

**City of Port Colborne
Regular Council Meeting 35-19
Minutes**

- Date:** December 9, 2019
- Time:** 9:10 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
R. Bodner, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor
- Staff Present:** T. Cartwright, Fire Chief
A. Grigg, Director of Community and Economic Development
N. Halasz, Manager of Parks and Recreation
A. LaPointe, Acting Director of Corporate Services/City Clerk
C. Madden, Deputy Clerk (minutes)
T. Rogers, Acting Director of Planning & Development
P. Senese, Interim Chief Administrative Officer
S. Shypowskyj, Acting Director of Engineering and Operations
M. Minor, Marina Supervisor
C. Larocque, Marina Coordinator
A. Vander Veen, Drainage Superintendent

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 205 Moved by Councillor F. Danch
Seconded by Councillor D. Kalailieff

That the agenda dated December 9, 2019 be confirmed, as circulated.

CARRIED

4. **Disclosures of Interest:**

Nil.

5. **Adoption of Minutes:**

No. 206 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

- (a) That the minutes of the special meeting of Council 33-19, held on November 25, 2019, be approved as presented.
- (b) That the minutes of the regular meeting of Council 34-19, held on November 25, 2019, be approved as presented.

CARRIED.

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

Nil.

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

No. 207 Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That Items 1 to 16 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. **Engineering and Operations Department, Engineering Division, Report 2019-176, Subject: Skelton Municipal Drain Meeting to Consider**

Council Resolved:

That the Mayor and Clerk be directed to execute a by-law to provisionally adopt the Skelton Municipal Drain Engineer's Report, dated October 29, 2019, prepared by Brandon Widner, P. Eng. of

Spriet Associates Engineers & Architects, under Section 78, Chapter D.17 of the *Drainage Act R.S.O. 1990*.

That staff be directed to advance the Skelton Municipal Drain Engineer's Report to that of the Court of Revision, as per Section 46(1), Chapter D.17 of the *Drainage Act R.S.O. 1990*.

That Councillor Bagu and Councillor Wells be appointed as a member of the Skelton Municipal Drain Court of Revision and Councillor Bruno be appointed as an alternate to be tentatively scheduled for January 21, 2020, and to be confirmed with the adjoining municipalities.

2. **Community and Economic Development Department, Parks and Recreation Division, Report 2019-190, Subject: Presentation of Parks and Recreation Master Plan (Draft)**

Council Resolved:

That the Parks and Recreation Master Plan, as presented in Community and Economic Development, Parks and Recreation Report 2019-190, Subject: Presentation of Parks and Recreation Master Plan (Draft), be endorsed;

That the Director of Community and Economic Development be directed to commence implementation of the recommendations found within the Parks and Recreation Master Plan, including the submission of items for Council approval through the annual capital and operating budget process, and report back quarterly on implementation progress.

3. **Motion by Councillor Bagu Re: Grant Monies for Residential Lead- Lined Water Service Replacement**

Council Resolved:

That staff bring forward a request in the 2020 water/wastewater budget process for the implementation of a 1 year grant program for homeowners to receive assistance when replacing their lead / leaking service lines.

4. **Fire and Emergency Services Department, Report 2019-189, Subject: Municipal Establishing and Regulating By-law**

Council Resolved:

That the proposed by-law be adopted as the City of Port Colborne's Fire Department Establishing and Regulating By-law, and that By-law No. 6606/61/18 be repealed; and

That the Mayor and City Clerk be authorized to execute the appropriate documents.

5. Corporate Services Department, Finance Division, Report 2019-177, Subject: Cancellation, Reduction or Refund of Realty Tax

Council Resolved:

That the applications pursuant to Section 357/358 of the *Municipal Act, 2001*, as amended, 2019-07, 2019-08 and 2018-11 be approved to cancel or reduce taxes in the total amount of \$6,028.59.

6. Corporate Services Department, Report 2019-185, Subject: Approval of Spending Limits During the Interval Prior to the Approval of the 2020 Budget Estimates

Council Resolved:

That until such time that the 2020 Current Budget is adopted, the following be approved:

1. City Departments, Boards, and Agencies be allowed to incur operating costs to a level of 50% of the departmental expenditure of the prior year.
2. New capital items deemed essential by a department be approved by the respective Standing Committee or Board, or Agency and the Council of the City of Port Colborne prior to purchase.
3. That this policy be communicated to all Department Directors, Boards, and Agencies.

7. Corporate Services Department, Report 2019-186, Subject: Penalty Charges and Interest Rates for 2020

Council Resolved:

That the Penalty Charges and Interest Charges by-law be adopted to establish the 2020 late payment charges on payments due to the municipality.

8. Corporate Services Department, Report 2019-187, Subject: 2020 Interim Tax Billing

Council Resolved:

That a by-law be adopted to authorize the 2020 interim levy of taxes for all property tax classes, from the last revised assessment roll, before the adoption of the estimates for the year and final tax levy rates are established.

9. Corporate Services Department, Report 2019-188, Subject: 2020 Borrowing By-law

Council Resolved:

That Council adopt a by-law to authorize temporary borrowing, as required, of up to \$4,000,000.00 for operating cash flow to meet the current expenditures of the Corporation until property taxes are billed and collected.

10. Planning and Development Department, Report 2019-192, Subject: Department of Planning and Development 2019 Activity Report

Council Resolved:

That Department of Planning and Development Report 2019-192, 2019 Activity Report be received for information.

11. Engineering and Operations Department, Operations Division, Report 2019-193, Subject: Port Colborne Drinking Water Quality Management System (DWQMS) Re-accreditation Audit

Council Resolved:

That Engineering and Operations Department Report 2019-193, Port Colborne Drinking Water Quality Management System Re-accreditation Audit be received for information.

12. Juli Longaphie, Main Street BIA Secretary Re: Main Street Business Improvement Area - Appointment of Board Members

Council Resolved:

That Stephen Williams, Marsha Cox, and Dee Tilbrook be appointed to the Main Street Business Improvement Area Board for a term ending December 31, 2022.

13. Memorandum from Nancy Giles, Executive Assistant Re: Report from Grant Policy Committee – Policy and Application Changes

Council Resolved:

That the memorandum from Nancy Giles, Executive Assistant on behalf of the Grant Policy Committee Re: Report from the Grant Policy Committee – Policy and Application changes, be received;

That Section 3.0 of the Grant Policy be amended by adding “or a non-profit organization within the City of Port Colborne”; and

That Council approve the request from the Grant Policy Committee regarding changes to the Grant Policy and Grant Application.

14. Region of Niagara Re: Analysis of Niagara Region’s Role in Tourism (ED Report 12-2019)

Council Resolved:

That the correspondence received from the Region of Niagara Re: Analysis of Niagara Region’s Role in Tourism, be received for information; and

That the Economic Development Officer to provide comment to the Niagara Region.

15. Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report – July 1 to September 30, 2019

Council Resolved:

That the correspondence received from the Region of Niagara Re: Niagara Regional Housing Quarterly Report – July 1 to September 30, 2019, be received for information.

16. Township of Wainfleet Re: Municipal Liability and Insurance Costs

Council Resolved:

That the resolution received from the Township of Wainfleet Re: Municipal Liability and Insurance Costs, be received for information.

CARRIED

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

No. 208

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

- (a) That the minutes of the Canal Days Advisory Committee Meeting of September 11, 2019 and October 22, 2019, be received.
- (b) That the minutes of the Senior Advisory Council Meeting of August 15, 2019 and September 19, 2019, be received.
- (c) That the minutes of the Port Colborne Active Transportation Advisory Committee Meeting of July 15, 2019 and September 16, 2019, be received.
- (d) That the minutes of the Port Colborne Public Library Board Meeting of October 8, 2019, be received.
- (e) That the minutes of the Grant Policy Committee Meeting of July 31, 2019, be received.

CARRIED

11. Consideration of By-laws:

No. 209

Moved by Councillor D. Kalailieff
Seconded by Councillor R. Bodner

That the following by-laws be enacted and passed:

- 6694/58/19 Being a By-law Establishing an Emergency Management Program for the Protection of Public Safety, Health, the Environment, Critical Infrastructure and Property, and to Promote Economic Stability and a Disaster-Resilient Community Repealing By-law No. 6555/10/18
- 6743/107/19 Being a By-law to Designate 380 King Street, in the City of Port Colborne, Regional Municipality of Niagara, to be of Cultural Heritage Value or Interest pursuant to the

- 6744/108/19 provisions of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18, as amended
Being a By-law to Provide for a Section 78 Engineer's Report for a Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara Known as the Skelton Municipal Drain
(First and Second Reading)
- 6745/109/19 Being a By-law to Establish and Regulate the City of Port Colborne Fire and Emergency Services (Composite)
- 6746/110/19 A By-law to Establish Penalty Charges and Interest Charges on Payments Due to the Municipality for 2020
- 6747/111/19 Being a By-law to Provide for an Interim Tax Levy for the Year 2020
- 6748/112/19 Being a By-law to Authorize the Temporary Borrowing of \$4,000,000.00 for 2020
- 6749/113/19 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 December 9, 2019

CARRIED

12. Council in Closed Session:

Motion to go into Closed Session – 9:13 p.m.:

No. 210 Moved by Councillor R. Bodner
Seconded by Councillor D. Kalailieff

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 meeting: November 25, 2019.
- (b) Planning and Development Report 2019-159, regarding property investigations, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, and Subsection 239(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 1. The meeting is held for the purpose of educating or training members.

2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

CARRIED

Motion to Rise With Report:

No. 211 Moved by
Seconded by

That Council do now rise from closed session with report at approximately 10:00 p.m.

CARRIED

13. Disclosures of Interest Arising From Closed Session:

None.

14. Report/Motions Arising From Closed Session:

- (a) **Planning and Development Report 2019-159, regarding property investigations, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, and Subsection 239(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:**
 1. The meeting is held for the purpose of educating or training members.
 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

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

15. Adjournment:

Mayor Steele adjourned the meeting at approximately 10:01 p.m.

William C. Steele
Mayor

Amber LaPointe
City Clerk

AL/cm