

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, June 13, 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
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: D. Elliott, Councillor

Staff Present: C. Madden, 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, 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

4.1 June is Seniors Month 2023

Moved by Councillor M. Aquilina
Seconded by Councillor M. Bagu

That June 1 – 30, 2023 be proclaimed as “Seniors’ Month” in the City of Port Colborne and that all citizens be encouraged to recognize and celebrate the accomplishments of our seniors.

Carried

5. Adoption of Agenda

Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That the agenda dated June 13, 2023 be confirmed, as circulated.

Carried

6. Disclosures of Interest

6.1 Councillor E. Beauregard- Access to Sherkston Shores Under Easement, 2023-99

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Sun Communities affiliate corporations are clients of.

6.2 Councillor R. Bodner - Access to Sherkston Shores Under Easement, 2023-99

The Councillor has declared a direct pecuniary interest as he is a shareholder in a business located inside Sherkston Shores Resort,

7. Approval of Minutes

7.1 Regular Meeting of Council - May 23, 2023

That the minutes of the regular meeting of Council, held on May 23, 2023, be approved as presented.

8. Staff Reports

Moved by Councillor M. Aquilina
Seconded by Councillor E. Beauregard

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

Carried

8.1 Committees' Proposed Terms of Reference, 2023-34

That Development and Legislative Services Department Report 2023-34 be received;

That the Terms of Reference, attached in Appendices A to I to the Development and Legislative Services Department Report 2023-34, for the Active Transportation Advisory Committee, Economic Development Advisory Committee, Environmental Advisory Committee, Grant Allocation Advisory Committee, Mayor's Youth Advisory Committee, Senior Citizens Advisory Committee, Social Determinants of Health Advisory Committee, Property Standards/Notice to Muzzle Appeal Committee, and Committee of Adjustment, be approved;

That By-law Nos. 6422/102/16, 6299/125/15, 6069/35/14, 6471/38/17, 6317/143/15, 5328/83/09, 6530/97/17 and 6642/06/19, be hereby repealed; and

That the following member of the public be appointed to the respective committee:

Property Standards/Notice to Muzzle Committee

That Angie Desmarais be appointed to the Property Standards/Notice to Muzzle Appeal Committee for a term ending November 14, 2026.

9. Correspondence Items

Moved by Councillor M. Aquilina

Seconded by Councillor E. Beauregard

That items 9.1 to 9.4 be received for information.

Carried

9.1 Niagara Region - 2023 Property Tax Policy, Ratios and Rates

9.2 Niagara Region - Combined Sewer Overflow Control and Wet Weather Management Program - 2023 Funding Recommendations

9.3 Niagara Region - Climate Change Update

9.4 Niagara Region - Niagara Region Highlights from the 2021 Census of Population

10. Presentations

11. Delegations

11.1 Friends Of The Port Colborne Lighthouses - Request to Waive Dock/Storage Fees at Sugarloaf Marina for the Volunteer Pontoon Tour Vessels During Canal Days

Scott Wolfe, founding member of Friends of the Port Colborne Lighthouses requested that dock/storage fees at Sugarloaf Marina for the Volunteer Pontoon Tour Vessels be waived.

Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the Sugarloaf Harbour Marina dock/storage fees for the Friends of the Port Colborne Lighthouses' volunteer pontoon tour vessels be waived for the 2023 year; and

That the Director of Corporate Services/Treasurer be directed to draft an agreement between the City and the Friends of the of the Port Colborne Lighthouses regarding dock/storage fees for 2024 onwards and bring it forward at a future Council meeting for consideration.

Carried

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

Regional Councillor Davies provided an update to City Council.

14. Staff Remarks

14.1 Port Colborne Quarry PIT 3 Expansion (Landry)

The Chief Planner provided an update on the Port Colborne quarry pit 3 expansion and the application process.

14.2 Clean Community Day (Lawson)

The Fire Chief provided a brief overview of the Clean Community Day event that was held on May 27, 2023 and expressed appreciation towards representatives from Rustic Retreat Massage Therapy for their sponsorship.

14.3 Sidewalk Repair Program (Shypowskyj)

The Director of Public Works provided a brief overview of the Sidewalk Repair Program which will begin in approximately two weeks.

14.4 Internal Sanitary Manhole Program (Shypowskyj)

The Director of Public Works advised Council that in order to prevent groundwater entering the sanitary sewers, various internal manholes will be repaired by Sewer Technologies as part of an Internal Sanitary Manhole Program which will begin on June 14, 2023 and is expected to take up to six weeks.

14.5 Urban Forest Management Project (Shypowskyj)

The Director of Public Works provided a brief overview of the public engagement session regarding the Urban Forest Management that was held on June 12, 2023 and expressed appreciation towards residents, Councillor Hoyle and Councillor Bagu for attending. He further stated that the information regarding the plan is available on the City's website.

14.6 Road Safety (Shypowskyj)

The Director of Public Works stated that in order to improve road safety conditions for residents, drivers and pedestrians, the safety zone lawn signs are available free of charge to all residents at City Hall and Public Works Operations Centre.

14.7 Nickel Beach Update (Boles)

The Director of Corporate Services/Treasurer provided an update regarding the attendance at Nickel Beach.

15. Councillors' Remarks

15.1 Sherkston Community Centre (Aquilina)

Councillor Aquilina provided details regarding a Fashion Show hosted by the Sherkston Community Centre and advised that the next event will be a Movie Night to take place on June 23, 2023..

15.2 Senior Citizens Advisory Committee (Aquilina)

Councillor Aquilina advised that the recruitment for the Senior Citizens Advisory Committee has begun and encouraged residents to apply.

15.3 Community Concert Series (Aquilina)

Councillor Aquilina stated that a sponsored concert event will take place on June 17, 2023 at 5 p.m. at H.H. Knoll Lakeview Park.

15.4 Joint Accessibility Advisory Committee (Aquilina)

In response to Councillor Aquilina's request for an update, the Chief Administrative Officer stated that the Joint Accessibility Advisory Committee webpage navigation concerns will be addressed and an update regarding accessibility plans will be brought forward at a future Council meeting.

15.5 Sherkston Shores Resort (Aquilina)

In response to Councillor Aquilina's inquiry regarding the emergency vehicle access, land use regulations and expansion to the Sherkston Shores Resort, the Fire Chief and the Chief Administrative Officer provided an overview and advised that an update will be brought forward at a future Council meeting.

15.6 Planning Applications (Bruno)

In response to Councillor Bruno's inquiry, the Fire Chief advised that the City does not require input from Niagara Regional Police for planning applications for expansion.

15.7 Thank You (Bagu)

Councillor Bagu expressed appreciation towards Public Works staff for addressing a parking concern on Catharine Street.

15.8 Neff Street (Bruno)

Councillor Bruno expressed appreciation towards Public Works staff for extending the waterline on Neff Street.

15.9 Residential Planning Levels of Approval (Bruno)

In response to Councillor Bruno's request for a complete list of all residential planning levels of approval beyond ten residential units, the Chief Administrative Officer advised that an update will be provided at a future Council meeting.

15.10 FCM Annual Conference and Trade Show (Bruno and Hoyle)

Councillors Bruno and Hoyle advised Council that they attended the FCM Annual Conference and Trade Show in Toronto from May 25-28, and

provided a brief overview of the various workshops and programs they attended.

15.11 Fence along Walking Trail (Danch)

Councillor Danch requested that the Director of Public Works investigate the fencing along the walking trail that had cut wires.

15.12 Oriole Crescent (Danch)

Councillor Danch stated that there have been multiple complaints of waste present at the construction site on Oriole Crescent and requested that staff inspect the area.

15.13 Port Colborne Sign at Lock 8 Park (Danch)

Councillor Danch informed Council that a new multicoloured sign has been erected at Lock 8 Park that was funded from a grant from the Tourism Relief Fund.

15.14 Speeding on Clarence Street (Danch)

Councillor Danch informed that he has received complaints from residents regarding speeding on Clarence Street and requested that a speed radar sign be put in place.

15.15 Port Colborne-Wainfleet Chamber Of Commerce (Hoyle)

Councillor Hoyle provided details regarding the Lobster and Laugh and a Golf Tournament hosted by the Port Colborne-Wainfleet Chamber Of Commerce.

15.16 Empire Road (Bodner)

In response to Councillor Bodner's request for an update regarding the traffic calming measures on Empire Road, the Director of Public Works informed that possible options will be explored after a traffic study has concluded.

16. Consideration of Items Requiring Separate Discussion

16.1 Access to Sherkston Shores Under Easement, 2023-99

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Sun Communities affiliate corporations are clients of.)

Councillor R. Bodner declared a conflict on this item. (The Councillor has declared a direct pecuniary interest as he is a shareholder in a business located inside Sherkston Shores Resort.)

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

That Chief Administrative Office Report 2023-99 be received for information.

Carried

Amendment:

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

That Council direct the City Solicitor to pursue a court challenge to Sun Retreats' interpretation of the easement.

Lost

- a. **Delegation from Carol Domenicucci, resident**
- b. **Delegation from Ingrid Copland, resident**
- c. **Delegation from Marsha and Mike McCreadie, residents**
- d. **Written Delegation Material from Vanessa Mckay**

16.2 2023-2026 Strategic Plan – Draft, 2023-89

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

That Chief Administrative Office Report 2023-89 be received for information.

Carried

16.3 Resolution - Port Colborne Urgent Care Centre - 2023-115

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

That the Council of the City of Port Colborne calls on Niagara Health to reverse its decision to reduce hours at the Port Colborne Urgent Care Centre effective July 5, 2023, and ensure a continuation of full-service hours, 24 hours per day, 7 days per week;

That the Council of the City of Port Colborne requests that Niagara Health work with the City of Port Colborne to secure the necessary human resources and funding required to permit Niagara Health to continue operation of the Port Colborne Urgent Care Centre on a full-time basis;

That the Council of the City of Port Colborne calls on the provincial government to work with Port Colborne and Niagara Health to facilitate the creation of a provincially funded health team for Port Colborne, either stand-alone or in conjunction with the Town of Fort Erie, to meet the immediate and long-term primary, urgent and associated health care needs of our residents;

That the Council of the City of Port Colborne calls on the provincial and federal governments to immediately take all steps necessary to alleviate the chronic staffing shortages experienced in our hospitals and health care systems, including implementing streamlined processes to permit individuals qualified to practice as doctors, nurses and other health professionals in other countries to practice their profession in Canada;

That Council directs the Chief Administrative Officer to collaborate with the Town of Fort Erie's Chief Administrative Officer to develop options for Council to consider, for creation of a business plan, that would include identifying resources and funding required, to meet the immediate and long-term health care needs of residents of Port Colborne; and

That the City Clerk be directed to deliver a copy of this resolution to Ontario Premier, Doug Ford; Ontario Minister of Health, Sylvia Jones; President and CEO of Niagara Health, Lynn Guerriero; the Board of Directors of Niagara Health; Prime Minister of Canada, Justin Trudeau; Minister of Health for Canada, Jean-Yves Duclos; Mayor of Fort Erie, Wayne Redekop; Region of Niagara Chair, Jim Bradley; Niagara Regional Councillors; all Niagara Members of Ontario Provincial Parliament; all Niagara Members of Federal Parliament; Executive Director of the Niagara Chapter of Native Women, Wendy Sturgeon; Niagara Health

Coalition; and all municipalities in Niagara for their consideration and support.

Carried

16.4 East Side Employment Lands – Phase 1 Servicing Project, 2023-109

Moved by Councillor G. Bruno

Seconded by Councillor T. Hoyle

That Chief Administrative Office report 2023-109 be received;

That the Director of Public Works be directed to initiate design work, engineering, and construction, in partnership with Niagara Region, for phase one servicing for the City's East Side Employment Lands;

That the Director of Public Works be directed to retain a qualified engineering consultant to review, revise, and update the detailed design and drawings for the proposed infrastructure for the East Side Employment Lands;

That the Manager of Strategic Initiatives be directed to submit an application to the Ministry of Economic Development, Job Creation and Trade's Southwestern Ontario Development Fund to request funding for servicing work for the City's East Side Employment Lands; and

That Council commit to funding the City's share of the project from the 2024 and 2025 Capital Budgets.

Carried

16.5 Canal Days Marine Heritage Festival, 2023-77

Moved by Councillor R. Bodner

Seconded by Councillor M. Aquilina

That Corporate Services Department Report 2023-77 be received; and

That the draft By-law to amend By-law No. 7006/44/22, Being a By-law to establish a permitting system for the parking of vehicles on designated highways and parking lots in the City of Port Colborne, attached in Appendix D of Corporate Services Department Report 2023-77 be approved.

Carried

16.6 H.H. Knoll Lakeview Park Trail Replacement, 2023-112

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

That Public Works Department Report 2023-112 be received; and

That the recommended trail realignment shown in Appendix A and associated works, be approved.

Carried

16.7 Administrative Monetary Tier Penalty – Cat By-law, 2023-111

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

That Community Safety and Enforcement Department Report 2023-111 be received;

That By-law 4949/5/07, Being a By-law to Provide for the Control of Cats in the City of Port Colborne be amended to allow for penalties under the Administrative Monetary System; and

That By-law 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences Within the City of Port Colborne be amended to include fines for Control of Cat By-law 4949/5/07.

Carried

16.8 Niagara Central Dorothy Rungeling Airport Commission - Regional Road #529 (River Road) Road Condition

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That correspondence from Niagara Central Dorothy Rungeling Airport Commission - Regional Road # 529 (River Road) Road Condition, be supported.

Carried

17. Motions

18. Notice of Motions

Councillor Bodner provided notice of his intention to bring a motion forward at the July 18, 2023 Council meeting with respect to a request for amendments to the City's Discharge of Firearms By-law and Noise Control By-law.

19. Minutes of Boards & Committees

20. By-laws

Moved by Councillor E. Beauregard

Seconded by Councillor M. Bagu

That items 20.1 to 20.13 be enacted and passed.

Carried

20.1 By-law to Establish a Committee known as the Active Transportation Advisory Committee, to Establish a Terms of Reference and to Repeal By-law No. 6422/102/16

20.2 By-law to Establish a Committee known as the Economic Development Advisory Committee, to Establish a Terms of Reference and to Repeal By-law No. 6299/125/15, and all Amendments Thereto

20.3 By-law to Establish a Committee known as the Environmental Advisory Committee, to Establish a Terms of Reference and to Repeal By-law No. 6069/35/14 and 6471/38/17, and all Amendments Thereto

20.4 By-law to Establish a Committee known as the Grant Allocation Advisory Committee, to Establish a Terms of Reference and to Repeal By-law No. 6317/143/15, and all Amendments Thereto

20.5 By-law to Establish a Committee known as the Mayor's Youth Advisory Committee and Terms of Reference

20.6 By-law to Establish a Committee known as the Senior Citizens Advisory Committee, to Establish a Terms of Reference and to Repeal By-law No. 5328/83/09, and all Amendments Thereto

20.7 By-law to Establish a Committee Known as the Social Determinants of Health Advisory Committee, to Establish a Terms of Reference and to Repeal By-law No. 6530/97/17 and all Amendments Thereto

- 20.8 By-law to Establish a Committee known as the Property Standards/Notice to Muzzle Appeal Committee and Terms of Reference**
- 20.9 By-law to Establish a Committee of Adjustment and Terms of Reference and Repeal By-law No. 6642/06/19**
- 20.10 By-law to Amend By-law No. 7006/44/22, a By-law to Establish a Permitting System for the Parking of Vehicles on Designated Highways and Parking Lots in the City of Port Colborne**
- 20.11 By-law to Amend By-law No. 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within The City of Port Colborne**
- 20.12 By-law to Amend By-law No. 4949/5/07, Being a By-law to Provide for the Control of Cats**
- 20.13 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 10:51 p.m.

William C. Steele, Mayor

Charlotte Madden, City Clerk