

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, June 27, 2023
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
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: M. Aquilina, Councillor
F. Danch, Councillor

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

1. Call to Order

Mayor Steele called the meeting to order at 6:54 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 June 27, 2023 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council - June 13, 2023

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

That the minutes of the regular meeting of Council, held on June 13, 2023, be approved as presented.

Carried

8. Staff Reports

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

That item 8.1 to 8.3 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Catharine Street – Stop-Up and Close By-law and Surplus Declaration, 2023-81

That Chief Administrative Office Report 2023-81 be received;

That the Stop-Up and Close By-law, being a By-law to stop-up and close part of the Catharine Street Road Allowance, described in PIN 64457-0087 as being Part of Catharine Street on the west side of Catharine Street south of 14 Catharine Street abutting the eastern boundary of 12 Catharine Street and being 26.4 m in length and 8.2 m in width be approved;

That the property described in PIN 64457-0087 be declared surplus; and

That the City Clerk and Mayor be directed to sign all necessary documents.

8.2 45th Annual Canal Days Festival Request for Road Closures, 2023-130

That Corporate Services Department Report 2023-130 be received;

That the recommendations of Corporate Services Report 2023-130 be approved, and that Council approve all road closures encompassed in this report; and

That Canal Days be deemed as a municipally significant event for the purpose of applying for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO); and

That Council exempt the participants of the Canal Days Marine Heritage Festival from the Noise By-Law No. 4588/119/04 and not be required to apply for the variance in accordance with Section 4(3) Schedule 2(2).

8.3 Amendment to Storm Sewer Rates, 2023-128

That Corporate Services Department Report 2023-128 be received; and

That the revised 2023 Storm Sewer Rates, attached as appendix B be approved; and

That the draft By-law to amend By-law No. 7086/31/23, Being a Being A By-Law To Set And Levy The Rates Of Taxation For City Purposes For The Year, attached in Appendix C of Corporate Services Department Report 2023-128 be approved.

9. Correspondence Items

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That items 9.1 to 9.3 be received for information.

Carried

9.1 Niagara Region - Motion respecting Enhancing Canada's National Adaptation Strategy Through a Great Lakes and St. Lawrence River Basin Coastal Resiliency Study

9.2 Niagara Region - 2022 Reserve Water and Wastewater Treatment Capacities

9.3 Message from the Parliamentary Assistant to the Minister of Infrastructure - Water and Sewer Infrastructure

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 Waterfront Redevelopment Project (Higginbotham)

The Tourism Coordinator advised Council that the open house regarding the Waterfront Redevelopment Project was held on June 14, 2023. He further provided details of other public engagement processes in place for the project.

14.2 Committee Recruitment (Madden)

The City Clerk advised that recruitment for various citizen advisory committees had begun and the deadline to apply would be June 30, 2023.

15. Councillors' Remarks

15.1 Summer Camps (Bagu)

Councillor Bagu advised Council that the summer camps will now be offered by YMCA in order to avoid duplication.

15.2 Port Colborne Concert Band (Bagu)

Councillor Bagu informed Council that the Port Colborne Concert Band is scheduled to perform Thursday evenings in H.H. Knoll Park on July 6, 13, 20 and 27 starting at 7:20 p.m.

15.3 Main Street - Decorative Poles (Bruno)

In response to Councillor Bruno's inquiry, the Director of Public Works advised Council that the decorative poles located on Main Street are part of the City's inventory. He further stated that they are currently delayed and will be installed as soon as they are received.

15.4 Port Colborne Sign (Bruno)

In response to Councillor Bruno's request for the dedication tree that is obstructing the Port Colborne Sign to be moved, the Director of Public Works advised that he would investigate.

15.5 Grass Cutting on Elm Street (Bruno)

In response to Councillor Bruno's request, the Director of Public Works advised that by August 1, 2023, the contractor will be cutting the grass on Elm Street and beautifying the area.

15.6 Seaway Park (Hoyle)

Councillor Hoyle expressed gratitude towards staff for the maintenance of Seaway Park.

15.7 Nickel Beach - Washroom Accessible Ramps (Hoyle)

In response to Councillor Hoyle's request for an update, the Director of Corporate Services/Treasurer advised that the accessible ramps for the washrooms at Nickel Beach would be delivered and installed within the next week.

15.8 Wyldewood Beach Road End - Signage (Bodner)

In response to Councillor Bodner's inquiry regarding the missing signage at the Wyldewood Beach road end, the Director of Public Works advised that a site visit would be conducted and an update would be brought at a future Council meeting.

15.9 District Conservation Club (Bodner)

Councillor Bodner stated that he has concerns regarding the operation of the Port Colborne and District Conservation Club and its impacts on the community. He further noted that he is intending to bring forward a motion regarding potential amendments to the City's Discharge of Firearms and Noise by-laws at the July 18, 2023 Council meeting. Additionally, he has been made aware that there is also a provincial process taking place regarding shooting range approval and given the time sensitive nature of the provincial process, he is requesting that Council waive the rules of the City's Procedural By-law in order to dispense with notice and bring forward a motion with respect to the City sending a letter to the Chief Firearms Officer of Ontario regarding Shooting Range Approval for the Port Colborne and District Conservation Club.

16. Consideration of Items Requiring Separate Discussion

16.1 Physician Recruitment Activities Update, 2023-92

Jill Croteau, Niagara Region Physician Recruitment & Retention Coordinator, provided a physician recruitment update and responded to questions received from Council.

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

That Chief Administrative Office Report 2023-92 be received.

Carried

16.2 2023 Trimester 1 Financial Reporting, 2023-114

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

That Corporate Services Department Report 2023-114 be received for information; and

That the recommended transfers to and from the City's capital close-out account outlined in Appendix B of Corporate Services Report 2023-114 be approved.

Carried

16.3 Water and Wastewater By-Law Update, 2023-119

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

That Corporate Services Department Report 2023-119 be received;

That the proposed Water and Wastewater Rates By-law updates as outlined in Appendix A as well as the corresponding Water and Wastewater Rates By-law attached as Appendix B to Corporate Services Department Report 2023-119, be approved; and

That the financial impacts of the proposed Water and Wastewater Rates By-law updates be directed to the water and wastewater capital budgets when they become effective.

Carried

16.4 2023-2026 Strategic Plan - Final, 2023-122

Moved by Councillor M. Bagu

Seconded by Councillor D. Elliott

That Chief Administrative Officer Report 2023-122 be received; and

That the 2023-2026 Strategic Plan be approved.

Carried

16.5 Billing of the Young and Hopf-Wagner Municipal Drains, 2023-102

Moved by Councillor R. Bodner

Seconded by Councillor T. Hoyle

That Public Works Department Report 2023-102 be received;

That the billing for the Young and Hopf-Wagner Municipal Drains be invoiced in accordance with the *Drainage Act*, as outlined in Appendix A of Public Works Department Report 2023-102; and

That the Young and Hopf-Wagner Drain Levy By-law be approved.

Carried

16.6 Town of Bradford West Gwillimbury - The Right-to-Repair Movement

Moved by Councillor R. Bodner

Seconded by Councillor D. Elliott

That the correspondence from the Town of Bradford West Gwillimbury regarding the right-to-repair movement be supported.

Carried

17. Motions

17.1 Motion Re: Letter to Chief Firearms Officer of Ontario - Shooting Range Approval for Port Colborne and District Conservation Club

Moved by Councillor R. Bodner

Seconded by Councillor T. Hoyle

That the City Clerk be directed to send a letter to the Chief Firearms Officer of Ontario regarding the shooting range approval for Port Colborne and District Conservation Club located at 3757 Second Concession Road, Port Colborne, Ontario; and

That the letter include a request for the Chief Firearms Officer of Ontario to give careful consideration and regard for community impacts and land use conflict when making its decision on the Shooting Range Approval for Port Colborne and District Conservation Club.

Carried

18. Notice of Motions

18.1 Royal Canadian Legion -Zoning By-law Amendment Application Fees (Elliott)

Councillor Elliott provided notice of his intention to bring a motion forward at the July 18, 2023 Council meeting with respect to waiving the fees for zoning by-law amendment application to be applied for by the Royal Canadian Legion, located at 67 Clarence Street, Port Colborne ON L3K 3G1.

19. Minutes of Boards & Committees

Moved by Councillor E. Beauregard
Seconded by Councillor G. Bruno

That item 19.1 be approved, as presented.

Carried

19.1 Downtown Port Colborne Business Improvement Area - Minutes of November 8, 2022, January 26, 2023, February 21, 2023, March 21, 2023, April 25, 2023 and Approved DPCBIA Budget for 2023

20. By-laws

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

That items 20.1 to 20.5 be enacted and passed.

Carried

- 20.1 By-law to Amend By-Law No. 3151/22/95 and By-Law No. 3424/6/97**
- 20.2 By-law to Stop Up and Close part of Catharine Street, described in PIN 64457-0087 as being Part of Catharine Street**
- 20.3 By-law to Amend the Assessment Schedule to Levy the Actual Costs Incurred in Constructing a Drainage Works Known as the Young & Hopf Wagner Municipal Drain**
- 20.4 By-law to amend By-law No. 7086/31/23, Being A By-Law To Set And Levy The Rates Of Taxation For City Purposes For The Year 2023**
- 20.5 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**

21. Confidential Items

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

That Council do now proceed into closed session in order to address items 21.1 to 21.4.

Carried

- 21.1 Chief Administrative Office Report 2023-121, a proposed or pending acquisition or disposition of land by the municipality or local board**
- 21.2 Corporate Services Department – Human Resources Report 2023-116, personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations**
- 21.3 Corporate Services Department Report 2023-123, a proposed or pending acquisition or disposition of land by the municipality or local board**
- 21.4 Chief Administrative Office Report 2023-125, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board**

22. Procedural Motions

- 22.1 Motion Re: Letter to Chief Firearms Officer of Ontario - Shooting Range Approval for Port Colborne and District Conservation Club**

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

That the rules respecting notice of motion, as outlined under Section 26 of the Procedural By-law, be waived in order to dispense with notice.

Carried

23. Information items

24. Adjournment

Council moved into Closed Session at approximately 9:50 p.m.

Council reconvened into Open Session at approximately 11:47 p.m.

Mayor Steele adjourned the meeting at approximately 11:48 p.m.

William C. Steele, Mayor

Saima Tufail, Acting City Clerk