

**City of Port Colborne
Regular Council Meeting 08-18
Minutes**

Date: April 9, 2018
Time: 9:59 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor
B. Kenny, Councillor
J. Mayne, Councillor (until 10:03 p.m.)
J. Maloney, Mayor (presiding officer)

Absent: R. Bodner, Councillor (due to vacation)

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
C. McIntosh, Deputy Clerk (minutes)
P. Senese, Acting Chief Administrative Officer
S. Shyposkyj, Acting Director of Engineering and Operations

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

1. Call to Order:

Mayor John Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 46 Moved by Councillor J. Mayne
Seconded by Councillor A. Desmarais

That the agenda dated April 9, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Mayor Maloney declared an indirect pecuniary interest with regard to item 1, Motion (Councillor Butters) Re: Request the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future Recruitment of Board Members to the Niagara Peninsula Conservation Authority (NPCA), as he is a member of the Niagara Peninsula Conservation Authority Board. Mayor Maloney refrained from discussing or voting on this item. Councillor Danch assumed the Chair during consideration of this item.

5. Adoption of Minutes:

No. 47 Moved by Councillor Y. Doucet
Seconded by Councillor A. Desmarais

(a) That the minutes of the special meeting of Council 06-18, held on March 26, 2018, be approved as presented.

(b) That the minutes of the regular meeting of Council 07-18, held on March 26, 2018, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Item 1.

7. Approval of Items Not Requiring Separate Discussion:

No. 48 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That Items 1 to 5 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:

2. Corporate Services, Finance Division, Report No. 2018-47, Subject: 2018 Operating/Capital Budget

Council resolved:

That in compliance with Ontario regulation 284/09, Council confirms that the 2018 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,459,455 and the amount of post-employment benefits expense which amounts to approximately \$218,000; and

That the 2018 Budget be approved as presented; and

That the by-law for the budget estimates for all sums required for the operations for the year 2018 be adopted.

3. Planning and Development, By-law Enforcement Division, Report No. 2018-45, Subject: Hunting at Gravelly Bay in Port Colborne

Council resolved:

That the Director of Planning and Development be directed to conduct an unbiased evaluation of hunting in Gravelly Bay through public consultation including an open house and an internet survey; and

That the Director of Planning and Development be directed to report back to Council with recommendations moving forward.

4. Township of Wainfleet Re: Request Support of Municipally Appointed Niagara Peninsula Conservation Authority Representative

Council resolved:

That the resolution received from the Township of Wainfleet in support of the resolution of the City of Welland Re: Municipally Appointed Niagara Peninsula Conservation Authority Representative, be received for information.

5. Township of South Stormont Re: Request Government of Ontario to Grant Municipalities the Authority regarding Approval of Landfill Projects in or Adjacent to their Municipality

Council resolved:

That the resolution received from the Township of South Stormont Re: Request Government of Ontario to Grant Municipalities the Authority regarding Approval of Landfill Projects in or Adjacent to their Municipality, be supported.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

1. Motion (Councillor Butters) Re: Request the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future Recruitment of Board Members to the Niagara Peninsula Conservation Authority (NPCA)

No. 48 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

WHEREAS Port Colborne City Council is aware of concerns in the community that the Niagara Peninsula Conservation Authority (NPCA) has demonstrated an inability to operate as an effective, open and transparent Conservation Authority, that respects its mandate;

AND WHEREAS Port Colborne City Council has lost confidence in the current Board and management of the NPCA;

THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE RESOLVES AS FOLLOWS:

That the City of Port Colborne requests that the Region of Niagara immediately replace board members of the NPCA with members selected by the lower tier municipalities;

That the City of Port Colborne requests that the Region of Niagara establish guidelines for the recruitment, selection, and appointment of individuals to be in place during the next selection of NPCA board members;

That the guidelines be developed with criteria that is based on skillset and be carried out by the lower tier municipalities.

CARRIED.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

- (a) **Minutes of the Environmental Advisory Committee meeting of January 10, 2018.**
- (b) **Minutes of the Port Colborne Active Transportation Advisory Committee meeting of January 15, 2018.**
- (c) **Minutes of the Port Colborne Economic Development Advisory Committee meeting of February 6, 2018.**

No. 49 Moved by Councillor B. Butters
Seconded by Councillor Y. Doucet

- (a) That the minutes of the Environmental Advisory Committee meeting of January 10, 2018, be received.
- (b) That the minutes of the Port Colborne Active Transportation Advisory Committee meeting of January 15, 2018, be received.
- (c) That the minutes of the Port Colborne Economic Development Advisory Committee meeting of February 6, 2018, be received.

CARRIED.

11. Consideration of By-laws:

No. 50 Moved by Councillor Y. Doucet
Seconded by Councillor B. Kenny

That the following by-laws be enacted and passed:

6566/21/18 Being a By-Law to Adopt the Estimates for the City of Port Colborne for its own operations for the year 2018

6567/22/18 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 April 9, 2018

CARRIED.

12. Council in Closed Session:

Motion to go into Closed Session - 10:03 p.m.

No. 51 Moved by Councillor B. Butters
Seconded by Councillor J. Mayne

That Council do now proceed into closed session in order to address the following matter(s):

- (a) Minutes of the closed session portions of the following Council meetings: February 26, 2018 and March 12, 2018.
- (b) Planning and Development Department, Planning Division Report. No. 2018-49, with respect to the Port Colborne Quarries Site Plan Agreement pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Motion to rise without report:

No. 52 Moved by Councillor A. Desmarais
Seconded by Councillor Y. Doucet

That Council do now rise from closed session without report at approximately 10:32 p.m.

CARRIED.

13. Disclosures of Interest Arising from Closed Session:

Nil.

14. Reports/Motions Arising from Closed Session:

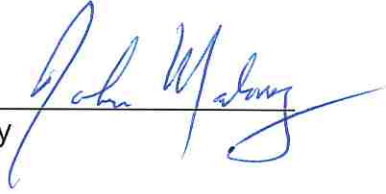
Nil.

15. **Adjournment:**

No. 53 Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately
10:33 p.m.
CARRIED.

John Maloney
Mayor



Amber LaPointe
City Clerk



AL/cm