adopt Amendment No. 9 to the Official Plan for the City of Port Colborne Respecting 335 Wellington Street

20.3 By-law to Amend Zoning By-law 6575/30/18 Respecting 335 Wellington Street

20.4 By-law to Authorize Entering into Agreements with the Ontario Municipal Modernization Program

20.5 By-law to Authorize Entering into an Administrative Municipal Penalty System Shared Service Agreement

20.6 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne

21. Confidential Items

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That Council do now proceed into closed session in order to address items 21.1 and 21.2.

Carried

21.1 Minutes of the closed session portion of the February 8, 2022 Council Meeting

21.2 Chief Administrative Office Report 2022-39, Proposed or Pending Acquisition or Disposition of Land

22. Procedural Motions

Moved by Councillor D. Kalailieff
Seconded by Councillor M. Bagu

That the rules of procedure set out in Section 4.1 of the Procedural By-law be waived to allow the meeting to extend past 11 p.m.

Carried

23. Information items

24. Adjournment

Council moved into Closed Session at approximately 11:30 p.m.

Council reconvened into Open Session at approximately 11:56 p.m.

Mayor Steele adjourned the meeting at approximately 11:57 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk