

## **City of Port Colborne Council Meeting Minutes**

**Date:** Tuesday, November 26, 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  
D. Elliott, Councillor  
W. Steele, Mayor (presiding officer)

**Member(s) Absent:** T. Hoyle, Councillor

**Staff Present:** C. Madden, City Clerk  
B. Boles, Director of Corporate Services/Treasurer  
J. Beaupre, Deputy Clerk  
G. Long, Director of Development and Government Relations  
M. Pilon, Senior Project Manager Strategic Projects  
D. Schulz, Manager of Planning

**Others Present:** P. Bowen, Chief Operating Officer, Becky Marks, Regulatory and Permitting Lead, Azure Sustainable Fuels  
V. Vredenburg, Director of Indigenous and Stakeholder Relations, Azure Sustainable Fuels

### **1. Call to Order**

Mayor Steele called the meeting to order at 6:34 PM

### **2. National Anthem**

Everyone stood for the National Anthem.

### **3. Land Acknowledgement**

The Land Acknowledgement was read:

The Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The City of Port Colborne stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

### **4. Adoption of Agenda**

Item 21.1 was removed from the agenda at the request of staff.

Moved by Councillor M. Aquilina

Seconded by Councillor E. Beauregard

That the Council agenda dated November 26, 2024, be confirmed, as amended.

### **5. Disclosures of Interest**

There were no disclosures of interest.

### **6. Presentations**

#### **6.1 Azure Sustainable Fuels Presentation**

Paul Bowen, Chief Operating Officer, Becky Marks, Regulatory and Permitting Lead, Vanessa Vredenburg, Director of Indigenous and Stakeholder Relations from Azure presented to Council on their forthcoming operations in Port Colborne.

### **7. Public Meeting**

#### **7.1 Proposed Stop Up and Close - Portion of Road Network off of Page Street, 2024-189**

Moved by Councillor F. Danch

Seconded by Councillor R. Bodner

That Chief Administrative Office Report 2024-189 be received; and

That the Economic Development Officer be directed to bring forward a Stop Up and Close By-law for a portion of Page Street registered as a public highway and described as Part of PIN 64150-0070 the public highway Part of Bell St PI 785 Humberstone (AKA Page St) Lying Between

Main St E & Dolphin St; Port Colborne, shown in Appendix A, to a future meeting of Council for consideration.

Carried

## **8. Proclamations**

### **8.1 December 3rd, 2024 - Giving Tuesday**

Moved by Councillor R. Bodner

Seconded by Councillor M. Bagu

WHEREAS GivingTuesday is an annual celebration of generosity and volunteerism which is

celebrated and recognized in over 180+ countries across the globe, and;

WHEREAS GivingTuesday falls immediately after Black Friday/Cyber Monday weekend, and

asks people to give to the less fortunate after having spent on luxuries during the years'

hottest sales, and;

WHEREAS Since 2012, GivingTuesday has raised billions of dollars for charities and

nonprofits across Canada, the US, and the World, and;

WHEREAS Since forming in 2021, NiagaraGives and GivingTuesday has inspired more than

\$300,000 in charitable donations to local Niagara organizations, and;

WHEREAS GivingTuesday brings together businesses, charities, families, and entire

communities to tackle real issues and create a better world for all, and;

WHEREAS The City of Port Colborne recognizes and celebrates the incredible contributions

of individuals and organizations and recognizes the increasing need for their services.

NOW, BE IT RESOLVED THAT I, Mayor William C. Steele, do hereby declare December

3rd, 2024, as GivingTuesday in the City of Port Colborne.

Carried

## **9. Delegations**

There were no delegations.

**10. Mayor's Report**

A copy of the Mayor's report is attached.

**11. Regional Councillor's Report**

Regional Councillor Davies was absent.

**12. Motions Arising from Committees and Boards**

**12.1 Committee of the Whole-Budget - 2025 Proposed User Fees and Charges, 2024-183**

Moved by Councillor D. Elliott

Seconded by Councillor R. Bodner

That Corporate Services Department Report 2024-183 BE RECEIVED;

That the 2025 Proposed User Fees and Charges schedules attached as Appendices A to P of Corporate Services Report 2024-183 BE APPROVED; and

That the draft by-law attached as Appendix Q of Corporate Services Report 2024-183 be brought forward to Council for consideration.

**Amendment:**

Moved by Councillor G. Bruno

Seconded by Councillor E. Beauregard

That Corporate Services Department Report 2024-183 BE RECEIVED;

**That the 2025 Proposed User Fees and Charges schedules attached as Appendices A to M and Appendix P of Corporate Services Report 2024-183 BE APPROVED;**

**That the amended version of Appendix N – Planning and Development Fees BE APPROVED;**

**That section 5 of the draft by-law, attached as Appendix Q of Corporate Services Report 2024-183 be amended to increase the sponsorship amount that staff are delegated to authorize from \$50,000 to \$100,000; and**

That the draft by-law attached as Appendix Q of Corporate Services Report 2024-183 be brought forward, **as amended**, to Council for consideration.

Carried

**a. Memorandum to Council - Planning Fees Update to Report  
2024-183**

**12.2 Committee of the Whole-Budget - 2025 Rates Budget, 2024-215**

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That Corporate Services Department Report 2024-215 BE RECEIVED;  
and

That the 2025 Rates Budget and debt substitution as outlined in Report  
2024-215 BE APPROVED.

Carried

**12.3 Committee of the Whole-Budget - 2025 Rates Setting, 2024-216**

Moved by Councillor E. Beauregard

Seconded by Councillor M. Aquilina

That Corporate Services Department Report 2024-216 BE RECEIVED;  
and

That the 2025 Water and Wastewater rates as outlined in Corporate  
Services Report 2024-216 BE APPROVED; and

That the 2025 Storm Sewer Rates as outlined in Corporate Services  
Report 2024-216 BE APPROVED; and

That the draft by-law attached as Appendix A of Corporate Services  
Report 2024-216 be brought forward to Council for consideration.

Carried

**13. Consent Agenda**

Items 13.3a, 13.3b, 13.3e, 13.4a and 13.4b were lifted from the consent agenda  
and considered under Item 14, Items Requiring Separate Discussion.

Moved by Councillor R. Bodner

Seconded by Councillor F. Danch

That Council hereby approves the listed consent items on the November 26, 2024 agenda; and

That the consent items be approved on the recommendations as contained therein.

Carried

### **13.1 Approval of Minutes**

- a. Public Meeting - November 5, 2024**
- b. Special Council Meeting - November 8, 2024**
- c. Regular Council Meeting - November 12, 2024**
- d. Special Council Meeting - November 19, 2024**
- e. Committee of the Whole-Budget - November 20, 2024**

### **13.2 Receipt of Minutes of Boards & Committees**

### **13.3 Staff Reports**

- c. Mayor's Youth Advisory Committee Appointments and Terms of Reference Amendment, 2024-217**

That the Office of the Chief Administrative Officer Report 2024-217 be received;

That Council appoint Grace Tonnies, Peyton Fletcher, Quynn Fraipont, Rose Tonnies, Dylan Graham, and Skylar Lilley to the Mayor's Youth Advisory Committee for the term ending November 14, 2026;

That By-law No. 7098/40/23 be repealed; and

That the draft By-law to Establish a Committee known as the Mayor's Youth Advisory Committee and Terms of Reference and to Repeal By-law No. 7098/40/23 and all Amendments Thereto be brought forward to Council for approval.

- d. 2025 Meeting Dates – Council, 2024-218**

### **13.4 Receipt of Correspondence Items**

- c. Township of Terrace Bay - Ambulance Shortages and Healthcare System Issues**

- d. **Township of Puslinch - Motion for the Protection of Agricultural Lands and Sustainable Development in Relation to Provincial Projects and Excess Soil Management Practices**
- e. **Niagara Peninsula Conservation - Board of Director's 2025 Meeting Schedule**

**14. Items Requiring Separate Discussion**

**14.1 East Side Employment Lands Update – Engineering and Subject Matter Expert services, 2024-221**

Mathew Pilon, Senior Project Manager Strategic Projects, presented to Council on report 2024-221.

Moved by Councillor R. Bodner

Seconded by Councillor D. Elliott

That Public Works Department Report 2024-221 be received;

That Council support staff to make an application to the Ministry of the Environment, Conservation and Parks to amend the City's Water and Wastewater licensing to accommodate the proposed alterations and additions to the City's Water and Wastewater systems for the development of the East Side Employment Lands;

That funding for engineering and subject matter expert services to complete the full build-out of the East Side Employment Lands for the estimated amount of \$3,100,000 be approved; and

That the Director of Public Works and Director of Corporate Services/Treasurer be authorized to execute contracts and related documents as required to directly appoint Associated Engineering to carry out the remaining detail design and engineering services to complete the full build out of the East Side Employment Lands and connect to the Asahi Kasei Development.

Carried

**14.2 Billing of the Zavitz Municipal Drain, 2024-194**

Moved by Councillor R. Bodner

Seconded by Councillor M. Aquilina

That Public Works Department Report 2024-194 be received; and

That the Zavitz Drain Levy By-law be approved to allow for the billing of the Zavitz Municipal Drain and associated Branch Drains, as outlined in Appendix B of Public Works Department Report 2024-194.

**Amendment:**

Moved by Councillor R. Bodner

Seconded by Councillor M. Aquilina

That Public Works Department Report 2024-194 be received;

**That the payment due date be extended to April 30, 2025.**

That the Zavitz Drain Levy By-law be approved, **as amended**, to allow for the billing of the Zavitz Municipal Drain and associated Branch Drains, as outlined in Appendix B of Public Works Department Report 2024-194.

Carried

**14.3 Recommendation Report to Remove the property 202 Main Street West from the Heritage Register, 2024-193**

Moved by Councillor F. Danch

Seconded by Councillor G. Bruno

That Development and Government Relations Department Report 2024-193 be received; and

That Council approve the recommendation of the Heritage Subcommittee to remove 202 Main Street West from the Heritage Register.

Carried

**14.4 2023 Consolidated Financial Statements, 2024-223**

Moved by Councillor R. Bodner

Seconded by Councillor D. Elliott

That Corporate Services Department Report 2024-223 be received; and

That the reserve transfers proposed in this report and included in the consolidated financial statements, be approved; and

That the consolidated financial statements in Appendix A of Corporate Services Report 2024-223 be approved; and

That the auditors of Done Grant Thornton LLP be appointed the auditors for the City and related boards and agencies for the 2024 and 2025 year ends.



Carried

**14.5 City of Thorold - City Council Statement respecting Flag Desecration**

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

That Council endorse the City of Thorold's resolution regarding the City Council Statement respecting Flag Desecration.

Carried

**14.6 Township of McGarry - Redistribution of the Provincial Land Transfer Tax**

Moved by Councillor E. Beauregard  
Seconded by Councillor D. Elliott

That Council endorse the Township of McGarry's resolution regarding the redistribution of the provincial land transfer tax.

Carried

**15. Motions**

There were no motions.

**16. Notice of Motions**

There were no notices of motions.

**17. Staff Remarks**

**Gary Long, Acting CAO**, noted the Chestnut Park affordable housing project is on track for completion for late January and occupancy is expected for early March. City Staff and Niagara Region Staff have been discussing several issues regarding the King Street Haney Street affordable housing project, but the project is currently stalled due to lack of funding. However, the City is expecting some positive news on the project. Lastly, he mentioned the ROMA Conference is taking place in Toronto in mid January 2025, and they are looking for Councillors to represent the City at the Conference. The City has also submitted several meeting requests with Ministers, and will be sending a delegation.

## **18. Councillors' Remarks**

**Councillor Aquilina** congratulated Grace Church on their groundbreaking ceremony. She also extended thanks to Museum staff, board members and volunteers for their efforts with the Friends of Roselawn Christmas Market.

**Councillor Bagu** thanked Public Works staff for putting up flashing lights on new 3-way stop sign near West Street and Victoria Street. He also thanked workers for their work on the Tennessee Avenue Gates. He updated Council on several Library related items; he explained that the roof repairs are almost complete, and that all 6 capital projects will be completed for this year. Lastly, he explained there is a big announcement coming for the Library.

**Councillor Bruno** raised a concern from a resident about trees that were planted in Rose Shymansky Park. These trees were planted in the flight path of potential toboggans. He inquired to Joel Colasurdo, Manager of Strategic Projects from Public Works, to see if they could visit the Park and determine if trees need to be replanted elsewhere.

**Councillor Danch** explained the lights were put up on Main Street by the Main Street BIA, which will be up through the holiday season. He also wished everyone a Merry Christmas, as he will be absent from the December Council meeting.

## **19. Procedural Motions**

## **20. By-laws**

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That the following by-laws be enacted and passed:

- Item 20.1, Being a By-law to Amend the Assessment Schedule to Levy the Actual Costs Incurred in Constructing a Drainage Works Known as the Zavitz Municipal Drain, as amended.
- Item 20.2, Being a By-law to Establish Fees and Charges for Various Services and to Repeal By-law 7155/97/23 and any amendments thereto, as amended.
- Item 20.3, Being a By-law to Amend By-law No. 3151/22/95, as amended, Being a By-law to Regulate the Supply of Water, and to Provide for the

Maintenance and Management of Water Works and for the Imposition and Collection of Water Rates and to Amend By-law No. 3424/6/97, as amended, for the Imposition and Collection of Sewage Service Rates and Sewer Rates

- Item 20.4, Being a By-law to Establish a Committee known as the Mayor's Youth Advisory Committee and Terms of Reference and to Repeal By-law No. 7098/40/23 and all Amendments Thereto

Carried

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

**20.2 By-law to Establish Fees and Charges for Various Services and to Repeal By-law 7155/97/23 and any amendments thereto**

**a. Amended Schedule N - Planning and Development Fees**

**20.3 By-law to Amend By-law No. 3151/22/95 (Water), as amended, and to Amend By-law No. 3424/6/97 (Wastewater), as amended**

**20.4 By-law to Establish a Committee known as the Mayor's Youth Advisory Committee and Terms of Reference and to Repeal By-law No. 7098/40/23 and all Amendments Thereto**

**21. Closed Session**

Moved by Councillor R. Bodner

Seconded by Councillor D. Elliott

That Council do now proceed at 8:41 p.m. to meet in Closed Session under:

- Section 239(b) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered are personal matters about an identifiable individual, including municipal or local board employees.
- Section 239(2)(c) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is a proposed or pending acquisition or disposition of land by the municipality or local board.
- Section 239(2)(d) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is labour relations or employee negotiations.

- Section 239(2)(f) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- Section 239(2)(k) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is 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.

Carried

**21.1 Confidential Planning and Development Verbal Report**

**21.2 Potential Disposition of City Property, Report 2024-209**

**21.3 Confidential Memorandum to Council**

**21.4 Confidential Memorandum to Council**

**21.5 Confidential Human Resources (HR) Matter - Verbal Report**

**21.6 Confidential Human Resources (HR) Matter - Verbal Report**

**21.7 Confidential Appendix A to Report 2024-217**

**22. Back to Open Session**

Moved by Councillor G. Bruno

Seconded by Councillor E. Beauregard

That Council does now rise and reconvene from closed session at 10:22 p.m. with report.

21.2 That Council authorizes staff to proceed as directed in Closed Session.

21.3 That Council authorizes staff to proceed as directed in Closed Session.

21.4 That Council authorizes staff to proceed as directed in Closed Session.

21.5 That Confidential Human Resources (HR) Matter - Verbal Report be received for information.

21.6 That Council authorizes staff to proceed as directed in Closed Session.

Carried

**23. Disclosures of Interest Arising from Closed Session**

Mayor Steele disclosed a conflict of interest on item 21.6 - Confidential Human Resources (HR) Matter - Verbal Report.

**24. Confirmatory By-law**

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

Moved by Councillor F. Danch

Seconded by Councillor R. Bodner

That the By-law to Adopt, Ratify and Confirm the Proceedings of the Council of the Corporation of the City of Port Colborne, Dated November 26, 2024, be enacted and passed, as presented.

Carried

**25. Adjournment**

Mayor Steele adjourned the meeting at 10:24 PM.

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William C. Steele, Mayor

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Charlotte Madden, City Clerk