

City of Port Colborne

Council Meeting Minutes

Date: Monday, October 25, 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
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Member(s) Absent: D. Kalailieff, 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. Land Acknowledgment

4. Proclamations

4.1 Poppy Week, October 29th - November 11th, 2021

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

That October 29, 2021 to November 11, 2021 be proclaimed as “Poppy Week” in the City of Port Colborne.

Carried

5. Adoption of Agenda

Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That the agenda dated October 25, 2021 be confirmed, as circulated.

Carried

6. Disclosures of Interest

6.1 Councillor E. Beauregard - Memorandum from Mayor Steele - Rezoning of Lot 71 Plan 59M-428

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the consultants who worked on this subdivision development.

7. Approval of Minutes

7.1 Regular Meeting of Council - October 12, 2021

Moved by Councillor H. Wells
Seconded by Councillor E. Beauregard

That the minutes of the regular meeting of Council, held on October 12, 2021, be approved as presented.

Carried

8. Staff Reports

Moved by Councillor F. Danch
Seconded by Councillor H. Wells

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

Carried

8.1 Contribution Agreement – Canada Community Revitalization Fund, 2021-273

That Chief Administrative Office Report 2021-273 be received;

That Council approve the Contribution Agreement with the Federal Economic Development Agency for Southern Ontario for the Canada Community Revitalization Fund and the City's waterfront centre project, attached as Appendix A to Chief Administrative Office Report 2021-273; and

That a by-law to enter into the Contribution Agreement with the Federal Economic Development Agency for Southern Ontario, be brought forward.

8.2 Canada Summer Games - Niagara 2022, 2021-259

That Chief Administrative Office Report 2021-259 be received for information.

8.3 Billing of the Howie Municipal Drain Maintenance, 2021-262

That Public Works Department Report 2021-262 be received; and

That the billing for the Howie Municipal Drain be invoiced in accordance with the *Drainage Act*, as outlined in Appendix A of Public Works Department Report 2021-262.

8.4 COVID Update – October 2021, 2021-264

That Chief Administrative Office Report 2021-264 be received for information.

9. Correspondence Items

Moved by Councillor F. Danch

Seconded by Councillor H. Wells

That items 9.1 and 9.2 be received for information.

Carried

9.1 City of Niagara Falls - Request for School Board Professional Development Day on Monday, October 24, 2022

**9.2 Township of Adelaide Metcalfe - Support Township of Scugog -
Federal and Provincial Funding of Rural Infrastructure Projects**

10. Presentations

11. Delegations

12. Mayor's Report

A copy of the Mayor's report is attached.

13. Regional Councillor's Report

14. Staff Remarks

15. Councillors' Remarks

15.1 Erie Street Update (Danch)

In response to Councillor Danch's request for an update on the Erie Street Watermain, the Director of Public Works reported that submissions should be coming in over the next couple of weeks and due to the time of year, the work will not begin until the Spring of 2022.

16. Consideration of Items Requiring Separate Discussion

16.1 235-241 Welland Street Draft Design Guidelines, 2021-270

Moved by Councillor A. Desmarais

Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2021-270 be received;

That the design guidelines outlined in Appendix A be approved for 235-241 Welland Street; and

That Council direct the Economic Development Officer to issue the Request for Proposal (RFP) regarding the sale and redevelopment of 235-241 Welland Street.

Amendment:

Moved by Councillor H. Wells

Seconded by Councillor E. Beauregard

That Chief Administrative Office Report 2021-270 be received; and

That the design guidelines be brought back to Council for approval prior to issuing the Request for Proposal (RFP) regarding the sale and redevelopment of 235-241 Welland Street.

Carried

16.2 Canalside Restaurant Inn and Kitchen Store - Request to Extend Patio Season to Year-Round, 2021-272

Moved by Councillor A. Desmarais

Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2021-272 be received;

That the patio season for any sidewalk-based patios with existing encroachment agreements and all other rules followed be permitted as a trial from November 1, 2021 through to April 30, 2022, and that it be re-evaluated in April for future years; and

That the Economic Development Officer be directed to consult with the Port Colborne Wainfleet Chamber of Commerce, local Business Improvement Areas and businesses on a permanent policy regarding patio season length.

Carried

16.3 Access Protocols for Existing Beach Road End Gates - 2021-253

Moved by Councillor R. Bodner

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 E. Beauregard

That Public Works Department Report 2021-153 be referred to Sierra Planning and Management to investigate during their fulsome review of the road allowances.

Carried

- a. Delegation material from Erin Lococo, resident**
- b. Delegation material from Calvin Burger, resident**
- c. Delegation material from Carol Domenicucci, resident**
- d. Delegation material from the Miranda family, residents**
- e. Delegation material from the McCreadie family, residents**
- f. Delegation material from Mike McCreadie, resident**
- g. Delegation material from Rick Froese (Lorraine Bay Association), resident**

16.4 Review of Council Composition, Remuneration, and Ward Boundaries, 2021-274

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That Corporate Services Department Report 2021-274 be received; and

That the City Clerk be directed to include a proposal for a comprehensive review of council composition and ward boundaries in the 2023 budget; and

That the Director of Corporate Services be directed to include a wage in line with the 2022 average of local comparators for the position of city councillor in the 2023 budget.

Amendment:

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That Corporate Services Department Report 2021-274 be received; and

That the City Clerk be directed to include a proposal for a comprehensive review of council composition and ward boundaries in the 2023 budget; and

That the Director of Corporate Services be directed to include a wage in line with the 2022 average of local comparators for the position of city councillor in the 2023 budget, **to begin at the start of the new term of Council.**

Carried

Amendment:

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

That Corporate Services Department Report 2021-274 be received;

That the City Clerk be directed to include a proposal for a comprehensive review of council composition and ward boundaries in the 2023 budget;

That the Director of Corporate Services be directed to include a wage in line with the 2022 average of local comparators for the position of city councillor in the 2023 budget, to begin at the start of the new term of Council;

That the Ward 1 and Ward 3 boundaries be amended to make Killaly Street West the center line boundary to divide the wards; and

That the City Clerk be directed to bring forward a requisite by-law prior to the January 1, 2022 deadline to reflect this amendment.

Carried

16.5 Accessible Parking – Fares Street, 2021-271

Moved by Councillor A. Desmarais
Seconded by Councillor M. Bagu

That Community Safety & Enforcement Department Report 2021-271 be received;

That Council approve installing an accessible parking space on Fares Street from 36m north of Bell Street to 8m north therefrom, south of Dewitt Carter Public School; and

That by-laws to amend By-law No. 89-2000, Being a By-law to Regulating Traffic and Parking on City Roads, and By-law 4310/146/02, Being a By-

law Prescribing On and Off Street Parking for Persons with Disabilities within the City of Port Colborne, be brought forward.

Carried

16.6 2021 Drinking Water Operational Plan, 2021-267

Moved by Councillor M. Bagu

Seconded by Councillor A. Desmarais

That Public Works Department Report 2021-267 be received; and

That Council endorse the Port Colborne Water Distribution System Quality Management System Operational Plan attached as Appendix A of Public Works Report 2021-267.

Carried

16.7 Winter Equipment Rental, 2021-276

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That Public Works Department Report 2021-276 be received;

That Council approve entering into a five-year rental contract with the low bidder, AMACO Equipment Incorporated for a sidewalk tractor in order to complete the City's winter control maintenance; and

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

Carried

17. Motions

17.1 Memorandum from Mayor Steele - Rezoning of Lot 71 Plan 59M-428

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the consultants who worked on this subdivision development.)

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

That the Acting Director of Planning and Development be directed to initiate a zoning by-law amendment on Westwood Estates Phase 2, Lot 71, Plan 59M-428 to rezone the property to R2; and

That the fees for the zoning-by law amendment application be waived.

Carried

18. Notice of Motions

19. Minutes of Boards & Committees

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

That item 19.1 be approved, as presented.

Carried

19.1 Port Colborne Library Board Minutes - September 7, 2021

20. By-laws

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

That items 20.1 to 20.6 be enacted and passed.

Carried

20.1 By-law to Authorize Entering into an Agreement with Canada Community Revitalization Fund

20.2 By-law to Amend By-law No. 89-2000, as Amended, Being a By-law Regulating Traffic and Parking on City Roads (Fares Street)

20.3 By-law to Amend By-law No. 4310/146/02 Being a By-law Prescribing On and Off Street Parking for Persons with Disabilities within the City of Port Colborne

20.4 By-law to Authorize Entering into a Contract with AMACO Equipment Incorporated for a Five-Year Rental of a Sidewalk Tractor in order to complete Winter Control Maintenance

20.5 By-law to Amend the Assessment Schedule and to Levy the Actual Costs Incurred for the Maintenance of Drainage Works known as the Howie Municipal Drain

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

21. Confidential Items

22. Procedural Motions

23. Information items

24. Adjournment

Mayor Steele adjourned the meeting at approximately 8:22 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk