



City of Port Colborne
Council Meeting Minutes

Date: Tuesday, July 23, 2024
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)

* F. Davies, Regional Councillor (non-voting)

Member(s) Absent: D. Elliott, Councillor

Staff Present: C. Schofield, Acting City Clerk
B. Boles, Director of Corporate Services/Treasurer
S. Luey, Chief Administrative Officer
S. Shypowskyj, Director of Public Works
G. Long, Director of Development and Gov. Relations
C. Banting, Manager of Environmental Services
J. Colasurdo, Manager of Strategic Projects
A. Vanderveen, Drainage Superintendent
A. Buri, Legislative Services Student

- 1. Call to Order**
Mayor Steele called the meeting to order at 6:50 pm.
- 2. National Anthem**

3. Land Acknowledgement

Councillor Bruno read the Land Acknowledgement.

4. Proclamations

4.1 World Hepatitis Day, July 28, 2024

Moved by Councillor F. Danch
Seconded by Councillor T. Hoyle

That July 28, 2024, is hereby proclaimed World Hepatitis Day.

Carried

4.2 Rail Safety Week, September 23-29, 2024

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

That September 23-29, 2024, is hereby proclaimed Rail Safety Week.

Carried

5. Adoption of Agenda

Moved by Councillor R. Bodner
Seconded by Councillor M. Bagu

That the agenda dated July 23, 2024 is confirmed as amended.

Carried

6. Disclosures of Interest

There were no Disclosures of Interest.

7. Approval of Minutes

7.1 Regular Meeting of Council - June 25, 2024

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

That the minutes of the regular meeting of Council, held on June 25, 2024, be approved as presented.

Carried

a. Delegation - Gino Stinziani, 2591 Firelane 3

Gino Stinziani asked why the City is holding a public consultation on the telecommunications tower agreement if a decision has already been made on the matter. The Director of Development and Government Relations clarified that the City has not granted final approval and that Council's decision on June 25th was only approval in-principle pending public engagement.

Mr. Stinziani also asked if there is a protocol for Councillors to respond to resident inquiries within a certain time period. The CAO stated that there is no requirement that Councillors respond. The Mayor added that while there is no requirement, there is an expectation that Councillors respond.

8. Staff Reports

Moved by Councillor T. Hoyle

Seconded by Councillor F. Danch

That items 8.2 to 8.3 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Canal Days – Museum By-law Exemptions, 2024-148

That Chief Administrative Office Report 2024-148 be received; and

That the Port Colborne Historical and Marine Museum be granted an exemption from By-law No. 7026/63/22 to permit the discharge of firearms (without ammunition) for a historical demonstration during the 2024 Canal Days Marine Heritage Festival; and

That the Port Colborne Historical and Marine Museum be granted an exemption from By-law No. 5642/73/11 to permit camping on the Museum grounds for a historical demonstration during the 2024 Canal Days Marine Heritage Festival.

8.2 Joint Accessibility Advisory Committee Renewal, 2024-147

That Office of the Chief Administrative Officer report 2024-17 be received; and

That Council approve the Proposal to Coordinate AODA Compliance for 2024-2026 attached as Appendix A to Office of the Chief Administrative Officer report 2024-17;

That the Chief Human Resources Officer (CHRO) be directed to renew the City's membership in the Joint Accessibility Advisory Committee (JAAC) as needed until otherwise directed by Council.

9. Correspondence Items

Moved by Councillor T. Hoyle
Seconded by Councillor F. Danch

THAT items 9.1 and 9.2 be received.

Carried

9.1 Town of Cochrane Re: Ontario Regulation 391/21: Blue Box "ineligible" Sources

9.2 Niagara Region Re: Niagara Poverty Reduction Strategy - Social Assistance Rates

9.3 Association of Municipalities of Ontario (AMO) and Ontario Medical Association (OMA) Resolution Re: Physician Shortage

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

WHEREAS the state of health care in Ontario is in crisis, with 2.3 million Ontarians lacking access to a family doctor, emergency room closures across the province, patients being de-rostered and 40% of family doctors considering retirement over the next five years; and

WHEREAS it has becoming increasingly challenging to attract and retain an adequate healthcare workforce throughout the health sector across Ontario; and

WHEREAS the Northern Ontario School of Medicine University says communities in northern Ontario are short more than 350 physicians, including more than 200 family doctors; and half of the physicians working in northern Ontario expected to retire in the next five years; and (Northern Ontario only)

WHEREAS Ontario municipal governments play an integral role in the health care system through responsibilities in public health, long-term care, paramedicine, and other investments.

WHEREAS the percentage of family physicians practicing comprehensive family medicine has declined from 77 in 2008 to 65 percent in 2022; and

WHEREAS per capita health-care spending in Ontario is the lowest of all provinces in Canada, and

WHEREAS a robust workforce developed through a provincial, sector-wide health human resources strategy would significantly improve access to health services across the province;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the City of Port Colborne urges the Province of Ontario to recognize the physician shortage in the City of Port Colborne and Ontario, and to fund health care appropriately and ensure every Ontarian has access to physician care.

Carried

10. Presentations

None.

11. Delegations

None.

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

Regional Councillor Davies stated that the Region is beginning its budget process and that he will continue updating Council throughout. The Regional Councillor announced that Regional Council is set to allocate \$10.6 million from the Investing in Ontario Fund to water and wastewater capital projects in Port

Colborne's East-side Employment Lands and the tunnel under the Welland Canal. The project is set to be ready for tendering in the spring of 2025. The Regional Councillor stated that issues with the re-organized Niagara Region Transit services have been the main source of complaints to his office, and stated that the Region is working to resolve them.

14. Staff Remarks

14.1 Public Works (Shypowskyj)

The Director of Public Work informed Council and the public that the Department will be installing in-road flexible bollards over the coming weeks as part of traffic calming and speed management plans on Empire Road and Pleasant Beach Road. The Department is on track to deliver on all aspects of its Infrastructure Needs Plan as presented: the Department has lined 4,500 metres of wastewater pipe, inspected over 500 laterals, nearly completed the CCTV gap project, started smoke testing that will continue into the Fall, and has prepared to continue flow monitoring of sewers in the spring.

The Director added that the Department has provided the MTO with digital logos of service clubs for the creation of signs on Hwy 58 and 140 and a tender for the Tennessee Avenue Gates east wall is planned to be released in August.

The Director also notified the public that the City will be conducting fire flow testing in August which may cause discolored water and Staff have been delivering door hangers to affected areas. The City is also conducting smoke testing in the East Village the week of July 29th.

15. Councillors' Remarks

15.1 Niagara Region Transit Update (Beauregard)

Councillor Beauregard informed Council that the new unified transit system has faced significant issues, including with accessibility, vehicle capacity, extended hold times, abandoned rides, and standing orders. Councillor Beauregard stated that the previous service provider was completing trips outside of the agreed terms of the contract. The Niagara Region Transit is working on the issues it can solve immediately, and working to enhance customer communication, review vehicle allocation strategies, ensure transparency, and collaborate with the new service provider and engage with stakeholders. A Report on addressing long-term

problems is scheduled to be brought to the Niagara Transit Commission on October 15th.

15.2 Water Leakage and Inflow Work Measuring (Bagu)

Councillor Bagu asked the Director of Public Works if the City could provide residents with a measurable summary of savings or findings from work on water leakage and inflow.

The Director of Public Works responded that the Department has taken into consideration since the beginning that they would need to report back to Council with specific data. Flow monitors and video devices will be placed in specific locations to enable comparisons with previous years. The Director of Public Works and the Director of Corporate Services are working on a presentation for the budget approval process on this subject.

15.3 Erie Street Paving (Bruno)

Councillor Bruno asked the Director of Public Works about some outstanding water pooling issues relating to watermain and paving work on Erie Street at Minto. The Director of Public Works responded that they are waiting for the warranty from the described works to expire before putting asphalt on top of Erie Street along with some shouldering in 2025. Councillor Bruno then asked whether this work was part of the regular paving project or part of the restoration in the water main budget. The Director of Public Works stated that this work will be part of the resurfacing program and will likely occur throughout Summer 2025.

15.4 Omer Sewershed Update (Bruno)

Councillor Bruno asked the Manager of Strategic Projects for clarification on the status of the Omer sewershed project. The Manager of Strategic Projects stated that the Department has the contact information of residents and is currently programming flow monitors in order to have test programs going out within a week of the meeting.

15.5 Neff Street Project Thank You (Bruno)

Councillor Bruno thanked the Public Works team on behalf of residents for their work on the Neff Street water drainage project. Recent rainfalls have not caused any of the problems that had existed in the past.

15.6 Lions Field Thank You (Danch)

Councillor Danch thanked the Public Works Department for their excellent work on the Lions Field improvements.

15.7 Parks Signage Update (Danch)

Councillor Danch asked the Director of Public Works for an update on the new parks signage which have not been added. The Director of Public Works responded that nearly all of the footings are in place, so signs will be added over the next month beginning with the major parks.

15.8 Nickel Beach Seaweed (Hoyle)

Councillor Hoyle asked the Director of Corporate Services if it is true that seaweed in the water at Nickel Beach cannot be removed. The Director of Corporate Services responded that this is correct and that the City is talking with the Ministry of the Environment about finding a protocol that could allow for removing accumulated seaweed in the water. The Director also advised that the east side of the beach has much less seaweed and that the seaweed is usually removed naturally after a storm.

15.9 Sanitary Laterals Inquiry (Bodner)

Councillor Bodner asked the Director of Public Works if Port Colborne has the option of relining sanitary laterals. The Director of Public Works responded that the City will be completing a sanitary laterals program later in 2024 and that a Terms of Reference have already been created in order to retain a contractor. The City has inspected 500 laterals and identified issues that can be addressed in a cost-effective manner through lining.

16. Consideration of Items Requiring Separate Discussion

16.1 Waterfront Road Allowances, 2024-143

Moved by Councillor R. Bodner

Seconded by Councillor M. Aquilina

That Public Works Department Report 2024-143 be received; and

That Council direct the Director of Public Works to implement the following:

1. Retain ownership of the 7 waterfront road ends.
2. Install benches and waste receptacles at the waterfront entry points on Pleasant Beach Road, Wyldewood Road, and Pinecrest Road.
3. Include the waterfront road ends within the Active Transportation Masterplan for review.

4. Remove existing signage related to the pandemic parking prohibition.
5. Continue to highlight and drive tourism to the City's destination locations including Nickel Beach, Centennial Park, and H.H. Knoll Park.
6. Install sign boards at road end locations to indicate the location, proximity to Nickel Beach and Centennial Park, and rules to respect the environment.
7. Collect existing gate keys & return deposits.
8. Install/Upgrade gates at all 7 road end locations to allow pedestrian access and restrict vehicular access.
9. Create a by-law to restrict vehicular access and parking between the lake and gate on all 7 road ends to replace all other relevant by-laws.
10. Create a process for waterfront access through a Municipal Consent Permit; and

That Council approve increasing the Road Ends capital budget to \$140,000 by pre-encumbering the 2025 capital and related budget by \$40,000.

Motion:

Moved by Councillor R. Bodner

Seconded by Councillor M. Aquilina

That Public Works Department Report 2024-143 (Waterfront Road Allowances) be referred back to Staff to hold a Public Meeting and report back to Council with the results at the last meeting of September.

Carried

- a. **Delegation - Callum Shedden, Daniel & Partners LLP (Virtual)**
- b. **Delegation - Peter Prophet, 1671 Firelane 2**
- c. **Delegation - Mark Leon, 1311 Firelane 1**
- d. **Delegation - Robert Henderson, 1933 Firelane 2**
- e. **Delegation - Marsha McCreadie, 574 Wyldewood Road**

All delegations held in abeyance until Staff holds a Public Meeting and reports back to Council.

The CAO stated that residents can email 'cityclerk@portcolborne.ca' to register and be notified for the public meeting or call City Hall.

16.2 2024 Trimester 1 Financial Reporting, 2024-107

The Director of Corporate Services delivered a presentation to Council outlining the recommendations.

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

That Corporate Services Department Report 2024-107 be received for information; and

That the recommended transfers to and from the City's capital close-out account and related reserves as outlined in Appendix B of Corporate Services Report 2024-107 be approved; and

That the recommended reserve and capital and related project transferred as outlined in the financial section of Corporate Service Report 2024-107 be approved.

Carried

16.3 Oil Mill Creek Municipal Drain, 2024-141

Moved by Councillor M. Aquilina
Seconded by Councillor R. Bodner

That Public Works Department Report 2024-141 be received; and

That Council direct the Drainage Superintendent to advance the Oil Mill Creek Municipal Drain Engineer's Report to a 'Meeting to Consider,' in accordance with section 41, Chapter D.17 of the *Drainage Act*.

Carried

a. Delegation - Cathy Kalynuik, 851 Pinecrest Road

Cathy Kalynuik asked the Mayor and the Drainage Superintendent for assurance that the Oil Mill Creek Drain will not be a "done deal" before the September 3rd Public Meeting. The Drainage

Superintendent assured the resident that it will not be a "done deal" and that the resident should bring all her concerns and questions regarding the Engineer's report to the Meeting to Consider.

K. Kalynuik also stated that according to the Engineer Report's assessment schedule, she would be assessed \$16,000. The Director of Corporate Services stated that Council has permitted that such assessments may be paid over a five year period or longer.

b. Delegation - Gino Stinziani

Gino Stinziani asked for clarity on how the costs are distributed and proportioned across properties. The Drainage Superintendent stated that the Engineer's methodology would be explained at the Meeting to Consider. The Drainage Superintendent agreed to meet with the resident outside of Council Chambers to further discuss this.

c. Delegation - Christine Allen, 2591 Firelane 3

Christine Allen stated that the Engineer's Report mentions to prior Public Meetings, one of which she attended in November. The resident then asked when the other public meeting was held and how many people attended. The Drainage Superintendent responded that the City sent a notification in the mail to all property owners assessed in the previous Engineer's Report. The meeting was held in February via Zoom. The Drainage Superintendent then stated that thirty people attended that meeting.

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

That the Procedural By-law be waived to allow Christine Allen to make a delegation to Council on Public Works Department Report 2024-141 without prior registration.

Carried

16.4 POCOMAR Agreement, 2024-138

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

That Corporate Services Department Report 2024-138 be received; and

That Council approve the Mayor, Acting Clerk, Manager, Recreation, and Marina Supervisor to enter into an agreement (Appendix A) for auxiliary marine search and rescue service with Port Colborne Marina Auxiliary Rescue.

Carried

16.5 Tourism Strategy and Tactical Plan, 2024-145

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

That Corporate Services Department Report 2024-145 be received.

Carried

16.6 Urban Forest Management Plan, 2024-144

The Manager of Environmental Services delivered a presentation on the Urban Forest Management Plan.

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

That Public Works Department Report 2024-144 be received; and

That the Urban Forest Management Plan in Appendix A of Public Works Report 204-144 be approved.

Carried

a. Urban Forest Management Plan Presentation

16.7 2024 Watermain Replacement Project Update, 2024-146

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

That Public Works Department Report 2024-146 be received; and

That an additional \$4,428,000 from the Water Reserve be approved for the 2024 watermain replacement capital project construction.

Carried

17. Motions

None

18. Notice of Motions

None

19. Minutes of Boards & Committees

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

That items 19.1 and 19.2 be received.

Carried

19.1 Port Colborne Museum, Heritage, and Culture Board Meeting Minutes - May 21, 2024

19.2 City of Port Colborne and Township of Wainfleet Joint Fire Services Review Committee Minutes - July 8, 2024

19.3 Recommendations Arising from Boards and Committees - Joint Fire Services Review Committee

Moved by Councillor T. Hoyle
Seconded by Councillor G. Bruno

That the Councils of both participating municipalities be respectfully requested to extend the term of the Joint Fire Services Review Committee to November 1, 2024

Carried

20. By-laws

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

That items 20.1 to 20.7 be enacted and passed, as presented.

Carried

20.1 By-law to Appoint Municipal Law Enforcement Officers

- 20.2 By-law to Amend By-law 6082/48/14 Being a By-law to Establish a System for Administrative Penalties respecting the Stopping, Standing and Parking of Vehicles**
- 20.3 By-law to Amend By-law 89-2000, as Amended, Being a By-law Regulating Traffic and Parking on City Roads (Stop Sign Locations)**
- 20.4 By-law to Amend By-law 4310/146/02 Being a By-law Prescribing On and Off-Street Parking for Persons with Disabilities within the City of Port Colborne**
- 20.5 By-law to Establish a Permitting System for the Parking of Vehicles on Designated Highways and Parking Lots in the City of Port Colborne (Special Events)**
- 20.6 By-law to Amend the Terms of Reference for the Fire Services Review Committee**
- 20.7 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**

21. Procedural Motions

None

22. Information items

None

23. Adjournment

Mayor Steele adjourned the meeting at approximately 9:32 pm.

William C. Steele, Mayor

Carol Schofield, Acting City Clerk