

**City of Port Colborne
Special Committee of the Whole Meeting 23-18
Minutes**

Date: December 10, 2018

Time: 9:02 a.m.

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

Members Present: M. Bagu, Councillor (until 2:37 p.m.)
E. Beauregard, Councillor (9:15 a.m.)
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
N. Giles, Executive Assistant to the CAO and Mayor
A. Grigg, Director of Community and Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
S. Lawson, Deputy Fire Chief
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
S. Powell-Baswick, Museum Director/Curator
P. Senese, Director of Corporate Services
S. Therrien, Director of Library Services

Note: Mayor Steele called a temporary recess at 11:11 a.m. reconvening at 11:22 a.m. and at 1:25 p.m. reconvening at 1:44 p.m.

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

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

That the agenda dated December 10, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Council Orientation and Training:**

A powerpoint presentation was provided by staff for the purposes of Council orientation. A copy of the presentation is attached.

The Manager of Legislative Services/City Clerk provided an overview of the Council orientation dates and topics for discussion in the upcoming months.

The Chief Administrative Officer presented on topics including the guiding principles of how an effective Council works together with each other and with staff, the role of the CAO and staff, the role of the Head of Council, and the role of Council. The CAO also provided an overview of the structure of the Office of the Chief Administrative Officer and current City projects.

City Directors each provided an overview of their department including staffing, functions, and current projects and challenges.

The Manager of Legislative Services/City Clerk provided an overview of legislative requirements including information on the Municipal Act, Conflict of Interest Act, Ontario Ombudsman, and integrity commissioner. Ms. LaPointe also provided information on the agenda process, conduct at meetings, and the Procedural By-Law.

6. **Adjournment:**

Moved by Councillor G. Bruno

Seconded by Councillor E. Beauregard

That the Committee of the Whole meeting be adjourned at approximately 2:59 p.m.

CARRIED.

AL/cm



**Council
Orientation
2018**

Council Orientation



- Dec 10 - City Overview and Procedural Training
- Dec 12 - Department Open House
- Insurance and Legal Experts
- Dec 15 - Bus Tour
- Jan/Feb - Mini Training Sessions



What brought you here?

Council – Guiding Principles



The most effective Members of Council are here for the benefit of the entire Corporation – the City as a whole.

The most effective Council Members work together as a group with each other (and staff).

CAO – Structure/HR Overview



Department Structure:

- 2017 Re-organization
- Unions and non-union staff
- Salary structure/compensation
- Employee Engagement survey
- Performance Appraisals
- Recruitment and retention
- Workload

Office of the CAO



1. EA to the CAO and Mayor
2. Human Resources, Health & Safety
3. Corporate Communications
4. Information Technology
5. Special Projects and Strategic Initiatives

Office of the CAO



Current Projects

- Corporate branding
- Internal and external communications plans
- Employee engagement
- Union/non union job descriptions and pay equity
- Closure of Michael and Empire unopened road allowances and sale to Sherkston
- Lighthouse lease
- Training Initiatives: In-house coaching, mentoring, leadership program, The Working Mind, R2MR, Administrative Polices
- NYON
- Complete automation/self-entry of timesheets
- Facility Risk Assessments (Bill 168 and Bill 132)

Corporate Services Department



1. Financial Services Division

- Tax
- Water
- Accounting
- Revenue collection
- Financial reporting
- Budget

Corporate Services Department



2. Clerk's Division

- Council
- Committees
- Policy Advice
- Records management
- Licensing
- Commissioner of Oaths
- Elections

Corporate Services Department



Current Projects

Capital Asset Management Plan – this is ongoing into the year 2024

New Financial Software – ongoing refinements and training

Virtual City Hall – Citizen portal to view their tax and water accounts

Works Software – collaboration with Engineering to integrate with Financial Software for work orders, inventory, capital asset tracking and payroll

Records Management software and training

Planning and Development Department



1. Planning Division

- Official Plan, Zoning By-law, and Secondary Plans
- Review and processing of applications (CofA, zoning by-law and official plan amendments, plan of subdivision, site plan)
- Community Improvement Plans
- Compliance review of building permit, other licences/permits
- Heritage planning

Planning and Development Department



2. Building Division - Receives, reviews and processes permits required under the Building Code Act:

- | | |
|---------------------------------------|-------------------------|
| • commercial and residential building | • moving a building |
| • plumbing | • interior renovations |
| • sewer | • swimming pools |
| • water | • temporary event tents |
| • demolition | • signs |
| | • green energy projects |

Planning and Development Department



3. By-law Enforcement Division

- Complaint investigation
- Enforcement of by-laws:
 - Lot and property maintenance
 - Noise
 - Zoning
 - Snow and ice
 - Hunting
 - Pool
 - Fences
 - Signage
 - Parking
- Complaint investigation
- Crossing guard management and supervision
- Animal control (contract with Welland & District Humane Society)

Planning and Development Department



Current Projects

Cannabis retail sale and grow operations

Hunting in Gravelly Bay

Development Charges Study and by-law

New Building Permit inspection software

Building Permit Fee By-law update

Policies and provisions for Mineral Aggregate Operation

Updating and creating new by-laws, such as property standards, fence, pool, sign and hunting

Change-over of some by-laws from Provincial Offences Act to Administrative Monetary Penalty System (AMPS)

Risk Analysis and Job Hazard Assessments

Community and Economic Development Department



1. Parks and Recreation Division

- Delivery of parks, recreation programs, sport services, and facilities that engage citizens of all ages and abilities
- Sections:
 - Parks
 - Events
 - Volunteer Management
 - Box office/theatre
 - Leisure
 - Sport and rec programming
 - Nickel Beach
 - Sugarloaf Marina
 - Sponsorship

Community and Economic Development Department



2. Economic Development Division

- Strengthening the City's economy through the implementation of initiatives for economic sustainability and growth, focused on building a vibrant, prosperous, fiscally sound and economically robust community and a high quality of life for residents.

Community and Economic Development Department



3. Health Services Division

- Leadership, facilitation and maintenance of community partnerships and opportunities involving the recruitment, retention and medical education of physicians to deliver successful results that improve the quality of life for Port Colborne residents.
- Health care resource planning including succession planning for Physicians retiring or transitioning out of practice.

Community and Economic Development Department



Current Projects

- | | |
|---|--|
| Nickel Beach capital investment | In-house corporate sponsorship program |
| Overholt Cemetery expansion | Implementation of Economic Development Strategy |
| Arts and Culture Master | Tourism development and action plan |
| Active Transportation Master Plan | Economic Development business visitation program |
| Municipal parkland grass cutting | Departmental relocation to City Hall |
| Sugarloaf Marina policies and procedures | Corporate efficiencies and structural organization |
| Sugarloaf Marina dredging project | |
| Planning for the 41 st Annual Canal Days | |
| Marine Heritage Festival | |

Engineering and Operations Department



1. Engineering Services and Facility Maintenance Division

- Oversee and guide procurement and purchasing practices
- Oversee Engineering Studies for infrastructure and facilities
- Building Maintenance - from the exterior walls inward including parking lot lighting and external pumps to operate the facility.
- Environmental compliance
- Drinking water quality management system

Engineering and Operations Department



2. Projects and Design Division

- Prepare/review contract documents, tenders, RFPs, RFQs, drawings
- Design tendering and construction of new municipal services and infrastructure
- Manage annual contracts – CCTV, road resurfacing, ditching, sidewalk replacement
- Review and issue road encroachment permits
- Data, mapping, drawings for entire infrastructure system

Engineering and Operations Department



3. Operations Division

- Sanding and plowing
- Grading and shouldering
- Patching roads
- Storm sewer system repairs including catch basins and culverts
- Dust control on gravel roads
- Roadside brushing, tree trimming/removal
- Grass cutting of municipal properties and roadside ditches
- Ditching
- Sweeping
- Signage and safety devices

Engineering and Operations Department



4. Fleet Management Division

- Prepare and write specifications for automotive vehicles and equipment, supplies, and materials
- Provide budget recommendations for fleet operations
- Deal with authorized dealers, contractors, vendors to secure equipment and vehicles
- Develop long range plans to eliminate and purchase equipment and vehicles for the fleet
- Investigate new fleet technologies and safety initiatives
- Develop long range economic efficiency of municipal fleet equipment with a view towards increased fuel efficiency practices including "Greening the Fleet" initiatives
- Estimate costs and sell off obsolete or surplus vehicles and equipment to auction company or public sales
- Maintain government licenses and registrations for all vehicles
- Monitor warranty usage for entire fleet
- Recommend appropriate methods and repairs to recondition the fleet

Engineering and Operations Department



Current Projects

Annual programs – road resurfacing and repair, crack sealing, line painting, sidewalk and curb replacement

Janet Street infrastructure replacement

Carter Street watermain relocation

Bulk water station replacement

Large diameter water meter installations

City Hall retaining wall

GIS all infrastructure

Engineering reports for municipal drains

Municipal drain construction and maintenance

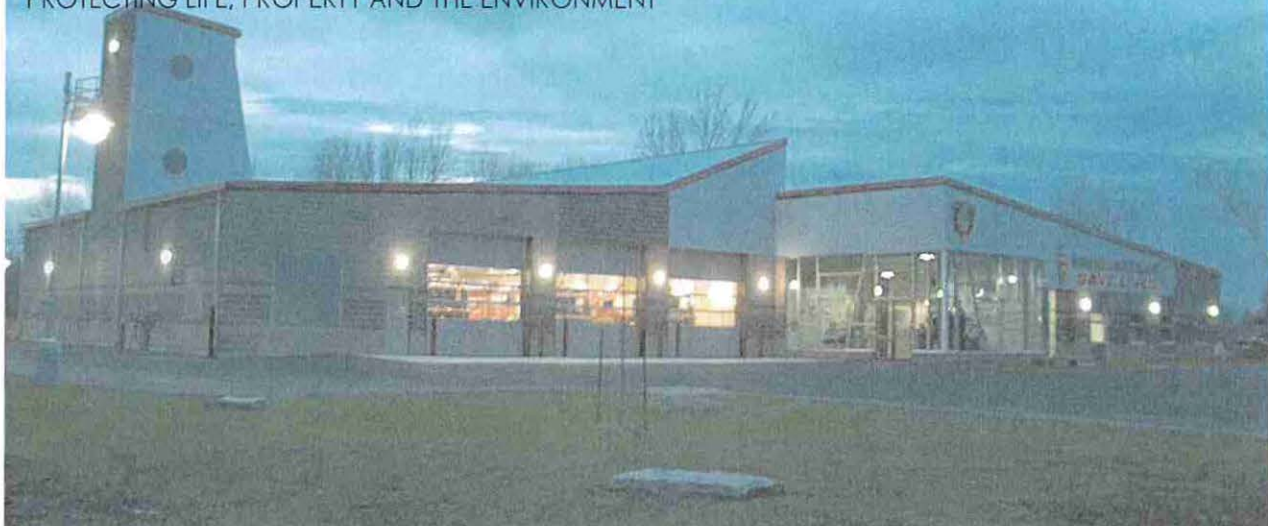
Facility reviews

Facility roofs

PORT COLBORNE

FIRE & EMERGENCY SERVICES

PROTECTING LIFE, PROPERTY AND THE ENVIRONMENT



Fire and Emergency Services



- Strategically located at - 3 Killaly Street West
- At location since 2004 – past location was across from City Hall
- All administration/staff work out of the fire hall
 - Fire Chief
 - Deputy Fire Chief
 - Executive Administrative Assistant
 - Fire Prevention Officer
 - 12 full-time fire fighters
 - 1 Fire Prevention Officer
 - 35 volunteer fire fighters
- Equipment includes:
 - 2 fire engines (2015 & 2000) , 1 ladder truck (2006), 1 rescue truck (2012), 1 tanker (2015)

Fire and Emergency Services



Current Projects

- 2019 – replacement of all rescue equipment
- 2019 – upgrade and modify all fire fighter and officer training to meet National Fire Protection Association (NFPA) standards
- 2020 – replacement of self-contained breathing apparatus
- 2020 – replacement of air compressor and all air cylinders
- 2021 – replacement of Engine No. 2 (2000)

Fire and Emergency Services



Current Challenges

- A catch-all in the community – if you call, we will come
 - Many calls outside our scope
- Hoarding – lack of help from Regional resources
- Enforcement – cost of compliance
- Smoke Alarm Program
 - 2016 – 27.9% compliant (251 properties)
 - 2017 – 29.3% compliant (1382 properties)
 - 2018 – 38.9% compliant (930 properties)

Fire and Emergency Services



Accomplishments

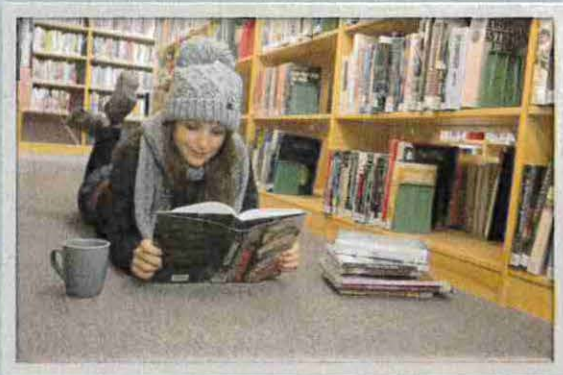
- 2016, 2017 & 2018 Fire Marshal's Public Safety Awards
- Chief Cartwright – Fire Chief of the Year 2018 (OMFPOA) for outstanding work in fire prevention
- Asked to present our prevention program at the 2017 Fire Prevention Seminar to approximately 100 fire departments
- Project Zero – 2017 & 2018 winners
- Two maximum fines received in one case. Precedence set for future FPPA enforcement cases



Public Library



Proudly Serving the City of Port Colborne



Public Library



Meeting the Needs of Our User Communities

- Professional courteous service;
- Community responsiveness;
- Life-long learning and literacy;
- Intellectual freedom;
- Operational efficiency and accountability;
- Intellectual freedom;
- Operational efficiency and accountability;
- Innovation and tradition;
- Cooperation;
- Barrier-free, fair and equitable access

Public Library



Services

- Art and cultural exhibits
- Board games
- Books
- Computer access / Tech Help
- Documentary film programme
- Interlibrary loans
- Magazines and newspapers
- Reader's advisory
- Reference
- Reserves
- Shut-in service
- School visits
- Summer reading club
- E-resources

Public Library



Programmes

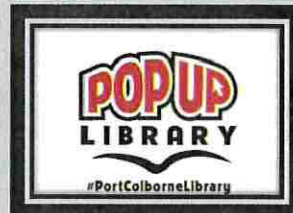
- Seniors, Adults – book club, documentary film programme, knitting classes
- Tweens – Wreck this book, Fortnite dance party, PD Day films
- Children – Tot time, Therapy Tails, Cub Reporters, Arabella's Kids

Public Library



Empower. Enrich. Educate.

- Pop-Up Library
- Seed Library Repository
- MakerSpace – musical instruments, green screen
- Teen Advisory Committee
- Community Information Sessions
- Cultural Block – Library and Museum



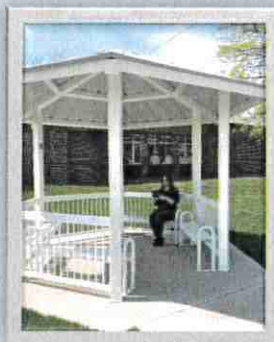
Public Library



Port Colborne Lions Club Gazebo 2018



Groundbreaking Ceremony

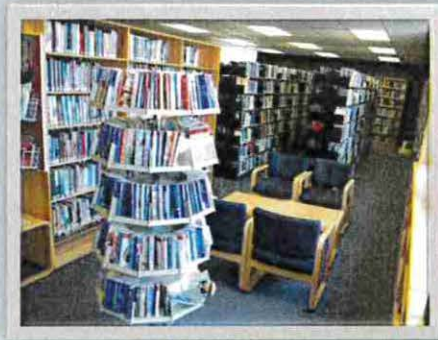


PC Lions Gazebo

Public Library



Accessible Shelving, Furniture and Carpet Updates



BEFORE



AFTER

Public Library



Current Projects

- Risk Assessment security improvements (security cameras, swipe doors)
- Accessible universal washroom for main floor of library
- Improve King Street entrance accessibility
- Install accessible door for the auditorium

Public Library



Museum



Services

- Exhibits
- Events – Members’ exhibit preview, Pie Social History Fair, Canal Days, Grand Old Christmas Festival
- School tours and education programmes
- Summer children’s programmes
- Research services
- Historical information
- Heritage village interpretations
- Preservation of local artifacts

Museum



Current Strategic Goals

1. Serve and preserve
2. Increase financial contributions
3. Improve visitor experience
4. Building maintenance
5. Increase engagement on social media

Strategic Plan



Current Working Goals

- Mini strat plan in 2015 and 2018
- Operational focus – need to move needle to strategy
- Many recommendations in area of recreation – addressed by RMP
- New Strat Plan exercise in 2019??

Role of Council



S.224 of the *Municipal Act* notes the role of Council

- Represent the public
- Develop and evaluate policies and programs
- Maintain fiscal integrity
- Determine services
- Ensure accountability and transparency

Role of Head of Council



S.225 of the *Municipal Act* outlines the role of Head of Council

- Preside over Council meetings
- Provide leadership to Council
- Represent municipality at official functions
- Provide information & recommendations to Council with respect to role of Council
- Acts as the Chief Executive Officer
 - Promote public involvement in the City's activities
 - Represent and promote the City
 - Participate in and foster activities that enhance the economic, social and environmental well-being of the City and its residents

Role of Chief Administrative Officer



S.229 of the *Municipal Act* outlines the role of CAO

- Exercise general control and management ... for the purpose of ensuring the efficient and effective operation of the municipality
- Other duties as assigned

Role of Staff



S.227 of the *Municipal Act* sets out the role of staff

- Offer professional advice
- Implement Council's decision
- Establish sound administrative practices
- Maintain operations of the municipality

...Role of Staff



Some officers of the municipality have statutory obligations

- Appointed by Council by-law
- Have duties under a provincial statute or regulation
- Council and/or other staff cannot interfere with the exercise of these powers
- i.e. Clerk, Treasurer, Fire Chief, Chief Building Official

Council-Staff Relationship



A successful Council-staff team operates according to defined roles



Policy-Making Process



Policy vs. Management



Council

- Political direction
- Ensure that management systems work
- Decide on issues

Staff

- Research policy issues
- Best professional judgement
- Accept and implement Council decisions

Roles and Responsibilities Summary



Running the Corporation of the City of Port Colborne

CAO's Additional items



- Grain elevator
- Revenue from revenue centres
- Directors at Council meetings
- Firelanes

Media



Who speaks to the media on behalf of the City?

- Mayor/CAO/Communications Officer
- Emergencies
- Official position of City vs. Opinions

Steps to Resolve Citizen Concerns



- Have they contacted the City?
 - Fastest resolution will occur by residents contacting City Hall directly
- If no resolution contact Senior Management to inquire



What is a Meeting?

Municipal Act Section 238

- “meeting” is any gathering of Council or Committee
 - where quorum is present, and
 - Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee



Meetings

Committee of the Whole (COW) and Council –
2nd and 4th Monday (unless a holiday)

Budget – Q1

Water Budget – Q1

Public Meeting – as required

Special Meeting – as required

Meeting Expectations



- Council – Monday at 6:30 p.m.
- Agenda published on Thursday
- Contact staff prior to meeting with any questions

Council Etiquette



- Be Present
- Be Prepared
- Be Respectful



Council Conduct

- Prepare for meetings by reading the agenda & reports in advance
- Respect Council & staff time in meetings
- No surprises, contact staff with your questions in advance
- Ensure efficient meetings by asking your questions ahead of time
- Come to meetings prepared to make decisions



Agenda Lifecycle



Beginning of Meeting



- Meetings begin at 6:30 p.m.
- Quorum is more than 50%
- Chair is Mayor/Deputy Mayor

Order of Business



1. Call to Order
2. National Anthem
3. Introduction of Addendum Items
4. Confirmation of Agenda
5. Disclosures of Interest
6. Adoption of Minutes

Order of Business



7. Determination of Items Requiring Separate Discussion
8. Approval of Items Not Requiring Separate Discussion
9. Presentations
10. Delegations

Order of Business



11. Mayor's Report
12. Regional Councillor's Report
13. Councillors' Items
14. Consideration of Items Requiring Separate Discussion
15. Notice of Motion
16. Adjournment

Delegations



Increasing transparency and encouraging involvement in the democratic process

- Must relate to City's jurisdiction
- Request to Clerk by Thursday at 10 a.m.
- Request to delegate to item on agenda by Monday at noon
- Three delegations permitted – 10 minutes to speak each
- Delegations must be respectful, speak to subject matter under consideration, and follow rules of Council

Recess and Adjournment



- No set recess or adjournment
- Will be called by Chair as necessary

Conflict of Interest



- Declarations of Pecuniary Interest (as per Municipal Conflict of Interest Act)
- Direct or indirect pecuniary (financial) interest affecting Member, spouse, parent, child
- Member to state the business item, pecuniary interest relationship (self, spouse, parent, child) and nature of interest
- Members declaring a conflict of interest will now also need to do so in writing and the Clerk will be responsible for maintaining a registry of declared conflicts for public review

Conflict of Interest



- Member cannot participate, influence or vote on business item
- If in closed meeting then the member leaves meeting during business item consideration
- Member must declare each and every time matter arises

Accountability and Transparency



- Code of Conduct
- Closed Meeting Investigator
- Conflict of Interest Act
- Integrity Commissioner
- Ombudsman

Code of Conduct



- Statement of ethical behaviour standards for Members of Council to uphold the public trust, the integrity of governance, and City's reputation
- Transparency, Accountability, and Good Governance
 - Conduct at Council Meetings
 - Respect for Staff and Other Members of Council
 - Confidential Information
 - Corporate Resources
 - Gifts, Hospitality and Benefits
- Required under *Municipal Act*
- Implemented in 2012
- Administered by Integrity Commissioner

Closed Meeting Investigator



- All meetings will be open to the public except for limited reasons which fall under a list of exceptions under the *Municipal Act*.
- No closed meeting investigator is appointed
- Any person may request an investigation if they believe the closed meeting was improperly held
- Ontario Ombudsman will respond to all investigation requests and report to Council

Conflict of Interest Act



- Legislative goal is to protect the public interest by prohibiting any member from having any “involvement” in any matter being considered by council or local board if the member has a pecuniary interest in the matter

Integrity Commissioner



- Required by March 2019
- Administers the Code of Conduct for Members of Council
 - Can provide advice to individual Members of Council
 - Review complaint and determine if investigation is necessary
 - All investigations are reported publically to Council

Ombudsman



- City uses the Ontario Ombudsman
- The Ontario Ombudsman may investigate municipalities for a number of reasons as a result of a complaint, or on their own initiative
- If investigated the Ombudsman will provide a report and recommendations to the Council.

Procedural By-law



Municipal Act Section 238

“Every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.”

Procedural By-law



- Set of rules for meetings, making decisions, and conduct
- Defines relationships
 - With public
 - With staff
 - With each other

Procedural By-law



Upholding fundamental Member rights for a meeting:

- The majority have the right to decide on a matter
- The minority have the right to be heard on a matter
- All Members have the right to information to help make decisions, unless prevented by law
- All Members have the right to an efficient meeting
- All Members have the right to be treated with respect and courtesy
- All Members have equal rights, privileges and obligations

Conducting Business



Speaking to an Item



- Move motion – Mover and Secunder
- Chair will recognize the motion on the floor and proceed with facilitation of discussion
- Member who moved the item will be given the first opportunity to speak
- Wait to be recognized by Chair
- Speak to delegations “Through the Chair”
- When Member has the floor no other Member will interrupt them

Motions and Staff Directions



- Move staff recommendation, or alternative
- Amend motion on the floor
- One motion on floor at time
- Use motions to direct staff to undertake an action

Voting on an Item



- All votes are public
- Chair will call the question
- Abstaining from voting is a vote in the negative
- All Members vote including Chair
- Tie vote is deemed lost
- Recorded vote

Notice of Motion



- Proposal for action by a Member of Council regarding an issue that is not on the agenda
- Notice provided verbally at meeting
- Notice of Motion is not debatable
- Submit written motion to City Clerk for inclusion in the following meeting agenda

Amendment



- Introduced during debate on main motion
- Must be germane (relevant) to the main motion
- Must not be contrary to the main motion

1. Vote on amendment
2. Vote on amended motion

Defer and Refer



Defer

- Postpone consideration of item to a specific date
- Stops discussion on item and only debate why matter should/should not be deferred

Refer

- Request further consideration of item by another person/group
- Send item to a staff member, department, committee, board

Reconsider an Item



- Notice of Motion required to reopen decision from previous meeting
- Only Member on prevailing side of original decision can file Notice of Motion
- Member moving reconsideration will state reason for motion
- Majority vote is required to approve reconsideration

Point of Order



- A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been:
 - a deviation or departure from these rules; or
 - a deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion;
- The Member shall clearly and succinctly state the point of order, and the Mayor shall decide on the point of order
- Thereafter, a Member shall only address the Mayor for the purpose of appealing the Mayor's decision to Council
- If no Member immediately appeals, the decision of the Mayor shall be final

Point of Privilege



A Member may rise at any time on a point of personal privilege

- where a Member feels that their integrity or the integrity of the Council has been called into question by another Member or anyone present at the meeting.

Closed Meetings



All meetings open to the public. Limited and specific exceptions for closed meetings:

- security of municipal property
- personal matters about an identifiable individual
- proposed or pending acquisition or disposition of land
- labour relations or employee negotiations
- litigation or potential litigation
- advice that is subject to solicitor-client privilege
- training or education purposes
 - without advancing business or council decision-making
- matter permitted under another Act to be considered in a closed meeting
- consideration of a Freedom of Information request
- an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman

Closed Meetings



All meetings open to the public. Limited and specific exceptions for closed meetings:

- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- 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.

Closed Meeting Protocol



- Resolution passed in open session
 - Acknowledge fact of closed meeting
 - Indicate the general nature of the matter to be considered
- No additional items

Closed Meeting Protocol



- Votes are only permitted for the following
 - Procedural Matters
 - Provide Direction
 - Adjournment

Not in Procedural By-law



If not listed in the Procedural By-law then
Council will follow rules set out in Bourinot's Rules
of Procedures

Ask the Clerk!



Questions?

