

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, May 9, 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
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: F. Danch, Councillor

Staff Present: C. Madden, Acting City Clerk
B. Boles, Director of Corporate Services/Treasurer
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 6:32 p.m.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

4.1 Mountainview LemonAID Day, Saturday, June 10, 2023

Sheryl Matthews, Trustee, FACS Foundation Board of Directors and Brett Sweeney Director of Communications and Community Engagement,

provided a presentation to Council with information regarding the Mountainview LemonAID Day.

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

That June 10, 2023 be proclaimed as "Mountainview LemonAID Day" in the City of Port Colborne.

Carried

4.2 May is Museum Month (May 1- 31, 2023)

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

That May 01 - 31, 2023 be proclaimed as "Museum Month" in the City of Port Colborne

Carried

5. Adoption of Agenda

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

That the agenda dated May 09, 2023 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

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

- a. That the minutes of the Public Meeting held on April 11, 2023, be approved as circulated.
- b. That the minutes of the Regular Meeting of Council held on April 25, 2023, be approved as circulated.
- c. That the minutes of the Council Orientation, Education and Training Session (Closed Session) held on May 02, 2023, be approved as circulated.

Carried

7.1 Public Meeting - April 11, 2023

7.2 Regular Meeting of Council - April 25, 2023

7.3 Council Orientation, Education and Training Session - May 2, 2023

8. Staff Reports

Moved by Councillor T. Hoyle

Seconded by Councillor D. Elliott

That items 8.1 to 8.6 be approved, and the recommendations contained therein be adopted.

Carried

8.1 2023 Property Tax and Storm Sewer By-Law, 2023-87

That Corporate Services Department Report 2023-87 be received;

That the 2023 property tax rates outlined in Appendix A of Corporate Services Report 2023-87 be approved;

That the 2023 Property Tax Rate By-Law attached as Appendix B of Corporate Services Report 2023-87 be approved;

That Churches and Places of Worship property type category and rate as outlined in Appendix B of Corporate Services Report 2023-87 be approved.

8.2 Pop-up Patio and Encroachment Fees 2023, 2023-85

That Chief Administrative Officer Report 2023-85 be received; and

That Economic Development and Tourism Services staff be authorized to extend the waiving of sidewalk encroachment agreement fees and pop-up patio fees for 2023, and to bring back a recommendation on a fee schedule for 2024 in September 2023.

a. Written Delegation material from Port Colborne Downtown B.I.A.-Letter of Support

8.3 Video Surveillance Memorandum of Understanding, 2023-67

That Corporate Services Department Report 2023-67 be received;

That Council approve a memorandum of understanding between the City of Port Colborne and the Niagara Regional Police Service regarding video surveillance feed sharing; and

That the Mayor and City Clerk be authorized to execute the Memorandum of Understanding and By-law.

8.4 Surplus Declaration - Part of PIN 64457-0087, 2023-84

That Chief Administrative Officer – Economic Development and Tourism Services Division Report 2023-84 be received;

That Council declare a portion of PIN 64457-0087 legally described as Catharine St PL 987, 988, 989 South of Sugar Loaf Street, also known as Catharine St; Port Colborne as surplus; and

That Council delegate authority to the Chief Administrative Officer to dispose of this surplus parcel; and

That the purchase/sale agreement and by-law be brought to Council at a future Council meeting.

8.5 Awarding RFP 2023-02 – Commercial Food Vending at H.H. Knoll Lakeview Park, 2023-88

That Corporate Services Department Report 2023-88 be received; and

That Council approve entering into a lease agreement with PL8 of Fries food vendor for the purposes of food vending operations at H.H. Knoll Lakeview Park; and

That the Mayor and City Clerk be authorized to execute the lease agreement and By-law, attached as Appendix A.

8.6 Downtown Cruise Nights - 2023, 2023-80

That Corporate Services Department Report 2023-80 be received; and

That the following road closures be approved on Thursday evenings from 5 p.m. to 9 p.m. from May 18, 2023, to August 31, 2023, as shown in Appendix A:

- Clarence Street, from the eastern limit of Catharine Street to the western limit of King Street.
- Clarence street, from the eastern limit of King Street to the western limit of West Street;

- Catharine Street from the southern limit of Clarence Street to the Northern limit of Charlotte Street;
- The Northern parking spaces in Market Square on the southern border of King George Park.

That the Port Colborne Downtown Cruiser's Association (PCDCA) be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the event;

That the fees be waived for the use of King George Park and access to hydro for the staging of the Cruise Night events; and

That the fee for a Noise By-law Exemption application be waived.

9. Correspondence Items

Moved by Councillor T. Hoyle

Seconded by Councillor D. Elliott

That items 9.1 and 9.2 be received for information.

Carried

9.1 City of Stratford - Funding and Support for VIA Rail Services

9.2 Federation of Northern Ontario Municipalities (FONOM) - Bail Reform Resolution

10. Presentations

10.1 City of Port Colborne Museum and Culture Annual Department Update

Stephanie Baswick, Director of Museum and Culture, provided an annual department update presentation for Museum and Culture and responded to questions received from Council.

10.2 City of Port Colborne Public Library Annual Update

Susan Therrien, Director of Library Services, provided an annual department update presentation for the Port Colborne Public Library 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

14. Staff Remarks

14.1 Port Promenade (Shypowskyj)

The Director of Public Works advised that concrete work is being completed along the Port Promenade on West Street, between Charlotte Street and Victoria Street and as a result, sections of the promenade will not be accessible to ensure public safety.

14.2 Vale Health and Wellness Centre (Shypowskyj)

The Director of Public Works advised Council that the roof mounted cooling towers as well as the central gutter system replacement project is underway and will be completed within six weeks.

14.3 Vacant Land Owners-Correspondence (Boles)

The Director of Corporate Services/Treasurer advised Council that any inquiries regarding the correspondence that was sent to owners of vacant properties can be directed to Customer Service staff. He further provided an overview of the wastewater fees as set out in the by-law.

14.4 Motion Regarding Sherkston Shores Resort-Restoration of Access to Residents of LOS 1R0 (Luey)

The Chief Administrative Officer stated that the staff report pertaining to the Sherkston Shores restoration of access to residents of LOS 1R0 will be brought forward at the June 13, 2023 regular Council meeting.

15. Councillors' Remarks

15.1 Speed Limit Signs on Highway 3 (Bodner)

In response to Councillor Bodner's inquiry, the Chief Administrative Officer advised that the complaints regarding the change in speed limits on Highway 3 were reported to the Ministry of Transportation and have been rectified.

15.2 Ground-Breaking Event-Foyer Richelieu Welland (Hoyle)

Councillor Hoyle advised that he attended an event on May 2, 2023 at Foyer Richelieu in Welland for Hospice Niagara on behalf of the City. He

further stated that the Ontario government is providing up to \$4.6 million to Hospice Niagara for a new 10-bed residential hospice.

15.3 Sugarloaf Marina (Bruno)

Councillor Bruno provided an overview of the changes that have been made at the Sugarloaf Marina and expressed appreciation towards staff for all their hard work.

15.4 Friends of Roselawn High Tea (Aquilina)

Councillor Aquilina stated that she attended the High Tea event hosted by Friends of Roselawn and expressed appreciation towards staff and volunteers for a successful event.

15.5 Port Colborne Conservation Club (Aquilina)

In response to Councillor Aquilina's request, the Manager of By-law Services informed Council that she would investigate the increased shooting by members of the Port Colborne Conservation Club.

15.6 Port Promenade (Steele)

Mayor Steele requested that the St. Lawrence Seaway be contacted to repair a damaged ladder located at the Port Promenade.

16. Consideration of Items Requiring Separate Discussion

16.1 2022 Year End Surplus and Project Close Out, 2023-73

The Director of Corporate Services/Treasurer provided a presentation regarding the 2022 Year End Surplus and Project Close Out and responded to questions received from Council.

Moved by Councillor G. Bruno

Seconded by Councillor M. Aquilina

That Corporate Services Department Report 2023-73 be received; and

That the year-end levy surplus be transferred to the City's Infrastructure Reserve; and

That the capital and related project and reserve balances of Appendices E, F, and G of Corporate Services Department Report 2023-73 be approved.

Carried

16.2 User Fee Principles, 2023-91

The Director of Corporate Services/Treasurer provided a presentation regarding User Fee Principles and responded to questions received from Council.

Moved by Councillor G. Bruno
Seconded by Councillor T. Hoyle

That Corporate Services Department Report 2023-91 be received; and

That the user fee principles as set out in this report and associated Appendix be approved.

Carried

16.3 Nickel Beach Parking By-law Amendments, 2023-86

Moved by Councillor T. Hoyle
Seconded by Councillor D. Elliott

That Corporate Services Department Report 2023-86 be received;

That Council approve the amendments to the Permitting System for Parking of Vehicles on Designated Highways and Parking Lots in the City of Port Colborne By-law 7006/44/22, identified as Appendix A of Corporate Services Report 2023-86;

That Council approve the new Parking Fees identified in Appendix B of Corporate Services Report 2023-86; and

That the updated Schedule G of the User Fees and Charges By-law be included in a future amendment to the Fees and Charges for Various Services By-law 7047/84/22.

Carried

a. Written Delegation Material from Melissa Bigford, resident

16.4 Niagara Central Dorothy Rungeling Airport Commission – Facilitation of Hangar Purchase, 2023-90

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

That Corporate Services Department Report 2023-90 be received; and

That Council delegate authority to the CAO and the Director, Corporate Services/Treasurer to enter into an agreement to purchase a hangar identified by the Commission and sell the hangar to the Niagara Central Dorothy Rungeling Airport Commission provided written confirmation from Grant Thornton of their verbal tax advice as outlined in the report is received.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

20. By-laws

Moved by Councillor M. Aquilina

Seconded by Councillor E. Beauregard

That items 20.1 to 20.5 be enacted and passed.

Carried

20.1 By-law to Amend By-law No. 7006/44/22, By-law No. 89-2000 and By-law No. 4310/146/02

a. By-law to Amend By-law No. 7006/44/22, By-law No. 89-2000 and By-law No. 4310/146/02

20.2 By-law to Set and Levy the Rates of Taxation for City Purposes for the Year 2023

20.3 By-law to Authorize Entering into a Memorandum of Understanding with Niagara Regional Police Services

20.4 By-law to Authorize Entering into a Lease Agreement with PI8 of Fries Regarding Food Vending Operations at H.H. Knoll Lakeview Park

20.5 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 G. Bruno

Seconded by Councillor R. Bodner

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

Carried

21.1 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

22. Procedural Motions

23. Information items

24. Adjournment

Council reconvened into Closed Session at approximately 9:02 p.m.

Council reconvened into Open Session at approximately 9:57 p.m.

Mayor Steele adjourned the meeting at approximately 9:58 p.m.

William C. Steele, Mayor

Charlotte Madden, Acting City Clerk