

**City of Port Colborne
Regular Council Meeting 11-18
Minutes**

Date: May 14, 2018
Time: 8:40 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Elliott, Councillor
B. Kenny, Councillor
J. Mayne, Councillor
J. Maloney, Mayor (presiding officer)

Absent: B. Butters, Councillor (due to illness)
Y. Doucet, Councillor (due to vacation)

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
N. Halasz, Manager of Parks and Recreation
A. Grigg, Director of Community and Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media, YourTV and WeeStream.

1. Call to Order:

Mayor John Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 65 Moved by Councillor B. Kenny
Seconded by Councillor J. Mayne

That the agenda dated May 14, 2018 be confirmed, as circulated
or as amended.

CARRIED.

4. Disclosures of Interest:

Nil.

5. Adoption of Minutes:

No. 66 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

(a) That the minutes of the special meeting of Council 09-18, April 16, 2018, be approved as presented.

- (b) That the minutes of the regular meeting of Council 10-18, April 23, 2018, be approved as presented.

CARRIED.

6. **Determination of Items Requiring Separate Discussion:**

Nil.

7. **Approval of Items Not Requiring Separate Discussion:**

- No. 67** Moved by Councillor A. Desmarais
Seconded by Councillor R. Bodner

That Items 1 to 27 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Items:

1. **Fire and Emergency Services, Report No. 2018-48, Subject: Fire Marque Indemnification Technology®**

Council resolved:

That the Fire Chief be directed to further investigate and to provide a report to Council detailing cost recovery options for the provision of fire services including the use of available service providers, use of the City's insurer and providing the service in-house.

2. **Corporate Services, Finance Division, Report No. 2018-68, Subject: Port Colborne Community Bus Rate Increase**

Council resolved:

That the Port Colborne Transit Fare Structure attached to Corporate Services Department, Finance Division Report No. 2018-68, be approved, effective July 1, 2018.

3. **Corporate Services, Finance Division, Report No. 2018-60, Subject: 2018 Final Tax Rates**

Council resolved:

That the rates of taxation for the year 2018 be approved and the tax rate by-law be executed by the Mayor and City Clerk.

That the 2018 final billing for the residential, multi-residential, commercial, industrial, pipeline, farmland, managed forest and farmland awaiting development tax classes have a demand (mailing) date of June 12, 2018 with due dates of July 3 and October 1, 2018.

4. **Fire and Emergency Services, Report No. 2018-64, Subject: Emergency Call Summary 2017**

Council resolved:

That Fire and Emergency Services Department Report No. 2018-64 with respect to the 2017 emergency call summary be received for information purposes.

5. **Planning and Development, Planning Division, Report No. 2018-67, Subject: Site Plan Control Handbook**

Council resolved:

That the Site Plan Control Handbook attached to Planning and Development Department, Planning Division Report No. 2018-67 be approved.

6. Community and Economic Development, Parks and Recreation Division, Report No. 2018-66, Subject: Summary of Comments and Changes – Updated Municipal Alcohol Management Policy

Council resolved:

That the revised Municipal Alcohol Management Policy, attached as Appendix “A” to Community and Economic Development Department, Parks and Recreation Division Report No. 2018-66, Subject: Summary of Comments and Changes - Updated Municipal Alcohol Management Policy, be approved; and

That the appropriate by-law be presented for approval.

7. Community and Economic Development, Parks and Recreation Division, Report No. 2018-65, Subject: Review of Retail Pro Shop Services at the Vale Health & Wellness Centre

Council resolved:

That the City assume the operation of pro shop services at the Vale Health & Wellness Centre; and

That the vacated premises (the area previously occupied by the pro shop) be utilized for City purposes, the use of which shall be determined after the Director of Community and Economic Development has completed a review of operational needs at the Vale Health & Wellness Centre.

8. Community and Economic Development, Parks and Recreation Division, Report No. 2018-63, Eighth Annual Port Colborne Art Crawl

Council resolved:

That the request to host the eighth annual Port Colborne Art Crawl on Saturday June 23, 2018 from 11:00 a.m. to 11:00 p.m., as submitted by the Port Colborne Art Crawl Committee, and outlined in Community and Economic Development, Parks and Recreation Division Report No. 2018-63, be approved;

That the following roads be closed to general vehicular traffic and parking on Saturday, June 23, 2018 from 10:30 a.m. to 11:00 p.m.:

- West Street, from the southern limit of Clarence Street to the northern limit of Kent Street;
- Clarence Street, from the eastern limit of King Street to the western limit of West Street;
- Charlotte Street, from the eastern limit of King Street (with signage indicating “local traffic only”) to the western limit of West Street;

That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closures;

That qualified participants of the Event be exempt from the above noted closures through the issuance of an authorized permits;

That the Engineering and Operations Department install and retrieve road closure barricades at the predetermined locations requiring same;

That the Community and Economic Development Department install and retrieve picnic tables at the predetermined locations requiring same;

That the Event Organizer be responsible for installing appropriate signage at the predetermined locations stating "Art Crawl Clarence Street Temporarily Closed – 10:30 a.m. to 11:00 p.m.;"

That the Event Organizer be responsible for ensuring road closure barricades are promptly removed and returned to the retrieval points at the conclusion of the event;

That the restrooms at the Harbourmaster Building remain open until 11:00 p.m. for the Event;

That a site plan be prepared and submitted to the Community and Economic Development Department for distribution to emergency services and appropriate City departments;

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the Event.

That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived.

That the appropriate by-law be presented for approval.

9. Memorandum from Gina Tartaglia, Event Coordinator Re: Canal Days 2018 (Designation of Canal Days Marine Heritage Festival as a Municipally Significant Event)

Council resolved:

That the Council of The Corporation of the City of Port Colborne hereby deems the annual Canal Days Marine Heritage Festival as a municipally significant event and supports the application to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit.

10. Memorandum from Janice Peyton, Recording Secretary, Environmental Advisory Committee Re: Letter of Support – Niagara Coastal Community Collaborative

Council resolved:

That the Council of The Corporation of the City of Port Colborne endorses the letter written by the Environmental Advisory Committee setting out the goals and actions being undertaken by the newly formed Niagara Coastal Community Collaborative (NCCC), in an effort to improve the near shore water quality along the northern shore of Lake Erie.

11. Memorandum from Janice Peyton, Executive Assistance, DEO Re: Transit Advisory Committee – Support of Increase in Port Colborne Community Bus Fares

Council resolved:

That the Memorandum received from Janice Peyton, Executive Assistance, DEO on behalf of the Transit Advisory Committee Re: Transit Advisory Committee – Support of Increase in Port Colborne Community Bus Fares, be received for information.

- 12. Ed Dujlovic, President, Ontario Chapter, Canadian Public Works Association, Director of Infrastructure and Development Services, City of Stratford Re: Request for Proclamation of National Public Works Week, May 20 - 26, 2018**
-

Council resolved:

That the week of May 20 – 26, 2018 be proclaimed as “National Public Works Week” in the City of Port Colborne in accordance with the request received from Ed Dujlovic, President, Ontario Chapter, Canadian Public Works Association, Director of Infrastructure and Development, City of Stratford.

- 13. Steve Bowering, VP Sales, snapd Re: Request for Proclamation of June is Seniors Month**
-

Council resolved:

That June 1 – 30, 2018 be proclaimed as “Seniors Month” in the City of Port Colborne in accordance with the request received from Steve Bowering, VP Sales, snapd.

- 14. Justin Bergamini, Administrative Support Assistance, Office of the Senator, Nancy Greene Raine Re: Request for Proclamation of National Health and Fitness Day 2018**
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Council resolved:

That the first Saturday in June be proclaimed as “National Health and Fitness Day” in the City of Port Colborne in accordance with the request received from Justin Bergamini, Administrative Support Assistance, Office of the Senator, Nancy Greene Raine.

- 15. Dewitt Carter Public School Re: Request for Use of Picnic Tables for a School Event to be Held on June 7, 2018**
-

Council resolved:

That the correspondence from Dewitt Carter Public School requesting the use of City picnic tables for a School Event to be held on June 7, 2018 be received, and;

That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of Dewitt Carter Public School.

- 16. Region of Niagara Re: Review and Comments on Watershed Planning in Ontario – Guidance for Land-Use Planning Authorities (PDS Report 14-2018)**
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Council resolved:

That the correspondence received from the Region of Niagara Re: Review and Comments on Watershed Planning in Ontario – Guidance for Land-Use Planning Authorities, be received for information.

- 17. Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada’s Long-Term Infrastructure Plan**
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Committee of the Whole recommends:

That the Memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada’s Long-Term Infrastructure Plan, be received for information.

18. Richard Rybiak, Chair Niagara Central Airport Commission Re: Niagara Central Dorothy Rungeling Airport (NCDRA): Position regarding Niagara Region Uptake of Control and Governance of NCDRA and NDA

Council resolved:

Whereas the Regional Municipality of Niagara at its Regional Council meeting on September 22, 2016 approved a motion and direction to staff from the Transportation Steering Committee;

Whereas *The Welland-Port Colborne Airport Act* was assented to on May 7, 2006 and this act contains the following applicable section;

Under Schedule B section 2 subsection 2 (b)

That the Commission shall not sell or otherwise dispose of the said airport Provided however, that the Commission may in its sole discretion sell, lease or otherwise dispose of the buildings on the said airport as the Commission may consider advisable and for sole benefit of the Commission;

And further under Schedule b subsection 2 (c)

That the Commission shall not use or permit to be used the said airport for purposes other than airport purposes and shall maintain and operate said airport as a public airport.

Whereas Schedule A of *The Welland-Port Colborne Airport Act* provides the following clauses governing the ongoing activities of the Commission as follows:

“And whereas pursuant to the provisions of the *Municipal Act* R.S.O. 1970 chapter 284, section 352, paragraph 9, bylaws may be passed for the establishment, operation, maintenance of air harbours or landing grounds, together with such other rights and powers as are contained therein;

Whereas section 254 of the *Municipal Act*, R.S.O 1970 chapter 284 provides for the passing of by-laws by a municipality for entering into and performing any agreement with any other Council for fulfilling, executing and completing at their joint expense and for their joint benefit, any undertaking or work within the jurisdiction of the Council;

Whereas the Niagara Region is currently considering the longer-term opportunities to grow the economic impacts of these airports as Regionally managed and operated airports;”

Whereas the Regional Municipality of Niagara (Niagara Region) has two municipally supported and funded airports, the Niagara District Airport and the Niagara Central Dorothy Rungeling Airport;

Whereas the Niagara Central Dorothy Rungeling Airport has completed the terms of section 2, notably, “That, subject to completion of a phase 2 environmental assessment paid for by the current owners/operators, Regional staff be authorized to initiate detailed negotiations with the current funding partners of both the NDA and the NCDRA to transition responsibility to Niagara Region;

Whereas there must be formal discussions between stakeholder municipalities and Niagara Region;

Now therefore the Council of The Corporation of the City Of Port Colborne resolves as follows:

That representatives of the Niagara District Airport (NDA) and Niagara Central Dorothy Rungeling Airport (NCDA), stakeholder municipalities and the Region of Niagara commence formal discussions to finalize the assumption of the management/operational responsibilities of the NDA and NCDRA; and,

That by all stakeholder municipalities of NCDRA adopting this resolution, the stakeholder municipalities of the NCDRA approve the formal discussions with the Region of Niagara and the NDA to see both airports managed and operated as Regional airport facilities and that the, **“Framework for the Memorandum of Understanding”** attached to this motion be the basis of NCDRA stakeholder municipalities terms of reference for these discussions.

19. Town of Niagara-on-the-Lake Re: Funding for Local Public Libraries

Council resolved:

That the resolution received from the Town of Niagara-on-the-Lake Re: Funding for Local Public Libraries, be supported.

20. City of Thorold Re: Regarding Municipal Authority over Land Fill Projects in or Adjacent to their Municipality

Council resolved:

That the resolution received from the City of Thorold in support of Municipal Authority over Land Fill Projects in or Adjacent to their Municipality, be received for information.

21. City of St. Catharines Re: Safe Drinking Water Training – Elected Municipal Officials (Resolution from Niagara Regional Council)

Council resolved:

That the resolution received from the City of St. Catharines in support of a resolution passed by Niagara Regional Council regarding Safe Drinking Water Training – Elected Municipal Officials, be supported.

22. City of Toronto Re: Province of Ontario’s proposed Inclusionary Zoning Regulation - Request for Support

Council resolved:

That the resolution received from the City of Toronto Re: Province of Ontario’s proposed Inclusionary Zoning Regulation, be supported.

23. Township of Baldwin Re: Enforcement of Existing Firearms Legislation and Licencing Requirements in Canada (Cancel Bill C-71)

Council resolved:

That the resolution received from the Township of Baldwin Re: Enforcement of Existing Firearms Legislation and Licencing Requirements in Canada requesting the Government to Cancel Bill C-71, be received for information.

24. Municipality of East Ferris Re: Prohibited Trapping Areas

Council resolved:

That the resolution received from the Municipality of East Ferris Re: Prohibited Trapping Areas, be received for information.

25. Township of Wainfleet, City of Thorold, Town of Pelham Re: City of Port Colborne's Resolution regarding the Niagara Peninsula Conservation Authority Appointment Process

Council resolved:

That the resolutions received from the Township of Wainfleet, City of Thorold and the Town of Pelham in support of the City of Port Colborne's resolution regarding the request to the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future Recruitment of Board Members to the NPCA, be received for information.

26. City of St. Catharines Re: City of Port Colborne's Resolution regarding Calling on Minister of Environment and Climate Change to Accelerate the Application for Review of Municipal Class Environmental Assessment Process

Council resolved:

That the resolution received from the City of St. Catharines in support of the City of Port Colborne's resolution regarding Calling on the Minister of Environment and Climate Change to Accelerate the Application for Review of Municipal Class Environmental Assessment Process, be received for information.

27. Kathleen Wynne, Premier of Ontario Re: Correspondence regarding the City of Port Colborne's resolution concerning Landfill Projects

Council resolved:

That the correspondence received from Kathleen Wynne, Premier of Ontario regarding the City of Port Colborne's resolution concerning Landfill projects, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

(a) National Public Works Week, May 20-26, 2018

No. 68 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

Whereas public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Ontario;

Whereas these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees from provincial and municipal governments and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens;

Whereas it is in the public interest for the citizens, civic leaders and children in Canada to gain knowledge of and to maintain a

progressive interest and understanding of the importance of public works and public works programs in their respective communities;

Whereas the year 2018 marks the 58th annual National Public Works Week sponsored by the American Public Works Association and Canadian Public Works Association be it now;

Now therefore, I, Mayor, John Maloney, proclaim the week May 20-26, 2018 as "National Public Works Week" in the City of Port Colborne.

I urge all our people to join with representatives of the Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

CARRIED.

(b) Seniors Month, June 1-30, 2018

No. 69 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

Whereas Seniors' Month is an annual province-wide celebration;

Whereas seniors have contributed and continue to contribute immensely to the life and vibrancy of this community;

Whereas seniors continue to serve as leaders, mentors, volunteers and important and active members of this community;

Whereas their contributions past and present warrant appreciation and recognition and their stories deserve to be told;

Whereas the health and well-being of seniors is in the interest of all and further adds to the health and well-being of the community;

Whereas the knowledge and experience seniors pass on to us continues to benefit all;

Now therefore, I, Mayor, John Maloney, proclaim June 1-30, 2018 as "Seniors' Month" in the City of Port Colborne and encourage all citizens to recognize and celebrate the accomplishments of our seniors.

CARRIED.

(c) National Health and Fitness Day

No. 70 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

Whereas the Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and to encourage Canadians to increase their level of physical activity and their participation in recreational sports and fitness activities;

Whereas it is in Canada's interest to improve the health of all Canadians and to reduce the burden of illness on Canadian families and on the Canadian health care system;

Whereas many local governments in Canada have public facilities to promote the health and fitness of their citizens;

Whereas the Government of Canada wishes to encourage local governments to facilitate Canadian's participation in healthy physical activities;

Whereas the Government of Canada wishes to encourage the country's local governments, non-government organizations, the private sector and all Canadians to recognize the first Saturday in June as National Health and Fitness Day and to mark the day with local events and initiatives celebrating and promoting the importance and use of local health, recreational, sports and fitness facilities;

Whereas Canada's mountains, oceans, lakes, forest, parks and wilderness also offer recreational and fitness opportunities;

Whereas Canadian Environment Week is observed throughout the country in early June, and walking and cycling are great ways to reduce vehicle pollution and improve physical fitness;

Whereas declaring the first Saturday in June to be National Health and Fitness Day will further encourage Canadians to participate in physical activities and contribute to their own health and well-being;

Now therefore, I, Mayor, John Maloney, proclaim the first Saturday in June as "National Health and Fitness Day" in the City of Port Colborne.

CARRIED.

10. Minutes of Boards, Commissions & Committees:

(a) Minutes of the Canal Days Advisory Committee Meeting of March 27, 2018

No. 71 Moved by Councillor J. Mayne
Seconded by Councillor R. Bodner

(a) That the minutes of the Canal Days Advisory Committee meeting of March 27, 2018, be received.

CARRIED.

11. Consideration of By-laws:

No. 72 Moved by Councillor J. Mayne
Seconded by Councillor R. Bodner

That the following by-laws be enacted and passed:

- | | |
|------------|---|
| 6578/33/18 | Being a By-law to Set and Levy the Rates of Taxation for City Purposes for the Year 2018 |
| 6579/34/18 | Being a By-law to Adopt a Municipal Alcohol Management Policy and to Repeal Various By-laws |
| 6580/35/18 | Being a By-law to Temporarily Close Sections of Various Streets to Vehicular Traffic for the Purpose of the Eighth Annual Port Colborne Art Crawl |
| 6581/36/18 | Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of May 14, 2018 |

CARRIED.

12. Council in Closed Session:**Motion to go into closed session – 8:45 p.m.**

No. 73 Moved by Councillor F. Danch
Seconded by Councillor B. Kenny

That Council do now proceed into closed session in order to address the following matter(s):

- (a) Minutes of the closed session portion of the following Council meetings: April 9, 2018
- (b) Planning and Development Department, Planning Division Report. No. 2018-61, concerning the potential disposition of City owned land, pursuant to the Municipal Act, 2001, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED.

Motion to rise without report – 9:01 p.m.

No. 74 Moved by Councillor F. Danch
Seconded by Councillor B. Kenny

That Council do now rise from closed session with report at approximately 9:01 p.m.

CARRIED.

13. Disclosures of Interest Arising From Closed Session:

Nil.

14. Report/Motions Arising From Closed Session:

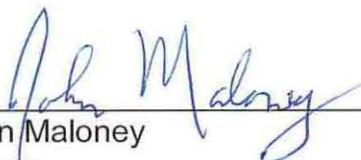
- (b) **Planning and Development Department, Planning Division Report. No. 2018-61, concerning the potential disposition of City owned land, pursuant to the Municipal Act, 2001, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.**

The Deputy Clerk reported that direction was provided to staff during closed session in accordance with the *Municipal Act, 2001*.

15. Adjournment:

No. 75 Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That the Council meeting be adjourned at approximately xxx p.m.
CARRIED.



John Maloney
Mayor



Amber LaPointe
City Clerk