

**City of Port Colborne
Regular Council Meeting 21-19
Minutes**

- Date:** July 22, 2019
- Time:** 7:44 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:** D. Aquilina, Director of Planning and Development
B. Garrett, Director of Corporate Services
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer

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. 130 Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

That the agenda dated July 22, 2019 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Nil.

5. **Adoption of Minutes:**

- (a) **Special meeting of Council 18-19, held on July 8, 2019.**
- (b) **Regular meeting of Council 19-19, held on July 8, 2019.**

No. 131 Moved by Councillor E. Beauregard
Seconded by Councillor D. Kalailieff

- (a) That the minutes of the special meeting of Council 18-19, held on July 8, 2019, be approved as presented.
- (b) That the minutes of the regular meeting of Council 19-19, held on July 8, 2019, be approved as presented.

CARRIED.

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

Nil.

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

No. 132 Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

That Items 1 to 12 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. **Motion by Councillor Wells Re: Review of Noise and Discharge of Firearms By-laws**

Council resolved:

That the Director of Planning and Development be directed to update By-Law No. 4588/119/04, being a by-law to regulate noise and By-Law No. 2499/115/90, being a by-law to prohibit and regulate the discharge of guns and other weapons within the City of Port Colborne; and

That the review includes consideration of the distance from buildings of discharge and provisions to include reactive targets, (Type S.2) high hazard Special Purpose Explosives; and

That staff report back to Council with a recommendation in October 2019.

2. Motion by Councillor Wells Re: Review of Removal of Topsoil and Placement of Fill By-law

Council resolved:

That the Director of Planning and Development be directed to update By-Law No. 5528/125/10 a by-law to prohibit or regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land within the city of Port Colborne; and

That the review includes the new provincial regulations, recent issues with fill sites, state of the art fill sites, best practices of site alteration techniques and processes and realistic fee structures proportional to the complexity of the application and conditions related to the size and nature of the site in question, and duration of the alteration; and

That staff report back to Council with a recommendation in the winter of 2019; and

That the Director of Planning and Development report back to Council in August 2019 regarding funding availability for consulting services for special projects within the department.

3. Engineering and Operations Department, Engineering Division, Report 2019-112, Subject: Young & Hopf-Wagner Drain

Council resolved:

That Project 2019-11 Young & Hopf-Wagner Drains be awarded to CRL Campbell Construction & Drainage Ltd of Wainfleet, Ontario, for the total tendered price of \$696,497.90 plus applicable taxes. Staff is directed to utilize the bid items as listed within the awarded Tender Documents, in such a manner as to complete all required works, all the while, keeping within the annual budget allocations by Council; and

That funding for Project 2019-11 Young & Hopf-Wagner Drains be financed on an interim basis, under GL Account: 3-560-33243-3328 and that staff be authorized to initiate billings back to the Municipal Drains Watershed at the completion of the Watershed works; and

That a by-law, in which the City enters into a Contract Agreement with the Contractor, be prepared upon final budget approval.

4. Engineering and Operations Department, Engineering Division, Report 2019-113, Subject: Schihl Municipal Drain Meeting to Consider

Council resolved:

That the Mayor and Clerk be directed to execute a by-law to provisionally adopt the Schihl Municipal Drain Engineer's Report, dated March 28, 2019, prepared by Neal Morris, P. Eng. of K. Smart Associates Limited, under Section 4, Chapter D.17 of the *Drainage Act R.S.O. 1990*.

That staff be directed to advance the Schihl 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 Wells and Councillor Bodner be appointed as a member of the Schihl Municipal Drain Court of Revision and Mayor Steele be appointed as an alternate.

5. Community and Economic Development Department, Parks and Recreation Division, Report 2019-114, Subject: By-law Exemption Request – Canal Days Marine Heritage Festival Bass Pro Outdoor World Shooting Range

Council resolved:

That a temporary exemption to By-law 2499/115/90, Being a By-law to Prohibit and Regulate the Discharge of Guns and Other Weapons within the City of Port Colborne be approved, specifically for the purpose of permitting Bass Pro Outdoor World to offer a BB gun shooting range attraction during the 2019 Canal Days Marine Heritage Festival, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2019-114, Subject: By-law Exemption Request - Canal Days Marine Heritage Festival Bass Pro Outdoor World Shooting Range.

6. Corporate Services Department, Clerk's Division, Report 2019-116, Subject: Appointments to Boards and Committees

Council resolved:

That Nancy Busch be appointed to the Accessibility Advisory Committee for a term ending December 21, 2023.

That Wade Smith and Gregg Dame be appointed to the Active Transportation Committee for a term ending December 31, 2023.

That Kevin Reles and Angela Doyle be appointed to the Economic Development Advisory Committee for a term ending December 31, 2023.

That Trent Doan, Steven Rivers, and Norbert Gieger be appointed to the Environmental Advisory Committee for a term ending December 21, 2023.

That Nancy Busch and Heidi Grzesina be appointed to the Senior Citizen Advisory Council for a term ending December 31, 2023.

That Jack Hellinga be recommended to Council of the Region of Niagara to be appointed to serve on the Niagara Peninsula Conservation Authority Board.

7. Planning and Development Department, Planning Division, Report 2019-117, Subject: Lorraine Road Property Sale

Council resolved:

That Council declares Part 2 and 6 on Plan 59R-10301 as surplus to the City's needs; and

That the City enter into an Agreement of Purchase and Sale with Helen Lliodromitis for \$230,000 plus HST and with Paul and Kathleen Kuronen for \$250,000 plus HST; and

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

8. Planning and Development Department, Planning Division, Report 2019-119, Subject: Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street

Council resolved:

That the Official Plan Amendment, attached to Planning and Development Department, Planning Division, Report 2019-119 as Appendix A, changing the designation of the property from "Parks and Open Space" to "Industrial Areas", be approved.

That the Zoning By-law Amendment, attached to Planning and Development Department, Planning Division, Report 2019-119 as Appendix B, rezoning the land from "P-CH" to "LI-51", be approved.

That Planning staff be directed to prepare the Notice of Passing in accordance with the *Planning Act* and circulate to all applicable parties.

9. **Engineering and Operations Department, Engineering Division, Report 2019-120, Subject: Information Report on Fees for the Engineering and Operations Department**

Council resolved:

That the Fees Schedule for 2019 be established as the 2018 rates and fees plus an adjustment for inflation, based on the CANADATA index for 2019, (2.7% increase).

That Engineering and Operations staff be directed to track in 2019-2020, all actual costs, for labour, materials and equipment required in performing a task or supplying a service and then use that data to annually adjust the rates and fees schedules on an annual basis.

10. **Memorandum from Port Colborne Transit Advisory Committee Re: Support of Entering into an Agreement with Regional Transit**

Council resolved:

That the recommendation by the Transit Advisory Committee that the City of Port Colborne enter into an agreement with Regional Transit for the purpose of increasing the shares of Provincial Gas Tax, be supported, and that the Region be so notified.

11. **Memorandum from the Environmental Advisory Committee, Re: Vale Community-Based Action Plan**

Council resolved:

That consideration of the Memorandum from the Environmental Advisory Committee, Re: Vale Community-Based Action Plan be referred to the Director of Planning and Development for review; and

That the Director of Planning and Development report back with comments to Council on August 26, 2019 Committee of the Whole meeting.

12. Maple Leaf Strategies Re: Support for Rural Investment Tax Credit

Council resolved:

That the creation of a rural investment tax credit being advocated by the Rural Opportunity and Investment Coalition (ROI), be supported.

CARRIED.

8. Proclamations:

(a) International Lighthouse Day, August 7, 2019

No. 133 Moved by Councillor R. Bodner
 Seconded by Councillor A. Desmarais

Whereas the 7th of August is International Lighthouse Day, therefore we seek recognition here by having Lighthouse Day declared in Port Colborne;

And Whereas, this recognition acknowledges our rich marine based history, culture and industry;

And whereas Port Colborne is unique, having 2 lighthouses connected by a tunnel;

And whereas we are able to have tours to same, through co-operative inter-agency agreements, thus meeting the public's ever growing interest in lighthouses.

And whereas this public interest re-enforces Friends of Port Colborne Lighthouses efforts to increase access and gain stewardship so that they may be properly preserved, restored, maintained and shared with the public for future generations;

Now therefore, I, Mayor, William C. Steele, proclaim August 7th "Lighthouse Day" in the City of Port Colborne.

CARRIED.

9. Minutes of Boards, Commissions & Committees:

Nil.

10. Consideration of By-laws:

No. 134 Moved by Councillor D. Kalailieff
Seconded by Councillor E. Beauregard

That the following by-laws be enacted and passed:

- 6704/68/19 Being a by-law to adopt amendment no. 6 to the Official Plan for the City of Port Colborne
- 6705/69/19 Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as Part Lot 27 Concession 1, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known at 170 Welland Street
- 6706/70/19 Being a by-law to authorize entering into an agreement of purchase and sale with Hellen Dlliodromitis 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
- 6707/71/19 Being a by-law to authorize entering into a contract agreement with CRL Campbell Construction & Drainage Ltd. of Wainfleet, ON Re tender 2019-11, Young & Hopf Wagner Drains
- 6708/72/19 Being a by-law to provide for a Section 4 Engineer’s Report for a drainage works in the City of Port Colborne in the Regional Municipality of Niagara known as the Schihl Municipal Drain
- 6709/73/19 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 July 22, 2019

CARRIED.

11. Adjournment:

No. 135 Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That the Council meeting be adjourned at approximately 7:47 p.m.

CARRIED.

William C. Steele
Mayor

Amber LaPointe
City Clerk