

**City of Port Colborne  
Regular Committee of the Whole Meeting 14-18  
Minutes**

**Date:** June 25, 2018

**Time:** 6:30 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
D. Elliott, Councillor  
J. Maloney, Mayor (presiding officer)

Absent: Y F. Danch, Councillor (due to vacation)  
B. Kenny, Councillor (due to vacation)  
J. Mayne, Councillor (leave of absence)

**Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
N. Halasz, Manager of Parks and Recreation  
A. LaPointe, Manager of Legislative Services/City Clerk (minutes)  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
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 Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

Nil.

**3. Confirmation of Agenda:**

Moved by Councillor A. Desmarais  
Seconded by Councillor Y. Doucet

That the agenda dated June 25, 2018 be confirmed, as circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Councillor Doucet declared an indirect pecuniary interest with regard to item 14, City of Quinte West Re: Cannabis Grace Period Request, stating that it was personal in nature. Councillor Doucet refrained from discussing or voting on this item.

**5. Adoption of Minutes:****(a) Regular meeting of Committee of the Whole 13-18, held on June 11, 2018**

Moved by Councillor R. Bodner  
Seconded by Councillor A. Desmarais

- (a) That the minutes of the regular meeting of the Committee of the Whole 13-18, held on June 11, 2018, be approved as presented.

CARRIED.

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

The following items were identified for separate discussion:

Items 3, 13 and 14.

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

Moved by Councillor R. Bodner  
Seconded by Councillor Y. Doucet

That Items 1 to 17 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. Corporate Services, Clerk's Division, Report No. 2018-93, Subject: Restricted Acts of Council (Lame Duck Periods)**

Committee of the Whole recommends:

That the City Clerk be directed to prepare the necessary by-law prior to Nomination Day (July 27, 2018) delegating authority to the Chief Administrative Officer (CAO) from July 27, 2018 to the earliest of December 1, 2018 or when quorum of members of the newly elected Council swear their Declaration of Office, as outlined:

1. The CAO be delegated the authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000;

2. That the CAO be delegated the authority to execute an Agreement of Purchase and Sale pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal for the acquisition of property;
3. That the CAO be delegated the authority to appoint or remove any officer from or to an office with the City of Port Colborne.
4. That the CAO be delegated the authority to hire or dismiss any employee of the municipality;
5. That the CAO will report to Council if the delegation of authority is exercised under the proposed by-law; and

That the by-law shall come into force and effect only in the event that less than seventy-five percent (75%) of the current Members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Election as determined by the City Clerk.

**2. Corporate Services, Clerk's Division, Report No. 2018-91, Subject: Joint Niagara Compliance Audit Committee**

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Committee of the Whole recommends:

That The Corporation of the City of Port Colborne continue its participation in the Joint Niagara Compliance Audit Committee; and

That the updated Terms of Reference, attached as Appendix A to Corporate Services Department, Clerks Divisions Report 2018-91, be approved; and

That authority be delegated to the City Clerk to make legislative or administrative changes to the Terms of Reference; and

That authority be delegated to the City Clerk to appoint members to the Compliance Audit Committee.

**4. Planning and Development, Planning Division, Report No. 2018-81, Subject: Biodiversity Offsetting**

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Committee of the Whole recommends:

The Council of The Corporation of the City of Port Colborne requests that the Region of Niagara and Niagara Peninsula Conservation Authority take the following actions with respect to the issues of Biodiversity Offsetting:

- Defer support of any Biodiversity Offsetting (BDO) Pilot Project until a thorough public discussion is undertaken regarding the purpose, methodology and evaluation procedure to be applied to any case study; and

- Allow the involvement of interested members of the public, but also experts from Brock University, Niagara College, and other Universities and Colleges with specialized fields of Ecological and Environmental studies to allow input to specialized biological questions should they arise; and
- Adopt the position that Provincially Significant Wetlands be protected the greatest extent; and

That Council's response with respect to Biodiversity Offsetting be forwarded to the Ministry of Natural Resources and Forestry for consideration in their review of the Conservation Authorities Act.

**5. Engineering and Operations, Operations Division, Report No. 2018-79, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2016)**

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Committee of the Whole recommends:

That Engineering and Operations Department, Operations Division Report 2018-79 with respect to Energy Consumption and Greenhouse Gas Emissions Report (2016) be received for information.

**6. Community and Economic, Sugarloaf Marina Division, Report No. 2018-89, Subject: Sugarloaf Marina – Herbicide Application**

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Committee of the Whole recommends:

That the Director of Community and Economic Development be directed to proceed with issuing a purchase order for applications of herbicides to Sugarloaf Marina.

After a thorough evaluation of the success of the project staff request the allocation of \$10,000 annually for herbicide application be included during the 2019 budget deliberations weeds as well as \$12,500 to replace the funds for the LED lights to complete this project in 2019.

**7. Email correspondence from Betty Konc dated June 5, 2018 Re: Request for Fireworks Display on August 11, 2018 for an Annual BBQ, located at 831 Highway 3, East, Port Colborne**

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Committee of the Whole recommends:

That pursuant to Section 6.1.1 of By-law 4989/45/07, the Council of The Corporation of the City of Port Colborne authorize Betty Konc of 831 Highway 3, East, Port Colborne to hold a Display Fireworks Event on August 11, 2018.

That such approval be conditional on the issuance of a permit by the Fire Chief, in compliance with By-law 4989/45/07 and payment of the applicable fees.

That the following information be submitted to the Port Colborne Fire & Emergency Services a review a minimum of two weeks prior to the holding of the event.

- A fireworks site plan including but not limited to, separation distances to the public and vulnerable areas, location from where the fireworks are being fired, fallout zone, direction of firing, is to be submitted to this office by the fireworks supervisor for review.
- Event description information, including description of fireworks, type size and quantity.
  - firing procedures, manual or electric
  - emergency procedures
  - traffic control plans

That Betty Konc of 831 Highway 3, East, Port Colborne be advised that as the Authority having jurisdiction, Port Colborne Fire and Emergency Services conduct spot site inspections and may revoke approval for any violation of the Ontario Fire Code or the Explosives Act prior to or during the scheduled event.

**8. Region of Niagara Re: State of Aggregate Resources in Niagara Region – Technical Addendum (PDS Report 12-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: State of Aggregate Resources in Niagara Region – Technical Addendum (PDS Report 12-2018), be received for information.

**9. Region of Niagara Re: Waterfront Investment Program 2018 Funding Recommendations (PDS Report 16-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Waterfront Investment Program 2018 Funding Recommendations (PDS Report 16-2018), be received for information.

**10. Region of Niagara Re: New Regional Official Plan and Growth Management Program (PDS Report 21-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: New Regional Official Plan and Growth Management Program (PDS Report 21-2018), be received for information.

**11. Region of Niagara Re: Climate Change Framework (PDS Report 22-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Climate Change Framework (PDS Report 22-2018), be received for information.

**12. Region of Niagara Re: Development Applications Monitoring Report – 2017 Year End (PDS Report 23-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Development Applications Monitoring Report – 2017 Year End (PDS Report 23-2018), be received for information.

**15. Town of Pelham Re: Provincial Funding for Local Public Libraries**

Committee of the Whole recommends:

That the resolution received from the Town of Pelham regarding the City of Port Colborne's support for Provincial Funding for Local Public Libraries, be received for information.

**16. Town of Pelham Re: Safe Drinking Water Training – Elected Municipal Officials**

Committee of the Whole recommends:

That the resolution received from the Town of Pelham regarding City of Port Colborne's support of Safe Drinking Water Training for Elected Municipal Officials, be received for information.

**17. Town City of St. Catharines Re: Niagara Central Dorothy Rungeling Airport – Position regarding Niagara Region Uptake of Control and Governance of NCDRA and NDA**

Committee of the Whole recommends:

That the resolution received from the City of St. Catharines regarding City of Port Colborne's resolution regarding Niagara Central Dorothy Rungeling Airport – Niagara Region Uptake of Control of NCDRA and NDA, be received for information.

CARRIED.

**8. Presentations:**

Nil.

**9. Delegations:****(a) David Heyworth, Official Plan-Policy Consultant, Planning & Development Services, Niagara Region Re: New Official Plan**

David Heyworth appeared before Council to provide an update on the new Niagara Region Official Plan. Mr. Hayworth presented the framework of the Official Plan and provided information on the timeline including broad consultation and public engagement. Mr. Hayworth stated that he would return to update Council during the process and that expected completion is targeted for 2021.

**(b) Don Gilbert, Manager of Operations, John Sander, Manager of Customer Engagement, Kristine Carmichael, Director of Corporate Services, Canadian Niagara Power Re: Canadian Niagara Power Inc.**

Don Gilbert appeared before Council to address increasing concerns of power outages in the City. Mr. Gilbert apologized for the power disturbances and explained the common reasons for the outages including feed from Hydro One, Emerald Ash Borer, and increased adverse weather conditions. John Sander addressed customers' concerns including the demand for frequent updates during outages. Mr. Sander stated that the company would be focusing on communications, content, and frequencies during and following each event.

**(c) Judith Boroniec Re: Business Licence Fees of Talwood**

Judith Boroniec addressed Council requesting relief from the fire inspection required to obtain a business licence. Ms. Boroniec stated that the fee was too high and that private inspection companies should be allowed.

**10. Mayor's Report:**

A copy of the Mayor's Report is attached.

**11. Regional Councillor's Report:**

Regional Councillor Barrick provided an update from Niagara Region Council. Regional Council recently endorsed a 2018 Niagara Region Transit Service Agreement that extends the inter-municipal transit service for three years. Also the Niagara Region Budget Guidance Committee met to provide guidance regarding the 2019 budget, but the formal budget process will not begin until January 2019 as it is an election year.

Regional Councillor Barrick congratulated the Niagara Prosperity Initiative (NPI) on their 10-year anniversary addressing poverty throughout the Region.

**12. Councillors' Items:**

**(a) Garbage on Road at 99 Bell Street (Doucet)**

In response to a concern expressed by Councillor Doucet about garbage located on the road and lawn on and around 99 Bell Street, the Director of Planning and Development advised that he would connect with staff and provide an update to the Councillor. The Director of Engineering and Operations will also connect with by-law staff and will remove garbage that is located on the road allowance.

**(b) 2018 Municipal Election (Doucet)**

Councillor Doucet announced that he will not be seeking re-election in the 2018 municipal election.

**(c) Roof on Waste Enclosure at Pleasant Beach (Butters)**

In response to a concern expressed by Councillor Butters about the temporary roof of the waste enclosure at Pleasant Beach, the Director of Engineering and Operations advised that the current roof is complete.

**(d) Parking at Pleasant Beach (Butters)**

In response to a concern expressed by Councillor Butters about parking at Pleasant Beach during the long weekend, the Director of Planning and Development advised that he would request that staff patrol the road more than once a day if possible.

**(e) Centennial Park Line Painting (Bodner)**

In response to a concern expressed by Councillor Bodner about line painting at Centennial Park, the Director of Engineering and Operations advised that line painting is completed twice annually and that not all lines have been completed due to staff shortages.

**(f) Stones on Road at Empire Road and Highway 3 (Bodner)**

In response to a concern expressed by Councillor Bodner about stones that continue to be on the road at Empire Road and Highway 3, the Director of Engineering and Operations advised that Operations staff have contacted the Ministry of Transportation several times and will do so again.



**(g) Repaired Culvert at Lakeshore Road East (Bodner)**

Councillor Bodner presented concerns regarding a culvert that was repaired at Lakeshore Road East. Councillor Bodner is concerned regarding the amount of water that has now relocated to a neighbouring property.

Moved by Councillor R. Bodner  
Seconded by Councillor B. Butters

That the Director of Operations and Engineering be directed to contact the property owner on Lakeshore Road East in order to assess the swale located on private property.

CARRIED.

**(h) Speeding and Road Safety on City Streets (Desmarais)**

In response to a concern expressed by Councillor Desmarais about speeding of cars, motorized cyclists, and golf carts on City streets, the Mayor agreed to phone the Niagara Regional Police department and follow-up with a letter expressing the safety concerns on City streets.

**(i) Rough Streets in East Village (Doucet)**

In response to a concern expressed by Councillor Doucet about the rough streets in the East Village, the Director of Engineering and Operations advised that final paving will not be complete until one year after the road is complete in order for the road to settle.

**(j) Parking Signage at Clarence and Catharine Streets (Elliot)**

In response to a concern expressed by Councillor Elliot about confusing parking signage at the corner of Clarence and Catharine Streets, the Director of Engineering and Operations advised that he will connect with By-law staff and in order to address the concern.

**(k) Anti-idling by-law (Elliott)**

In response to an inquiry from Councillor Elliott, the Director of Planning and Development advised that he would inquire about an anti-idling by-law with the Supervisor of the By-law Enforcement Division.

**(o) Downtown Community Improvement Plan construction (Desmarais)**

In response to a concern expressed by Councillor Desmarais about the potential hardship that will be experienced by businesses during the Downtown Community Improvement Plan construction, the Chief Administrative Officer advised that the Economic Development Officer would be meeting with businesses for advice and looking at what other communities have done to lessen the impact of construction.

**Staff Responses to Previous Councillor Enquiries:****(a) Repaired Water Leaks (Lee)**

The Director of Engineering and Operations advised that the Nickel Street area combined sewage overflow (CSO) project is near completion. While on site staff targeted possible leaks and as a result found and repaired four leaks.

**(b) Smoke Alarm Program and Hoarding Concerns (Cartwright)**

The Fire Chief advised that the smoke alarm program is continuing. Chief Cartwright expressed concerns with the lack of resources to address hoarding and requested help from agencies to assist the Fire Department. Council requested help from the Regional Councillor in connecting with Public Health and asked Chief Cartwright to detail his concerns in order for the matter to be addressed.

**(c) Anti-Idling By-law (Aquilina)**

The Director of Planning and Development advised that there is an anti-idling by-law that prohibits idling for more than 5 minutes in duration.

**(d) Crosswalk at Clarence and Catharine Streets (Lee)**

The Director of Engineering and Operations advised that the crosswalk at the Market Square would not be installed before Canal Days as the equipment supplier cannot guarantee that it will be here in time to ensure completion.

**Consideration of Items Requiring Separate Discussion:****3. Corporate Services, Finance Division, Report No. 2018-88, Subject: Grant Funding**

Moved by Councillor D. Elliot  
Seconded by Councilor R. Bodner

That Corporate Services Department, Finance Division Report 2018-88 with respect to Grant Funding, be received for information.  
CARRIED.

**13. Niagara Region of Niagara Re: Taxpayer Affordability Guidelines**

Moved by Councillor A. Desmarais  
Seconded by Councillor D. Elliot

That the correspondence received from the Region of Niagara Re: Taxpayer Affordability Guidelines be referred to the Director of Corporate Services.  
CARRIED.

**14. City of Quinte West Re: Cannabis Grace Period Request**

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Moved by Councillor D. Elliot  
Seconded by Councillor A. Desmarais

That the resolution received from the City of Quinte Re: Cannabis Grace  
Period Request, be supported.

CARRIED.

**13. Notice of Motion:**

Nil.

**14. Adjournment:**

Moved by Councillor D. Elliot  
Seconded by Councillor A. Desmarais

That the Committee of the Whole meeting be adjourned at approximately  
9:09 p.m.

CARRIED.

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## **Mayor's Report to the June 25, 2018 Council Meeting**

### **Summer Events**

Successful Canal Days Media Conference where Summer Events in the City were revealed and the activities of Canal Days were detailed. This was well attended and a good event.

### **United Way Campaign**

The United Way Campaign celebration and the City of Port Colborne contributions, under the direction of Millie Orlowski and Mike Mascitelli who were acknowledged for their increased participation and they are actively pursuing the Niagara United Way Campaign for 2018/2019.

### **Comfort Maple Tree Planting**

A plaque was presented to McKay Public School, St. Therese Catholic Elementary, Ecole St. Joseph and Port Colborne High School in acknowledgement of the schools participating in the 150<sup>th</sup> Anniversary of the Maple planting from the offspring of the Comfort Maple, a tree in Fenwick which not quite sure how old it is, but based on over 500 years plus.

### **Kids Fishing Derby**

We had a Kids Fishing Derby organized by The Port Colborne Conservation Club and was hosted on Father's Day with many participants, with some arriving at 7:00 am.

### **Niagara Region – Strategic Plan**

The Niagara Region hosted a seminar regarding their proposed Strategic Plan. Mr. David Barrick and myself attended as politicians.

### **Graduation of Port Colborne High School and Lakeshore Catholic High School**

This Thursday evening Port Colborne High School and Lakeshore Catholic High School will have their Graduation Ceremonies and members of Council will be there to present the acknowledgement from the City.

### **Canada Day**

This weekend will be Canada Day weekend. On Saturday there will be the opening of the Antique Power Show at 12pm, people are encouraged to go to this amazing event. On Sunday the actual Canada Day Celebrations activities will be throughout the day commencing at noon and fireworks display in the evening. There will be cake cutting at 10:00 a.m. in recognition of Seniors' Month.

## **Lions Carnival**

The annual Lions Carnival will start next week. The Lions Club contributes to our community in so many ways, their big fundraiser actually culminates with the drawing of a motor vehicle.