

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, February 14, 2023
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Staff Present: B. Boles, Director of Corporate Services/Treasurer
N. Rubli, Acting City Clerk
S. Shypowskyj, Director of Public Works
S. Tufail, Acting Deputy Clerk (minutes)

1. Call to Order

Mayor Steele called the meeting to order at 6:35 p.m.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

4.1 Doctor's with a Heart Day - February 15, 2023

Moved by Councillor R. Bodner
Seconded by Councillor T. Hoyle

That February 15, 2023 be proclaimed as "Doctor's with a Heart Day" in the City of Port Colborne.

Carried

4.2 Heritage Week - February 20th-26th, 2023

Moved by Councillor R. Bodner
Seconded by Councillor T. Hoyle

That February 20 - 26, 2023 be proclaimed as “Heritage Week” in the City of Port Colborne.

Carried

5. Adoption of Agenda

Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That the agenda dated February 14, 2023 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council- January 24, 2023

Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That the minutes of the regular meeting of Council, held on January 24, 2023, be approved as presented.

Carried

8. Staff Reports

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

That items 8.1 to 8.4 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Telecommunications Facility Siting Agreement – NWIC Inc., 2023-07

That Chief Administrative Officer-Economic Development and Tourism Division report 2023-07 be received;

That Council approve a lease agreement between the City of Port Colborne and NWIC regarding telecommunications equipment being located at the Port Colborne Grain Terminal;

That the Mayor and Acting City Clerk be authorized to execute the Agreement and By-law.

8.2 2022 Audit Plan, 2023-18

That Corporate Services Department Report 2023-18 be received for information.

That Corporate Services Department Report 2023-18, be received for information.

8.3 Administrative Monetary Tier Penalty System, 2023-11

That Community Safety and Enforcement Department Report 2023-11 be received; and

That Council approve the proposed Administrative Monetary Tier Penalty system; and;

That By-law 5228/134/08, being a By-law to Regulate the Management of a System of Sewer Works and Drainage Works in the City of Port Colborne be amended to allow for penalties under the Administrative Monetary System;

That By-law 6902/50/21, being a By-law to Establish a System for Administrative Penalties be amended to include an Administrative Monetary Tier Penalty System and to include fines for Sewer Use By-law 5228/134/08.

8.4 Biederman Municipal Drain, 2023-16

That Public Works Department Report 2023-16 be received; and

That Staff be directed to advance the Biederman Municipal Drain Engineer's Report to a 'Meeting to Consider', under Section 41, Chapter D.17 of the *Drainage Act*.

9. Correspondence Items

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

That items 9.1 and 9.6 be received for information.

Carried

- 9.1 Niagara Region - 2023 Budget - Water and Wastewater Operating Budget, Rate Setting and Requisition**
- 9.2 Niagara Region - 2023 Budget - Waste Management Services Operating Budget and Rate Requisition**
- 9.3 Ministry of Natural Resources and Forestry - Legislative and Regulation Changes Affecting Conservation Authorities**
- 9.4 Municipal Property Assessment Corporation (MPAC) - 2022 Municipal Partnership Report**
- 9.5 Municipal Property Assessment Corporation (MPAC) - Farm Forestry Exemption**
- 9.6 City of Thunder Bay - Bill 42 Gender Affirming Healthcare Act**
- 10. Presentations**
 - 10.1 Award of Excellence presented by the Department of Museum and Culture, City of Port Colborne**

Mayor Steele and the Director of Museum and Culture presented an Award of Excellence to Bonnie Johnston for her outstanding commitment to the preservation of heritage.
- 11. Delegations**
- 12. Mayor's Report**

A copy of the Mayor's Report is attached.
- 13. Regional Councillor's Report**
- 14. Staff Remarks**
 - 14.1 Community Engagement Survey (Long)**

The Manager of Strategic Initiatives informed that a community survey to obtain resident feedback to assist in the development of the 2023-2026

Strategic Plan is available on the City's website and through the City's social media pages.

14.2 Workshop (Bram)

The Economic Development Officer advised that the Economic Development Department in partnership with Niagara Falls small Business Enterprise Center and Venture Niagara will be hosting a free workshop for businesses on February 16, 2023 from 10 a.m-1p.m at the L.R. Wilson Heritage Research Archives.

14.3 Staffing Update (Boles)

The Acting CAO provided a staffing update in the Corporate Communications Division and welcomed Jasmine Peazel-Graham as the new Manager of Communications.

15. Councillors' Remarks

15.1 Sherkston Community Centre (Aquilina)

Councillor Aquilina advised Council on various events hosted by the Sherkston Community Centre and encouraged residents to attend.

15.2 Bearss Drain (Aquilina)

In response to Councillor's Aquilina's request for a meeting on the Bearss Drain, the Director of Public Works advised that a meeting will be scheduled in the Council Chambers for the owners within the watershed of the Bearss Drain at the end of March 2023.

15.3 SportsFest (Beauregard)

Councillor Beauregard informed Council that he attended SportsFest and congratulated everyone that participated in the event.

15.4 King Street and Main Street Intersection (Bruno)

In response to Councillor Bruno's inquiry, the Manager of Water/Wastewater informed that a watermain break has occurred at the King Street and Main Street intersection and the repair has been scheduled and a notification will be provided for any road closures.

15.5 Speeding on Killaly Street East and Durham Street (Hoyle)

Councillor Hoyle informed that he has received complaints from residents regarding speeding on Killaly Street East and Durham Street and requested that a speed radar be put in place.

15.6 Port Colborne-Wainfleet Chamber Of Commerce (Hoyle)

Councillor informed that Port Colborne-Wainfleet Chamber Of Commerce will be sponsoring various events this year and encouraged residents to attend.

15.7 Wave Frenzy Girls Hockey Tournament (Hoyle)

Councillor Hoyle informed Council that the Wave Frenzy Girls Hockey Tournament will be held Family Day weekend at the Vale Centre and encouraged everyone to go watch.

15.8 Tree Clearing between Silver Bay Rd. and Cedar Bay Rd. (Bodner)

In response to Councillor Bodner's inquiry regarding tree clearing, the Director of Public Works provided an overview of the brushing and ditching being completed along Friendship Trail as part of the beautification of the trails.

15.9 Sherkston Community Centre-Annual Chili Cook Off (Bodner)

Councillor Bodner provided details regarding the Annual Chili Cook Off hosted by the Sherkston Community Centre on Sunday March 12, 2023.

16. Consideration of Items Requiring Separate Discussion

16.1 Waterfront Centre – Project Update, 2023-03

The Manager of Strategic Initiatives and the Tourism Coordinator provided a presentation and responded to questions received from Council.

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

That Chief Administrative Officer-Economic Development and Tourism Division report 2023-03 be received; and

That the Mayor and Acting City Clerk be authorized to execute an amended agreement with the Federal Development Agency for Southern Ontario (FedDev Ontario) to receive a one-year extension for the Canada Community Revitalization Fund (CCRF); and

That the Mayor and Acting City Clerk be authorized to execute any further amendments to the Canada Community Revitalization Fund agreement.

Carried

16.2 Neff Street Watermain Construction Agreement, 2023-20

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

That Development and Legislative Services – Planning Division Report 2023-20 be received; and,

That the City's portion of the watermain construction be funded from the water reserve; and

That the Mayor and Clerk be authorized to sign and execute a watermain construction agreement between the City and Grandstone Living Inc. attached as Appendix A for the replacement of the eastern limit of the Neff Street watermain; and,

That the By-law authorizing entering into the agreement with Grandstone Living Inc. be approved.

Carried

16.3 Transfer Payment Agreement - Ministry of Economic Development, Job Creation and Trade - Site Readiness Program, 2023-26

Moved by Councillor G. Bruno
Seconded by Councillor M. Aquilina

That Chief Administrative Officer-Economic Development and Tourism Division report 2023-26 be received; and

That the Mayor and Clerk be authorized to sign and execute a funding agreement for the Site Readiness Program with His Majesty the King in right of Ontario, as represented by the Minister of Economic Development, Job, Creation and Trade; and

That the By-law authorizing entering into the agreement be approved.

Carried

16.4 Integrity Commissioner Agreement Renewal, 2023-23

Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That Development and Legislative Services – Clerk's Division Report 2023-23 be received; and

That Council appoints Edward T. McDermott of ADR Chambers Inc. as the Integrity Commissioner for the Corporation of the City of Port Colborne, for a four-year term expiring February 25, 2027; and

That the Mayor and Acting City Clerk be authorized to execute an amended agreement with ADR Chambers Inc. for the purpose of providing services of an Integrity Commissioner; and

That the By-law authorizing entering into the agreement with ADR Chambers Inc be approved.

Carried

16.5 Niagara Region - Approval of the Niagara Official Plan

Moved by Councillor M. Aquilina

Seconded by Councillor R. Bodner

That the resolution received from the Niagara Region - Approval of the Niagara Official Plan be received for information.

Carried

16.6 Niagara Region - Approval of 2023 Interim Levy Dates and Amounts

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That the correspondence from the Niagara Region regarding the Approval of 2023 Interim Levy Dates and Amounts be received.

Carried

16.7 County of Huron - Call to Action: Review of the Cannabis Act

Moved by Councillor R. Bodner

Seconded by Councillor T. Hoyle

That the correspondence from the County of Huron regarding Call to Action: Review of the Cannabis Act to be supported.

Carried

16.8 Town of Petrolia - School Board Elections

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

That correspondence from the Town of Petrolia regarding the School Board Elections, be supported.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

20. By-laws

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

That items 20.1 and 20.8 be enacted and passed.

Carried

20.1 By-law to authorize an Agreement between The Corporation of the City of Port Colborne and NWIC Inc.

20.2 By-law to authorize entering into a Watermain Construction Agreement between The Corporation of the City of Port Colborne and Grandstone Living Inc

20.3 By-law to Authorize Entering into an Agreement with the Provincial Government's Industrial Site Readiness Grant Program

20.4 By-law to Amend By-law No. 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within The City of Port Colborne

20.5 By-law to Amend By-law No. 5228/134/08, Being a By-law to Regulate the Management of a System of Sewer Works and Drainage Works in the City of Port Colborne

20.6 By-law to authorize entering into an agreement with ADR Chambers Inc. to provide for Integrity Commissioner Services

20.7 By-Law to appoint members to the Committee of Adjustment

20.8 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 D. Elliott

Seconded by Councillor R. Bodner

That Council reconvene into closed session in order to address items 21.1 to 21.3.

Carried

21.1 Chief Administrative Office Report 2023-21, Potential Disposition of City Owned Land

21.2 Chief Administrative Office Report 2023-12, Pending Acquisition of Land by the Municipality

21.3 Chief Administrative Office Report 2023-22, Potential Disposition of City Owned Land

22. Procedural Motions

23. Information items

24. Adjournment

Council reconvened into Closed Session at approximately 8:32 p.m.

Council reconvened into Open Session at approximately 9:33 p.m.

Mayor Steele adjourned the meeting at approximately 9:35 p.m.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk