

**City of Port Colborne  
Regular Council Meeting 20-20  
Minutes**

- Date:** August 10, 2020
- Time:** 6:30 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor (via Zoom)  
E. Beauregard, Councillor (via Zoom)  
R. Bodner, Councillor  
G. Bruno, Councillor  
F. Danch, Councillor (via Zoom)  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor (via Zoom)
- Staff Present:** D. Aquilina, Director of Planning and Development Department (via Zoom)  
B. Boles, Director of Corporate Services (via Zoom)  
A. Griggs, Director of Community and Economic Development (via Zoom)  
S. Hanson, Manager of By-law Services (via Zoom)  
B. Kostuk, Development and Asset Inventory Supervisor (via Zoom)  
C. Lee, Director of Engineering and Operations (via Zoom)  
A. LaPointe, Manager of Legislative Services/City Clerk  
S. Luey, Chief Administrative Officer  
C. Madden, Deputy Clerk

Also in attendance was one member of WeeStream.

**1. Call to Order:**

Mayor Steele called the meeting to order.

Mayor Steele delivered his Mayor's Report, a copy of which is attached.

**2. Introduction of Addendum Items:**

None.

**3. Confirmation of Agenda:**

**No. 145** Moved by Councillor H. Wells  
Seconded by Councillor R. Bodner

That the agenda dated August 10, 2020 be confirmed, as circulated.

CARRIED

**4. Disclosures of Interest:**

Councillor Wells declared a pecuniary interest regarding item 3 (Planning and Development Department, By-law Enforcement Division, Report 2020-104, Subject: Fence Variance – 1731 Barber Drive). Councillor Wells refrained from discussing and voting on item 3.

Councillor Beauregard declared a pecuniary interest regarding item 5 (By-law 6803/53/20, Being a By-law to Regulate the Discharge of Firearms and Bows in the City of Port Colborne), as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to this item. Councillor Beauregard refrained from discussing and voting on item 5.

**5. Adoption of Minutes:**

**No. 146** Moved by Councillor M. Bagu  
Seconded by Councillor D. Kalailieff

(a) That the minutes of the regular meeting of Council 19-20, held on July 27, 2020, be approved as presented.

CARRIED

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

The following items were identified for separate discussion:

Items 1, 2, 3, 5, and 6.

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

**No. 147** Moved by Councillor E. Beauregard  
Seconded by Councillor A. Desmarais

That Items 1 to 6 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:**

**4. Engineering and Operations Department, Operations Division, Report 2020-100, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2018)**

Council Resolved:

That Engineering and Operations Department, Operations Division, Report No. 2020-100, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2018), be received for information.

CARRIED

**8. Delegations/Presentations**

- (a) **Presentation:** Bill Myers, Customer Service Project Coordinator Re: Customer Service Update

Bill Myers, Customer Service Project Coordinator, provided an update on the Corporation's Customer Relationship Management Project and responded to questions received from Council. A copy of his presentation is attached.

**9. Consideration of Items Requiring Separate Discussion:**

**1. Engineering and Operations Department, Engineering Division, Report 2020-101, Subject: Request for Traffic Safety Review – Intersection of Killaly Street East and Elizabeth Street**

**No. 148** Moved by Councillor H. Wells  
Seconded by Councillor E. Beauregard

That Engineering and Operations Department, Engineering Division, Report No. 2020-101, Subject: Request for Traffic Safety Review - Intersection of Killaly Street East and Elizabeth Street, be received for information; and

That Council direct staff to relocate the southbound stop control location on Elizabeth Street to address sight line obstructions.

CARRIED

**2. Engineering and Operations Department, Engineering Division, Report 2020-102, Subject: Request for Traffic Safety Review – Intersection of Bell Street and Fares Street**

---

**No. 149** Moved by Councillor E. Beauregard  
Seconded by Councillor A. Desmarais

That Engineering and Operations Department, Engineering Division, Report No. 2020-102, Subject: Request for Traffic Safety Review - Intersection of Bell Street and Fares Street, be received for information; and

That Council direct staff to include a request in the 2021 budget package to hire an external consultant to provide a full traffic study for the Bell Street and Fares Street intersection.

Moved in referral by Councillor A. Desmarais  
Seconded by Councillor E. Beauregard

That Engineering and Operations Department, Engineering Division, Report 2020-102, Subject: Request for Traffic Safety Review – Intersection of Bell Street and Fares Street be referred to the Director of Engineering and Operations for further review of alternative options.

CARRIED

**No. 150** Moved by Councillor A. Desmarais  
Seconded by Councillor E. Beauregard

That the Manager of By-law Services be directed to coordinate the removal of interfering parking stalls, and the Director of Engineering and Operations coordinate the removal of the Canada Post mailbox as well as any other obstructions located at the intersection of Bell and Fares Streets.

CARRIED

**3. Planning and Development Department, By-law Enforcement Division, Report 2020-104, Subject: Fence Variance – 1731 Barber Drive**

---

**No. 151** Moved by Councillor R. Bodner  
Seconded by Councillor M. Bagu

That Planning and Development Department, By-law Enforcement Division, Report 2020-104, Subject: Fence Variance – 1731 Barber Drive, be received for information; and

That Council grant the approval of the fence variance for 1731 Barber Drive.

CARRIED

**5. By-law 6803/53/20, Being a By-law to Regulate the Discharge of Firearms and Bows in the City of Port Colborne**

**No. 152** Moved by Councillor G. Bruno  
Seconded by Councillor A. Desmarais

That staff bring forward By-law 6803/53/20, Being a By-law to Regulate the Discharge of Firearms and Bows in the City of Port Colborne, for approval.

Moved in referral by Councillor A. Desmarais  
Seconded by Councillor D. Kalailieff

That By-law 6803/53/20, Being a By-law to Regulate the Discharge of Firearms and Bows in the City of Port Colborne be referred to the Manager of By-law Services in order to review the definition of the term “firearm”; and

That staff engage with key stakeholders during the review.  
CARRIED

**6. Township of South Glengarry Re: Funding and Inspections for Long Term Care Homes due to COVID-19 Pandemic**

**No. 153** Moved by Councillor M. Bagu  
Seconded by Councillor A. Desmarais

That the resolution received from the Township of South Glengarry regarding funding and regular inspections for Long Term Care facilities, be supported.

CARRIED

**10. Proclamations:**

None.

**11. Minutes of Boards, Commissions & Committees:**

None.

**12. Councillors' Items:****Staff Responses to Previous Councillors' Enquiries****(a) Update on Site Issues along Friendship Trail (Griggs)**

The Director of Community and Economic Development informed Council that a quote has been received for the installation of wig wags at each roadway intersection along the Friendship Trail. Further, she reported that due to pricing, one wig wag will be installed at the Empire Road intersection on the Friendship Trail and a proposal to have wig wags installed on the remaining City roadway intersections along the Friendship Trail will be brought forward during the 2021 budget deliberations. As an interim measure, the Director of Community and Economic Development confirmed that stop notifications in high visibility paint will be installed at all City roadway intersections along the Friendship Trail.

**Councillors' Issues/Enquiries****(a) Patching Roads (Bagu)**

In response to Councillor Bagu's inquiry regarding the budget allotment for patching roads, the Director of Corporate Services/Treasurer confirmed that while there was some confusion around this matter, after speaking with the Manager of Projects and Design, there is a contractor in place to do this specific road work and the funds are allotted for in the current budget.

**(b) Vale Centre Roof Update (Bagu)**

In response to Councillor Bagu's request for an update on the roof repairs at the Vale Health and Wellness Centre, the Director of Engineering and Operations confirmed that the roof repairs have been completed and staff are just finalizing the connections of the heat trays for the winter.

**(c) City of Port Colborne Domain Names (Bagu)**

In response to Councillor Bagu's inquiry regarding whether the City of Port Colborne has more than one domain name for staff email addresses, the Chief Administrative Officer confirmed that there is only one domain and it is @portcolborne.ca.

**(d) Reopening the Front Counter at City Hall (Bagu)**

In response to Councillor Bagu's inquiry regarding when the front counter at City Hall will reopen without appointments required, the City Clerk and Chief Administrative Officer confirmed that this is the method that is used consistently across the majority of municipalities and that services will continue at the front counter on appointment basis only for the next while.

**(e) Food Truck Parked at Centennial Park (Bodner)**

Councillor Bodner queried as to whether City staff permitted a food truck to be open and located at Centennial Park over the past weekend. The Director of Community and Economic Development indicated that she has reached out to Licensing regarding whether a licence had been issued for a food truck at this location as well as to By-law regarding whether any complaints had been received about this matter. The Director of Community and Economic Development confirmed that once she received responses, she would forward this information to Council.

**(f) Accessible Parking Spots at Centennial Park (Bodner)**

In response to Councillor Bodner's inquiry regarding whether accessible parking spots could be installed at Centennial Park, the Director of Community and Economic Development and the Manager of By-law Services confirmed they will investigate this request.

**(g) Stones and Pot Hole on Miller Road (Bodner)**

Councillor Bodner informed Council that a portion of Highway 3 had been blocked off for drain maintenance and drivers were therefore rerouted to use Miller Road from Highway 3 to Killaly Street. Councillor Bodner further reported that a rough patch of stone and a pot hole had resulted on Miller Road due to the high levels of traffic. The Director of Engineering and Operations informed Council that staff had spoken with the Ministry of Transportation officials on site at this location who then requested the contractor to sweep the streets of stone and repair the patch of road.

**(h) Interim Control By-law Lapse (Bodner)**

Councillor Bodner informed Council that there have been concerns received with respect to the dumping of concrete and asphalt into Pit 1 and queried as to whether a new interim control by-law could be put in place even if there hasn't been enough time as prescribed under the *Planning Act* since the last interim control by-law was in place. The Director of Planning and Development informed Council that an interim control by-law may not be required as he will



be bringing a report forward in the near future regarding a proposed zoning by-law amendment that will address lands owned Mineral Aggregate Operation.

**(i) Children Playing Signs on Shamrock Avenue (Danch)**

In response to Councillor Danch's request for an update on the children playing signs to be installed on Shamrock Avenue, the Director of Engineering and Operations confirmed that staff are waiting for locates. The Director of Engineering and Operations further reported that he will check in with staff to ensure this is completed as soon as possible.

**(j) City Owned Lands (Desmarais)**

In response to Councillor Desmarais' inquiry regarding whether the City has any industrial lands that are available for sale and if so, how many, the Chief Administrative Officer informed Council that there is one available lot left in the City's Industrial Park. The Chief Administrative Officer further reported that the City is aware of privately owned land that is zoned industrial where the City's Economic Development Officer is working with investors to attract development. The Chief Administrative Officer then reported on the East Side Employment Lands, which is an area where some lands are owned by the City and some are privately owned, and explained the Niagara Region's Infrastructure Investing Plan to put full servicing on those lands so that they become more attractive to future investors.

**(k) Nickel Street Property (Desmarais)**

Councillor Desmarais expressed concern about the state of a property on Nickel Street as a large portion of the siding has detached and frequently gets blown onto neighbouring properties. The Chief Administrative Officer confirmed that he will investigate this issue alongside staff.

**(l) Centennial Beach (Desmarais)**

In response to Councillor Desmarais' request to have staff collect the garbage and do the cleanup of Centennial Beach in the evenings so that it is clean for the next morning, the Director of Community and Economic Development confirmed that the times for staff collection will be shifted to the evenings.

**(m) Nickel Beach Issues (Desmarais)**

Councillor Desmarais expressed concern about the behaviours of people who park along the street when attending Nickel Beach. The Manager of By-law Services informed Council that By-law will coordinate with the Niagara Regional Police to shift the times of inspections in this area to the afternoon so that they are present for the afternoon rush of people who are exiting the beach.



**(n) Railroad Crossing at Sugarloaf and Elm Streets (Kalailieff)**

Councillor Kalailieff inquired as to whether the City could order an inventory of panels for the railroad tracks at Sugarloaf and Elm Streets, for in the event that a replacement is required again, the work could be completed quickly. The Director of Engineering and Operations informed Council that the panels used to repair the tracks were custom built and the amount it would cost to order an inventory would be very expensive.

**(o) Miller Road – Thank you to staff (Wells)**

Councillor Wells expressed appreciation towards the Director of Engineering and Operations for addressing the issue of stones on the corner of Killaly Street and Miller Road.

**(p) Remnants of a Water Intake System (Wells)**

Councillor Wells indicated that he has received multiple concerns with respect to remnants of a concrete water intake system being located at the Wyldewood Road road end in the water. In response to Councillor Wells' request for an update on how the City is remedying this issue, the Director of Engineering and Operations informed Council that staff have been decommissioning parts of this system for about three years. The Director of Engineering and Operations further reported that as the sand shifts, concrete parts tend to resurface, but that one main issue staff have faced in the past is the high lake elevations as staff aren't able to get out into the depth of the water where the concrete has been located. The Director of Engineering and Operations confirmed that staff regularly monitor this area to remove parts that become exposed as soon as possible.

**(q) Wyldewood Road road end (Wells)**

Councillor Wells informed Council that he has received a number of concerns regarding multiple issues that have occurred at the Wyldewood Road road end beach area and requested input from staff and Council regarding potential solutions.

**No. 154**

Moved by Councillor H. Wells  
Seconded by Councillor R. Bodner

That the Manager of By-law Services be directed to review restricted parking at the Wyldewood Road road end and prepare a report to Council with recommendations.

CARRIED

**Notice of Motion**

Councillor Bodner provided notice of his intention to introduce a motion at the August 24, 2020 Council meeting with respect to the dumping of concrete and asphalt into Pit 1 and the Quarry.

**13. Consideration of By-laws:**

**No. 155** Moved by Councillor G. Bruno  
Seconded by Councillor F. Danch

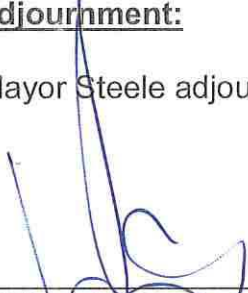
That the following by-laws be enacted and passed:

6808/58/20	Being a By-law to Amend By-law 5991/97/13 Being a By-law to Set a Lapsing Date of Draft Plan of Approval for Rosedale Subdivision
6809/59/20	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 August 10, 2020

CARRIED

**14. Adjournment:**

Mayor Steele adjourned the meeting at approximately 10:50 p.m.




---

William C. Steele  
Mayor




---

Amber LaPointe  
City Clerk

AL/cm



MAYOR'S REPORT  
AUGUST 10, 2020 COUNCIL MEETING

**COVID-19 UPDATE**

Good evening and welcome to our virtual council meeting.

Tonight we are welcoming four of our councillors back into the council chambers. Joining us are Councillors, Bruno, Kalailieff, Desmarais and Bodner and well as our CAO Scott Luey, Clerk Amber LaPointe, Deputy Clerk Charlotte Madden, and a member of Wee Stream who are live streaming this meeting for us.

Our other four city councillors and various city directors are each attending from home.

As we remain in Stage 3 of the COVID-19 recovery process, we continue to emphasize social distancing, hand washing and face coverings where social distancing can't be maintained or where required by the Region's face covering by-law.

We ask for your patience while we all work together for a safe and gradual return of services.

**Opening of recreation opportunities**

Rink 1 at the Vale Health & Wellness Centre welcomed back skaters as of Tuesday, Aug. 4, 2020, to permit holders only offering training opportunities for hockey players and figure skaters.

All users are to follow the outlined public/user rules and regulations, including wearing a mask/face covering as per the Niagara Region Face Covering By-law.

To ensure adherence to the indoor gathering limits set out by the Province in stage three of their reopening framework, the walking track and remainder of the Vale Health & Wellness Centre will remain closed to the public until further notice.

The Port Colborne YMCA continues to plan to resume safe programming opportunities for their members in the coming weeks.

The TA Lannan Sports Complex has reopened to host the Sir John Colborne Youth Soccer Club (SJCYSC) to provide training opportunities for their athletes.

In addition, a local co-ed slo-pitch league will also begin operating a shortened season starting Friday, Aug. 7.

Outdoor Zumba classes at the Sugarloaf Marina pavilion returned today.

Classes will run every Monday and Wednesday evenings from 7 – 8 p.m. Fees are \$5 per class and can be paid to the instructor upon arrival. Sugarloaf Marina offices and washrooms, including the water bottle refill station, will not be available for access during the outdoor class times.

The City is also resuming issuing permits for pavilions at City parks.

### **Cancellation of City Events**

For the protection of the community and staff due to public health concerns regarding COVID-19, the City's community and economic development department has made the decision to extend the cancellation of all City events, including third party community events held on City property, until Oct. 31, 2020.

This cancellation affects the following events:

- Port Colborne Downtown Cruisers Association Cruise Nights
- Nickel Beach Bonfire
- Volunteer Appreciation Banquet
- Terry Fox Run – which will be held virtually
- HarvestFest

### **Canadian Association of Municipal Administrators**

I received a letter last week from the President of Canadian Association of Municipal Administrators.

They have a Long Service Recognition Awards Program that recognizes and celebrates dedication to public service and municipal management.

I would like to extend our congratulations to our Chief Administrative Officer, Scott Luey for his fifteen years of municipal service in a management capacity.

Further to our earlier discussion, please find the following suggested amendments to the proposed By-laws.

RE: By-Law No. 6803/53/20

We would like to proffer a request to amend the proposed By-Law to:

1. Correct the definition of Firearm to directly reflect the definition under the Criminal Code of Canada (see point below)
2. Omit the term BOW(s) in the By-law as it does not fall under said definition

Reasoning:

- Per "Part 1 - Title and Definitions" , 1. Short Title, The City has requested to have this By-law referred to as "The Discharge of Firearms By-Law"  
You will note that The City has not included the term in the By-Law Short Title, but has included it in the By-law itself. We propose that The City choose to remove the term BOW from this By-law.
- Under "Part 2 – Application of the By-law, Application section, point 5, refers the Federal Acts .
  - Criminal Code, R.S.C 1985, c. C-46 – wherein the definition of "Firearm" is as follows:
    - **firearm** means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;
  - You will note that in addition to the above definition, the RCMP requires a **Possession and Acquisition Licence (PAL)** for any firearm capable of producing muzzle velocities in excess of 500 feet/second. Please note that while there are air/pellet guns that fall under these parameters, there are also many that do not. It seems unjust that the by-law consume all such types under a single category.

And by doing so, we would propose the change of the By-law 6803/52/20 being a by-law to amend 4588/119/04, Being a By-law to Regulate Noise

We would like to propose the correction of the associated By-Law name (Per the Short name and our above noted request) in this by-law.

We would like to add that with respect to the detonation of Exploding Shooting Target (Tannerite), such targets will only detonate when struck by something with a velocity of at least 2000 feet per second. It will not detonate by means of arrow, bolt or any other projectile with a lesser velocity.

In short, we currently own 30 acres of property in the designated area and we feel that our family should be able to enjoy archery on our own property as it poses no safety or noise concerns.

Feel free to contact us, should you have any questions.

Best regards,

Darren and Mandy Kish