

**City of Port Colborne
Regular Committee of the Whole Meeting 12-19
Minutes**

Date: April 23, 2019

Time: 6:30 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
T. Cartwright, Fire Chief
A. Grigg, Director of Community and Economic Development
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)
S. Powell-Baswick, Museum Director/Curator

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:

Withdrawn:

The City Clerk reported that under delegations, Joe Nicholls owner of 57 Oak Street
Re: Request a by-law exemption to install a second driveway on his property, was
withdrawn at his request.

3. Confirmation of Agenda:

Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That the agenda dated April 23, 2019 be confirmed, as circulated or as
amended.

CARRIED.

4. Disclosures of Interest:

Nil.

5. Adoption of Minutes:

(a) Regular meeting of the Committee of the Whole 11-19, held on April 8, 2019

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

- (a) That the minutes of the regular meeting of the Committee of the Whole 11-19, held on April 8, 2019, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 2, 3, 4, 5, 8, and 12.

7. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor E. Beauregard
Seconded by Councillor M. Bagu

That items 1 to 18 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:

6. Planning and Development Department, Planning Division, Report 2019-59, Subject: Amendment to Westwood Estates Phase II Subdivision Agreement

Committee of the Whole recommends:

That By-law 6366/46/16, Being a By-Law to Authorize Entering into a Subdivision Agreement with Lester Shoalts Limited (Westwood Estates Phase II), be amended by replacing subdivision agreement drawing "Westwood Phase 2 Subdivision Grade Control Plan 2" (drawing 0493GP2 Rev 9 prepared by Upper Canada Consultants and dated April 23, 2015) with "Westwood Phase 2 Subdivision Grade Control Plan 2" (drawing 0493GP2 Rev 12 prepared by Upper Canada Consultants and dated March 13, 2019).

7. Planning and Development Department, Planning Division, Report 2019-58, Subject: Contract Agreement for Realty Services

Committee of the Whole recommends:

That the City enters into a Contract Agreement with Royal Lepage, attached as appendix A to Planning and Development Department report 2019-58, for the sale of selected municipal property; and

That the by-law attached as appendix B be brought forward for approval.

9. Dewitt Carter Elementary School Re: Request for Use of Picnic Tables for the Schools Fun Night Event on May 16, 2019

Committee of the Whole recommends:

That the correspondence received from Dewitt Carter Elementary School requesting the use of City Picnic Tables for the School's Fun Night Event on May 16, 2019, be received; and

That the picnic tables be made available for their use, with arrangements for pick-up and return be the responsibility of Dewitt Carter Elementary School.

10. Memorandum from Joanne Ferraccioli, Interim Health Services Coordinator Re: Request for Proclamation of Doctor's Day, May 1, 2019

Committee of the Whole recommends:

That May 1, 2019 be proclaimed as "Doctor's Day" in the City of Port Colborne in accordance with the request received from Joanne Ferraccioli, Interim Health Services Coordinator, City of Port Colborne.

11. Memorandum from Thomas B. Cartwright, City Fire Chief Re: Request for Proclamation of Emergency Preparedness Week 2019

Committee of the Whole recommends:

That the week of May 5 – 11, 2019 be proclaimed as "Emergency Preparedness Week" in the City of Port Colborne in accordance with the request received from Thomas B. Cartwright, City Fire Chief.

13. Region of Niagara Re: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities (PDS 4-2019)

Committee of the Whole recommends:

That the updated Memorandum of Understanding (MOU) for Planning Function and Services between The Regional Municipality of Niagara and the Local Area Municipalities dated March 2019 be approved; and

That the Regional Chief Administrative Officer be notified of the approval.

14. Region of Niagara Re: Statutory Public Meeting for Draft Regional Official Plan Amendment 15 – Exemption Policies (PDS 5-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Statutory Public Meeting for Draft Regional Official Plan Amendment 15 – Exemption Policies, be received for information.

15. Region of Niagara Re: Base and Enhanced Services for Next Collection Contract (PW 20-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Base and Enhanced Services for Next Collection Contract, be received for information.

16. Region of Niagara Re: Managed Competition and Fair Wage Considerations for Waste Collection Contract (PW 22-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Managed Competition and Fair Wage Considerations for Waste Collection Contract, be received for information.

17. Region of Niagara Re: Niagara Region 2018 Employment Inventory Results Report (PDS 6-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Niagara Region 2018 Employment Inventory Results Report, be received for information.

18. Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke Re: Bill C-68 Fisheries Act

Committee of the Whole recommends:

That the correspondence received from Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke Re: Bill C-68 Fisheries Act, be received for information.

CARRIED.

8. Presentations:

- (a) **Nancy Salvage, Jane Nigh of the Fair Trade Committee regarding the Celebrations planned for the City's 10th Anniversary as a Fair Trade City**

Nancy Salvage and Jane Nigh of the Fair Trade Committee announced the City's 10th anniversary as a Fair Trade City would be celebrated on May 10th in front of City Hall and invited the Mayor and Councillors to attend.

(b) Mark Butler regarding Strategic Planning Process

Mark Butler introduced himself as the lead facilitator for the Strategic Planning Process. Mr. Butler advised that City Councillors, staff, and members of the public are invited to take part in the May 6 and 7, 2019 meetings that will be held as an envisioning exercise to build a framework for the City's Strategic Plan.

(c) Scott Luey, Chief Administrative Officer regarding City of Port Colborne Fees and Charges Structure

The Chief Administrative Officer provided a powerpoint presentation regarding City user fees and charges structure. A copy of the presentation is attached.

Moved by Councillor A. Desmarais
Seconded by Councillor M. Bagu

That staff be directed to move forward with the formulation of a City of Port Colborne fees and charges structure and to work in conjunction with each department as they present to Council.

CARRIED.

9. Delegations:

Nil.

10. Mayor's Report:

A copy of the Mayor's Report is attached.

11. Regional Councillor's Report:

Regional Councillor Butters advised that the Province announced that there will be changes to Ontario's Public Health and Emergency Medical Services but the details about the changes have not yet been released. Regional Councillor Butters also advised that the Regional Public Works and Public Health Committees supported installation of a barrier on the Burgoyne Bridge and the issue will be before Regional Council at its April 25th meeting. Regional Councillor Butters provided notice of upcoming Regional meetings: May 2 Committee of the Whole to address Niagara Airports and May 11 to hold a Strategic Planning Session.

12. Councillors' Items:**(a) Ward 2 meet and greet (Desmarais)**

Councillor Desmarais announced that she and Councillor Beauregard will be hosting a meet and greet for Ward 2 residents at the Vale Health & Wellness Centre, Golden Puck room on Saturday, April 27, 2019, 1 – 3 p.m.

(b) Ward 4 gathering (Wells)

Councillor Wells advised that a gathering for Ward 4 residents will be held at the Sherkston Community Centre on Sunday, April 28, 2019, 1 - 3 p.m.

(c) Firearm discharge and noise by-laws (Wells)

Councillor Wells advised that he is working with the Manager of By-law Services to address explosive targets in the the firearm discharge and noise by-laws.

(c) Truck parking at the corner of Catharine and Clarence Street (Bagu)

In response to a concern expressed by Councillor Bagu about restricted sightlines due to trucks parking at the corner of Catharine and Clarence Streets, the Director of Engineering and Operations advised that he will ask Engineering and Operations staff to set up appointments with By-law Services staff at the two affected business locations to discuss possible modifications.

(d) Signage on Killaly Street East (Beauregard)

Councillor Beauregard thanked Engineering and Operations staff for placing signage on Killaly Street East indicating that there is a blind person in the area.

Staff Responses to Previous Councillor Enquiries:

Nil.

13. Consideration of Items Requiring Separate Discussion:**1. Museum, Report 2019-60, Subject: Museum Annual Report, Rates and Fees and 2019 Schedule of Events**

The Director/Curator of the Port Colborne Historical and Marine Museum provided an overview of the Museum's annual report, rates and fees and 2019 schedule of events.

Moved by Councillor E. Beauregard
Seconded by Councillor H. Wells

That Council receive Museum report 2019-60, Museum Annual Report, Rates and Fees and 2019 Schedule of Events; and

That Council proclaim May is Museum Month in Port Colborne.
CARRIED.

2. Community and Economic Development, Parks and Recreation Division, Report 2019-57, Subject: Port Colborne Downtown Cruiser's Association – 2019 Cruise Nights

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

That the road closures necessary for the 2019 Downtown Cruise Night event on recurring Thursday evenings, from May 16, 2019 to September 12, 2019, as requested by the Port Colborne Downtown Cruiser's Association, (PCDCA) and outlined in Community and Economic Development, Parks and Recreation Division Report No; 2019-57, be approved;

That the following roads be closed to general vehicular traffic and parking from 5 p.m. to 9 p.m., each Thursday from May 16, 2019 to September 12, 2019:

- Clarence Street, from eastern limit of the western driveway of the Food Basics parking lot, to the western limit of Catharine Street;
- Clarence Street, from the eastern limit of Catharine Street to the western limit of King Street;
- Clarence Street, from the eastern limit of King Street to the western limit of West Street; and
- Market Square;

That Market Square be closed to vehicular traffic on May 16, May 30, July 4, July 11, August 29, 2019 from 1 p.m. to 5 p.m., with the exception of the western access laneway, to be used as an ingress and egress to the CIBC Bank;

That emergency service vehicles, including ambulance, police and fire, as well as public works and public utility vehicles, be exempt from the above noted closures;

That members, qualified participants, and participants of the PCDCA, be exempt from the above noted closures, through the issuance of an authorized permit;

That traffic barricades be supplied by Public Works staff every Thursday, from May 16, 2019 to September 12, 2019, to be delivered before the end of the regular workday at the predetermined locations requiring barricades;

That PCDCA volunteers be responsible for installing appropriate signage at each intersection, stating "Cruise Night Clarence Street Temporarily

Closed – 5 to 9 p.m.”, including Market Square, for the duration of the event;

That PCDCA volunteers be responsible for ensuring road closure barricades are promptly removed and returned to the pick-up points at the end of the event each week;

That the PCDCA be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the event;

That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived; and

That the appropriate by-law be presented for approval.

CARRIED.

3. Planning and Development Department, Planning Division, Report 2019-52, Subject: Sale of Part of Kinnear Park

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That Council declares Part 2 on Plan 59R-16309 as surplus to the City's needs; and

That the City enters into an Agreement of Purchase and Sale with Joanie Rebecca King, for the purchase price of \$4,500 (plus HST); and

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

CARRIED.

4. Planning and Development Department, Planning Division, Report 2019-55, Subject: Sale of Lot 25, Plan 882, Janet Street

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

That Council declares Lot 25 on Plan 882 as surplus to the City's needs; and

That the City enters into an Agreement of Purchase and Sale with Kozma Homes Inc. for the purchase price of \$55,500 (plus HST); and

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

CARRIED.

5. Planning and Development Department, Planning Division, Report 2019-56, Subject: Proposed Development Agreements for Lester Shoalts Ltd., Block 74 Westwood Estates Phase II

Moved by Councillor M. Bagu
Seconded by Councillor F. Danch

That Council enters into two development agreements with Lester Shoalts Ltd and the Niagara Peninsula Conservation Authority; and

That the Mayor and Clerk be authorized to sign and execute said agreement.

CARRIED.

8. Engineering and Operations, Engineering Division, Report 2019-31, Subject: Young and Hopf-Wagner Municipal Drains Third Reading

Moved by Councillor R. Bodner
Seconded by Councillor G. Bruno

That the Mayor and Clerk be directed to complete the execution of by-law 6526/93/17 to provide third reading and adopt the Young and Hopf-Wagner Municipal Drains Engineer's Report, dated July 27, 2017, with completed revisions from the Agriculture, Food and Rural Affairs Appeal Tribunal's decision dated February 27, 2019, prepared by Mike DeVos, P. Eng. of Spriet Associates London Ltd., under Section 78, Chapter D.17 of the Drainage Act R.S.O. 1990; and

That staff be directed to advance the Young and Hopf-Wagner Municipal Drains Engineer's Report through the tender stage.

CARRIED.

12. Region of Niagara Re: New Official Plan Consultation Timeline Framework (PDS 9-2019)

Moved by Councillor M. Bagu
Seconded by Councillor E. Beauregard

That the correspondence received from the Region of Niagara Re: New Official Plan Consultation Timeline Framework, be received for information.

CARRIED.

14. Notice of Motion:

Councillor Kalailieff provided notice of her intention to introduce a motion at the May 13, 2019 Committee of the Whole/Council meeting with respect to initiating a pilot project making West Street one way.

Councillor Kalailieff also provided notice of her intention to introduce a motion at the May, 13, 2019 Committee of the Whole/Council meeting with respect to adding an

advisory traffic pylon at the pedestrian crossover at Clarence and Catharine Streets in order to augment public safety and awareness.

Councillor Desmarais provided notice of her intention to introduce a motion at the May 13, 2019 Committee/Council meeting with respect to the Port Colborne Quarry site alteration permit.

15. Adjournment:

Moved by Councillor F. Danch
Seconded by Councillor H. Wells

That the Committee of the Whole meeting be adjourned at approximately
8:04 p.m.
CARRIED.

AL/cm

The City of Port Colborne

User Fee Review
April 23, 2019

1

User Fees

- Provide revenue of over \$2M annually
- Virtually every City department charges user fees
- Helps to offset property tax increases
- Shift responsibility for payment for services from general levy to individual users

2

User Fees, cont'd

Two schools of thought:

My taxes shouldn't cover services - those who use services should pay the full cost (or some portion).

- OR -

The City already has the materials and employees, why should there be a fee?

3

User Fees, cont'd

Unrealistic to have no user fees at all....

Council needs to give staff direction by implementing a policy identifying:

- a. The City services will be subject to fees.
- b. The manner in which those fees will be calculated.

4

User Fee Policy

- There is no existing policy that guides staff in calculating user fees for Council's approval
- No consistent method applied
- Difficult to justify amount of some user fees

5

User Fee Policy, cont'd

- A policy will provide guidance to staff when calculating fees for Council approval
- A policy will identify which services should be provided for a fee
- A policy will identify services that should be subject to a subsidy
- User fees calculated using the policy will be justifiable to users

6

Policy Principles

1. There is a cost to providing every City service
2. Services that benefit an individual user should be provided on a full cost recovery basis
3. Services that benefit the entire community should be provided at no charge (funded through tax levy)

7

Policy Principles, cont'd

4. Providing a service at less than full cost means that every taxpayer in the City is paying more tax to provide the service at a discount
5. Council may subsidize some services by offering them at less than full cost

8

Policy Principles, cont'd

6. As services are provided, City assets are used up – user fees should include a capital replacement component
7. The City should not be in 'competition' with private sector providers (i.e. undercutting)

9

Policy Implementation

- Staff have attached (next slide) a guide that can be included in the policy to help determine user fees
- Staff recommend adoption of a policy to provide clarity and guidance
- Council can provide input at this meeting and staff can prepare a policy for a future Council meeting

10

User Fees		
Who Benefits	Tax/User Fee Policy Mix	Examples
Community	100% Taxes	- Winter control - City parks
Primarily <i>Community</i> with some Individual benefit	Primarily Taxes with some User Fees	- Fire suppression - Accident responses
Primarily <i>Individual</i> with some Community benefit	Primarily User Fees with some Taxes	- Ice rentals - Community services
Individual	100% User Fees	- Boat launch - Sewer Rodding

11

Consolidated Fee By-law

- Provides a 'one-stop' location for most user fees for users, staff, council
 - Council can review individual fees prior to passing
 - Can cover multiple years and increase based on a Council approved percentage
- 12

Questions and Discussion



13

Mayor's Message

We held our annual Easter Eggstravaganza on Saturday at the Vale Health & Wellness Centre and was a huge success. While kids collected eggs, our Fire Fighters were collecting food in support of Port Cares at their annual Easter Food Drive. 505 pounds and \$3,646.53 was collected! Thank you to all staff who made the Easter Weekend a success for our community.

Coming up this week, we have our Parks and Recreation Master Plan public meeting tomorrow, April 24 at 6:30 p.m. The consultants will be sharing the results they have collected from staff and the community.

Interested in becoming a Volunteer Fire Fighter. This Saturday is our Volunteer Fire Fighter Open House from 10 a.m. – 12 p.m. Come visit us to learn more, and if interested, to complete an application.

On Tuesday, May 14 Port Colborne Fire & Emergency Services will be heading to homes in Port for 'Test it Tuesday'. In an effort to ensure every Port Colborne home has working smoke and carbon monoxide alarms, residents are encouraged to PORTicipate by testing their alarms.

Fire Fighters will be visiting neighbourhoods across Port Colborne on Tuesday, May 14, assisting residents with alarm testing and installing working alarms if the homes do not comply.

The Fire Chief and I also want to remind residents – watch this video:

<https://www.youtube.com/watch?v=epQqfGXfQU8>