

**City of Port Colborne**  
**Council Meeting Minutes**

**Date:** Tuesday, May 23, 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:** C. Madden, City Clerk  
S. Lawson, Acting Chief Administrative Officer and Fire Chief  
S. Shypowskyj, Director of Public Works  
S. Tufail, Deputy Clerk (minutes)

**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 T. Hoyle

Seconded by Councillor R. Bodner

That the agenda dated May 23, 2023 be confirmed, as circulated.

Carried

**6. Disclosures of Interest**

**6.1 Councillor E. Beauregard - Chief Administrative Office Report 2023-24, Proposed or Pending Acquisition or Disposition of Land**

**7. Approval of Minutes**

**7.1 Regular Meeting of Council - May 09, 2023**

Moved by Councillor F. Danch

Seconded by Councillor D. Elliott

That the minutes of the regular meeting of Council, held on May 9, 2023, be approved as presented.

Carried

**8. Staff Reports**

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That items 8.1 and 8.2 be approved, and the recommendations contained therein be adopted.

Carried

**8.1 Lifting of Part Lot Control on 263-273 Lancaster Drive - File No. D25-01-23, 2023-98**

That Development and Legislative Services Department – Planning Division Report 2023-98 be received; and

That the By-law attached as Appendix A to Planning Division Report 2023-98 be approved, exempting 263-273 Lancaster Drive on Plan 59R-17626 from the Part Lot Control provisions of the *Planning Act*.

**8.2 Canada Day Celebrations, 2023-101**

That Corporate Services Department Report 2023-101 be received;

That the City sponsorship and waiver of fees for the Optimist Club Canada Day Celebrations at H.H. Knoll Lakeview Park Celebrations be approved;

That the following roads be closed to parking and vehicular traffic on Saturday, July 1, 2023, from 11:00 a.m. to 11:00 p.m.

- West Street, from the southern limit of Charlotte Street to the southern limit of the former Public Works Yard (11 King Street);
- Intersection of Kent Street and West Street;
- Intersection of Victoria Street at West Street;
- Intersection of Adelaide Street at West Street;
- Intersection of Sugarloaf Street at West Street; and

That the Port Colborne Optimist Club 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.

## **9. Correspondence Items**

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

That items 9.1 to 9.5 be received for information.

Carried

- 9.1 Ministry of Natural Resources and Forestry - Rabies Control Operations Notification**
- 9.2 Township of Armour - Water Aerodromes regarding Regulations for the Building of Massive Docks and Boathouses without Municipal Consultation**
- 9.3 Prince Edward County - Proposed New Changes to the Provincial Planning Statement (PPS)**
- 9.4 Town of Plympton-Wyoming - Removing Addresses on Municipal Election Forms**
- 9.5 Municipality of Tweed - Bell Canada and Hydro One Pole Infrastructure**

## **10. Presentations**

- 10.1 City of Port Colborne Community Safety and Enforcement Department Annual Update**

Scott Lawson, Fire Chief, provided an annual department update presentation for the Community Safety and Enforcement Department and responded to questions received from Council.

**11. Delegations**

**11.1 D'Arcy Kewley - Request to Repeal By-Law 6788/38/20-To Regulate Open Air Burning and Recreational Fires in the City of Port Colborne**

D'Arcy Kewley, resident of Port Colborne, provided a presentation with respect to Open Air Burning. Ms. Kewley requested that By-Law No. 6788/38/20 Being a By-law to Regulate Open Air Burning and Recreational Fires in the City of Port Colborne be repealed.

As a result of this delegation no action was taken by Council.

**12. Mayor's Report**

A copy of the Mayor's report is attached.

**13. Regional Councillor's Report**

**14. Staff Remarks**

**14.1 Sugarloaf Archaeological Excavation (Shypowskyj)**

The Director of Public Works stated that the required archaeological work on Sugarloaf Street has been postponed to the Fall of 2023 as a result of consultation with the Aboriginal communities. He further advised that at that time, an update will be provided to Council and the neighbouring properties.

**14.2 Vale Health and Wellness Centre - Roof Repairs (Shypowskyj)**

The Director of Public Works advised Council that the contractor is actively working on the gutter system and roof repairs at the Vale Health and Wellness Centre and delays are not expected at this time.

**14.3 Vale Health and Wellness Centre - Cooling Tower (Shypowskyj)**

The Director of Public Works advised Council that the installation of the cooling tower has been completed at the Vale Health and Wellness Centre and the ice rink will be available the first week of June, 2023.

**14.4 City Hall - Roof Replacement Project (Shypowskyj)**

The Director of Public Works advised Council that the contract for the roof replacement project at City Hall is currently being finalized. He further

stated that the expected start date for the project is early June 2023, and all services will remain open.

**14.5 Pedestrian Bridge Construction - H.H. Knoll Lakeview Park (Shypowskyj)**

The Director of Public Works advised Council that the construction of the pedestrian bridge at H.H. Knoll Lakeview Park has begun and the project is on track to meet the completion deadline of early June 2023.

**14.6 Lighting Project - H.H. Knoll Lakeview Park (Shypowskyj)**

The Director of Public Works advised Council that the installation of lights around the perimeter of H.H. Knoll Lakeview Park is soon to be completed.

**14.7 Annual Ditching Program (Shypowskyj)**

The Director of Public Works stated that the annual ditching program has started and a full list of ditching that needs to be completed is available on the City's website.

**14.8 Hydrant Flow Testing and Rural Roadside Mowing Program (Shypowskyj)**

The Director of Public Works advised Council that the hydrant flow testing has started and the rural roadside mowing program will begin early June 2023.

**14.9 Nickel Beach (Shypowskyj)**

The Director of Public Works, on behalf of the Director of Corporate Services, provided a brief overview of passes and beach chairs that were sold in various zones at Nickel Beach during the opening weekend. He further stated that positive feedback was received from residents regarding the beautification and the new washrooms at the beach.

**14.10 Vale Health and Wellness Centre - Food Concession (Shypowskyj)**

The Director of Public Works, on behalf of the Director of Corporate Services, advised that staff are working with the City Solicitor to finalize a contract with a new vendor and an update will be brought forward to Council in June 2023.

**14.11 Community Clean-Up and Safety Day (Lawson)**

The Fire Chief stated that the Community Safety and Enforcement Department hosted a community clean up and safety day and expressed appreciation towards community partners for a successful event.

#### **14.12 Camp Molly (Lawson)**

The Fire Chief provided a brief overview of Camp Molly which took place in Niagara Falls on May 11-14, 2023. He further expressed appreciation towards seven residents for participating.

### **15. Councillors' Remarks**

#### **15.1 Sherkston Community Centre - Fashion Show (Aquilina)**

Councillor Aquilina stated that Sherkston Community Centre is hosting a fashion show on June 4th from 1-4 p.m.

#### **15.2 Parks and Roads Staff (Bagu)**

Councillor Bagu expressed gratitude towards Parks and Roads staff for addressing various concerns.

#### **15.3 Sugarloaf Harbour Marina - Accessibility Apparatus (Bagu)**

Councillor Bagu requested that during 2024 budget deliberations, all possible options be explored for an accessibility apparatus at the Sugarloaf Harbour Marina.

#### **15.4 Sugarloaf Harbour Marina - Fish Cleaning Stations (Bagu)**

Councillor Bagu informed Council that he has requested for a fish cleaning station at the launch ramp at Sugarloaf Harbour Marina and expressed appreciation towards the Director of Corporates Services/Treasurer for addressing the matter.

#### **15.5 2nd Avenue and Highway 3 - Grass Cutting (Bruno)**

In response to Councillor Bruno's request for grass cutting of an area located near 2nd Avenue and Highway 3, the Director of Public Works advised Council that he would investigate this matter.

#### **15.6 Surveillance Camera - Nickel Beach (Bruno)**

In response to Councillor Bruno's request for the surveillance camera at Nickel Beach to be monitored by the guards at Vale Health and Wellness Centre, the Acting Chief Administrative Officer advised that he would investigate this matter.

### **15.7 Thank You (Danch)**

Councillor Danch expressed appreciation towards Public Works staff for addressing various concerns.

### **15.8 Railway Tracks on Main Street (Danch)**

In response to Councillor Danch's request for an update on the construction project of the railway tracks on Main Street, the Director of Public Works provided a brief overview of the project. Additionally, Mayor Steele informed that the City is collaborating with GIO Rail and St. Lawrence Seaway Management Corporation to address infrastructure improvements.

### **15.9 Port Colborne Public Library Sign (Danch)**

In response to Councillor Danch's request for the Public Library sign to be repaired, the Director of Public Works confirmed that he would investigate.

### **15.10 Property Maintenance on King Street (Danch)**

Councillor Danch stated that a property located on King Street required maintenance and requested that By-law services staff investigate.

### **15.11 Street Sign for Canalbank Road (Danch)**

In response to Councillor Danch's request, the Director of Public Works indicated that he would look into replacing a one-way sign on Canalbank Road.

### **15.12 Dust and Snider Docks Services Limited (Hoyle)**

Councillor Hoyle advised that he has received various complaints from residents regarding dust on their properties and requested that staff communicate with Snider Dock Services Limited to address the issue.

## **16. Consideration of Items Requiring Separate Discussion**

### **16.1 Agreement for Funding from Vale Canada, 2023-79**

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

That Community Safety & Enforcement Department Report 2023-79 be received; and

That the Chief Administrative Officer be directed to execute the gift agreement between Vale Canada Limited and the City of Port Colborne.

Carried

**16.2 Lock 8 Pavilion – Condition Assessment, 2023-96**

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That Public Works Department Report 2023-96 be received;

That the Manager of Road and Park Operations be directed to demolish and remove the Lock 8 Pavilion for safety reasons; and

That the total estimated cost of \$15,000 excluding applicable taxes for the demolition project be approved.

**Amendment:**

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That Public Works Department Report 2023-96 be received;

**That the Manager of Road and Park Operations be directed to not demolish and remove the Lock 8 Pavilion; and**

**That the Manager of Road and Park Operations be directed to safely secure the Pavilion until a Master Plan for Lock 8 Gateway Park is finalized and approved.**

Carried

**16.3 City of Cambridge - Highway Traffic Act Amendment regarding Automated Speed Enforcement Systems (ASE)**

Moved by Councillor M. Bagu

Seconded by Councillor T. Hoyle

That correspondence from City of Cambridge regarding Highway Traffic Act Amendment -Automated Speed Enforcement Systems (ASE), be supported.

Carried

**17. Motions**

**18. Notice of Motions**



**19. Minutes of Boards & Committees**

Moved by Councillor M. Bagu

Seconded by Councillor M. Aquilina

That items 19.1 and 19.2 be approved, as presented.

Carried

**19.1 Environmental Advisory Committee Minutes - March 8, 2023**

**19.2 Port Colborne Public Library Board Meeting Minutes - April 5, 2023**

**20. By-laws**

Moved by Councillor E. Beauregard

Seconded by Councillor D. Elliott

That items 20.1 to 20.5 be enacted and passed.

Carried

**20.1 By-law to Exempt the lands known as Block 72 on Plan 59M-428, more specifically described as Parts 1-12 on Plan 59R-17626, municipally known as 263-273 Lancaster Drive from the Part Lot Control provisions of the Planning Act**

**20.2 By-law to Appoint Municipal Law Enforcement Officers**

**20.3 By-law to Appoint a City Clerk**

**20.4 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 R. Bodner

Seconded by Councillor T. Hoyle

That Council reconvene into closed session in order to address items 21.1 to 21.5.

Carried

**21.1 Minutes of the closed session portion of the April 25, 2023 Council Meeting**

**21.2 Minutes of the closed session portion of the May 02, 2023 Council Meeting**

**21.3 Minutes of the closed session portion of the May 09, 2023 Council Meeting**

**21.4 Chief Administrative Office Report 2023-24, Proposed or Pending Acquisition or Disposition of Land**

Councillor E. Beauregard declared a conflict on this item.

**21.5 Chief Administrative Office Report 2023-97, a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality**

**22. Procedural Motions**

**23. Information items**

**24. Adjournment**

Council reconvened into Closed Session at approximately 8:28 p.m.

Council reconvened into Open Session at approximately 9:46 p.m.

Mayor Steele adjourned the meeting at approximately 9:47 p.m.

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William C. Steele, Mayor

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Charlotte Madden, City Clerk