

City of Port Colborne
Council Meeting Minutes

Date: Monday, June 28, 2021
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. Proclamations

3.1 World Hepatitis Day - 2021

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

That July 28, 2021 be proclaimed as “World Hepatitis Day” in the City of Port Colborne.

Carried

4. Adoption of Agenda

Moved by Councillor E. Beauregard

Seconded by Councillor D. Kalailieff

That the agenda dated June 28, 2021 be confirmed, as circulated.

Carried

5. Disclosures of Interest

5.1 Councillor E. Beauregard - SouthPort Condos Inc. – CIP Agreement (2021-162)

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.

5.2 Councillor E. Beauregard - By-law to Authorize Entering into an Agreement with SouthPort Condos Inc. Regarding Downtown Central Business District CIP Tax Assistance and Brownfield CIP Rehabilitation Grant

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.

6. Approval of Minutes

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

- a. That the minutes of the regular meeting of Council held on June 14, 2021, be approved as circulated.
- b. That the minutes of the Public Meeting held on June 21, 2021, be approved as circulated.
- c. That the minutes of the special meeting of Council held on June 21, 2021, be approved as circulated.

Carried

6.1 Regular Meeting of Council - June 14, 2021

6.2 Public Meeting - June 21, 2021

6.3 Special Meeting of Council - June 21, 2021

7. Staff Reports

Moved by Councillor E. Beauregard

Seconded by Councillor R. Bodner

That item 7.1 be approved, and the recommendations contained therein be adopted.

Carried

7.1 COVID Update June 2021 (2021-185)

That Chief Administrative Office Report 2021-185 be received for information.

8. Correspondence Items

Moved by Councillor E. Beauregard

Seconded by Councillor R. Bodner

That items 8.1 to 8.3 be received for information.

Carried

8.1 Town of Fort Erie - Generation Squeezing with Respect to Affordable Housing

8.2 Niagara Peninsula Conservation Authority - Conservation Authorities Act Phase 1 Regulations Guide

8.3 Doug Downey, Attorney General - Modernization Initiatives and Court Recovery in POA Courts

9. Presentations

10. Delegations

11. Mayor's Report

A copy of the Mayor's report is attached.

12. Regional Councillor's Report

13. Staff Remarks

14. Councillors' Remarks

14.1 Radar Signs (Bagu)

In response to Councillor Bagu's request for an update on the portable yellow radar signs that were approved during the last budget cycle, the Director of Public Works confirmed that they have been purchased and that staff are waiting for the delivery.

14.2 City Welcome Club Signs (Bagu)

In response to Councillor Bagu's request for an update on the City Welcome Club Signs, the Director of Public Works informed Council that a sign has been selected and that staff are currently awaiting approval for installation from the Ontario Ministry of Transportation.

14.3 Paving Timeframe (Bagu)

In response to Councillor Bagu's inquiry regarding the timeframe of the paving that will be happening across the City, the Director of Public Works informed Council that the contractor will begin in a few weeks and that a list of the planned paving locations will be sent to Council for information.

14.4 Update on Highway 58 Construction (Kalailieff)

In response to Councillor Kalailieff's inquiry regarding whether or not the construction on Highway 58 could have been postponed, the Mayor confirmed that the Ministry would not postpone the work being completed.

14.5 Bridge Closures (Kalailieff)

Councillor Kalailieff requested that staff notify the public and Council as soon as possible when bridge closures are scheduled.

14.6 Speeding on Johnston Street and Christmas Street (Desmarais)

Councillor Desmarais requested that the issue of speeding be addressed on Johnston Street and Christmas Street. The Mayor informed Council that he would notify the Niagara Regional Police Staff Sergeant of this issue in these two areas.

14.7 Business Directory (Desmarais)

Councillor Desmarais informed Council that she has received reports of frustration when using the Business Directory on the City's Website. The Chief Administrative Office confirmed that he will investigate this issue.

14.8 Construction on Highways (Bruno)

In response to Councillor Bruno's inquiry regarding whether the Director of Public Works receives any notification from the appropriate entities about construction or road repairs being completed on Highway 3, Highway 140 or Highway 58, the Director confirmed that he only receives notification after it has been communicated to the Chief Administrative Officer or Communications Division.

14.9 Closures (Bruno)

In response to Councillor Bruno's inquiry regarding whether the City could request to be notified of any closures in advance of starting construction, the Mayor confirmed that he and the Chief Administrative Officer will approach the Ontario Ministry of Transportation, the Niagara Region, CN Rail, and the St. Lawrence Seaway to inquire as to what projects are coming up.

14.10 Contract for Highway 58 Construction (Bruno)

Councillor Bruno inquired as to whether the City could request that the construction contract on Highway 58 be expedited. The Councillor further requested that the City inquire as to whether there is a buffer date at the end of the contract to account for the closure dates. The Mayor confirmed that he and the Chief Administrative Officer would contact the Ontario Ministry of Transportation.

14.11 Longer Street Lights on Main Street (Danch)

In response to Councillor Danch's request to have the timing of the street lights extended on Main Street during the period of closure on Highway 58, the Mayor informed Council that he and the Director of Public Works would investigate solutions with the Niagara Region.

14.12 Beach Road Ends (Wells)

Councillor Wells reported that he has received multiple reports from residents who live near the beach road ends of unfavourable behaviour by people who illegally park there. In response to Councillor Wells inquiry regarding whether the City can do anything further to provide a safe

community for these residents, the Mayor informed Council that he and the Chief Administrative Officer would investigate this issue.

14.13 Street Lights near Mellanby Bridge (Beauregard)

In response to Councillor Beauregard's request to have the timing of the street lights extended near the Mellanby Avenue bridge, the Mayor confirmed that he and the Director of Public Works would investigate this matter.

14.14 Mufflers Enforcement (Beauregard)

Councillor Beauregard expressed gratitude towards the Niagara Regional Police for their work on Operation Loud and Clear and enforcing mufflers around the Niagara Region.

15. Consideration of Items Requiring Separate Discussion

15.1 2021 CAO Department Update (2021-187)

Moved by Councillor M. Bagu

Seconded by Councillor R. Bodner

That Chief Administrative Office Report 2021-187 be received for information.

Carried

15.2 Trimester 1 Financial Reporting (2021-77)

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That Corporate Services Department Report 2021-77 be received for information.

Carried

15.3 Energy Consumption and Greenhouse Gas Emissions Report (2019) (2021-180)

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Public Works Department Report 2021-180 be received for information.

Carried

15.4 2022 Budget Timeline (2021-174)

Moved by Councillor H. Wells

Seconded by Councillor F. Danch

That Corporate Services Department Report 2021-174 be received; and

That the timeline proposed in Appendix A of Corporate Services Department Report 2021-174 be approved.

Carried

15.5 SouthPort Condos Inc. – CIP Agreement (2021-162)

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.)

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2021-162 be received;

That Council approve the Brownfield Community Improvement Plan – Downtown Central Business District Community Improvement Plan Agreement between the City of Port Colborne and SouthPort Condos Inc., attached as Appendix A to Chief Administrative Office Report 2021-162; and

That a by-law to enter into an agreement with SouthPort Condos Inc., be brought forward.

Carried

15.6 2021 Beach Operations Update (2021-183)

Moved by Councillor H. Wells

Seconded by Councillor D. Kalailieff

That Corporate Services Department Report 2021-183, 2021 Beach Operations Update be received as information.

Carried

15.7 Joint Accessibility Advisory Committee (2021-177)

Moved by Councillor M. Bagu

Seconded by Councillor A. Desmarais

That Corporate Services Department Report 2021-177 be received;

That Council approve The City of Port Colborne joining the Joint Accessibility Advisory Committee; and

That the Manager of Human Resources be delegated to select two City appointees to sit as members of the Joint Accessibility Advisory Committee for 2021-2022.

Carried

15.8 Lockview Park Redevelopment Project – Update (2021-163)

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That Chief Administrative Office Report 2021-163 be received for information.

Carried

15.9 Project No. 2021-16 RFQ 11 King Buildings Demolition (2021-182)

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Council award the Project for the Demolition of Buildings at the abandoned Public Works Yard at 11 King St., Port Colborne (the Project), to Tri-Phase Group Inc. for the base contract amount of \$72,304.00, plus applicable taxes;

That Council approve a contingency for provisional items of \$19,696.00, for estimated maximum quantities of materials, and be awarded at the discretion of the Director of Public Works for use, up to the amount that proves necessary;

That staff prepare the Contract By-law, and the City Clerk and Mayor be authorized to execute the Contract Agreement; and

That the previously approved funding for the Project be financed as follows:

\$35,000 under Account 20C-PW-L18 (11 King Demolition)

\$57,000 under Account 20C-ED-L47 (Tourism and Cruise Destination Business Case)

Carried

15.10 Procurement and Project Management Services (2021-181)

Moved by Councillor M. Bagu

Seconded by Councillor R. Bodner

That Council award the Procurement and Project Management Services project (the Project) to CIMA Canada Inc. (the Consultant) on an “as and when” retainer requested basis to an upset limit of \$147,600, including applicable taxes;

That staff prepare the Contract By-law, and the City Clerk and Mayor be authorized to execute the Contract Agreement; and

That the funding for the Project be financed under Account 210-PW-R41 over 1.5 years from the Capital Levy Contingency.

Carried

15.11 Peter Julian, MP New Westminster-Burnaby - Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act

Moved by Councillor A. Desmarais

Seconded by Councillor F. Danch

That correspondence from Peter Julian, MP New Westminster-Burnaby regarding Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act, be supported.

Carried

16. Motions

17. Notice of Motions

18. Minutes of Boards & Committees

Moved by Councillor E. Beauregard

Seconded by Councillor G. Bruno

That item 18.1 be approved, as presented.

Carried

18.1 Port Colborne Historical & Marine Museum Minutes - May 18, 2021

19. By-laws

Moved by Councillor R. Bodner

Seconded by Councillor D. Kalailieff

That items 19.2 to 19.4 be enacted and passed

Carried

19.2 By-law to Authorize Entering into a Contract Agreement with Tri-Phase Group Inc. regarding Project 2021-16

19.3 By-law to Authorize Entering into a Contract Agreement with CIMA Canada Inc. regarding Project 2021-18

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

19.1 By-law to Authorize Entering into an Agreement with SouthPort Condos Inc. Regarding Downtown Central Business District CIP Tax Assistance and Brownfield CIP Rehabilitation Grant

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.)

Moved by Councillor R. Bodner

Seconded by Councillor D. Kalailieff

That item 19.1 be enacted and passed

Carried

20. Confidential Items

Moved by Councillor G. Bruno

Seconded by Councillor A. Desmarais

That Council do now proceed into closed session in order to address items 20.1 to 20.3.

Carried

20.1 Minutes of the closed session portion of the June 21, 2021 Council Meeting

20.2 Chief Administrative Office Report 2021-188, Insurance Claim and Litigation Update

20.3 Chief Administrative Office Report 2021-189, 2020 Employee Engagement Results

21. Procedural Motions

22. Information items

23. Adjournment

Council moved into Closed Session at approximately 8:54 p.m.

Council reconvened into Open Session at approximately 11:38 p.m.

Mayor Steele adjourned the meeting at approximately 11:39 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk