

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, April 11, 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: C. Madden, Acting City Clerk
B. Boles, Director of Corporate Services/Treasurer
S. Lawson, Fire Chief
S. Luey, Chief Administrative Officer
S. Shypowskyj, Director of Public Works
S. Tufail, Acting Deputy Clerk (minutes)

1. Call to Order

Mayor Steele called the meeting to order at 6:30 p.m.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

5. Adoption of Agenda

Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That the agenda dated April 11, 2023 be confirmed, as circulated.

Carried

6. Disclosures of Interest

7. Approval of Minutes

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

1. That the minutes of the Committee of the Whole-Strategic Planning Session held on February 25, 2023, be approved as circulated.
2. That the minutes of the Regular Meeting of Council held on March 28, 2023, be approved as circulated.

Carried

7.1 Committee of the Whole-Strategic Planning Session-February 25, 2023

7.2 Regular Meeting of Council - March 28, 2022

8. Staff Reports

Moved by Councillor E. Beauregard

Seconded by Councillor M. Aquilina

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

Carried

8.1 Grandstone Living Inc. - Community Improvement Plan Agreement, 2023-46

That Chief Administrative Office Report 2023-46 be received; and

That Council approve the Olde Humberstone Community Improvement Plan (CIP) Agreement between the City of Port Colborne and Grandstone Living Inc., attached as Appendix B to Chief Administrative Office Report 2023-46; and

That a by-law to enter into an agreement with Grandstone Living Inc. be brought forward.

8.2 Transfer of Ownership of Pine Street and Highland Avenue Watermains, 2023-68

That Public Works Department Report 2023-68 be received; and

That the Mayor and Acting City Clerk be authorized to execute the indenture to assume ownership of the Pine Street and Highland Avenue watermains with the Regional Municipality of Niagara; and

That the By-law to authorize entering into the indenture, attached as Appendix C, be brought forward.

9. Correspondence Items

Moved by Councillor E. Beauregard

Seconded by Councillor M. Aquilina

That items 9.1 to 9.3 be received for information.

Carried

9.1 Town of Plympton-Wyoming - Municipalities Retaining Surplus Proceeds from Tax Sales

9.2 City of Owen Sound - Reducing Municipal Insurance Costs

9.3 Town of Plympton-Wyoming - Declaring Intimate Partner Violence and Violence Against Women an Epidemic

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 Clean Community Days (Lawson)

The Fire Chief informed Council that the Community Safety & Enforcement Department is hosting Clean Community Days on May 14 and June 11, where the community can dispose of refuse and debris from their property. He further stated that additional information is available on the City's website.

14.2 Vacant Building Registry (Lawson)

The Fire Chief informed that staff are in the process of initiating a vacant building registry process which will hold the property owners liable for the upkeep of vacant lands.

14.3 Sugarloaf Archaeological Investigation (Shypowskyj)

The Director of Public Works informed Council that the Sugarloaf archaeological investigation has been postponed due to the consultation with the Aboriginal communities.

14.4 Speed Cushions at H.H Knoll Lakeview Park (Shypowskyj)

The Director of Public Works advised Council that the installation of the speed cushions at H.H Knoll Lakeview Park has been delayed due to poor weather conditions. He further states that the contractor will start the process within the next month and as a result there will be road closures.

14.5 Earth Day (Shypowskyj)

The Director of Public Works informed Council that in celebration of Earth Day, and in partnership with the Niagara Peninsula Conservation Authority (NPCA) and Sassafras Farms, the City of Port Colborne will be giving away various types of 400 trees to Port Colborne residents on Friday, April 21, 2023, from 7 to 11:30 a.m. at King George Park.

14.6 Nickel Beach Parking and Fence (Boles)

The Director of Corporate Services/Treasurer stated the City has received input on ways in which pedestrians can be transported from the parking lot to Nickel Beach. He further stated that the fence on Nickel Beach will be undergoing maintenance and advised that a report regarding the parking plan will be brought forward at a future Council meeting.

14.7 Lighting of the Communication Towers (Landry)

The Chief Planner provided a brief overview on the process of lighting the communication towers and the requirements for maintaining the lights.

15. Councillors' Remarks

15.1 Grass Cutting (Bruno)

In response to Councillor Bruno's request for an update on whether the City of Port Colborne can take over the grass cutting and property maintenance responsibility on Killaly Street West, the Director of Public

Works informed Council that possible solutions are being explored and a report will be brought to Council.

15.2 Sherkston Community Centre (Aquilina)

Councillor Aquilina provided details regarding the Easter Egg Hunt event hosted by the Sherkston Community Centre on Saturday, April 8, 2023. She further stated that Yoga sessions will resume on April 14, 2023.

15.3 Speed Radar Signs and Delineator Posts (Bagu)

In response to Councillor Bagu's inquiry regarding the timeline of speed radar signs and delineator posts installation throughout the City, the Director of Public Works provided an overview of areas where the installation will take place in the near future.

15.4 Tank Cars (Bagu)

In response to Councillor Bagu's inquiry regarding whether the stored tank cars on railways within City limits pose any hazards to the residents, the Chief Administrative Officer provided an overview of the various types of stored tank cars and their contents. He further stated that the contents are non-hazardous and non-toxic.

15.5 Fishing in Port Colborne (Bruno)

Councillor Bruno informed Council that he attended a meeting regarding expanding fishing opportunities in Port Colborne at the L.R Wilson Centre and expressed appreciation towards Tourism staff for organizing the event.

15.6 Speeding Issue (Danch)

Councillor Danch expressed gratitude towards the Fire Chief for addressing the speeding issue within the Fielden Avenue and Neff Street area in a timely manner.

15.7 Thank you (Hoyle)

Councillor Hoyle expressed gratitude towards staff for addressing various issues in a timely manner.

15.8 West Street Condominium Development (Hoyle)

In response to Councillor Hoyle's inquiry regarding the completion date for the condominium, the Chief Administrative Officer advised that the delays are a result of supply chain issues and parking disruptions are being

addressed. The Chief Administrative Officer further stated that staff will address this matter and provide a verbal update at a future Council meeting.

15.9 Bethel Cell Tower (Bodner)

Councillor Bodner informed Council that the Bethel cell tower that was not functioning has been repaired.

15.10 Short-Term Rentals (Bodner)

In response to Councillor Bodner's inquiry, the Chief Administrative Officer and the Fire Chief provided an update on the progress of short-term rental bylaws and advised that a report will be brought to Council at a future meeting.

15.11 Road Ends-Parking Signage (Bodner)

In response to Councillor Bodner's inquiry, the Director of Public Works provided a brief overview on the work being completed to implement the parking signage for road ends at Nickel Beach.

15.12 Zoning By-Law Requirements (Elliott)

In response to Councillor Elliott's request, the Chief planner confirmed that the recommendation reports for proposed zoning by-law amendments will outline the proposed and the required set backs.

16. Consideration of Items Requiring Separate Discussion

16.1 Ice Allocation Procedure for Youth Groups, 2023-71

Moved by Councillor D. Elliott
Seconded by Councillor G. Bruno

That Corporate Services Department Report 2023-71 be received; and

That staff proceed with the proposed changes to ice allocation and ice cancellation protocols as outlined in pages 2 and 3 of Corporate Services Department Report 2023-71.

Carried

16.2 Canal Days Marine Heritage Festival – 2022 results and 2023 updates, 2023-70

Moved by Councillor D. Elliott
Seconded by Councillor G. Bruno

That Corporate Services Department Report 2023-70 be received for information.

Carried

16.3 Council and Committee Travel Expense Policy, 2023-17

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

That Chief Administrative Office Report 2023-17 be received; and

That By-Law 4896/121/06 and any amendments thereto be repealed.

Carried

16.4 Sale of Surplus Property – PIN 64156-0026 – Elm Street Hydro Corridor, 2023-64

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

That Chief Administrative Officer Report 2023-64 be received;

That Council approve entering into an Agreement of Purchase and Sale with 13489116 Canada Inc., regarding the vacant City-owned property on Elm Street (between Elm and Catharine);

That a by-law to authorize entering into an Agreement of Purchase and Sale with 13489116 Canada Inc. regarding the sale of a City-owned lot on Elm Street legally described as LTS 29, 30 & 31, PT LTS, 41, 42 & 43, PL 861, Being PTS 4&6, on 59R9034: Port Colborne, be brought forward; and

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

Carried

16.5 City Real Estate – Surplus Parcels, 2023-56

Moved by Councillor M. Bagu
Seconded by Councillor T. Hoyle

That Chief Administrative Office Report - Economic Development and Tourism Services Division Report 2023-56 be received for information;

That Council declare the City-owned parcels of land, outlined in Appendix A to Chief Administrative Office Report - Economic Development and Tourism Services Division Report 2023-56, as surplus; and

That Council delegate authority to the Chief Administrative Officer (CAO) to dispose of these surplus parcels and enter into purchase/sale agreements in accordance with the Sale of Surplus Land Policy.

Carried

16.6 Drain Accounting and Billing Process, 2023-37

Moved by Councillor G. Bruno

Seconded by Councillor R. Bodner

That Corporate Services Department Report 2023-37 be received; and

That interest be charged to previously approved and future drain construction accounts effective January 1, 2023. Interest will be accrued at a rate of Bank Prime + 2% on drain construction account balances starting January 1, 2023, and all new charges until billed, not to exceed more than 120 days after the drain construction account completion certificate is issued.

That drains construction accounts be billed when the drainage engineer issues the final completion certificate and account allocations for the drain construction project, effective April 11, 2023.

Amendment:

Moved by Councillor R. Bodner

Seconded by Councillor G. Bruno

That Corporate Services Department Report 2023-37 be received; and

That interest be charged to previously approved and future drain construction accounts effective January 1, 2023. Interest will be accrued at a rate of Bank Prime + 2% on drain construction account balances starting January 1, 2023, and all new charges until billed, not to exceed more than 120 days after the drain construction account completion certificate is issued.

That drains construction accounts be billed when the drainage engineer issues the final completion certificate and account allocations for the drain construction project, effective April 11, 2023.

That staff present an annual report alongside the financial statement completion/audited statements to update Council on the operational and financial components of all drain construction projects.

That staff recommend to Council in the annual report if interim billing should be considered on a drain by drain basis.

Carried

16.7 Town of Plympton-Wyoming - Bill 5 Stopping Harassment and Abuse by Local Leaders Act

Moved by Councillor M. Aquilina

Seconded by Councillor F. Danch

That correspondence from the Town of Plympton-Wyoming regarding Bill 5 stopping harassments and abuse by Local Leaders Act be supported.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

19.1 Port Colborne Historical & Marine Museum Minutes - February 21, 2023

Moved by Councillor T. Hoyle

Seconded by Councillor F. Danch

That the minutes of the Port Colborne Historical & Marine Museum meeting, held on February 21, 2023, be approved as presented.

Carried

20. By-laws

Moved by Councillor E. Beauregard

Seconded by Councillor M. Bagu

That items 20.1 to 20.5 be enacted and passed.

Carried

- 20.1 By-law to Authorize entering into an Agreement of Purchase and Sale of property with 13489116 CANADA INC. for a vacant lot on Elm Street**
- 20.2 By-law to Authorize Entering into an Agreement with Grandstone Living Inc.**
- 20.3 By-law to Authorize Entering into an Indenture with the Regional Municipality of Niagara to transfer ownership of the watermain on Pine Street and Highland Avenue**
- 20.4 By-law to Appoint an Acting Chief Building Official and Deputy Chief Building Officials**
- 20.5 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**
- 21. Procedural Motions**
- 22. Information items**
- 23. Adjournment**

Mayor Steele adjourned the meeting at approximately 10:13 p.m.

William C. Steele, Mayor

Charlotte Madden, Acting City Clerk