

City of Port Colborne Council Meeting Minutes

Date: Tuesday, February 28, 2023
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

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

1. Call to Order

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

2. National Anthem

3. Land Acknowledgment

4. Proclamations

5. Adoption of Agenda

Moved by Councillor R. Bodner
Seconded by Councillor T. Hoyle

That the agenda dated February 28, 2023 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council-February 14, 2023

Moved by Councillor F. Danch

Seconded by Councillor D. Elliott

That the minutes of the regular meeting of Council, held on February 14, 2023, be approved as presented.

Carried

8. Staff Reports

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That items 8.1 and 8.5 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Dedicate Portion of Borden Avenue as a Public Highway -(Part 4 of Plan 59R-17542), 2023-25

That Chief Administrative Officer- Economic Development and Tourism Division Report 2023-25 be received; and

That a By-law to dedicate a portion of Borden Avenue Road Allowance, legally described as Part 4, Plan 59R-17542, as a public highway, be brought forward; and

That the Mayor and Acting City Clerk be authorized to sign and execute the By-law and related documents to dedicate the Borden Avenue Road Allowance as a public highway.

8.2 Municipal Modernization Program - Amending Agreements, 2023-33

That Office of the Chief Administrative Officer Economic Development and Tourism Division report 2023-33 be received; and

That Council approve the Amending Agreements between the City of Port Colborne and the provincial government for funding from the Municipal Modernization Program, attached as Appendices A to D;

That a by-law to enter into Amending Agreements be approved; and

That the Mayor and Acting City Clerk be authorized to sign the by-law and the Amending Agreements.

8.3 Grants for non-profits, 2023-36

That Chief Administrative Officer Report 2023-36 be received; and

That the following grants for non-profits totalling \$25,360.71 be approved for the first allocation of 2023;

Pathstone	\$2,500
Women's Place	\$2,600
Community Living Port Colborne Wainfleet	\$2,500
United Way Niagara	\$3,000
Port Colborne Feline Initiative	\$2,200
Port Colborne Optimist Club	\$4,000
Dewitt Carter Grade 7/8 Class	\$2,000
Downtown BIA	\$1,200
Port Colborne Operatic Society	\$2,800
Friends of Port Colborne Lighthouse	\$2560.71

8.4 Property Tax Collection History for the Year Ending 2022 and Next Steps, 2023-19

That Corporate Services Department – Financial Services Report 2023-19 be received; and

That the Director of Corporate Services/Treasurer be directed to proceed with normal tax collection processes, including moving forward and beginning the process that could lead to a tax sale for properties that have not paid for three years, in accordance with the steps outlined in page 4 of this report.

8.5 Proposed Lock 8 Illuminated Marquee Sign, 2023-41

That Public Works Department Report 2023-41 be received; and

That Council approve the installation of the proposed illuminated marquee sign as outlined in this report.

9. Correspondence Items

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That item 9.1 be received for information.

Carried

9.1 Township of Ashfield-Colborne-Wawanosh, Re Future Accuracy of the Permanent Register of Electors

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

14.1 Best Wishes (Luey)

The CAO expressed gratitude towards the Acting City Clerk for her dedication during her employment with the City and extended best wishes in her new role.

14.2 Absence (Luey)

The CAO apologized for his absence during the February 14, 2023 Council meeting due to an illness.

14.3 Sherkston Shores Resorts (Luey)

The CAO informed Council that the issues pertaining to traffic on a City road and continued access for the residents of the Sherkston Shores hamlet were addressed with the management of Sherkston Shores Resort in August, 2022. He further stated that the traffic plan provided by the Sherkston Shores management to mitigate these issues and access for

surrounding property owners and businesses will be reviewed. By-law enforcement will work with Niagara Regional Police to ensure compliance. Furthermore, a meeting will be scheduled in the near future to discuss continued access for residents.

14.4 Pedestrian Safety (Shypowskyj)

The Director of Public Works informed Council that the delegate's concern regarding pedestrian safety on Main Street and Elm Street is being addressed and an update will be brought at a future Council meeting.

14.5 Pedestrian Bridge Closure (Shypowskyj)

The Director of Public Works provided a brief update regarding the closure of the pedestrian bridge at H.H. Knoll Lakeview Park. He further advised that the structural engineer's report will allow staff to determine next steps and that the bridge will remain closed until further notice.

14.6 Thank you (Rubli)

The Acting City Clerk expressed gratitude towards Council, City Staff and residents for the support during her employment.

15. Councillors' Remarks

15.1 Snow Removal (Elliott)

In response to Councillor Elliott's request to prioritize snow removal of the accessible parking areas after a snow event, the Director of Public Works confirmed that he will explore all possible strategies.

15.2 Main Street Watermain Break Repair Bruno)

In response to Councillor Bruno's request to address the uneven surface as a result of the watermain break repair, the Director of Public Works informed Council that he would investigate.

15.3 Thank you (Bagu)

Councillor Bagu expressed gratitude towards the Acting City Clerk for her support.

15.4 Volunteers (Bagu)

Councillor Bagu informed that the Port Colborne High School will be requiring volunteers to assist with 100th Year Anniversary event and encouraged residents to apply.

15.5 Flooding (Beauregard)

In response to Councillor Beauregard's inquiry regarding flooding along Humboldt Parkway, the Director of Public Works provided a brief overview of work being completed pertaining to the issue.

15.6 Manhole Concern-Chippawa Road and Dolphin Street (Beauregard)

Councillor Beauregard expressed gratitude towards staff for addressing the concern pertaining to the manhole located at Chippawa Road and Dolphin Street.

15.7 Thank you (Beauregard)

Councillor Beauregard expressed gratitude towards the Acting City Clerk for her support and extended best wishes in her new role.

15.8 Sherkston Community Centre-Annual Chili Cook Off (Aquilina)

Councillor Aquilina provided details regarding the Annual Chili Cook Off hosted by the Sherkston Community Centre on Sunday March 12, 2023.

15.9 Best Wishes (Aquilina)

Councillor Aquilina expressed gratitude towards the Acting City Clerk for her support and extended best wishes for the future.

16. Consideration of Items Requiring Separate Discussion

16.1 2023 Nickel Beach Parking and Related Operations, 2023-32

Moved by Councillor G. Bruno

Seconded by Councillor T. Hoyle

That Corporate Services Department Report 2023-32 be received; and

That Council approve the changes in beach rates proposed in Appendix B and for Staff to proceed with the construction of new off-beach parking options at Nickel Beach as laid out in Appendix B; and

That Council approve a budget of \$1,300,000 to be funded from the infrastructure reserve to complete the Nickel Beach Parking Lot project and

That the updated Schedule G of the User Fees and Charges By-law be included in a future amendment to By-law 7047/84/22.

Amendment:

Moved by Councillor G. Bruno

Seconded by Councillor T. Hoyle

That Corporate Services Department Report 2023-32 be received; and

That Council approve the changes in beach rates proposed in Appendix B and for Staff to proceed with the construction of new off-beach parking options at Nickel Beach as laid out in Appendix B; and

That a seven-day pass priced at \$350.00 be added to the beach rates attached as Appendix B and that these passes be limited to 2% of the total Nickel Beach parking spaces; and

That Council approve a budget of \$1,300,000 to be funded from the infrastructure reserve to complete the Nickel Beach Parking Lot project and

That the updated Schedule G of the User Fees and Charges By-law be included in a future amendment to By-law 7047/84/22.

Carried

a. Delegation from Shawn Tedder, resident

Mr. Tedder delegated his concerns regarding Nickel Beach.

b. Written Delegation material from Melissa Bigford, resident

16.2 Strategic Priorities Infrastructure Fund – Transfer Payment Agreement, 2023-28

Moved by Councillor D. Elliott

Seconded by Councillor M. Bagu

That Chief Administrative Officer – Economic Development and Tourism Services Division Report 2023-28 be received; and

That the Mayor and Acting City Clerk be authorized to execute an agreement with His Majesty the King in right of the Province of Ontario, as represented by the Minister of Infrastructure, for the Strategic Priorities Infrastructure Fund; and

That the By-law to authorize entering into the agreement be approved.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

Moved by Councillor M. Aquilina

Seconded by Councillor E. Beauregard

That items 19.1 to 19.3 be approved, as presented.

Carried

19.1 Port Colborne Historical and Marine Museum Board Meeting Minutes, January 17, 2023

19.2 Port Colborne Library Board Meeting Minutes, January 11, 2023

19.3 Social Determinants of Health Advisory Committee - Everyone Matters Minutes, September 8, 2022

20. Recommendations Arising from Boards and Committees

20.1 Memorandum- 2022-2026 Appointments to the Downtown Port Colborne Business Improvement Area (BIA) Board of Management

Moved by Councillor R. Bodner

Seconded by Councillor T. Hoyle

That Council appoint the following members to the Downtown BIA for a term ending November 14, 2026, or until their successors are appointed:

- Jesse Bole
- Norbert Gieger
- Taylor Mynlieff
- Morgan Adams
- Ed Cleveland
- Rosemari Poisson
- Larry Beverly
- Anna Maria Crognale
- Harry Hamilton

Carried

20.2 Memorandum-2022-2026 Appointments to the Main Street Port Colborne Business Improvement Area (BIA) Board of Management

Moved by Councillor D. Elliott

Seconded by Councillor G. Bruno

That Council appoint the following members to the Main Street BIA for a term ending November 14, 2026 or until their successors are appointed:

- Nicki Lumsden
- Saima Hossain
- Natalie Torner
- Kim Danch
- Jackie Vezeau

Carried

21. By-laws

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That items 21.1 to 21.4 be enacted and passed.

Carried

21.1 By-law to Authorize Entering into an Agreement with the Province of Ontario for the Strategic Priorities Infrastructure Fund

21.2 By-law to Authorize the Dedication of Part 4 Plan 59R-17452 as a Public Highway

21.3 By-law to Authorize Entering into Transfer Payment Amending Agreements with the Ontario Municipal Modernization 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 R. Bodner

Seconded by Councillor M. Aquilina

That Council do now proceed into closed session in order to address items 22.1 to 22.3.

- 22.1 Minutes of the closed session portion of the October 11, November 15, November 23, November 29, December 01 and December 12, 2022 Council Meetings**
- 22.2 Minutes of the closed session portion of the January 10, February 07, and February 14, 2023 Council Meetings**
- 22.3 Corporate Services Department – Human Resources Report 2023-04, personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations**
- 23. Procedural Motions**
- 24. Information items**
- 25. Adjournment**

Council moved into Closed Session at approximately 8:23 p.m.

Council reconvened into Open Session at approximately 9:54 p.m.

Mayor Steele adjourned the meeting at approximately 9:55 p.m.

William C. Steele, Mayor

Charlotte Madden, Acting City Clerk