

**City of Port Colborne
Regular Meeting of Council 17-19
Minutes**

Date: June 24, 2019

Time: 10:20 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
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Absent: F. Danch, 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
C. McIntosh, Deputy Clerk (minutes)

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:

Withdrawal:

By-law 6696/60/19, 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now in the City of Port Colborne, Regional Municipality of Niagara, Municipally known as 170 Welland Street, was withdrawn due to the deferral of the associated report during the Committee of the Whole meeting.

By-law 6697/61/19 Being a by-law to Adopt Amendment No. 6 to the Official Plan for the City of Port Colborne was withdrawn due to the deferral of the associated report during the Committee of the Whole meeting.

The remainder of the by-laws were renumbered to suit.

3. Confirmation of Agenda:

No. 108 Moved by Councillor E. Beauregard
Seconded by Councillor D. Kalailieff

That the agenda dated June 24, 2019 be confirmed, as circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Nil.

5. Adoption of Minutes:

No. 109 Moved by Councillor H. Wells
Seconded by Councillor D. Kalailieff

(a) That the minutes of the regular meeting of Council 16-19, June 10, 2019, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

Nil.

7. Approval of Items Not Requiring Separate Discussion:

No. 110 Moved by Councillor R. Bodner
Seconded by Councillor D. Kalailieff

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. Fire and Emergency Services Department, Report 2019-93, Subject: Fire Department Fee Schedule

Council resolved:

That Fire and Emergency Services Department Report 2019-93, Subject: Fire Department Fees Schedule, be supported; and

That the Fire Chief be directed to continue with past practices using previously determined fees adjusted through inflation in consultation with Council.

2. Engineering and Operations Department, Operations Division, Report 2019-100, Subject: Energy Conservation and Demand Management Plan 2019-2024

Council resolved:

That Engineering and Operations Department, Operations Division Report 2019-100, Subject: Energy Conservation and Demand Management Plan, 2019-2024" be received; and

That the Energy Conservation and Demand Management Plan, 2019-2024, be approved; and

That staff be directed to publish, make available to the public and implement the City's Energy Conservation and Demand Management Plan, in compliance with Ontario Regulation 397/11; and

That Councillor D. Kalailieff be appointed to sit on the Energy Conservation Committee for the term of Council.

3. Fire and Emergency Services Department, Report 2019-71, Subject: Emergency Management Program

Council resolved:

That the updated Emergency Management Program and updated Emergency Management Plan attached to Fire and Emergency Services Department Report 2019-71 be adopted by by-law; and

That By-law No. 6555/10/18 be repealed.

4. Fire and Emergency Services Department, Report 2019-73, Subject: Mutual Assistance Agreement

Council resolved:

That the Chief Administrative Officer be directed to sign the Mutual Assistance Agreement Mutual Assistance Agreement with all municipalities within Niagara, as well as the Regional Municipality of Niagara; and

That the necessary by-law be prepared.

5. Fire and Emergency Services Department, Report 2019-92, Subject: Fire and Emergency Services Information Report

Council resolved:

That Fire and Emergency Services Department Report 2019-92, Subject: Fire and Emergency Services Information Report, be received for information.

6. **Engineering and Operations Department, Operations Division, Report 2019-82, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2017)**

Council resolved:

That Engineering and Operations Department, Operations Division Report 2019-82, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2017), be received for information.

7. **Planning and Development, By-law Enforcement Division, Report 2019-98, Subject: By-law Appointment of Municipal Law Enforcement Officers and a Building Inspector**

Council resolved:

That Charlotte Cooper be appointed as a Municipal Law Enforcement Officer; and

That Alexandra Campbell be appointed as a Municipal Law Enforcement Officer, Property Standards Officer and a Building Inspector.

8. **Planning and Development Department, Planning Division, Report 2019-85, Subject: Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street and Accompanying Memo Re: Ministry of Environment D-6 Guidelines**

Council resolved:

That consideration of Planning and Development Department, Planning Division Report 2019-85, Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street be referred to the Director of Planning and Development to consider protection of the community by ensuring compliance with the Ministry of Environment D-6 Guidelines; and

That the Director of Planning and Development report back to Council at the July 22, 2019 Committee of the Whole meeting.

9. **Planning and Development Department, Planning Division, Report 2019-99, Subject: Recommendation Report for Zoning By-law Amendment D14-02-19, 45-53 West Side Road**

Council resolved:

That the Zoning By-law Amendment, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-99, be approved, rezoning 45-53 West Side Road from Commercial Plaza to CP-52; and

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

10. Planning and Development Department, Planning Division, Report 2019-101, Subject: Creation of an Affordable Housing Strategy for Port Colborne

Council resolved:

That Planning and Development Department, Planning Division Report 2019-101 be received for information.

11. Corporate Services Department, Finance Division, Report 2019-102, Subject: Property and Liability Insurance Policy Renewal

Council resolved:

That coverage with Frank Cowan Company be approved to provide the City's comprehensive property and liability insurance program for the next 18 months to December 31, 2020, as outlined and recommended in this report; and

That the addition be approved for Environmental Liability coverage which carries a limit of \$3,000,000 with an aggregate of \$5,000,000 and an estimated premium of \$8,250.

12. Community and Economic Development Department, Health Services Division, Report 2019-95, Subject: Establishment of a Locum Physician Support Program

Council resolved:

That the Locum Physician Support Program, as outlined in Community and Economic Development Department, Health Services Division Report 2019-95, be approved.

That the City of Port Colborne Locum Physician Support Program include the following provisions:

1. Physicians seeking support are required to submit a written request for locum physician assistance to the Health Services Committee.
2. Locum financial assistance from the City is funded from the City's Physician Recruitment Reserve account.
3. Total financial support is at a rate of \$500 per eight-hour workday, with a maximum amount of not more than \$5,000 per calendar year, per physician.
4. The application shall be reviewed by the Health Services Committee for approval.
5. Upon the Health Services Committee's approval, the Director of Community and Economic Development shall authorize the application for locum physician assistance.

6. Payment shall be issued upon completion of the locum, to the Practice Physician.

13. Community and Economic Development Department, Health Services Division, Report 2019-96, Subject: One-time Funding Request for Amalgamation Support – Port Colborne Family Health Organization and Mapleview Family Health Organization

Council resolved:

That the City of Port Colborne financially support the amalgamation of the Port Colborne Family Health Organization and the Mapleview Family Health Organization, at a one-time cost of \$30,000, to be funded from the Physician Recruitment Reserve Fund.

14. Community and Economic Development Department, Health Services Division, Report 2019-97, Subject: Physician Recruitment Incentive – Dr. Fraelic

Council resolved:

That the City of Port Colborne enter into a partnership with the Town of Fort Erie to offer an incentive contractual agreement to Dr. Joe Fraelic, at a total approved cost of \$35,000 – representing the City’s share (one half) of the incentive amount; and

That the City’s cost be funded from the Physician Recruitment Reserve Fund; and

That the appropriate by-law be presented for approval.

15. Community and Economic Development Department, Parks and Recreation Division, Report 2019-94, Subject: Fourth Annual Summer Concerts in King George Park

Council resolved:

That the Summer Concerts in King George Park event, to be held on August 6, 13, 20, and 27, 2019, be supported, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2019-94, Subject: Summer Concerts in King George Park;

That the fees for the park permit and use of hydro at King George Park, be waived;

That the Noise By-law Exemption application fee, be waived;

That the Event Organizer be required to file a certificate of Insurance, naming the City as additional insured, in the amount of \$2,000,000, prior to the event.

16. Ritesh Malik of 2493207 Ontario Inc., Re: Request for Relief of Property Taxes/Interest for the duration of Development Process – 599 Main Street, West, Port Colborne

Council resolved:

That the request by Ritesh Malik of 2493207 Ontario Inc. for relief of property taxes for the duration of the development process for 599 Main Street West be denied.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

No. 111 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

- (a) That the minutes of the Port Colborne Public Library Board meeting of May 14, 2019, be received.
- (b) That the minutes of the Social Determinants of Health Advisory Committee – Everyone Matters meetings of February 7, 2019 and April 4, 2019, be received.

CARRIED.

11. Consideration of By-laws:

No. 112 Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

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 Disaster-Resilient Community Repealing By-law No. 6555/10/18
- 6695/59/19 Being a By-law to Appoint Municipal Law Enforcement Officers, a Property Standards Officer, and a Building Inspector
- 6696/60/19 Being a By-law to Amend Zoning By-law 6575/30/18 Respecting Lands legally Described as Block A on Plan 69/NP828, in the City of Port Colborne, Regional

Municipality of Niagara, Municipally known as 45-53
West Side Road

- 6697/61/19 Being a By-law to Authorize Entering into a Physician Recruitment Incentive Contractual Agreement with Dr. Joe Fraelic in Partnership with the Town of Fort Erie
- 6698/62/19 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 June 24, 2019

CARRIED.

12. Council in Closed Session:

Motion to go into Closed Session: 10:25 p.m.

No. 113 Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

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: June 10, 2019.
- (c) Planning and Development Department, Planning Division Report 2019-103, 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.
- (d) Chief Administrative Officer Report 2019-104 regarding Nyon Energy Lands and the Nyon Tank Farm property, pursuant to *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (e) Presentation by the Chief Administrative Officer (CAO) regarding the CAO Performance Appraisal - Self assessment, 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(2)(d) labour relations or employee negotiations.

CARRIED.

Motion to rise with report: 11:26 p.m.

No. 114 Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

That Council do now rise from closed session with report at approximately 11:26 p.m.

13. Disclosures of Interest Arising from Closed Session:

Nil.

14. Reports/Motions Arising from Closed Session:

(c) **Planning and Development Department, Planning Division Report 2019-103, 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*.

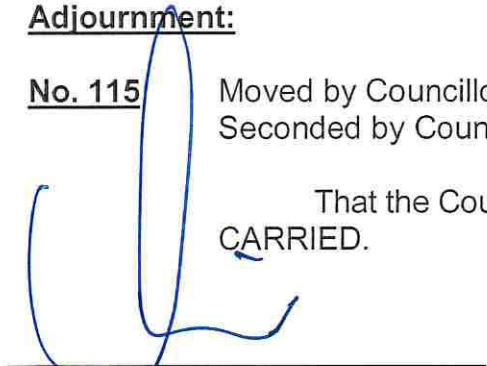
(d) **Chief Administrative Officer Report 2019-104 regarding Nyon Energy Lands and the Nyon Tank Farm property, pursuant to *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

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

15. Adjournment:

No. 115 Moved by Councillor E. Beauregard
Seconded by Councillor D. Kalailieff

That the Council meeting be adjourned at approximately 11:27 p.m.
CARRIED.



William W. Steele
Mayor



Amber LaPointe
City Clerk

AL/cm