

**City of Port Colborne
Regular Meeting of Council 32-19
Minutes**

- Date:** November 12, 2019
- Time:** 7:40 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Deputy Mayor (presiding officer)
A. Desmarais, Councillor
D. Kalailieff, Councillor
H. Wells, Councillor
- Members Absent:** E. Beauregard, Councillor
A. Desmarais, Councillor
W. Steele, Mayor
- Staff Present:** D. Aquilina, Director of Planning and Development
A. LaPointe, Acting Director of Corporate Services/City Clerk
P. Senese, Interim Chief Administrative Officer
L. Nelson, EAA to the Director of Corporate Services (minutes)

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

1. Call to Order:

Deputy Mayor Danch called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 191 Moved by Councillor M. Bagu
Seconded by Councillor G. Bruno

That the agenda dated November 12, 2019 be confirmed, as
circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Councillor Danch declared a pecuniary interest regarding item 13. Councillor Danch refrained from discussing or voting on item 13.

5. **Adoption of Minutes:**

No. 192 Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

(a) That the minutes of the regular meeting of Council 31-19, held October 28, 2019, be approved as presented.

CARRIED.

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

Nil.

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

No. 193 Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That items 1 to 15 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. **Planning and Development Department, Planning Division, Report 2019-161, Subject: Cannabis Production – Interim Control By-law**

Council Resolved:

That Council pass an Interim Control By-law, pursuant to Section 38 of the Planning Act, for a period of one year, prohibiting retail cannabis production on all properties in the City;

That the definition of facility in the draft by-law be renamed cannabis production facility; and

That the Mayor and City Clerk be authorized to execute the necessary amended by-law to give effect to Council's decision; and that the Notice of Decision required by the Planning Act, R.S.O. 1990, as amended, be processed by staff.

2. **Planning and Development Department, Planning Division, Report 2019-168, Subject: Land Sale on Lorraine Road**

Council Resolved:

That By-law 6706/70/19 Being A By-Law To Authorize Entering Into An Agreement Of Purchase And Sale be amended to remove Helen Liiodromitis.

That the City enters into an Agreement of Purchase and Sale with Robert and Tanya Kriter for \$230,000 plus HST.

That the Mayor, Clerk and City Solicitor be authorized to sign and execute any and all documents respecting the sale of these lands.

3. Planning and Development Department, Planning Division, Report 2019-173, Subject: Ministry of Environment, Conservation and Parks Response Regarding Safe Soil Levels of the CBRA

Council Resolved:

That Planning and Development Department report 2019-173, Ministry of the Environment, Conservation and Parks Response Regarding Safe Soil Levels of the CBRA be received for information; and

That the Director of Planning and Development discuss concerns about land use change burdens associated with requiring a RSC with Vale.

4. Planning and Development Department, Planning Division, Report 2019-174, Subject: Condominium Exemption Request – 57 Minto Street

Council Resolved:

That Council approves the request for exemption from draft plan of condominium for the development at 57 Minto Street.

5. Engineering and Operations Department, Engineering Division, Report 2019-172, Subject: Eagle Marsh Municipal Drain – Appointment of Engineer

Council Resolved:

That the Council of the City of Port Colborne receives Report 2019-172 with respect to Eagle Marsh Drain Engineer Appointment as information; and

That Brandon Widner P. Eng. Of Spriet Associates Engineers and Architects. be appointed under Section 8 of the Drainage Act, Chapter D.17 R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Eagle Marsh Municipal Drain.

6. Corporate Services Department, Finance Division, Report 2019-163, Subject: Audit Results for the year ended December 31, 2018

Council Resolved:

The Council accept and approve the Audit Results report for the year ended December 31, 2018.

**7. Corporate Services Department, Finance Division, Report 2019-164
Subject: Approval of the 2018 Consolidated Financial Statements**

Council Resolved:

That Council approve the Consolidated Financial Statements for the year ended December 31, 2018.

**8. Corporate Services Department, Finance Division, Report 2019-165,
Subject: Development Charge Reserve Funds – 2018 Year-end Update**

Council Resolved:

That Council receives the attached Development Charge Statement for information.

**9. Community and Economic Development Department, Parks and
Recreation Division, Report 2019-158, Subject: Annual Lighted Santa Claus
Parade – Road Closures**

Council Resolved:

1. That the road closures necessary for the Annual Lighted Santa Claus Parade on Saturday, December 7, 2019, as outlined in Community and Economic Development, Report 2019-158, be approved;
2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 7, 2019, for the purpose of parade staging:
 - Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and
 - Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and
 - Fielden Avenue, at the western limit of Delhi Street.
3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 7, 2019, for the purpose of parade staging and to provide for a safe viewing area of the parade:
 - Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;
 - West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and
 - Charlotte Street, from the western limit of Elm Street to the eastern limit of West Street.

4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 7, 2019, to restrict through traffic onto the parade route:
 - North and west intersections of Steele Street and Elgin Street;
 - East intersection of Steele Street at Carter Street;
 - East intersection of Steele Street at Park Street;
 - East intersection of Steele Street at Tugboat Lane;
 - West and south intersections of Steel Street and Clarence Street;
 - North and south intersections of Fielden Avenue at Clarence Street;
 - North and south intersections of Elm Street at Clarence Street;
 - North and south intersections of Catharine Street at Clarence Street;
 - North and south intersections of King Street at Clarence Street;
 - North and east intersections of West Street at Clarence Street;
 - South intersection of West Street at Charlotte Street;
 - North and south intersections of King Street at Charlotte Street;
 - and
 - East and north intersections of Charlotte Street and Catharine Street.
 5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;
 6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the Parade route;
 7. That Public Works staff will block off all parking stalls along the parade route with pylons beginning at the time of the traffic and parking restrictions;
 8. That By-law Enforcement staff ticket and remove vehicles as necessary along the parade route during the time of the traffic and parking restrictions closures.
10. **Memorandum from Janice Peyton, Executive Assistant, DEO Re: Transit Advisory Committee – Community Bus Saturday Service Pilot Program**

Council Resolved:

That the Memorandum from Janice Peyton, Executive Assistant, DEO on behalf of the Transit Advisory Committee Re: Community Bus Saturday Service Pilot Program, be received for information; and

That the Council of the City of Port Colborne be notified that the Port Colborne Transit Advisory Committee is in agreement with increasing the Port Colborne Community bus services through a pilot project coordinated

with Welland Transit, to run on Saturdays for a six-hour block of time. The pilot project will be in place from May 2, 2020 to December 31, 2020.

11. Region of Niagara Re: Actions & Resources to Join the Coalition of Inclusive Municipalities Report CAO 14-2019

Council Resolved:

That the correspondence received from the Region of Niagara Re: Actions & Resources to Join the Coalition of Inclusive Municipalities Report CAO 14-2019, be received for information.

12. Region of Niagara Re: Proposed Cuts to Legal Aid Ontario Budget

Council Resolved:

That the correspondence received from the Region of Niagara Re: Proposed Cuts to Legal Aid in Ontario Budget, be received for information.

14. City of Niagara Falls Re: School Bus Camera Legislation

Council Resolved:

That the resolution received from the City of Niagara Falls Re: School Bus Camera Legislation, be received for information.

15. Town of Kingsville Re: Local Health Care Services

Council Resolved:

That the resolution received from the Town of Kingsville Re: Local Health Care Services, be received for information.

preparation of a new engineer's report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Oil Mill Creek Drain.

That the Council of the City of Port Colborne receives Report 2019-156 with respect to Biederman Drain Engineer Appointment as information; and

That Brandon Widner P. Eng. Of Spriet Associates Engineers and Architects. be appointed under Section 8 of the Drainage Act, Chapter D.17 R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Biederman Municipal Drain.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

13. Town of Fort Erie Re: Port Colborne Quarry and the Aquifer through Fort Erie

Moved by Councillor M. Bagu
Seconded by Councillor R. Bogner

That the resolution received from the City of Niagara Falls Re: School Bus Camera Legislation, be received for information.
CARRIED.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

Nil.

11. Consideration of By-laws:

No. 194 Moved by Councillor G. Bruno
Seconded by Councillor D. Kalailieff

That the following by-laws be enacted and passed:

- 6732/96/19 Being a By-law to Appoint an Interim Chief Administrative Officer for the City of Port Colborne (Peter Senese)
- 6733/97/19 Being a By-law to Establish Development Charges for the City of Port Colborne
- 6734/98/19 Being a By-law to Amend By-law 6706/70/19 Being a By-law to Authorize Entering Into an Agreement of Purchase and Sale with Helen Lliodromitis for the Sale of Part 2 on Plan 59R-10301 and with Paul and Kathleen Kuronen for the Sale of Part 6 on Plan 59R-10301
- 6735/99/19 Being a By-law to Authorize Entering Into an Agreement of Purchase and Sale with Robert and Tanya Krier respecting Part 2 on Plan 59R-10301
- 6736/100/19 Being a By-law to Authorize Entering Into an Agreement with Spriet Associates Engineers & Architects for the Eagle Marsh Municipal Drain
- 6737/101/19 Being a By-law to Temporarily Close Sections of Various Streets to Vehicular Traffic for the Purpose of the Annual Lighted Santa Claus Parade
- 6738/102/19 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 November 12, 2019

CARRIED.

12. Council in Closed Session:**Motion to go into Closed Session – 7:45 p.m.**

No. 195 Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

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: September 23, 2019.
- (b) Engineering and Operations Department, Engineering Division, Report 2019-171, 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.
- (ii) Disclosures of Interest (closed session agenda):
- (iii) Consideration of Closed Session Items:
- (iv) Motion to Rise with Report:

CARRIED.

Motion to rise with report:

No. 196 Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

That Council do now rise from closed session with report at approximately 8:18 p.m.

CARRIED.

13. Disclosures of Interest Arising from Closed Session:

Nil.

14. Reports/Motions Arising from Closed Session:

- (b) Engineering and Operations Department, Engineering Division, Report 2019-171, 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 City Clerk reported that direction was provided to staff during closed session in accordance with the *Municipal Act, 2001*.

15. **Adjournment:**

No. 197 Moved by Councillor G. Bruno
Seconded by Councillor D. Kalailieff

That the Council meeting be adjourned at approximately 8:20 p.m.
CARRIED.



Franck Danch
Deputy Mayor



Amber LaPointe
Acting Director of Corporate
Services/City Clerk

AL/ln