

City of Port Colborne
Council Meeting Minutes

Date: Monday, September 27, 2021
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: 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

Member(s) Absent: M. Bagu, 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 Islamic History Month - October 1 - 31, 2021

Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

That October 1 - 31, 2021 be proclaimed as “Islamic History Month” in the City of Port Colborne.

Carried

3.2 Meals on Wheels Awareness Week - October 3 - 9, 2021

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That October 3 - 9, 2021 be proclaimed as “Meals on Wheels Awareness Week” in the City of Port Colborne.

Carried

3.3 Small Business Week - October 17 - 23, 2021

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That October 17 - 23, 2021 be proclaimed as “Small Business Week” in the City of Port Colborne.

Carried

4. Adoption of Agenda

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That the agenda dated September 27, 2021 be confirmed, as circulated.

Carried

5. Disclosures of Interest

6. Approval of Minutes

Moved by Councillor D. Kalailieff

Seconded by Councillor E. Beauregard

- a. That the minutes of the Regular Meeting of Council held on September 13, 2021, be approved as circulated.

- b. That the minutes of the Committee of the Whole-Budget meeting held on September 16, 2021, be approved as circulated.

Carried

6.1 Regular Meeting of Council - September 13, 2021

6.2 Committee of the Whole-Budget - September 16, 2021

7. Recommendations Arising from Committees

7.1 2022 Capital and Related Project Budget, 2021-240

Moved by Councillor E. Beauregard

Seconded by Councillor A. Desmarais

That the Corporate Service Department, Financial Services Division, Report No. 2021-240 Subject: 2022 Capital and Related Projects Budget, **BE RECEIVED**; and

That the 2022 Capital and Related Projects Budget as outlined in Report 2021-240, **BE APPROVED** and that the projects identified in the 2022 Capital and Related Projects Budget be permitted to begin immediately where feasible; and

That Council delegate authority to the Chief Administrative Officer (CAO) plus one of the Director, Corporate Services/Treasurer or Director, Public Works to award and sign contracts and related documents associated to projects in the 2022 Capital and Related Projects Budget following a procurement process as set out in the City of Port Colborne Procurement Policy, provided the related project has confirmed funding.

Carried

8. Staff Reports

Moved by Councillor E. Beauregard

Seconded by Councillor A. Desmarais

That items 8.1 to 8.7 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Recommendation Report for the Removal of a Holding Provision at 409 Davis Street, File D14-12-21, 2021-254

That Planning and Development Department Report 2021-254 be received;

That the By-law attached as Appendix A of Planning and Development Report 2021-254 be approved, removing the Conversion Holding (CH) Provision from the Zoning of the property; and

That Planning staff be directed to notify the owner/applicant accordingly.

8.2 Heritage Report for Proposed Alterations at 212-214 West Street, 2021-241

That Planning and Development Department Report 2021-241 be received;

That Council approve the proposed replacement of the windows on the east and south façade of the building located at 212-214 West Street in accordance with Section 33 of the *Ontario Heritage Act* and the Scope of Work attached hereto as Appendix B; and

That the property owner and the Ontario Heritage Trust be so notified.

8.3 Ontario Marine Strategy, 2021-246

That Chief Administrative Office Report 2021-246 be received;

That Council endorse the City of St. Catharines' Council motion regarding an Ontario Marine Strategy; and

That the Economic Development Officer be directed to send letters to the Premier of Ontario and key provincial Ministers expressing support for an Ontario Marine Strategy and including issues important to Port Colborne.

8.4 Rural Economic Development (RED) Funding Application, 2021-248

That Chief Administrative Office Report 2021-248 be received;

That the Manager of Strategic Initiatives be directed to submit an application to the Rural Economic Development (RED) program for the West Street Renewal Project; and

That Council support the commitment to fund the City's share of the West Street Renewal Project in the 2022 Capital Budget.

8.5 Billing of the Cook's Municipal Drain Maintenance, 2021-229

That Public Works Department Report 2021-229 be received for information; and

That the billing for the Cook's Municipal Drain be invoiced in accordance with the *Drainage Act*, as outlined in Appendix A of Public Works Department Report 2021-229.

8.6 COVID Update September 2021, 2021-238

That Chief Administrative Office Report 2021-238 be received for information.

8.7 Appointments to Boards and Committees, 2021-244

That Corporate Services Department Report 2021-244 be received; and

That the applicants listed in Confidential Appendix A of Corporate Services Department Report 2021-244 be appointed to the respective Boards and Committees for a term ending December 31, 2025, or until such time as successors are appointed.

9. Correspondence Items

Moved by Councillor E. Beauregard
Seconded by Councillor A. Desmarais

That items 9.1 and 9.2 be received for information.

Carried

9.1 Town of Fort Erie - Support City of St. Catharines - To Request that the Government of Ontario create a Comprehensive Marine Strategy

9.2 City of St. Catharines - Provincial Nursing Shortage

10. Presentations

11. Delegations

11.1 Greg Poisson, Canalside Restaurant Inn and Kitchen Store - Request to Extend Patio Season

Kelly Rankin, on behalf of Greg Poisson, reiterated Mr. Poisson's request to Council with respect to extending their patio season to be all year long.

Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

That consideration of Greg Poisson's request to extend their patio season, be referred to the Fire Chief in order to investigate and bring a report forward to Council with a recommendation.

Carried

12. Mayor's Report

A copy of the Mayor's report is attached.

13. Regional Councillor's Report

Regional Councillor Butters provided an update to City Council.

14. Staff Remarks

15. Councillors' Remarks

15.1 Short-term Rentals (Bodner)

In response to Councillor Bodner's concern regarding a short-term rental property that has recurring noise issues, the Fire Chief informed Council that staff could begin administering the AMPS program by ticketing those who do not comply with the City's Noise By-law. The Fire Chief further noted that he will be working with Planning staff in the near future to address the recurring issues that arise from short-term rentals.

15.2 Garbage on Killaly Street West (Danch)

In response to Councillor Danch's request to have staff look into the multiple amounts of garbage along Killaly Street West near Bell Marine, the Director of Public Works confirmed that he will investigate this matter.

16. Consideration of Items Requiring Separate Discussion

16.1 Planning Update Report on the New Niagara Region Official Plan, 2021-247

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That Planning and Development Department Report 2021-247 be received; and

That staff be directed to send a letter to Regional staff and Regional Planning and Economic Development Committee outlining the importance of employment lands in Port Colborne and the concerns overall with the Niagara Official Plan.

Carried

16.2 Port Colborne Public Library 2020 Annual Report, 2021-249

Moved by Councillor D. Kalailieff
Seconded by Councillor H. Wells

That Chief Administrative Office Report 2021-249, be received for information.

Carried

16.3 2021-24 Chippawa Road and Berkley Ave at Dolphin St Intersection, 2021-236

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That Public Works Department Report 2021-236 be received;

That Council approve the installation of a three-way stop intersection on Chippawa Road and Dolphin Street; and

That Council approve \$15,000 additional funding from the capital contingency reserve, for the construction and road reconfiguration at Chippawa Road, Berkley Avenue and Dolphin Street.

Amendment:

Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

That Public Works Department Report 2021-236 be received;

That Council approve the installation of a three-way stop intersection on Chippawa Road and Dolphin Street;

That Council approve \$15,000 additional funding from the capital contingency reserve, for the construction and road reconfiguration at Chippawa Road, Berkley Avenue and Dolphin Street; and

That the Director of Public Works be directed to complete a full assessment of all options to improve pedestrian safety along Chippawa Road and bring forward a report to Council with further details.

Carried

16.4 Access Protocols for Existing Beach Road End Gates, 2021-253

Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

That Public Works Department Report 2021-153 be received;

That key access to the currently barriered and locked Road Ends, being Lorraine Road, Silver Bay Road, Wyldewood Road and Pleasant Beach Road be restricted to construction matters and be facilitated through the Municipal Consent process;

That the fee for key access be \$700, of which \$600 is refundable after return of key and lock in working condition to Public Works staff; and

That a fee be included in the 2022 Fees and Charges By-law for any validated site visit investigations required by City staff because of misuse of the key.

Amendment:

Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

That Public Works Department Report 2021-253 be deferred to the Regular Council Meeting on October 25, 2021.

Carried

- a. Amended Appendix A to Public Works Department Report 2021-253 - Road Allowances Ending at Lake Erie**
- b. Delegation material from the Domenicucci family, residents**
- c. Delegation material from the McCreddie family, residents**
- d. Delegation material from Christine Sexsmith, resident**
- e. Delegation material from Don Sexsmith, resident**

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

Moved by Councillor F. Danch

Seconded by Councillor G. Bruno

That item 19.1 be approved, as presented.

Carried

19.1 Port Colborne Public Library Board Minutes, July 6, 2021

20. By-laws

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That items 20.1 and 20.2 be enacted and passed.

Carried

20.1 By-law to Amend Zoning By-law 6575/30/18 Respecting 409 Davis Street

20.2 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 F. Danch

Seconded by Councillor G. Bruno

That Council do now proceed into closed session in order to address items 21.1, and 21.3 to 21.5.

Carried

21.1 Minutes of the closed session portions of the August 23, 2021 and September 13, 2021 Council Meetings

21.2 Confidential Appendices A and B to Corporate Services Department Report 2021-244 Subject: Appointments to Boards and Committees

- 21.3 Chief Administrative Office Report 2021-251, Human Resources Update**
- 21.4 Chief Administrative Office Report 2021-252, Proposed or Pending Acquisition or Disposition of Land**
- 21.5 Chief Administrative Office Report 2021-250, Proposed or Pending Acquisition or Disposition of Land**
- 22. Procedural Motions**
- 23. Information items**
- 24. Adjournment**

Council moved into Closed Session at approximately 8:13 p.m.

Council reconvened into Open Session at approximately 10:31 p.m.

Mayor Steele adjourned the meeting at approximately 10:32 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk