

## **City of Port Colborne**

### **Council Meeting Minutes**

**Date:** Tuesday, June 14, 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  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor

**Member(s) Absent:** F. Danch, Councillor

**Staff Present:** S. Luey, Chief Administrative Officer  
B. Boles, Director of Corporate Services/Treasurer  
C. Kalimootoo, Director of Public Works  
S. Lawson, Fire Chief  
S. Tufail, Acting Deputy Clerk (minutes)  
N. Rubli, Acting City Clerk

#### **1. Call to Order**

Mayor Steele called the meeting to order at 6:31 p.m.

#### **2. National Anthem**

#### **3. Land Acknowledgment**

#### **4. Proclamations**

##### **4.1 Seniors' Month, June 2022**

Moved by Councillor R. Bodner  
Seconded by Councillor E. Beauregard

That June 1 – 30, 2022 be proclaimed as “Seniors’ Month” in the City of Port Colborne.

#### **4.2 World Hepatitis Day, July 28, 2022**

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

That July 28, 2022 be proclaimed as World Hepatitis Day in the City of Port Colborne.

Carried

### **5. Adoption of Agenda**

Item 8.8, Noise Variance Request 175 King Street, The Belmont Bar and Grill was added to the agenda at the request of staff.

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

That the agenda dated June 14, 2022 be confirmed, as amended.

Carried

### **6. Disclosures of Interest**

### **7. Approval of Minutes**

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

That the minutes of the Special Public Meeting held on May 16, 2022, be approved as circulated.

That the minutes of the Public Meeting held on May 17, 2022, be approved as circulated.

That the minutes of the Regular Meeting of Council held on May 24, 2022, be approved as circulated.

Carried

**7.1 Special Public Meeting-Road Ends-May 16, 2022**

That the minutes of the Special Public Meeting-Road Ends, held on May 16, 2022, be approved as presented.

**7.2 Public Meeting - May 17, 2022**

That the minutes of the Public Meeting, held on May 17, 2022, be approved as presented.

**7.3 Regular Meeting of Council - May 24, 2022**

That the minutes of the Regular Meeting of Council, held on May 24, 2022, be approved as presented.

**8. Staff Reports**

Moved by Councillor E. Beauregard

Seconded by Councillor R. Bodner

That items 8.1 to 8.2 be approved, and the recommendations contained therein be adopted.

Carried

**8.1 Canada Day Celebrations, 2022-101**

That Corporate Services Department Report 2022-101 be received; and

That the waiver of fees of approximately \$800 for the Optimist Club Canada Day Celebrations at H.H. Knoll Lakeview Park Celebrations be approved as a City sponsorship of the event;

That the following roads be closed to parking and vehicular traffic on Friday, July 1, 2022, from 9:00 p.m. to 11:00 p.m.

- West Street, from the southern limit of Charlotte Street to the southern limit of the former Public Works Yard (11 King Street);
- Intersection of Kent Street at West Street;
- Intersection of Victoria Street at West Street;
- Intersection of Adelaide Street at West Street; and
- Intersection of Sugarloaf Street at West Street.

That Staff be directed to confirm that the Port Colborne Optimist Club file a certificate of insurance naming the City as an additional insured, in the amount of \$2,000,000, prior to the event.

That the Chief Administrative Officer and Director, Corporate Services/Treasurer be delegated the authority to approve and organize future Canada Day Celebration events provided the event follows a similar model as presented in this report, for greater clarity staff are delegated the authority to change and/or add additional street closures, change times and firework location, if required.

## **8.2 Stop up and Close Alma Street Road Allowance, 2022-118**

That Chief Administrative Officer Report 2022-118 be received;

That the Stop Up and Close By-law, being a By-law to stop up and close the unimproved Alma Street Road Allowance, legally described as Plan 843 Pt Alma Street, west of Welland Street and abutting Canal Bank Road PIN 64149-01521 be approved; and

That the City owned Alma Street Road Allowance legally described as Plan 843 Pt Alma Street, west of Welland Street and abutting Canal Bank Road PIN 64149-01521 be declared surplus land.

## **9. Correspondence Items**

Moved by Councillor E. Beauregard  
Seconded by Councillor R. Bodner

That items 9.1 to 9.10 be received for information.

Carried

### **9.1 Niagara Region - Brownfield Tax Assistance Incentive Funding Request**

### **9.2 Niagara Region - Waste Management System By-law and Access to Closed Landfill and Repurposed Sites By-law Updates**

### **9.3 Town of Fort Erie - Support for Niagara Region's Motion - Voluntary Russian Sanction Request**

### **9.4 Town of Fort Erie - Request Support/Endorsement - ArriveCAN and COVID-19 Travel Measures to Enter Canada**

- 9.5 **Town of Fort Erie - Federal Government's Plans to Tax Vacant Foreign Owned Properties**
- 9.6 **Town of West Lincoln - Grimsby Regional Airport**
- 9.7 **City of Brantford - Release of all Federal and Provincial Documents Related to the Former Mohawk Institute Residential School**
- 9.8 **Town of the Blue Mountains - Voter's List Information to Candidates**
- 9.9 **Municipality of Muskoka - Annual Emergency Exercise Exemption**
- 9.10 **2022 Ministry of Northern Development, Mines, Natural Resources and Forestry - Rabies Control Operations Notification**
- 10. **Presentations**
- 11. **Delegations**
  - 11.1 **Written Delegation by Mike Tenszen-Regarding Marina Slip Fees**

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

That the Director of Corporate Services/Treasurer be delegated authority to resolve the request regarding marina slip fees.

Carried
  - 11.2 **Mary Schwartz- Request to receive an exemption from Driveway Entrance By-law # 1117/64/81**

Mary Schwartz, Manager of the Heritage Family Holdings provided a written delegation for request to receive an exemption from Driveway Entrance By-law # 1117/64/81.

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

That an exemption to Driveway Entrance By-law #1117/64/81 be granted to allow for an additional driveway entrance on the property located at 4601 Forkes Road East.

Carried
- 12. **Mayor's Report**

A copy of the Mayor's report is attached.

**13. Regional Councillor's Report**

**14. Staff Remarks**

**14.1 The My Main Street Local Business Accelerator program (Cotton)**

The Economic Development Officer provided Council an update on the My Main Street Local Business Accelerator program. He further informed Council that there is a significant increase in tourism within the City of Port Colborne.

**14.2 By-Law to Appoint Building Officials (Luey)**

The Chief Administrative Officer advised Council that the appointment of six building officials is to backfill a temporary absence.

**14.3 Federation of Canadian Municipalities Annual Conference (Luey)**

The Chief Administrative Officer informed Council that he represented the City of Port Colborne at the Federation of Canadian Municipalities (FCM) Annual Conference in Regina, Saskatchewan.

**14.4 Tax Bills (Boles)**

The Director of Corporate Services / Treasurer informed Council that the tax bills were sent to residents on June 14, 2022. He further stated that residents can direct their questions to the customer service staff.

**14.5 Splashtown Niagara Water Park (Boles)**

The Director of Corporate Services / Treasurer informed Council that the waterpark is scheduled to open on June 18, 2022.

**14.6 Surveillance Camera at the H.H. Knoll Lakeview Park (Boles)**

The Director of Corporate Services / Treasurer provided an update on the implementation of the surveillance cameras across the City of Port Colborne that was approved by Council for the 2022 budget.

**15. Councillors' Remarks**

**15.1 Elm Street Naturalization Site (Bruno)**

Councillor Bruno expressed appreciation towards Regional Councillor Butters and the regional staff for their work on improving the Elm Street Naturalization Site.

### **15.2 Resurfacing of Snider Road (Wells)**

In response to Councillor Wells' request for installation of signs to inform drivers of the steepness of the shoulder alongside Snider Road, the Director of Public Works confirmed he will address the matter.

### **15.3 Senior's Month (Desmarais)**

Councillor Desmarais informed Council that the members of the Senior Citizen's Advisory Council will visit the Farmer's market every Friday for the month of June to educate and celebrate Senior's month.

### **15.4 Port Colborne Farmers' Market (Desmarais)**

Councillor Desmarais informed Council that additional vendors will be present every Friday at the Port Colborne Farmers' Market and encouraged residents to visit.

### **15.5 Water and Wastewater Services Project (Bruno)**

Councillor Bruno expressed appreciation towards staff for launching the water and wastewater services project.

### **15.6 FCM Annual Conference and Trade Show (Bruno)**

Councillor Bruno informed Council that the president of LiteZone Glass Inc attended the FCM conference and will be visiting the City of Port Colborne to meet with staff on projects. Councillor Bruno also reported that there is an opportunity for funding from the federal government for affordable housing. Councillor Bruno further stated that different ways of electronic payments of water bills can be accepted by municipalities were presented at the conference. Councillor Bruno stated that the company bciti is interested in collaborating with the City of Port Colborne to deliver critical smart city services. Lastly, Councillor Bruno informed Council of a collaboration opportunity with a company to implement Electric Vehicle chargers.

### **15.7 Electric Rapid Terrain Vehicle (Bagu)**

Councillor Bagu expressed appreciation towards staff for obtaining the first Electric Rapid Terrain Vehicle for the City of Port Colborne.

### **15.8 Public Washrooms located on West Street (Kalailieff)**

In response to Councillor Kalailieff's request to open the public washrooms located on West Street, the Chief Administrative Officer advised that he is exploring possible solutions.

**15.9 Passing of Cecil Vincent (Bodner)**

Councillor Bodner expressed sympathy and condolences for the passing of the former Port Colborne Chief Administrative Officer Cecil Vincent.

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

**16.1 2021 Year End Review – Fire and Emergency Services, 2022-75**

The Fire Chief provided a presentation and responded to questions from Council.

Moved by Councillor R. Bodner

Seconded by Councillor E. Beauregard

That Fire and Emergency Services Department Report 2022-75 be received for information purposes.

Carried

**16.2 Tennessee Avenue Gates Design Services and Firelane Pillars Scope Change and Additional Funding, 2022-121**

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

That Public Works Department Report 2022-121 be received, and

That Council approve the increase in scope for the Tennessee Gate Design project to also include design services to address the entrance pillar widths at Firelane 1 and Lorraine Road and at Firelane 2 and Pinecrest Road, and

That Council approve additional funding of \$20,000 to include the redesign of the pillars at each location to accommodate emergency vehicles and other larger vehicles.

Carried

**16.3 Borden Avenue Road Allowance – Surplus Declaration, 2022-120**

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That Chief Administrative Officer Report 2022-120 be received; and



That Council declare the closed Borden Avenue Road Allowance, legally described as Part of the road allowance between Lots 15 and 16 on Plan 10 and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street, shown as Appendix A, as surplus; and

That staff be directed to work with the adjoining landowners regarding the creation of parcels to address current encroachments and provide an opportunity to purchase the parcels at fair market value; and

That Economic Development and Tourism staff be directed to create one building lot on the west half of the Borden Avenue Road Allowance and sell the property in accordance with the Sale of Land Policy.

Carried

#### **16.4 Appointments to Boards and Committees, 2022-89**

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That Development and Legislative Services Department Report 2022-89 be received;

That the applicants listed in the Confidential Memo pertaining to Development and Legislative Report 2022-89 as circulated to Council be appointed to the respective Boards and Committees for a term ending December 31, 2026, or until such time as successors are appointed.

Carried

#### **16.5 Energy Consumption and Greenhouse Gas Emissions Report (2020), 2022-109**

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That Public Works Department Report 2022-109 be received for information.

Carried

#### **16.6 Noise Variance Request 175 King Street, The Belmont Bar and Grill, 2022-137**

Liette Croteau, Manager on behalf of the owner Alex Bobic of The Belmont Bar and Grill, provided a verbal request for a Noise Variance and answered questions from Council.

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

That Community Safety & Enforcement Department Report 2022-137 be received; and

That Community Safety and Enforcement Services recommend the Council grant a temporary permit to exempt the Belmont Bar and Grill from Section 4(3) of By-law 4588/119/04 with the following terms and conditions:

That the temporary noise variance be approved for the period every Friday starting June 17<sup>th</sup> to Friday, September 2<sup>nd</sup>, from 8:00 p.m. to 11:59 p.m. and from every Saturday starting, June 18<sup>th</sup> to Saturday, September 3<sup>rd</sup>, from 8:00 p.m. to 11:59 pm. for a DJ with equipment and live bands being able to amplify music. In the event, that the City of Port Colborne receives significant noise complaints from the area residents, then option 1 as outlined in the report would be implemented. (Every other weekend).

The permit is applicable only to the production, reproduction, and amplification of sound in connection with these events.

Carried

**Amendment:**

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

That staff be directed to bring an update report on the Noise variance to the July 19, 2022 Council Meeting.

Carried

**16.7 Steven Soos, True Politics - Request Support by the City of Port Colborne to Declare a State of Emergency on Mental Health, Homelessness and Addiction in the City of Port Colborne**

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

That correspondence from Steven Soos regarding True Politics - Request Support by the City of Port Colborne to Declare a State of Emergency on Mental Health, Homelessness and Addiction in the City of Port Colborne be received: and

That correspondence, be referred to the Fire Chief, Chief Administrative Officer and the Social Determinants of Health Advisory Committee - Everyone Matters to bring an update forward at a future council meeting.

Carried

**16.8 Niagara Region - Voluntary Russian Sanction Request**

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That correspondence from the Niagara Region regarding Voluntary Russian Sanction, be supported and that Municipal Councillor Desmarais wishes to be voluntarily sanctioned.

Carried

**16.9 Town of Fort Erie - Bidding Wars on Apartment Rentals**

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That correspondence from the Town of Fort Erie regarding Bidding Wars on Apartment Rentals, be supported

Carried

**16.10 Town of Aurora - Private Member's Bill C-233 "Keira's Law"**

Moved by Councillor A. Desmarais

Seconded by Councillor H. Wells

That correspondence from the Town of Aurora regarding Private Member's Bill C-233 "Keira's Law, be supported

Carried

**16.11 Niagara Region - Action Required - Waterpipe Smoking By-law**

Moved by Councillor R. Bodner  
Seconded by Councillor E. Beauregard

That the Council of Port Colborne consents to the passage of the  
Waterpipe By-law of the Regional Municipality of Niagara, being a by-law  
to regulate waterpipe smoking in the Region.

Carried

**17. Motions**

**18. Notice of Motions**

**19. Minutes of Boards & Committees**

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

That items 19.1 to 19.3 be approved, as presented.

Carried

**19.1 Senior Citizens Advisory Committee Minutes - March 22, 2022 and  
April 19, 2022**

**19.2 Port Colborne Public Library Board Minutes - April 6, 2022**

**19.3 Environmental Advisory Committee Minutes - April 13, 2022**

**20. By-laws**

Moved by Councillor A. Desmarais  
Seconded by Councillor D. Kalailieff

That items 20.1 to 20.3 be enacted and passed.

Carried

**20.1 By-law to appoint Gerald Moore as a Chief Building Official, Devon  
Staley as Deputy Chief Building Official and Barbara Mocny, Mike  
McKean, John Drahorat and Grant Schwartzentruber as Building  
Inspectors**

**20.2 By-law to Stop Up and Close for Alma Street Road Allowance,  
between Welland Street and Canal Bank Road**

**20.3 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 9:22 p.m.

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William C. Steele, Mayor

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Nicole Rubli, Acting City Clerk