

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, March 28, 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
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: E. Beauregard, Councillor

Staff Present: C. Madden, Acting City Clerk
B. Boles, Director of Corporate Services/Treasurer
S. Lawson, Fire Chief
S. Luey, Chief Administrative Officer
S. Shypowskyj, Director of Public Works
S. Tufail, Acting Deputy Clerk (minutes)

1. Call to Order

Mayor Steele called the meeting to order at 6:30 p.m.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

4.1 Canadian Viral Hepatitis Elimination Day (Can Help Day), May 11, 2023

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

That May 11, 2023 be proclaimed as "Canadian Viral Hepatitis Elimination Day (Can Help Day)" in the City of Port Colborne.

Carried

5. Adoption of Agenda

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

That the agenda dated March 28, 2023 be confirmed, as amended.

Carried

6. Disclosures of Interest

6.1 Councillor R. Bodner - Chief Administrative Office Report, 2023-60 pursuant to the Municipal Act, 2001, Subsection 239(f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

7. Approval of Minutes

Moved by Councillor M. Bagu
Seconded by Councillor M. Aquilina

That items 7.1 to 7.4, be approved as presented.

Carried

7.1 Special Council Meeting (Closed Session)-March 6, 2023

7.2 Meeting to Consider-March 7, 2023

7.3 Public Meeting-March 7, 2023

7.4 Regular Meeting of Council-March 14, 2023

8. Staff Reports

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

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

Carried

8.1 Stop Up and Close By-law for Hillcrest Road Temporary Turning Circle, 2023-58

That Development and Legislative Services Department – Planning Division Report 2023-58 be received; and

That Council waive the notification requirements for the stopping up and closing of a public highway as established in Schedule “A” of By-law 4339/12/03; and

That the Stop Up and Close By-law attached as Appendix A of Development and Legislative Services Report 2023-58 for the Hillcrest Road temporary turning circle be approved.

8.2 Canada Community Revitalization Fund – Amending Agreement, 2023-53

That Office of the Chief Administrative Officer – Economic Development & Tourism Services Division – Report 2023-53 be received; and

That the Mayor and Acting City Clerk be authorized to execute the revised amending agreement with the Federal Development Agency for Southern Ontario for the Canada Community Revitalization Fund.

8.3 Memorandum from Scott Lawson, Fire Chief Re: Update – Automatic Aid Agreement with Wainfleet

That the memorandum from Scott Lawson, Fire Chief regarding the Automatic Aid Agreement with Wainfleet update be received for information.

8.4 2022 Statement of Council Remuneration and Expenses, 2023-51

That Corporate Services Department Report 2023-51 be received for information.

9. Correspondence Items

10. Presentations

10.1 Presentation of Grants to Non-Profit Organizations - 2023 First Allocation

The members of the Grant Policy Committee presented grants to the recipients of the 2023 first allocation.

10.2 2022 Workplace Survey Results Overview -City of Port Colborne Municipal Presentation

Mary Murray, Chief Human Resources Officer provided a presentation regarding the 2022 workplace survey results and responded to questions from Council.

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 Speeding on Miller Road (Luey)

The Chief Administrative Officer advised Council that the Niagara Regional Police have been addressing the speeding issue on Miller Road by radar enforcement and have been issuing fines.

14.2 Social Media Posts-Fifteen-Minute Urban Planning Initiative (Luey)

The Chief Administrative Officer advised that the social media posts regarding the City's involvement in the fifteen-minute urban planning initiative are in correct and such initiatives can only be approved by Council during an open Council meeting session.

14.3 Elm Street and Main Street Intersection (Colasurdo)

The Manager of Infrastructure provided an overview of the various projects being reviewed for traffic control at the Elm Street and Main Street Intersection by City staff and Niagara Region staff.

14.4 Canal Days Report (Boles)

The Director of Corporate Services/Treasurer advised Council that the Canal Days update report will be brought to Council at the next meeting.

14.5 Nickel Beach Update (Boles)

The Director of Corporate Services/Treasurer provided an update regarding the work being completed at Nickel Beach. He further advised

that a report regarding the budget for these projects will be brought forward at a future Council meeting.

14.6 Urban Forest Plan (Boles)

The Director of Corporate Services/Treasurer advised Council that staff are currently in the process of developing an Urban Forest Plan which will help dictate where future trees are planted. He provided further details regarding tree activities within the City.

14.7 Floating Accommodations on Ontario Public Lands (Higginbotham)

The Tourism Coordinator advised Council that he attended a meeting with the Ministry of Natural Resources and Forestry regarding floating accommodations on Ontario Public Lands and proposed changes. He further advised that staff recommends that no further feedback be provided to the Government of Ontario.

14.8 Haney Street Development Project (Long)

The Manager of Strategic Initiatives advised Council that he has received an update from Niagara Region Housing and a meeting is scheduled to discuss funding opportunities for the Haney Street development project.

15. Councillors' Remarks

15.1 Signage Issue on Welland Street (Bruno)

Councillor Bruno expressed gratitude towards Regional Councillor Davies for addressing the signage issue on Welland Street.

15.2 Cell Tower (Bodner)

In response to Councillor Bodner's inquiry, the Chief Administrative Officer advised that the owner of the telecom service has been made aware of the maintenance required for the cell tower on Miller Road. The Chief Administrative Officer further stated that staff will address this matter and provide a verbal update at a future Council meeting.

15.3 2024 Solar Eclipse Event (Bodner)

In response to Councillor Bodner's inquiry, the Chief Administrative Officer provided an overview to Council regarding ways in which staff have been preparing for the 2024 Solar Eclipse event.

15.4 Traffic Study (Elliott)

Councillor Elliott requested that while reviewing and completing the traffic study staff implement weight restrictions for trucks on the Elm Street Corridor.

15.5 Clarence Street Bridge Drain (Elliott)

In response to Councillor Elliott's request regarding the maintenance of the drain on Clarence Street Bridge, the Director of Public Works informed Council that he would investigate this matter.

15.6 Elm Street Resurfacing (Elliott)

In response to Councillor Elliott's request for a timeline for the resurfacing work on Elm Street, the Manager of Infrastructure advised that the schedule for the work is currently being finalized. In addition, the Director of Public Works provided a brief overview of the extent of work that will be completed on Elm Street.

15.7 Petition-Elm Street (Bruno)

In response to Councillor Bruno's request, the Manager of Infrastructure confirmed that the resident that presented the petition requesting to reduce the vehicle speed limit on Elm Street will be advised on measures taking place to control traffic.

15.8 Thank you (Bruno)

Councillor Bruno expressed gratitude towards City staff for addressing questions received during a recent meeting with a developer and residents.

15.9 Windstorm (Bagu)

Councillor Bagu expressed appreciation towards Public Works staff for clearing Steele Street storm sewer during the recent windstorm.

15.10 Eagle Marsh Drain (Bagu)

In response to Councillor Bagu's inquiry regarding the sand built up with in the Eagle Marsh Drain, the Director of Public Works advised that a report will be brought forward at a future Council meeting to address various issues.

15.11 Storm Sewers (Bagu)

In response to Councillor Bagu's inquiry, the Director of Public Works advised that a CCTV program is being implemented and all the storm

systems are being examined for deficiencies. He further stated that a report regarding the findings will be brought forward at a future Council meeting.

15.12 Capital Projects (Bagu)

In response to Councillor Bagu's request for an update regarding capital projects that were approved by Council, the Chief Administrative Officer advised that he will collaborate with staff and will provide a verbal update at a future Council meeting.

15.13 Sherkston Community Centre-Kids Craft and Bingo Night (Aquilina)

Councillor Aquilina provided details regarding the Kids Craft and Bingo Night hosted by the Sherkston Community Centre on Sunday March 30, 2023.

15.14 Miller Road (Aquilina)

Councillor Aquilina expressed gratitude towards the Chief Administrative Officer and Mayor Steele for their assistance with ensuring the increase in presence of Niagara Regional Police on Miller Road.

15.15 City of Brampton-Free Access Ramps (Aquilina)

Councillor Aquilina informed Council that the City of Brampton has partnered with a non-for-profit organization StopGap, for free temporary access ramps for Brampton businesses that do not have an accessible front entrance.

15.16 Inclusive Playground Equipment (Aquilina)

In response to Councillor Aquilina request for expression swings within City parks, the Director of Public Works confirmed that he would investigate.

15.17 Housing Accelerator Fund (Aquilina)

Councillor Aquilina provided details regarding the Housing Accelerator Fund which aims to grow the annual housing supply.

15.18 Vale Health and Wellness Centre Rood Repairs (Elliott)

In response to Councillor Elliott's request for an update, the Manager of Infrastructure advised that the roof repairs are scheduled to start on April 17, 2023.

15.19 Playgrounds (Bodner)

Councillor Bodner requested that an adventure playground be built in Centennial Park.

15.20 Community Safety Zones (Steele)

Mayor Steele provided an overview of the Community Safety Zone initiative by the Niagara Region and requested that the Niagara Region and the City of Port Colborne designate various streets as Community Safety Zones during school hours.

16. Consideration of Items Requiring Separate Discussion

16.1 Sugarloaf Street Archeological Investigation, 2023-52

Moved by Councillor M. Bagu

Seconded by Councillor D. Elliott

That Public Works Department Report 2023-52 be received; and

That the Director of Public Works be directed to fund the archeological investigation to the satisfaction of the Ministry of Public and Business Services Delivery at an estimated cost of \$435,000 from the Infrastructure Reserve.

Carried

16.2 Emmanuel Lutheran Cemetery Transfer, 2023-31

Moved by Councillor R. Bodner

Seconded by Councillor T. Hoyle

That Public Works Department Report 2023-31 be received;

That Council accept ownership of the Emmanuel Lutheran Cemetery located at 5194 Beach Road, Sherkston, Ontario L0S 1R0 Lot 3 & 4, Concession 1, Plan 35;

That Council authorize the Director of Public Works to complete a survey of the lands required for ownership transfer and retain resources to update the Cemetery Software database for a cost of \$15,000 to be funded from the 2023 operating budget;

That Council direct the Director of Public Works to apply the City of Port Colborne cemetery rate structure to the Emmanuel Lutheran Cemetery effective immediately; and

That Council authorize the CAO to sign the Transfer to Cemetery Care and Maintenance Trust Fund/Account Information Sheet and the Cemetery Transfer and Acceptance of the Municipality by Mutual Consent forms as required by the Bereavement Authority of Ontario (BAO).

Carried

16.3 Strategic Plan – Trimester Update, 2023-50

Moved by Councillor M. Bagu
Seconded by Councillor F. Danch

That Office of the Chief Administrative Officer Report 2023-50 be received for information.

Carried

16.4 Communities in Bloom - Invitation Letter to Participate in the 2023 Provincial Edition of Communities in Bloom

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

That correspondence from Communities in Bloom Ontario regarding an invitation to participate in the 2023 Ontario Provincial Edition be referred to Chief Administrative Officer and Manager of Strategic Initiatives to investigate and bring a report forward with further information at the April 25, 2023 Council Meeting.

Carried

16.5 Municipality of North Perth - School Bus Stop Arm Cameras

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

That correspondence from the Municipality of North Perth regarding School Bus Arm Cameras be supported.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

19.1 Port Colborne Public Library Board Minutes - February 1, 2023

Moved by Councillor M. Bagu

Seconded by Councillor F. Danch

That the minutes of the Port Colborne Public Library Board meeting, held on February 1, 2023, be approved as presented.

Carried

20. By-laws

Moved by Councillor G. Bruno

Seconded by Councillor D. Elliott

That items 20.1, 20.2 and 20.4 be enacted and passed.

Carried

20.1 By-law to Stop Up and Close the temporary Hillcrest Road turning circle

20.2 By-law to Authorize Entering into an Amending Agreement with His Majesty the King in Right of Canada, represented by the Minister responsible for the Federal Economic Development Agency for Southern Ontario, for the Canada Community Revitalization Fund

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

20.3 By-law to Appoint Diana Vasu and Lucas Wainwright as a Municipal Law Enforcement Officer

Moved by Councillor T. Hoyle

Seconded by Councillor F. Danch

That item 20.3, as amended in 20.3 a, be enacted and passed.

Carried

a. By-law to Appoint Diana Vasu and Jacob Heikoop as a Municipal Law Enforcement Officer

21. Confidential Items

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

That Council do now proceed into closed session in order to address items 21.1 to 21.3.

Carried

21.1 Minutes of the closed session portion of the March 6, 2023 Special Council Meeting

21.2 Human Resources Verbal Report, pursuant to the Municipal Act, 2001, Subsection 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees

21.3 Chief Administrative Office Report, 2023-60 pursuant to the Municipal Act, 2001, Subsection 239(f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Councillor R. Bodner declared a conflict on this item.

22. Procedural Motions

23. Information items

24. Adjournment

Council moved into Closed Session at approximately 9:30 p.m.

Council reconvened into Open Session at approximately 11:06 p.m.

Mayor Steele adjourned the meeting at approximately 11:07 p.m.

William C. Steele, Mayor

Charlotte Madden, Acting City Clerk