

**City of Port Colborne
Regular Council Meeting 08-19
Minutes**

Date: March 25, 2019

Time: 10:27 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, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
M. Evely, Recording Clerk
A. LaPointe, City Clerk
S. Luey, Chief Administrative Officer
P. Senese, Director of Corporate Services
S. Shypowskyj, Manager of Projects & Design
D. Suddard, Environmental Compliance Supervisor

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

That the agenda dated March 25, 2019 be confirmed, as
circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Councillor Wells declared a pecuniary interest regarding item 1 as it could affect the value of his property.

5. Adoption of Minutes:

No. 50 Moved by Councillor E. Beauregard
Seconded by Councillor A. Desmarais

That the minutes of the regular meeting of Council 06-19, held on March 11, 2019, be approved as presented.
CARRIED.

6. Determination of Items Requiring Separate Discussion:

Items 4 and 5.

7. Approval of Items Not Requiring Separate Discussion:

No. 51 Moved by Councillor E. Beauregard
Seconded by Councillor F. Danch

That Items 1 to 22 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.

Item:

2. Planning and Development Department, Planning Division, Report 2019-35, Subject: Downtown CBD CIP Expansion

Council resolved:

That staff be directed to process an application to consider the inclusion of 176 Elm Street in the Central Business District Community Improvement Plan.

3. Planning and Development Department, By-law Enforcement Division, Report 2019-40, Subject: 2019-02 By-law Enforcement Services – Refuse/ Debris Removal & Property Grass Mowing – 4 year contract

Council resolved:

That Council award Tender 2019-02 By-law Services - Refuse and Debris Removal & Property Grass Mowing – 4 year contract to Greenside Landscaping & Lawn Service Inc. of Port Colborne, Ontario, for the total tendered price of \$7,185.00 plus applicable taxes.

That this report be approved as presented and the Clerk be authorized to execute the contract Agreement.

**6. Corporate Services Department, Finance Division, Report 2019-36,
Subject: Statement of Remuneration and Expenses 2018**

Council resolved:

That the Report on Remuneration and Expenses for 2018 be received for information purposes as per Sections 283 and 284 of the Municipal Act, 2001, as amended.

7. Engineering and Operations Department, Engineering Division, Report 2019-39, Subject: Application for Bulk Water Haulage Agreement – Village Enterprises Water Haulage

Council resolved:

That the Council of the City of Port Colborne authorize entering into a Bulk Water Sales Agreement with:

Village Enterprises Water Haulage
3645 Carver Street
Stevensville, ON L0S 1S0

And that the Mayor and Clerk be authorized to sign the agreement.

8. Engineering and Operations Department, Operations Division, Report 2019-32, Subject: Port Colborne Distribution System Annual Summary Report

Council resolved:

That Council accepts report 2019-32, Port Colborne Distribution System Annual Summary Report, prepared in accordance with O.Reg. 170/03 for information.

9. Engineering and Operations Department, Operations Division, Report 2019-33, Subject: 2018 Sherkston Community Centre Cistern System Annual Drinking Water Quality Report

Council resolved:

That Council accept report 2019-33, Sherkston Community Centre Annual Drinking Water Quality Report, prepared in accordance with O.Reg. 170/03, for information.

10. Community and Economic Development Department, Parks and Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival

Council resolved:

That the Director of Community and Economic Development be directed to coordinate with the City Clerk to schedule a facilitated strategic planning session for City Council (via a special Council meeting) regarding the Canal Days Marine Heritage Festival at the earliest possible date, as outlined in Community & Economic Development, Parks & Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival; and

That the Director be authorized to secure the services of MHBC for the purpose of facilitating the above noted strategic planning session, at a cost of \$5,500, excluding taxes, as part of the preparation of the City's Parks and Recreation Master Plan to be funded with surplus funds from the completed Arts and Culture Master Plan which the Director of Corporate Services has advised are available.

11. Memorandum from Richard Daniel, Manager of Operations Re: Request for Proclamation of April 2019 as Dig Safe Month

Council resolved:

That the month of April 2019 be proclaimed as "Dig Safe Month" in the City of Port Colborne in accordance with the request received from Richard Daniel, Manager of Operations, City of Port Colborne.

12. Vance Badawey, Member of Parliament, Niagara Centre Re: Update on the Investing in Canada Infrastructure Program

Council resolved:

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Update on the Investing in Canada Infrastructure program be received for information.

13. Region of Niagara Re: Status of Niagara Region Incentives and Grants

Programs

Council resolved:

That the correspondence received from Doug Giles, Director of Community & Long Range Planning, Region of Niagara Re: Status of Niagara Region Incentives and Grants Programs, be received for information.

14. Region of Niagara Re: Provincial Review of Regional Government

Council resolved:

That the letter received from the Region of Niagara regarding a letter from the Local Area Municipal Mayors, dated March 6, 2019 respecting Provincial Review of Regional Government, for consideration by respective Councils, be supported.

15. Region of Niagara Re: Notice of Passing of By-law to Amend By-law 112-2013 Being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke – Triple Majority Requirement – PHD Report 02-2019 – January 8, 2019

Council resolved:

That Council consent to the update of Regional By-law No. 112-2013 to harmonize with the Smoke Free Ontario Act to include vaping and cannabis, as an interim measure for consistency, with an appropriate sunset clause.

16. Region of Niagara Re: 2019 Budget-Waste Management Services Operating Budget and Requisition (CSD Report 7-2019)

Council resolved:

That the correspondence received from the Region of Niagara Re: 2019 Budget-Waste Management Services Operating Budget and Requisition, be received for information.

17. Region of Niagara Re: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD Report 8-2019 Revised)

Council resolved:

That the correspondence received from the Region of Niagara Re: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD Report 8-2019), be received for information.

18. Region of Niagara Re: Environmental Planning Function Overview (PDS Report 2-2019)

Council resolved:

That the correspondence received from the Region of Niagara Re: Environmental Planning Function Overview (PDS Report 2-2019), be received for information.

19. Region of Niagara Re: Development Applications Monitoring Report - 2018 Year End (PDS Report 3-2019)

Council resolved:

That the correspondence received from the Region of Niagara Re: Development Applications Monitoring Report – 2018 Year End, be received for information.

20. Region of Niagara Re: Update on Natural Environment Work Program – New Regional Official Plan (PDS Report 10-2019)

Council resolved:

That the correspondence received from the Region of Niagara Re: Update on Natural Environment Work Program – New Regional Official Plan, be received for information.

21. Niagara Regional Housing Re: Quarterly Report – October 1 to December 31, 2018

Council resolved:

That the correspondence received from Niagara Regional Housing Re: Quarterly Report – October 1 to December 31, 2018, be received for information.

22. City of Guelph Re: Maintaining the Voters' List for Municipal Elections

Council resolved:

That the resolution received from the City of Guelph Re: Maintaining the Voters' List for Municipal Elections, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

**1. Planning and Development Department, Planning Division, Report 2019-38,
Subject: Site Alteration Permit Additional Review – Port Colborne Quarries**

Council Resolved:

No. 52 Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That consideration of Report 2019-38, Subject: Site Alteration Permit Additional Review – Port Colborne Quarries be referred to the Director of Planning & Development to consider the proposed amendments to the recommendation made by staff.
CARRIED.

**4. Corporate Services Department, Finance Division, Report 2019-37,
Subject: 2019 Operating/Capital Budget**

Council Resolved:

No. 53 Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That the Corporate Services Department, Finance Division Report 2019-37 be approved, as amended with the removal of \$39 000; and

That Council confirm and approve, that in compliance with Ontario regulation 284/09, the 2019 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,124,154 and the amount of post-employment benefits expense which amounts to approximately \$247,000.

That the 2019 Budget be approved as presented with the City's net overall levy for 2019 at \$18,128,975 (Operating levy of \$15,970,715 and Capital levy of \$2,158,260).

That the operating expenditures of \$25,025,858 operating revenues/fees/reserves/OMPF funds of \$9,055,143 and capital expenditures of \$5,615,095 with capital revenues from reserves/grants of \$3,456,835 be approved.

That the Storm Sewer budget be approved to be funded through an established flat fee schedule to include an operating/capital budget raising approximately \$740,800 annually to fund operations, the current storm sewer debt and establish a storm sewer capital reserve for future infrastructure.

That the Mayor and City Clerk be authorized to execute the appropriate By-law for the budget estimates for all sums required for the operations for the year 2019.

Recorded Vote:

Yes: Bagu, Beauregard, Bodner, Danch, Desmarais, Kalalief, Steele, Wells

No: Bruno

CARRIED.

5. Memorandum from Peter Senese, Director of Corporate Services Re: 2019 Ontario Municipal Partnership Fund (OMPF) Budget Allocation

Council Resolved:

No. 54

Moved by Councillor A. Desmarais

Seconded by Councillor F. Danch

That Council approve the reduction of the OMPF funding amounting \$47,900 reduce the budgeted allocation to the Downtown CIP from \$100,000 to \$52,100. Any required funding for the difference to the Downtown CIP project to be funded from the Capital Infrastructure Reserve Fund.

Moved in amendment by Councillor A. Desmarais

Seconded by Councillor F. Danch

That the main motion be amended by removing the words "Capital Infrastructure Reserve Fund" and adding "2018 Federal Tax Fund" at the end of the first paragraph.

The vote was then called on the main motion, as amended, as follows:

That Council approve the reduction of the OMPF funding amounting \$47,900 reduce the budgeted allocation to the Downtown CIP from \$100,000 to \$52,100. Any required funding for the difference to the Downtown CIP project to be funded from the 2018 Federal Tax Fund.

CARRIED.

9. Proclamations:**(a) Dig Safe Month, April 1 – 30, 2019**

No. 55 Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

Whereas annual damages to Ontario's underground infrastructure caused by excavation events number in excess of 4,500 per year. These events cause negative impacts to the Ontario public and our province's economy;

And whereas, The Ontario Regional Common Ground Alliance (ORCGA), formed in 2003, whose purpose is to enhance public safety and utility infrastructure reliability through a unified approach to effective and efficient damage prevention, consists of some 500 members dedicated to this purpose, including Ontario1Call;

And whereas The Canadian Common Ground Alliance (CCGA) and the ORCGA have worked collaboratively to produce the "Underground Infrastructure Damage Prevention – Best Practices" handbook to assist in reducing infrastructure damage associated with excavations;

And whereas The ORCGA annually promotes many educational events across its thirteen (13) Geographic Councils which cover all of Ontario, including the Dig Safe Kick-Offs in April and "April is Dig Safe Month", to raise awareness of the importance of proper excavation practices.

Now therefore I, Mayor, William C. Steele, proclaim April 1 – 30, 2019 as "Dig Safe Month" in the City of Port Colborne.
CARRIED.

10. Minutes of Boards, Commissions & Committees:

No. 56 Moved by Councillor R. Bodner
Seconded by Councillor D. Kalalief

- a) That the minutes of the Environmental Advisory Committee meeting of September 19, 2018, be received.
- b) That the minutes of Port Colborne Public Library Board meeting of February 5, 2019, be received.

- c) That the minutes of the Port Colborne Active Transportation Advisory Committee Meeting of September 17, 2018, be received.

CARRIED.

11. Consideration of By-laws:

No. 57 Moved by Councillor G. Bruno
 Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:

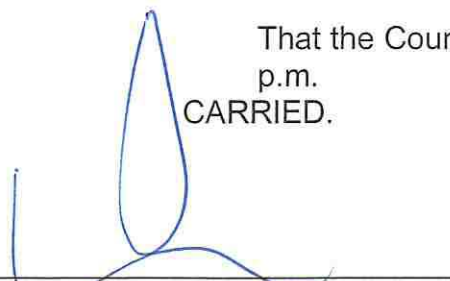
- 6659/23/19 Being a By-law to Authorize Entering Into an Agreement with Greenside Landscaping and Lawn Service Respecting By-law Services – Refuse/Debris Removal and Property Grass Mowing
- 6660/24/19 Being a By-law to Adopt the Estimates for the City of Port Colborne for its Own Operations for the Year 2019
- 6661/25/19 Being a By-law to Authorize Entering Into a Bulk Water Sales Agreement with Village Enterprises Water Haulage
- 6662/26/19 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 Special and Regular Meeting of March 25, 2019

CARRIED.

15. Adjournment:

No. 58 Moved by Councillor F. Danch
 Seconded by Councillor E. Beauregard

That the Council meeting be adjourned at approximately 10:34 p.m.
 CARRIED.



 William C. Steele
 Mayor



 Amber LaPointe
 City Clerk