#### City of Port Colborne Regular Committee of the Whole Meeting 15-19 Minutes

Date: May 13, 2019

**Time:** 8:13 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
- B. Garrett, Director of Corporate Services
- 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)
- P. Senese, Director of Corporate Services

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

#### 1. Call to Order:

Mayor Steele called the meeting to order.

# 2. Introduction of Addendum Items:

The City Clerk informed that item 1, Community and Economic Development Department, Parks and Recreation Division, Report 2019-54, Subject: Proposed New Event – HoofStock, was withdrawn at the request of the event organizer.

# 3. Confirmation of Agenda:

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

That the agenda dated May 13, 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 12-19, held on April 23, 2019
- (b) Special meeting of Committee of the Whole 13-19, held on April 30, 2019
- (c) Special meeting of Committee of the Whole 14-19, held on May 6 and May 7, 2019

Moved by Councillor H. Wells Seconded by Councillor A. Desmarais

- (a) That the minutes of the regular meeting of the Committee of the Whole 12-19, held on April 23, 2019, be approved as presented; and
- (b) That the minutes of the special meeting of Committee of the Whole 13-19, held on April 30, 2019 be approved as presented; and
- (c) That the minutes of the special meeting of Committee of the Whole 14-19, held on May 6 and May 7, 2019, be approved as presented.

CARRIED.

# 6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 6, 8, 9, 13, and 14.

# 7. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor G. Bruno Seconded by Councillor M. Bagu

That items 1 to 14 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. Community and Economic Development Department, Parks and Recreation Division, Report 2019-61, Subject: Ninth Annual Port Colborne Art Crawl

Committee of the Whole recommends:

That the request to host the ninth annual Port Colborne Art Crawl on Saturday June 22, 2019 from 12:00 p.m. to 7:00 p.m., as submitted by the Port Colborne Art Crawl Committee, and outlined in Community and Economic Development Department, Parks and Recreation Division Report 2019-61, be approved; and That the following roads be closed to general vehicular traffic and parking on Saturday, June 22, 2019 from 10:30 a.m. to 8:00 p.m.:

- West Street, from the southern limit of Clarence Street to the northern limit of Victoria Street;
- Charlotte Street, from the eastern limit of King Street to the western limit of West Street.
- Kent Street, from the eastern limit of King Street (with signage indicating "local traffic only") to the western limit of West Street; and

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

That qualified participants of the Event be exempt from the above noted closures through the issuance of an authorized permits; and

That the Engineering and Operations Department install and retrieve road closure barricades at the predetermined locations requiring same; and

That the Community and Economic Development Department install and retrieve picnic tables and garbage cans at the predetermined locations requiring same; and

That the Event Organizer be responsible for installing appropriate signage at the predetermined locations stating "Art Crawl - West Street Temporarily Closed – 10:30 a.m. to 8:00 p.m.;" and

That the Event Organizer be responsible for ensuring road closure barricades are promptly removed and returned to the retrieval points at the conclusion of the Event; and

That the restrooms at the Harbourmaster Building remain open until 9:00 p.m. for the Event; and

That the Event Organizer be provided with access to the electrical outlet at the Harbourmaster Building; and

That a site plan be prepared and submitted to the Community and Economic Development Department for distribution to emergency services and appropriate City departments; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the Event; and

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.

#### 3. Community and Economic Development Department, Parks and Recreation Division, Report 2019-65, Subject: 2019 Moonlight Flicks at <u>H.H. Knoll Lakeview Park</u>

Committee of the Whole recommends:

That the Moonlight Flicks Event, to be held on Wednesday July 3, 10, 17, 24 and August 7, 2019, as outlined in Community and Economic Development Department, Parks and Recreation Division Report 2019-65, be approved; and

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

That an exemption from Section 4 (Prohibited Hours of Entrance) to Bylaw 5503/100/10, Being a By-law to Manage and Regulate Municipal Parks, be approved; and

That use of the restrooms until 12:00 a.m. at the H.H. Knoll Lakeview Park Bandshell, be approved; and

That the Event Organizer 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; and

That the City's park permit, hydro, and waste receptacle fees, be waived.

#### 4. Corporate Services Department, Finance Division, Report 2019-62, Subject: 2019 Final Tax Rates

Committee of the Whole recommends:

That the Council approves the rates of taxation for the year 2019 and the tax rate by-law be executed by the Mayor and City Clerk; and

That the 2019 final billing for the residential, multi-residential, commercial, industrial, pipeline, farmland, managed forest and farmland awaiting development tax classes have a demand (mailing) date of June 11, 2019 with due dates of July 2 and October 1, 2019.

#### 5. Planning and Development, Planning Division, Report 2019-63, Subject: Proposed Development Agreements for Robert & Mary Ann Bosley, e/s Cedar Bay Road

Committee of the Whole recommends:

That two development agreements be entered into with Robert and Mary Ann Bosley for their lots on Cedar Bay Road; and

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

#### 7. Planning and Development Department, By-law Enforcement Division, Report 2019-67, Subject: By-law Appointment of Municipal Law Enforcement Officers Allison Martin and Amy Dayboll

Committee of the Whole recommends:

That Allison Martin be appointed as a Municipal Law Enforcement Officer special events parking and the Zoning By-law; and

That Amy Dayboll be appointed as a Municipal Law Enforcement Officer to enforce parking and the Zoning By-law.

#### 10. Memorandum from Vance Badawey, Member of Parliament, Niagara Centre <u>Re: Ontario: Update following meetings with the Province of Ontario</u>

Committee of the Whole recommends:

That the memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Ontario: Update following meetings with the Province of Ontario, be received for information.

#### 11. Region of Niagara Re: 2019 Property Tax Policy, Ratios and Rates (CSD 16-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2019 Property Tax Policy, Ratios and Rates, be received for information.

#### 12. Region of Niagara Re: Bill 142 – Construction Lien Amendment Act, 2017 (CSD 29-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Bill 142 – Construction Lien Amendment Act, 2017, be received for information.

CARRIED.

# 8. <u>Presentations:</u>

#### (a) John Greer, Executive Director, NSPCA and Amanda Ellis, CCTBS Enforcement Manager/NSPCA of the Welland and District SPCA regarding SPCA Rule Changes

John Greer and Amanda Ellis provided a powerpoint presentation with respect to the contracted services provided by the organization to the City of Port Colborne. Mr. Greer also provided information about how the SPCA rule changes will affect enforcement. A copy of the presentation is attached.

#### 9. Delegations:

#### (a) George Henry, President and Dan Tonello, Board Member, Community Living Port Colborne-Wainfleet regarding Community Living Awareness Month

George Henry advised that May is designated as Community Living Awareness Month for which a flag raising was held on Friday, May 3, 2019 at City Hall. Mr. Henry also advised that the organization is exploring amalgamation with Fort Erie Community Living. Dan Tonello spoke with respect to the importance of using inclusive "person first" language.

#### 10. <u>Mayor's Report:</u>

A copy of the Mayor's Report is attached.

#### 11. Regional Councillor's Report:

Nil.

#### 12. Councillors' Items:

#### (a) Street sweeping on Main Street (Bruno)

In response to an inquiry by Councillor Bruno with respect to when the Region will be conducing street sweeping on Main Street, the Director of Engineering and Operations advised that he will contact the Region and, if required, City staff will complete the sweeping.

#### (b) Killaly Street West railway crossing (Desmarais)

In response to an inquiry by Councillor Desmarais about the status of the repair of the railway crossing on Killaly Street West, the Director of Engineering and Operations advised that Trillium has the work scheduled for the first week of June.

#### (c) Pedestrian crossover on Clarence Street

Moved by Councillor D. Kalailieff Seconded by Councillor G. Bruno

That the Director of Engineering and Operations be directed to provide a report at a future Council meeting outlining safety options for the pedestrian crossover at the intersection of Clarence and Catharine Streets.

CARRIED.

# (d) Accessibility at business entrances (Bodner)

Councillor Bodner inquired whether the City has the ability to compel businesses to make their entrances more accessible. The Deputy Clerk advised that if a

business is undertaking a new build or major renovations, there are accessibility requirements that must be adhered to under the Ontario Building Code, however the City does not otherwise have any authority to compel accessibility improvements at businesses.

#### (e) Ward Three meeting (Danch)

Councillor Danch announced that he and Councillor Bruno are holding a Ward Three meeting on May 15, 2019 at 6:30 p.m. at the L.R. Wilson Heritage Research Archives building between the Museum and Library.

#### (f) Water distribution system leak detection program (Bruno)

Councillor Bruno inquired with respect to whether testing of water laterals for leaking would be completed before areas of the City are paved. The Director of Engineering and Operations advised that the water distribution system leak detection program is into week two of testing and a number of leaks have been located on both the service side and the watermains. The Director further advised that staff repaired two leaks on the trunk main. Finally, the Director advised that some of the areas where leaks are suspected are not scheduled for resurfacing until a later date.

#### (g) Smoke alarm testing (Bagu)

Councillor Bagu thanked Fire and Emergency Services for attending his property during their routine testing of smoke alarms.

#### (h) Killaly Street West railway crossing (Bagu)

In response to an inquiry by Councillor Bagu about the Killaly Street West railway crossing, the Director of Engineering and Operations advised the Regional staff have been on site and has indicated cutback areas to mill so the crossing will be as smooth as possible once Trillium completes the work.

#### (i) Concerns about people living rough in the downtown area (Bagu)

In response to concerns expressed by Councillor Bagu about potential issues in the downtown area, Mayor Steele and Chief Administrative Officer Luey advised that residents are asked to call the police to report any issues whether in the downtown area or anywhere in the City.

#### (j) Gypsum dust from Snider Docks (Desmarais)

Councillor Desmarais requested that staff remind Snider Docks the gypsum needs to be attended to as she will receive complaints about dust blowing once it is less rainy.

#### (k) Line painting on roads (Desmarais)

In response to an inquiry by Councillor Desmarais about the status of the beginning of road line painting, the Director of Engineering and Operations

advised that the contract has been delayed in order to negotiate pricing as it is higher than budgeted.

#### (I) Bike path/waking trail from Welland Street to Nickel Beach

In response to an inquiry by Councillor Desmarais about plans for a bike path/walking trail from Welland Street to Nickel Beach, the Director of Engineering and Operations advised that staff has met and plan to have the trail complete for the 2021 Canada Summer Games.

#### (m) Chief Administrative Officer's Working Group on Community Safety (Desmarais)

Councillor Desmarais requested an update on the status of the Chief Administrative Officer's Working Group on Community Safety that was established in 2018 to address the concerns of residents and attempt to find solutions for issues occurring. The Chief Administrative Officer advised that he and the Mayor have toured the police video monitoring facility at the new police station where they monitor police and City-owned cameras in St. Catharines and there is a possibility the same could be done for Port Colborne. The Chief Administrative Officer also advised that he will schedule a meeting of the working group to discuss next steps.

#### (n) Port Cares request for use of picnic tables on June 14, 2019

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

> That the rules respecting Notice and Notice of Motion, as outlined under Subsections 5 and 15.1 of the Procedural By-law, respectively, be suspended in order permit the introduction of a motion concerning Port Cares' request to use City picnic tables.

CARRIED.

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

> That eight picnic tables be made available, with fees waived, for use by Port Cares for their Rock the Night event at the Reach out Centre, 61 Nickel Street, on June 14, 2019, with the arrangements for pick-up and return being the responsibility of Port Cares.

CARRIED.

# Staff Responses to Previous Councillor Enquiries:

#### (a) New Director of Corporate Services (Luey)

Chief Administrative Officer Luey welcomed Brenda Garrett, the City's new Director of Corporate Services, hired to replace Peter Senese who is retiring.

#### (b) Spring OMAA workshop (Luey)

Chief Administrative Officer Luey advised that he attended the spring Ontario Municipal Administrators' Association workshop. The Chief Administrative Officer also advised that sessions included technology, employee engagement, using metrics for success, municipal workforce, update on legal issues, and provincial government initiatives presented by the Minister of Municipal Affairs. Finally, the Chief Administrative Officer advised that he provided a presentation at the workshop on Friday with respect to case studies for capital asset management.

#### 13. Consideration of Items Requiring Separate Discussion:

#### 6. Department of Chief Administrative Officer, Report 2019-69, Subject: <u>Provincial Modernization Grant</u>

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

That Council approve the use of the provincial grant of \$711,467 for the projects identified in Chief Administrative Officer's Report 2019-69. CARRIED.

#### 8. Accessibility Advisory Committee Re: Request for Proclamation of Access Awareness Week, May 31 – June 6, 2019

Moved by Councillor R. Bodner Seconded by Councillor H. Wells

> That the week of May 31 – June 6, 2019 be proclaimed as "Access Awareness Week" in the City of Port Colborne in accordance with the request received from Carrie McIntosh, Deputy Clerk, on behalf of the Accessibility Advisory Committee.

CARRIED.

# 9. Memorandum from Nancy Giles, EA to CAO and Mayor and Staff Liaison to the Grant Policy Committee Re: Recommendations of Grant Policy Committee

Moved by Councillor D. Kalailieff Seconded by Councillor R. Bodner

> That the memorandum from Nancy Giles, EA to CAO and Mayor and Staff Liaison to the Grant Policy Committee Re: Recommendations of Grant Policy Committee, be received for information; and

That donation/sponsorship requests be approved for a total of \$18,510 for the first allocation for the year 2019 as follows:

Air Race Classic Terminus Committee – to assist with costs of the Air Race Classic being held June 19-24 at the Niagara Central Dorothy Rungeling Airport - \$1,300

Education Foundation of Niagara - to assist in providing essential items to DSBN students in Port Colborne who experience a high level of need - \$1,500 Niagara Health Foundation – to assist with the purchase of a "Spirit Bed" for use at the Port Colborne Site - \$1,900

**Port Cares** – to assist with the purchase of a cargo van for use at the Reach Out Centre - \$2,300

**Port Colborne Feline Initiative** – to assist with program expenses with TNVR (trap-neuter-vaccinate-return); CatSnips; and subsidized spay/neuter program for low income residents of Port Colborne - **\$2,500** 

**Port Colborne Lions Club** – to assist with operating costs including property taxes - **\$1,600** 

**Port Colborne Operatic Society** – to assist with their "Musician in the Pit" program and general upkeep of their storage hall - **\$2,150** 

**St. James & St. Brendan Church** – to assist with Phase Two of the Community Garden including gardens, plantings, benches, water feature, fence, pavilion – **\$1,660** 

**Women's Place of South Niagara** – to assist in providing emergency shelter and programs for women and children fleeing abuse - \$2,000

YMCA of Niagara – to assist with the operation of the Niagara Day Camp program in the City of Port Colborne - \$1,600.

CARRIED.

#### 13. Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data (PDS 17-2019)

Moved by Councillor E. Beauregard Seconded by Councillor A. Desmarais

> That the correspondence received from the Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data, be received for information.

Moved in amendment by Councillor E. Beauregard Seconded by Councillor A. Desmarais That the main motion be amended by adding thereto the following:

"That the Chief Administrative Officer be directed to invite Regional Housing staff to present at a future meeting of Council with respect to the Affordable Housing Data report."

#### CARRIED.

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

That the correspondence received from the Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data, be received for information; and

That the Chief Administrative Officer be directed to invite Regional Housing staff to present at a future meeting of Council with respect to the Affordable Housing Data report.

CARRIED.

#### 14. Niagara Peninsula Conservation Authority Re: NPCA Board Composition

Moved by Councillor M. Bagu Seconded by Councillor G. Bruno

> That the correspondence received from the Niagara Peninsula Conservation Authority Re: Board Composition, be received for information.

#### CARRIED.

#### 14. Notice of Motion:

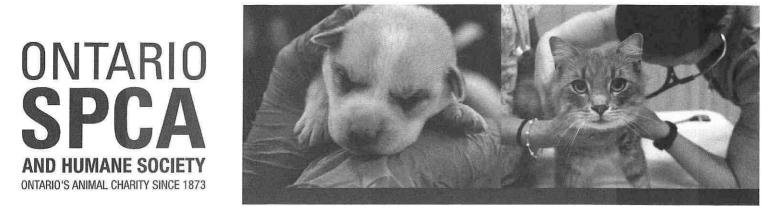
Councillor Wells provided notice of motion of his intention to introduce a motion at a future Committee of the Whole/Council meeting with respect to addressing explosive targets in the firearm discharge and noise by-laws.

#### 15. Adjournment:

Moved by Councillor F. Danch Seconded by Councillor E. Beauregard

That the Committee of the Whole meeting be adjourned at approximately 9:49 p.m. CARRIED.

AL/cm



# WHAT IS ONTARIO SPCA ENFORCEMENT SUPPORT SERVICES?

#### Background

In early 2019, the Superior Court of Ontario released a decision compelling the Government of Ontario to change the way their provincial animal welfare legislation is enforced. The Court has deemed their model of service delivery to be unconstitutional and the Government of Ontario may no longer permit their provincial animal welfare legislation to be enforced by a private charity. The Ontario SPCA respects the decision of the Court and is working to assist the Government of Ontario as they transition to a new service delivery model. The Ontario SPCA remains committed to our mission of animal protection and animal advocacy and have recently announced the development of Ontario SPCA Enforcement Support Services. In short, we'll continue to do all of the animal protection and animal advocacy work we have done for almost 150 years.

The key change is that all charges under the law and all court cases resulting from those charges will be handled by provincial law enforcement agencies. Law enforcement is a responsibility of government.

Animal protection and animal advocacy remain the mission of the Ontario SPCA and Humane Society.

# HOW WILL ONTARIO SPCA ENFORCEMENT SUPPORT SERVICES WORK?

Across Ontario, and wherever law enforcement agencies have the lead role in responding to cases of animal cruelty, Ontario SPCA Enforcement Support Services provides a variety of critical, animal-related services to support police and to help vulnerable animals in times of crisis.

Ontario SPCA Enforcement Support Services include:

- Collecting and processing forensic evidence to help build cases against animal abusers;
- On-site support providing animal care, including veterinary medicine;
- Animal behaviour assessments and rehabilitation;
- Animal transportation;
- Animal sheltering and placement of rescued animals in homes or other suitable environments;
- Animal care and wellness services;
- Legal support and animal law briefings.

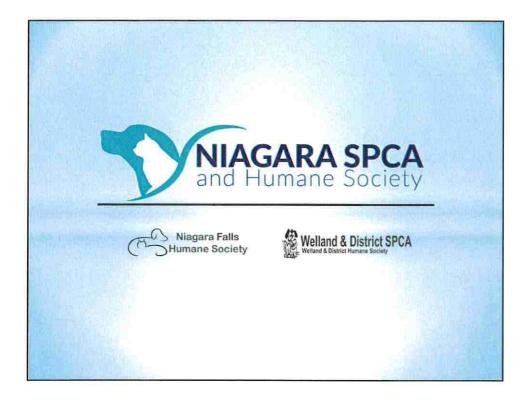
To better understand how the partnership between law enforcement agencies and Ontario SPCA Enforcement Support Services will work, it's helpful to have an overview of our potential role in the process of an animal crueity case.

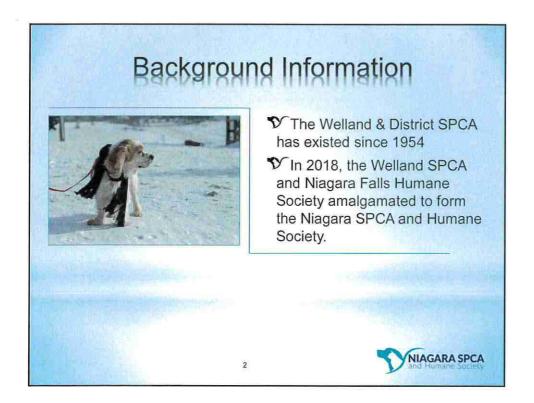
Ontario SPCA Enforcement Support Services will assist law enforcement agencies with collecting evidence to build cases against animal abusers. Once a case of animal cruelty is being investigated, Ontario SPCA Enforcement Support Services will respond with appropriate animal-related resources when we are contacted by law enforcement agencies. We can support the process at an animal crime scene by providing crisis intervention for animals including animal handling, animal care and medical treatment. We can also transport animals to a safe environment and provide sheltering. Once the needs of animals have been met, we can further assist law enforcement agencies by locating, recording and preserving physical evidence in animal-related investigations. In addition, we will be available to assist with preparing court documents, testifying and providing background and expertise on animal law. As cases conclude, we will ensure animals are placed in homes or other suitable environments.

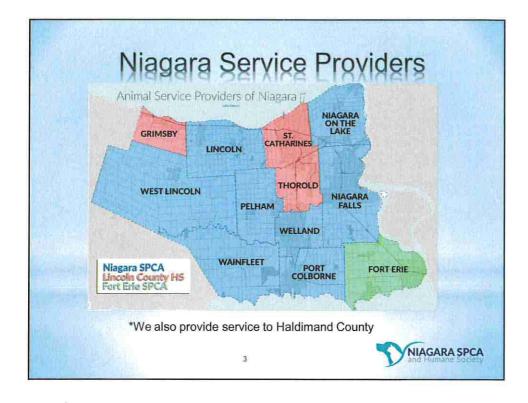
Animals deserve optimum care and Ontario SPCA Enforcement Support Services is being designed to provide enhanced protection of animals, in partnership with law enforcement agencies. Through the expertise of agencies enforcing the law and Ontario SPCA Enforcement Support Services providing and advocating for animals, this partnership will maximize resources for the best possible protection of animals.

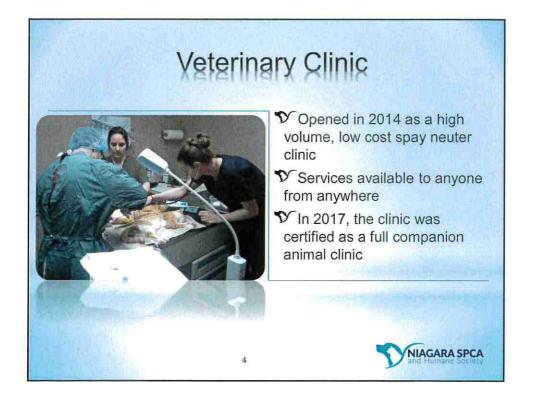


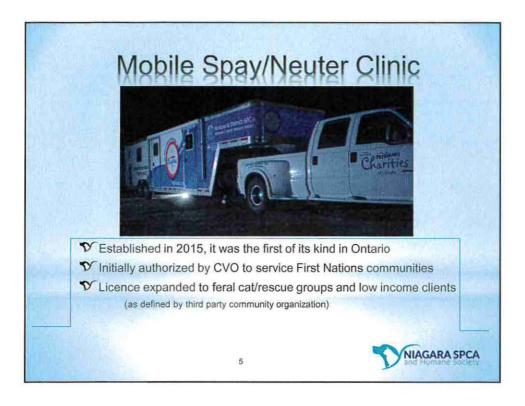
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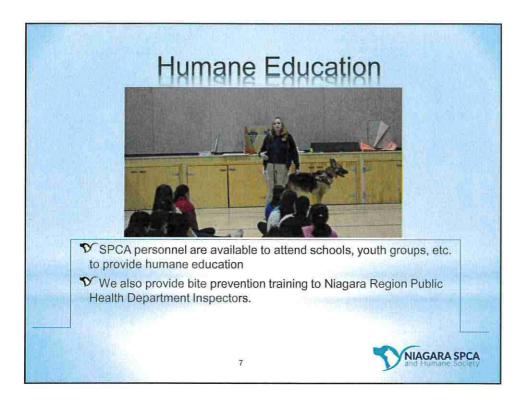




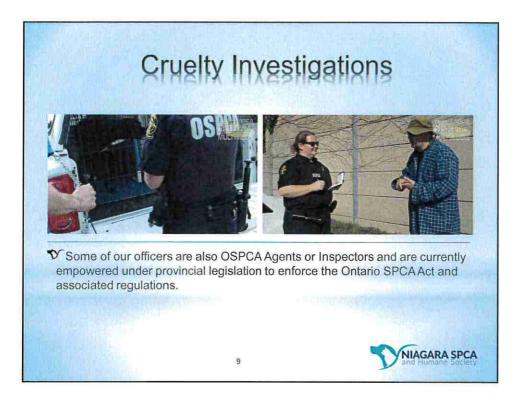


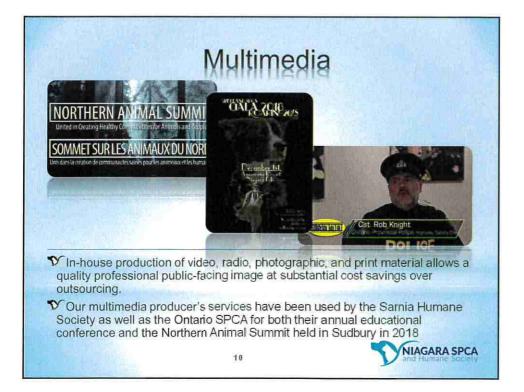


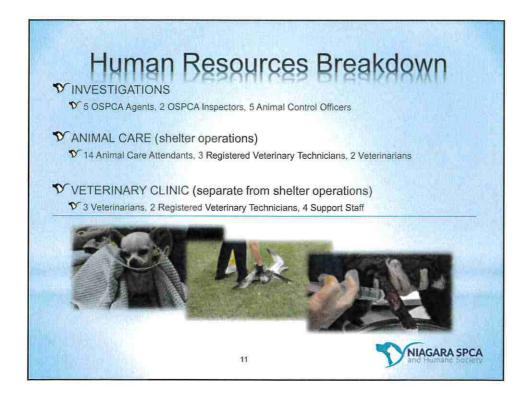
















#### MAYOR'S REPORT - MAY 13, 2019

#### Test it Tuesday

Tomorrow is Test it Tuesday and we encourage everyone to test your smoke alarms and carbon monoxide detectors. If you need any assistance, please call our Fire Department at 905-834-4512.

#### Women's Sledge Hockey Games

The Canadian Women's National Sledge Hockey Team will be facing off against Sledge Team Ontario in Port Colborne for a three game series at the Vale Health & Wellness Centre.

The City of Port Colborne is proud of their affiliation with both the Men's and Women's National Sledge Hockey Teams. Residents and visitors are encouraged to PORTicipate by coming out and cheering on the athletes. Admission is free.

Games are Friday, May 17 and Saturday, May 18 from 7 - 9 p.m and Sunday, May 19 from 10 a.m. - 12 p.m. on rink 1.

#### Summer Season

Our summer season began last week as we welcomed 45 students to our workforce. Students will be working in almost every building and in our parks and marina this summer.

Our park season begins this weekend so if you are looking to book a park or pavilion for an event, give us a call.

And hopefully the weather will improve so children can start enjoying the Discovery Spray Pad in H.H. Knoll Lakeview Park on Saturday morning at 10 a.m. It will be open on weekends only from Saturday until mid-June

#### Dr. Debbie Wilkes-Whitehall named Top Family Physician

We are all very pleased to announce that Dr. Debbie Wilkes-Whitehall has been named Niagara Region's Top Family Physician.

Nominated by Dr. Amanda Bell, Regional Assistant Dean of the Niagara Regional Campus of the Michael G. DeGroote School of Medicine and Family Physician, Dr. Wilkes-Whitehall received her award on Doctor's Day which was celebrated on May 1st.

Dr. Wilkes-Whitehall is an exemplary physician and a strong member of the medical community and mentor to our students.

She delivers high quality care to all of her patients, but especially to those who are most vulnerable due to eating disorders, mental health, and addiction issues.

She created the Niagara Eating Disorder outpatient program; the only provincially funded treatment program in Niagara.

Her passion for teaching has seen her grow her role from clinical teacher to a member of the Senior Leadership of McMaster University's Michael G. DeGroote School of Medicine.

She also provides care to physicians and their families through the Ontario Medical Association's Physician Help Program. Congratulations.

#### **Niagara IceDogs Exhibition Game**

A press conference was held this afternoon announcing that the Niagara IceDogs and Barrie Colts of the Ontario Hockey League (OHL) will be facing off in an exhibition game at the Vale Health & Wellness Centre in Port Colborne on Friday, August 30, 2019.

Revenue from the exhibition games ticket sales will be going to support the Port Colborne Wave Girl's Hockey Association.

The girls' minor hockey program continues to grow with plans to add one or two teams for the upcoming 2019-2020 season.

Mark your calendars now and come out to support local youth.