

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

**Date:** Monday, December 13, 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. Land Acknowledgment**
- 4. Proclamations**
- 5. Adoption of Agenda**

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

That the agenda dated December 13, 2021 be confirmed, as circulated.

Carried

**6. Disclosures of Interest**

**7. 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 November 22, 2021, be approved as circulated.
- b. That the minutes of the Committee of the Whole-Budget meeting held on December 6, 2021, be approved as circulated.

Carried

**7.1 Regular Meeting of Council - November 22, 2021**

**7.2 Committee of the Whole-Budget - December 6, 2021**

**8. Recommendations Arising from Committees**

**8.1 2022 Rates Budget, 2021-311**

Moved by Councillor D. Kalailieff  
Seconded by Councillor M. Bagu

That Corporate Services Department Report 2021-311, **BE RECEIVED**;  
and

That the 2022 Rates Budget as outlined in Appendix B to Corporate Services Department Report 2021-311, **BE APPROVED**.

Carried

**8.2 2022 Rates Setting, 2021-312**

Moved by Councillor D. Kalailieff  
Seconded by Councillor M. Bagu

That Corporate Services Department Report 2021-312, **BE RECEIVED**;

That Council approve a 0% increase to the 2022 Water and Wastewater Rates;

That the 2022 Storm Sewer Rates as outlined on page 5 of Corporate Services Department Report 2021-312, **BE APPROVED**; and

That the Director of Public Works and Director of Corporate Services/Treasurer be directed to prepare an aggressive Storm Water Work Plan and Financial Plan and bring a report forward to Council that includes these Plans in February, 2022.

Carried

## **9. Staff Reports**

Moved by Councillor D. Kalailieff  
Seconded by Councillor M. Bagu

That items 9.1 to 9.6 be approved, and the recommendations contained therein be adopted.

Carried

### **9.1 Land Acquisition – Pt. Lot 24, Con. 3, Part 1 59R-17094, 2021-234**

That Chief Administrative Office Report 2021-234 be received;

That a by-law to authorize entering into an Agreement of Purchase and Sale with 1456408 Ontario Inc. for an agreed upon price of \$268,765 for PT LOT 24 CON 3, Humberstone, being Part 1 Plan 59R-17094 be brought forward; and

That the Mayor and Clerk be authorized to sign and execute any and all documents respecting the purchase of these lands.

### **9.2 Application - Southwestern Ontario Development Fund, 2021-313**

That Chief Administrative Office Report 2021-313 be received;

That the Manager of Strategic Initiatives be directed to submit an application to the community economic development stream of the Southwestern Ontario Development Fund (SWODF) for the waterfront centre project including servicing and improved linkages and pathways to the downtown core; and

That Council commit to funding the City's share of the project from the 2022 Capital Budget.

**9.3 Petition for Drainage for Northland Estates Subdivision 2021-308**

That Public Works Department Report 2021-308 be received; and

That Council approve allowing Brandon Widner of Spriet Associates to investigate the validity of the petition and proceed, if valid, under the previous appointment outlined in By-law No. 6736/100/19 for the Eagle Marsh Drain.

**9.4 Niagara Transit Governance - Creation of a Consolidated Transit Commission, 2021-317**

That Chief Administrative Office Report 2021-317 be received; and

That Council consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.

- a. **Delegation material from Lori Kleinsmith, Bridges Community Health Centre**
- b. **Delegation material from the Port Colborne Public Library**
- c. **Delegation material from the Port Colborne-Wainfleet Chamber of Commerce**
- d. **Delegation material from the Port Colborne Environmental Advisory Committee**

**9.5 Municipal Heritage Registry - First Round Revisions, 2021-309**

That Planning and Development Department Report 2021-309 be received;

That Council approve removing the properties listed in Appendix A of Planning and Development Department Report 2021-309 from the Municipal Heritage Registry; and

That Planning and Museum staff be directed to review the properties remaining on the registry and provide Council with further recommendations.

**9.6 COVID Update – December 2021, 2021-318**

That Chief Administrative Office Report 2021-318 be received.

**10. Correspondence Items**

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That items 10.1 to 10.9 be received for information.

Carried

**10.1 City of Welland - Niagara Region Transit Governance Consultation**

**10.2 Town of Pelham - Niagara Region Transit Governance Consultation**

**10.3 Niagara Region - Addressing Input from the City of Welland - Transit Governance Consultation**

**10.4 Niagara Region - JAAC Letter to Councils Re: NRT OnDemand App Accessibility**

**10.5 Niagara Region - Additional Information regarding Optional Small Business Tax Subclass**

**10.6 Niagara Region - Report CSD 67-2021 - 2022 Budget - Waste Management Services Operating Budget and Rate Requisition**

**10.7 Niagara Region - Report CSD 68-2021 - 2022 Budget - Water and Wastewater Operating Budget, Rate Setting and Requisition**

**10.8 CUPE Ontario - OMERS Investment Performance**

**10.9 OMERS Employer Bulletin - Response to CUPE Ontario Letter Regarding OMERS Investment Performance**

**11. Presentations**

**12. Delegations**

**13. Mayor's Report**

**14. Regional Councillor's Report**

**15. Staff Remarks**

**15.1 Windstorm (Luey)**

The Chief Administrative Officer expressed appreciation towards staff for their hard work in responding to the recent windstorm.

**15.2 Niagara Region Response to JAAC Letter to Councils Re: NRT OnDemand App Accessibility (Luey)**

The Chief Administrative Officer informed Council that the Niagara Region's response to the recent letter to Council from JAAC regarding the accessibility of the NRT OnDemand App has been included in the December 13th agenda for Council's information.

**15.3 NRT OnDemand Update (Boles)**

The Director of Corporate Services/Treasurer provided an update to Council with respect to the NRT OnDemand system, noting that a Public Information Session was held on Friday December 10th and that informational documents will be sent out to the residents of Port Colborne over the next week. The Director expressed gratitude towards the Niagara Region and City Communications staff for dispersing information on the new system to the public. The Director further reminded residents that passes will be available to purchase at City Hall or the Vale Health and Wellness Centre.

**16. Councillors' Remarks**

**16.1 Windstorm (Kalailieff)**

Councillor Kalailieff expressed gratitude towards staff for their diligent work during the recent windstorm.

**16.2 Merry Christmas (Kalailieff)**

Councillor Kalailieff wished staff and residents a very merry Christmas.

**16.3 Windstorm (Desmarais)**

Councillor Desmarais expressed appreciation towards staff for all of their hard work during the recent windstorm.

**16.4 Happy Holidays (Desmarais)**

Councillor Desmarais wished Port Colborne residents a happy holiday season.

**16.5 Status of Discharge of Firearms By-law (Wells)**

In response to Councillor Wells' request for an update on the Discharge of Firearms by-law, the Fire Chief informed Council that the Manager of By-

law Services is currently preparing an appeal webpage for the City's website which should be ready for Council feedback in January or February, 2022.

**16.6 Site Alteration By-law (Wells)**

In response to Councillor Wells' request for an update on the Site Alteration by-law, the Fire Chief informed Council that staff are currently researching best practices from other municipalities as well as the Niagara Region to ensure consistency. The Fire Chief further noted that a draft should be prepared for Council's review by the end of February.

**16.7 Windstorm (Wells)**

Councillor Wells expressed appreciation towards staff for all of their efforts during the recent windstorm.

**16.8 Merry Christmas and Happy New Year (Wells)**

Councillor Wells wished Port Colborne residents a merry Christmas and a happy New Year.

**16.9 Road End Study Open House (Wells)**

Councillor Wells reminded residents that a Road Ends Public Open House would be occurring virtually via Zoom on December 14, 2021. He further informed residents to view the City's website for more information.

**16.10 Homes without Power (Bagu)**

Councillor Bagu reported that there are still homes in Port Colborne that are without power as a result of the recent windstorm. The Councillor queried as to how those residents can receive updates regarding their power. The Chief Administrative Officer informed Council that Canadian Niagara Power posts live updates on their social media outlets.

**16.11 Services Offered at Vale Health and Wellness Centre (Bagu)**

In response to Councillor Bagu's inquiry, the Chief Administrative Officer confirmed that vaccinated residents without power during the recent windstorm were permitted to enter the Vale Health and Wellness Centre as a place to stay warm as well as to use the facility's showers, restrooms, and charging stations.

**16.12 Merry Christmas (Bagu)**

Councillor Bagu wished staff and residents a very merry Christmas.

**16.13 Merry Christmas (Danch)**

Councillor Danch wished staff and residents a very merry Christmas.

**16.14 Canadian Niagara Power - Segmenting Statistics for Port Colborne (Bruno)**

Councillor Bruno requested that the Chief Administrative Officer reach out to Canadian Niagara Power to inquire about segmenting the statistics for Port Colborne during a power outage.

**16.15 Water Levels of the Canal (Bruno)**

Councillor Bruno reported that he witnessed a large amount of water coming off the canal during the recent windstorm around the areas of Welland Street, Alma Street and Bell Street. In response to the Councillor's inquiry regarding whether this water was a result of a back flow from the Canal, the Director of Public Works indicated that it may have been and that he would investigate.

**16.16 Wastewater System (Bruno)**

In response to Councillor Bruno's query regarding whether the large waves that occurred during the recent windstorm infiltrated the City's wastewater system, the Director of Public Works reported that he would inquire with the Niagara Region about this.

**16.17 Windstorm (Bruno)**

Councillor Bruno expressed appreciation towards staff for all of their efforts during the recent windstorm.

**16.18 Merry Christmas and Happy New Year (Bruno)**

Councillor Bruno wished Port Colborne residents a merry Christmas and a happy New Year.

**16.19 Brush along the Friendship Trail (Bodner)**

Councillor Bodner expressed gratitude towards staff for removing a lot of the brush along the Friendship Trail. The Councillor noted however, that as a result of the brush being removed, farm properties have become more exposed. In response to Councillor Bodner's inquiry, the Director of Public Works indicated that the property owner is responsible for installing fences to close off their private property. The Director further noted that if there are any concerns of people trespassing from the Friendship Trail

onto private property, then owners should notify the City by calling Customer Service.

**16.20 Canadian Niagara Power Staff (Bodner)**

Councillor Bodner expressed sincere gratitude towards the staff of Canadian Niagara Power for their hard work during the recent windstorm.

**16.21 Merry Christmas and Happy New Year (Bodner)**

Councillor Bodner wished Port Colborne residents a safe holiday and a happy New Year.

**17. Consideration of Items Requiring Separate Discussion**

**17.1 Virtual City Hall – Account Sign-up Incentive, 2021-230**

Moved by Councillor M. Bagu  
Seconded by Councillor D. Kalailieff

That Corporate Services Department Report 2021-230 be received as information.

Carried

**17.2 Purchasing Policy, 2021-323**

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

That Corporate Services Department Report 2021-323 be received; and

That the Purchasing Policy attached as Appendix A of Corporate Services Department Report 2021-323 be approved.

Carried

**17.3 My Main Street - Local Business Accelerator Program, 2021-314**

Moved by Councillor F. Danch  
Seconded by Councillor G. Bruno

That Chief Administrative Office Report 2021-314 be received;

That Council approve the Funding Agreement with the Federal Economic Development Agency for Southern Ontario (FedDev Ontario) for the My

Main Street Local Business Accelerator Program, attached as Appendix A to Chief Administrative Office Report 2021-314; and

That a by-law to enter into an agreement with FedDev Ontario be brought forward.

Carried

**17.4 Municipal Climate Resiliency Grant and Home Flood Protection Program, 2021-316**

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That Public Works Department Report 2021-316 be received;

That Council approve applying for the Municipal Climate Resiliency Grant; and

That the Manager of Water/Wastewater be directed, if funding is received, to enter into an agreement with AET Group Inc. to administer a Home Flood Protection Program for up to 50 homes in Port Colborne.

Carried

**18. Motions**

**19. Notice of Motions**

**20. Minutes of Boards & Committees**

**21. By-laws**

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That item 21.1, as amended, and items 21.2 to 21.4 be enacted and passed.

Carried

**21.1 By-law to Adopt and Maintain a Policy Concerning the Procurement of Goods and Services for the City of Port Colborne and to Repeal By-law 6542/109/17**

- 21.2 By-law to Authorize Entering Into an Agreement of Purchase and Sale with 1456408 Ontario Inc. Respecting Pt. Lot 24, Con. 3, Part 1 59R-17094**
- 21.3 By-law to Authorize Entering into an Agreement with Economic Developers Council of Ontario for the My Main Street Local Business Accelerator Program**
- 21.4 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**

**22. Confidential Items**

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That the minutes of the closed session portion of the November 22, 2021 Council meeting be approved, as presented.

Carried

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That the recommendations contained in Confidential Chief Administrative Office Report 2021-322 concerning 235-241 Welland Street, be approved.

Carried

**22.1 Minutes of the closed session portion of the November 22, 2021 Council Meeting**

**22.2 Chief Administrative Office Report 2021-322, Proposed or Pending Acquisition or Disposition of Land**

**23. Procedural Motions**

**24. Information items**

**25. Adjournment**

Mayor Steele adjourned the meeting at approximately 8:30 p.m.

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William C. Steele, Mayor

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Amber LaPointe, City Clerk