

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, January 25, 2022
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 G. Bruno
Seconded by Councillor F. Danch

That the agenda dated January 25, 2022 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council - December 13, 2021

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

That the minutes of the regular meeting of Council, held on December 13, 2021, be approved as presented.

Carried

8. Staff Reports

Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

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

Carried

8.2 Ontario Water/Wastewater Agency Response Network (OnWARN) Mutual Aid and Assistance Agreement, 2022-14

That Public Works Department Report 2022-14 be received;

That the Mayor and Clerk be authorized to execute the Agreement attached as Appendix B to Public Works Department Report 2022-14 with the Ontario Water/Wastewater Agency Response Network (OnWARN) for the purpose of coordinating response activities and sharing resources during emergencies; and

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

8.1 Vision Zero Road Safety Program – Niagara Region Courts Inter-Municipal Amending Agreement, 2022-05

This item was withdrawn from the agenda.

9. Correspondence Items

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That items 9.1 to 9.3 be received for information.

Carried

9.1 City of St. Catharines - National Childcare Program

9.2 Niagara Region - Approval of Interim Tax Levy Dates and Amounts

9.3 Health Canada - Response to City of Port Colborne's Letter Regarding the Petition Declaring National Emergency on Mental Health

10. Presentations

11. Delegations

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

14.1 Water Billing Glitch (Boles)

The Director of Corporate Services/Treasurer informed Council that a glitch was experienced when printing the water bills. He further indicated that they will be mailed out this upcoming Thursday and the payment due date will be extended as a result.

15. Councillors' Remarks

15.1 Snow Removal (Kalailieff)

Councillor Kalailieff expressed gratitude towards staff and community members for helping out with snow removal during this past snow storm.

15.2 Watermain Breaks (Kalailieff)

Councillor Kalailieff expressed appreciation towards staff for working so hard to repair all of the watermain breaks that recently occurred.

15.3 Condolences (Kalailieff)

Councillor Kalailieff offered her condolences regarding the passing of community member, Joel Longfellow.

15.4 Construction at Ward 4 Road Allowances (Wells)

In response to Councillor Wells' request for an update on the construction happening at the Ward 4 road allowances, the Director of Public Works confirmed that contractors have obtained municipal consent permits from staff and have then been given a key to the road allowance gates in order to complete their work. The Director further informed Council that staff are in the process of changing the locks of the road allowance gates and that once completed, Communications staff will notify the public.

15.5 Coyote Hunting (Wells)

In response to Councillor Wells' request for an update on the issue of coyote hunters trespassing on private property, the Fire Chief informed Council that the Niagara Regional Police and the Ministry of Natural Resources have indicated that they will step up their patrols of these types of incidents. The Fire Chief further reminded Council and the public that all complaints of this nature should be directed to the Niagara Regional Police and the Ministry of Natural Resources.

15.6 Short-term Rentals (Bodner)

In response to Councillor Bodner's request for an update on the matter of short-term rentals, the Acting Director of Planning and Development/City Clerk informed Council that staff are on track to bring forward a report at the February 22, 2022 Council meeting.

15.7 Construction at Ward 4 Road Allowances (Bodner)

Councillor Bodner wished to inform the public that the change to the locks of the road end gates was required as a result of the high amount of staff time that was spent when contractors didn't obtain municipal consent permits prior to their construction beginning.

15.8 Erie Street Watermain Break/Construction (Danch)

Councillor Danch encouraged residents to cooperate with staff that are working on the Erie Street watermain project.

15.9 Coyote Issue (Danch)

Councillor Danch indicated that there have been multiple reports of coyotes being seen in various areas of the City. He encouraged residents to be careful and cautious during this time.

15.10 Erie Street Watermain Project (Bruno)

Councillor Bruno expressed gratitude towards residents for their patience in waiting for the Erie Street Watermain project to begin.

15.11 Snow Plowing (Bruno)

Councillor Bruno expressed gratitude towards staff for their snow plowing efforts during the last snow storm as he had received compliments from residents in the Shamrock Avenue, Bartok Crescent and King Street areas.

15.12 Grant Applications (Bruno)

Councillor Bruno encouraged businesses to apply for the City of Port Colborne grants and explained the process of doing so.

15.13 Public Notice Regarding Watermain Breaks (Bruno)

Councillor Bruno inquired as to when a public notice is issued regarding watermain breaks, whether that notice includes breaks to both the watermain and the laterals. The Director of Public Works and Manager of Water/Wastewater confirmed that the public notice ordinarily applies only to the watermain itself and that separate public notices would be issued for other types of breaks.

16. Consideration of Items Requiring Separate Discussion

16.1 Friendship Trail Standard Crossing & Signage, 2022-16

Mayor Steele stepped down as Chair at 7:45 p.m. and Deputy Mayor Beauregard stepped in.

Deputy Mayor Beauregard called the vote on the referral of this item and then stepped down as Chair. Mayor Steele stepped back in as Chair at 7:52 p.m.

Moved by Councillor M. Bagu
Seconded by Councillor H. Wells

That Public Works Department Report 2022-16 be received;

That Council approve the new crossing standard as shown in Exhibit-A, in Appendix A to Public Works Department Report 2022-16;

That Council approve the new configuration for existing wigwag trail crossing as shown in Exhibit B, in Appendix A to Public Works Department Report 2022-16; and

That Council approve the installation of a new signage board and wayfinding at each crossing of the Friendship Trail as shown in Exhibit-C, in Appendix A to Public Works Department Report 2022-16.

Amendment:Moved by Mayor Steele
Seconded by Councillor A. Desmarais

That Public Works Department Report 2022-16 be referred to the Director of Public Works in order to investigate alternative options for the Friendship Trail and bring a report forward to Council with further details.

Carried

- a. **Additional material provided by Chris Kalimootoo, Director of Public Works - Public Works Department Report 2022-16**
- b. **Delegation material from Chris and Josie Comfort, residents**

16.2 Municipal Drain Appointment Extensions, 2022-04

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

That Public Works Department Report 2022-04 be received;

That Council extend the appointment of Paul Marsh, P.Eng. of EWA Engineering Inc. to January 25, 2023 for the completion of a new Engineer's Report for the repair and improvement of the Wignell, Port Colborne and Beaver Dam Drains situated in the City of Port Colborne, previously approved under By-Law No. 6602/57/18;

That Council extend the appointment of Paul Marsh, P.Eng. of EWA Engineering Inc. to January 25, 2023 for the completion of a new Engineer's Report for the repair and improvement of the Oil Mill Creek Drain situated in the City of Port Colborne, previously approved under By-Law No. 6728/92/19;

That Council extend the appointment of Paul Marsh, P.Eng. of EWA Engineering Inc. to January 25, 2023 for the completion of a new Engineer's Report for the repair and improvement of the Point Abino Drain situated in the City of Port Colborne and the Town of Fort Erie, previously approved under By-Law No. 6729/93/19;

That Council extend the appointment of Brandon Widner, P.Eng. of Spriet Associates Engineers and Architects to January 25, 2023 for the completion of a new Engineer's Report for the repair and improvement of the Biederman Drain situated in the City of Port Colborne and the Township of Wainfleet, previously approved under By-Law No. 6730/94/19;

That Council extend the appointment of Brandon Widner, P.Eng. of Spriet Associates Engineers and Architects to January 25, 2023 for the completion of a new Engineer's Report for the repair and improvement of the Eagle Marsh Drain situated in the City of Port Colborne and the Township of Wainfleet, previously approved under By-Law No. 6736/100/19; and

That Council extend the appointment of Neil Morris, P.Eng. of K. Smart Associates Limited to January 25, 2023 for the completion of a new Engineer's Report for the repair and improvement of the Peter Storm Drain situated in the City of Port Colborne and the Town of Fort Erie, previously approved under By-Law No. 6750/01/20.

Carried

16.3 Administrative Municipal Penalty System (AMPS) Sharing of Hearing Officer, 2022-02

Moved by Councillor R. Bodner

Seconded by Councillor D. Kalailieff

That Community Safety & Enforcement Department Report 2022-02 be received;

That the Mayor and Clerk be authorized to execute the Administrative Municipal Penalty System Shared Service Agreement for the Appeal Hearing Officer, attached as Appendix A to Community Safety & Enforcement Department Report 2022-02; and

That a by-law to enter into an Administrative Municipal Penalty System Shared Service agreement with the Town of Pelham, The Town of

Grimsby, the Town of Lincoln, the Town of Niagara-on-the-Lake, the City of St. Catharines, the City of Thorold, and the Township of Wainfleet, be brought forward.

Carried

16.4 City Real Estate – Phase 1 – Net Proceeds, 2022-13

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That Chief Administrative Office Report 2022-13 be received for information.

Carried

16.5 Update on Digital Main Street, 2022-12

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2022-12 be received for information.

Carried

16.6 COVID Update – January 2022, 2022-19

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That Chief Administrative Office Report 2022-19 be received for information.

Carried

16.7 OMAFRA - Drainage Superintendents Association of Ontario - AMO - Call to Action - CN Rail and Drainage

Moved by Councillor R. Bodner

Seconded by Councillor G. Bruno

That correspondence from OMAFRA, the Drainage Superintendents Association of Ontario, and AMO regarding a Call to Action for CN Rail and Drainage, be supported.

Carried

17. Motions

18. Notice of Motions

Councillor Desmarais provided notice of her intention to bring a motion forward at the February 8, 2022 Council meeting with respect to the dissolution of the Ontario Land Tribunal.

19. Minutes of Boards & Committees

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

That items 19.1 and 19.2 be approved, as presented.

Carried

19.1 Environmental Advisory Committee Minutes, October 13, 2021

19.2 Port Colborne Public Library Board Minutes, November 2, 2021 and December 7, 2021

20. By-laws

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

That items 20.2 to 20.6 be enacted and passed.

Carried

20.2 By-law to Authorize Entering into an Administrative Municipal Penalty System Shared Service Agreement

20.3 Being a By-law to Authorize Entering into an Agreement with Ontario Water/Wastewater Agency Response Network regarding the coordination of response activities and sharing resources during emergencies

20.4 Being a By-law to Authorize Entering into an Automatic Aid Agreement with The Corporation of the Township of Wainfleet

- a. Schedules A - E to Automatic Aid Agreement with the Corporation of the Township of Wainfleet**

20.5 By-law to Appoint a Building Inspector

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

20.1 By-law to Authorize Entering into an Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement

This item was withdrawn from the agenda.

21. Confidential Items

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That Council do now proceed into closed session in order to address items 21.1 and 21.2.

Carried

21.1 Chief Administrative Office Report 2022-15, Human Resources Update

21.2 Corporate Services Department Report 2022-06, Performance Review and Goals of the Chief Administrative Officer

22. Procedural Motions

23. Information items

24. Adjournment

Council moved into Closed Session at approximately 8:31 p.m.

Council reconvened into Open Session at approximately 10:57 p.m.

Mayor Steele adjourned the meeting at approximately 10:58 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk