

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, December 12, 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: S. Tufail, Acting City Clerk
B. Boles, Director of Corporate Services/Treasurer
S. Lawson, Fire Chief (virtual)
S. Luey, Chief Administrative Officer
S. Shypowskyj, Director of Public Works
D. Vasu, Acting Deputy Clerk (minutes)
G. Long, Manager of Strategic Initiatives
B. Cotton, Economic Development Officer
J. Colasurdo, Manager of Infrastructure
G. Higginbotham, Tourism Coordinator

1. Call to Order

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

2. National Anthem

3. Land Acknowledgment

Councillor Beauregard recited the Land Acknowledgement.

4. Proclamations

5. Adoption of Agenda

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

That the agenda dated December 12, 2023, be confirmed, as amended.

Carried

6. Disclosures of Interest

6.1 Councillor E. Beauregard - West Street Road Closure (Extension), 2023-249

I, Eric Beauregard, have an indirect pecuniary interest as my employer is an agent for Rankin.

7. Approval of Minutes

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

That items 7.1 to 7.7 be approved, as presented.

Carried

7.1 Special Council Meeting (Closed Session) -October 24, 2023

7.2 Committee of the Whole-Budget - November 22, 2023

7.3 Special Council Meeting (Closed Session) -November 22, 2023

7.4 Statutory Public Meeting minutes - November 28, 2023

7.5 Regular Meeting of Council - November 28, 2023

7.6 Special Council Meeting (Closed Session) - November 28, 2023

7.7 Special Council Meeting (Closed Session) -December 5, 2023

8. Staff Reports

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

That items 8.2, 8.4, and 8.5 be approved, and the recommendations contained therein be adopted.

8.2 Niagara Gateway CIP Application 1555 Elm Street Jungbunzlauer Canada Inc., 2023-220

That Officer of the Chief Administrative Officer Report 2023-220 be received; and

That the Gateway CIP Tax Increment Grant for Jungbunzlauer Canada Inc. for property located at 1555 Elm Street be approved; and

That the Economic Development Officer be directed to send notice of the approval to the Niagara Region.

8.4 2024 Schedule of Meeting Dates - Council and Committees/Boards, 2023-170

That Corporate Services Department Report 2023-170 be received; and

That the 2024 Council meeting schedule set out in Appendix A of Corporate Services Report 2023-170 be approved; and

That the 2024 Committees/Boards meeting schedule set out in Appendix B of Corporate Services Report 2023-170 be received for information.

8.5 Billing of the Skelton Municipal Drain, 2023-240

That Public Works Department Report 2023-240 be received; and

That the billing of the Skelton Municipal Drain be invoiced in accordance with the *Drainage Act*, as outlined in Appendix A of Public Works Department Report 2023-240; and

That the By-law to Amend the Assessment Schedule to Levy the Actual Costs Incurred in Constructing a Drainage Works Known as the Skelton Municipal Drain, be approved.

8.1 West Street Road Closure (Extension), 2023-249

Councillor E. Beauregard declared a conflict on this item. (I, Eric Beauregard, have an indirect pecuniary interest as my employer is an agent for Rankin.)

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

That Development and Legislative Services Department – Planning Division Report 2023-249 be received; and

That the road closure extension of West Street from Victoria Street to Adelaide Street until April 30, 2024, as detailed in Appendix A of Report 2023-249, be approved.

Carried

8.3 Olde Humberstone CIP TIG Application “The Spot”, 2023-234

This item was withdrawn from the agenda.

9. Correspondence Items

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

That item 9.2 be received for information.

Carried

9.2 ADR Chambers, Integrity Commissioner Office for the City of Port Colborne Re: Complaint Reference Number IC- 27320-1023, Lorie Tokola and Councillor Mark Bagu

9.1 Town of Fort Erie - Encourage Contribution Supporting Hospice Niagara

This item was withdrawn from the agenda.

9.3 MADD Canada regarding the MADD Message Yearbook Publication

This item was withdrawn from the agenda.

10. Presentations

10.1 Framed Christmas Cards Presentation - Child Artists from Port Colborne Elementary Schools

The winners of the 2023 Port Colborne Christmas Card Contest were congratulated by the Mayor and Council, then presented with their Christmas card designs in frames and on poster board.

10.2 Carol Nagy, Executive Director at Hospice Niagara - Update Hospice Palliative Care

Carol Nagy, Executive Director at Hospice Niagara, presented an update regarding Hospice Palliative Care initiatives across the Niagara Region.

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 Sanitary Rehabilitation (Shypowskyj)

The Director of Public Works advised that the sanitary rehabilitation program is under way and that the tender for the 2024 sewer rehabilitation program will be released the week of December 18, 2023.

14.2 Victoria Park Playground (Shypowskyj)

The Director of Public Works stated that the Victoria Park project was completed on December 11, 2023, encouraging members of the public to enjoy the newly constructed playground.

14.3 Vale Health and Wellness Centre - Holiday Ice Rentals Rates (Boles)

The Director of Corporate Services/Treasurer advised of the reduced rate for renting the ice-skating arena at the Vale Health and Wellness Centre during the holiday break.

14.4 Cemeteries Update (Luey)

Following a question from Council at the previous Council meeting, the Chief Administrative reported that the City presently manages six cemeteries, with another cemetery expected to be brought under municipal control soon. Among the six cemeteries, one is currently in use for interments and is deemed active, while the remaining five are considered inactive.

14.5 Community Safety Zones (Luey)

In response to a Council inquiry, the Chief Administrative Officer provided an update and clarified that a Community Safety Zone can be established without the presence of a school. These zones may encompass areas around schools, day care centers, playgrounds, parks, hospitals, senior citizen residences, and collision-prone spots within a community. Additionally, the Chief Administrative Officer noted that the Niagara Region

has designated the section of Killaly Street from King Street to West Side Road as a Community Safety Zone.

15. Councillors' Remarks

15.1 Empire Road and Highway 3 Accident (Aquilina)

Councillor Aquilina inquired about the status of the Empire Road and Highway 3 intersection, citing a recent accident. The Manager of Infrastructure stated that staff have contacted the Ministry of Transportation and are awaiting a response. Mayor Steele requested that staff gather the accident count at the intersection over the past five years and report it to Council.

15.2 Sherkston Community Centre Potluck (Aquilina)

Councillor Aquilina shared that she and Councillor Bodner attended the Annual Christmas Potluck at Sherkston Community Centre.

15.3 Happy Holidays (Aquilina)

Councillor Aquilina wished staff, the residents of Port Colborne, and her fellow Councillors a happy holiday season.

15.4 Minister of Transportation (Bruno)

In response to Mayor Steele's update regarding his talks with the Minister of Transportation about the potential acquisition of nine parcels of land from the Ministry of Transportation (MTO), Councillor Bruno inquired about the timeline for MTO's action on these sales and the possibility of housing development on the acquired lands. Mayor Steele expressed optimism about a swift response from the MTO and suggested that some, though not all, of the nine parcels could be suitable for housing development.

15.5 Streetlight Reinstatement (Bruno)

Councillor Bruno asked whether the Director of Public Works could provide a timeline for when the streetlight on the island across the street from the Port Colborne sign would be replaced, following the car accident that had previously taken it down. The Director of Public Works responded by informing Council that a new streetlight has been ordered but it has not been received yet.

15.6 Meadow Heights Construction (Bruno)

Councillor Bruno expressed his dissatisfaction regarding construction debris on the roads of the Meadow Heights subdivision, then asked if

there are provisions in the subdivision agreement which would allow the City to clean the roads when they are too dirty and bill the developer. The Director of Public Works noted that he believes that there are provisions in the Meadow Heights subdivision agreement which allows the City to clean the roads when they are too dirty then bill the developer, noting that staff would handle cleaning the roads if the developer does not do so in a timely manner. The Chief Administrative Officer was also directed to confirm the subdivision agreement provisions.

15.7 Tax Dollars at Work Signs (Bruno)

Councillor Bruno stated that he, Councillor Beauregard, and Councillor Bagu visited the sewer lining project site at Donlea Drive, then requested that staff purchase mobile signs that say "Your Tax Dollars at Work" which include information about the project, to place on site during infrastructure projects. The Director of Public Works confirmed that staff are already in the process of designing such signs to be ordered in the near future.

15.8 Community Safety Zone on Clarence Street (Elliott)

Councillor Elliott expressed interest in speed mitigation on Clarence Street, and asked whether Clarence Street can adequately support the volume of traffic it receives. The Director of Public Works stated that he would get in touch with the Niagara Regional Police to increase enforcement in the area, then stated that staff are already analyzing speed data on Clarence Street, adding that their findings could be presented back to Council with recommendations for speed mitigation measures. He further stated that traffic impact studies are required to be submitted when new developments are proposed, meaning that a traffic impact study would have been submitted before Clarence Street was constructed which would have shown the street can adequately support predicted traffic volumes.

15.9 Thank you (Danch)

Councillor Danch expressed gratitude towards Public Works staff for their recent efforts in repairing roads and for their assistance in removing a tree on Erie Street.

15.10 Happy Holidays (Danch)

Councillor Danch extended holiday greetings, wishing everyone a joyful and festive season.

15.11 Vale Health and Wellness Centre Repairs (Hoyle)

Councillor Hoyle asked for the closure of the locker room due to a water issue and the repair of the door sensors for rink access at the Vale Health and Wellness Centre, then requested a timeline for fixing the television monitors to display schedules and City content. The Director of Corporate Services/Treasurer stated that the IT division is currently addressing the monitor issues.

15.12 Empire Road and Highway 3 Accident (Bodner)

In response to Councillor Bodner's request regarding the Empire Road and Highway 3 car accident, the Chief Administrative Officer stated that he will work with Communications and Public Works staff to establish a feedback system aimed at collecting input from residents regarding concerns about the area and potential solutions to address the issues.

15.13 Happy Holidays (Bodner)

Councillor Bodner wished staff, the residents of Port Colborne, and his fellow Councillors a happy holiday season.

16. Consideration of Items Requiring Separate Discussion

16.1 West Street Hydro Lines Project, 2023-214

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

That Office of the Chief Administrative Officer Report 2023-214 be received; and

That the Director of Public Works be directed to proceed with the relocation of the West Street hydro lines with service drops for streetlights, as outlined in Option 3.

Carried

16.2 Expropriation / Acquisition of Bridge Street, Lock Street and Park Avenue in the Central Park Subdivision, 2023-244

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

That Chief Administrative Office Report 2023-244 be received; and

That the Mayor and Acting City Clerk be directed to sign the Application for Vesting Order to be filed with the Land Registry Office.

Carried

16.3 Shared Services Update – Wainfleet and Port Colborne, 2023-251

Moved by Councillor G. Bruno

Seconded by Councillor M. Aquilina

That Chief Administrative Office Report 2023-51 be received; and

That Council adopt the Shared Services Principles attached to this report as Appendix A; and

That Council direct Port Colborne Staff to continue exploring shared services opportunities with Wainfleet Staff.

Carried

16.4 Municipality of Tweed - 1/3 Funding Grant Programs

Moved by Councillor D. Elliott

Seconded by Councillor R. Bodner

That the correspondence from the Municipality of Tweed regarding 1/3 Funding Grant Programs be supported.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

20. By-laws

Moved by Councillor F. Danch

Seconded by Councillor T. Hoyle

That items 20.2 and 20.3 be enacted and passed, as presented.

Carried

20.2 By-law to Amend the Assessment Schedule to Levy the Actual Costs Incurred in Constructing a Drainage Works Known as the Skelton Municipal Drain

20.3 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne

20.1 By-law to Authorize Entering into an Agreement with 2635450 Inc. Regarding Olde Humberstone Community Improvement Plan Financial Incentive Programs Property Tax Increment Grant

This item was withdrawn from the agenda.

21. Procedural Motions

22. Information items

23. Adjournment

Mayor Steele adjourned the meeting at approximately 8:59 p.m.

William C. Steele, Mayor

Saima Tufail, Acting City Clerk