

**City of Port Colborne
Regular Council Meeting 15-18
Minutes**

Date: June 25, 2018
Time: 9:10 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor
J. Maloney, Mayor (presiding officer)

Absent: Y F. Danch, Councillor (due to vacation)
B. Kenny, Councillor (due to vacation)
J. Mayne, Councillor (leave of absence)

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
N. Halasz, Manager of Parks and Recreation
A. LaPointe, Manager of Legislative Services/City Clerk (minutes)
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
P. Senese, Director of Corporate Services

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

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 91 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

That the agenda dated June 25, 2018 be confirmed, as circulated
or as amended.
CARRIED.

4. Disclosures of Interest:

Councillor Doucet declared an indirect pecuniary interest with regard to item 14, City of Quinte West Re: Cannabis Grace Period Request, stating that it was personal in nature. Councillor Doucet refrained from discussing or voting on this item.

5. Adoption of Minutes:

No. 92 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

(a) That the minutes of the special meeting of Council 13-18, June 11, 2018, be approved as presented.

- (b) That the minutes of the regular meeting of Council 14-18, June 11, 2018, be approved as presented.
CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following item was identified for separate discussion:

Item 14.

7. Approval of Items Not Requiring Separate Discussion:

No. 93 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

That Items 1 to 17 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. Corporate Services, Clerk's Division, Report No. 2018-93, Subject: Restricted Acts of Council (Lame Duck Periods)

Council resolved:

That the City Clerk be directed to prepare the necessary by-law prior to Nomination Day (July 27, 2018) delegating authority to the Chief Administrative Officer (CAO) from July 27, 2018 to the earliest of December 1, 2018 or when quorum of members of the newly elected Council swear their Declaration of Office, as outlined:

1. The CAO be delegated the authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000;
2. That the CAO be delegated the authority to execute an Agreement of Purchase and Sale pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal for the acquisition of property;
3. That the CAO be delegated the authority to appoint or remove any officer from or to an office with the City of Port Colborne.
4. That the CAO be delegated the authority to hire or dismiss any employee of the municipality;
5. That the CAO will report to Council if the delegation of authority is exercised under the proposed by-law; and

That the by-law shall come into force and effect only in the event that less than seventy-five percent (75%) of the current Members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Election as determined by the City Clerk.

2. Corporate Services, Clerk's Division, Report No. 2018-91, Subject: Joint Niagara Compliance Audit Committee

Council resolved:

That The Corporation of the City of Port Colborne continue its participation in the Joint Niagara Compliance Audit Committee; and

That the updated Terms of Reference, attached as Appendix A to Corporate Services Department, Clerks Divisions Report 2018-91, be approved; and

That authority be delegated to the City Clerk to make legislative or administrative changes to the Terms of Reference; and

That authority be delegated to the City Clerk to appoint members to the Compliance Audit Committee.

3. Corporate Services, Finance Division, Report No. 2018-88, Subject: Grant Funding

Council Resolved:

That Corporate Services Department, Finance Division Report 2018-88 with respect to Grant Funding, be received for information.

4. Planning and Development, Planning Division, Report No. 2018-81, Subject: Biodiversity Offsetting

Council resolved:

The Council of The Corporation of the City of Port Colborne requests that the Region of Niagara and Niagara Peninsula Conservation Authority take the following actions with respect to the issues of Biodiversity Offsetting:

- Defer support of any Biodiversity Offsetting (BDO) Pilot Project until a thorough public discussion is undertaken regarding the purpose, methodology and evaluation procedure to be applied to any case study; and
- Allow the involvement of interested members of the public, but also experts from Brock University, Niagara College, and other Universities and Colleges with specialized fields of Ecological and Environmental studies to allow input to specialized biological questions should they arise; and
- Adopt the position that Provincially Significant Wetlands be protected the greatest extent; and

That Council's response with respect to Biodiversity Offsetting be forwarded to the Ministry of Natural Resources and Forestry for consideration in their review of the Conservation Authorities Act.

5. Engineering and Operations, Operations Division, Report No. 2018-79, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2016)

Council resolved:

That Engineering and Operations Department, Operations Division Report 2018-79 with respect to Energy Consumption and Greenhouse Gas Emissions Report (2016) be received for information.

6. Community and Economic, Sugarloaf Marina Division, Report No. 2018-89, Subject: Sugarloaf Marina – Herbicide Application

Council resolved:

That the Director of Community and Economic Development be directed to proceed with issuing a purchase order for applications of herbicides to Sugarloaf Marina.

After a thorough evaluation of the success of the project staff request the allocation of \$10,000 annually for herbicide application be included during the 2019 budget deliberations weeds as well as \$12,500 to replace the funds for the LED lights to complete this project in 2019.

7. Email correspondence from Betty Konc dated June 5, 2018 Re: Request for Fireworks Display on August 11, 2018 for an Annual BBQ, located at 831 Highway 3, East, Port Colborne

Council resolved:

That pursuant to Section 6.1.1 of By-law 4989/45/07, the Council of The Corporation of the City of Port Colborne authorize Betty Konc of 831 Highway 3, East, Port Colborne to hold a Display Fireworks Event on August 11, 2018.

That such approval be conditional on the issuance of a permit by the Fire Chief, in compliance with By-law 4989/45/07 and payment of the applicable fees.

That the following information be submitted to the Port Colborne Fire & Emergency Services a review a minimum of two weeks prior to the holding of the event.

- A fireworks site plan including but not limited to, separation distances to the public and vulnerable areas, location from where the fireworks are being fired, fallout zone, direction of firing, is to be submitted to this office by the fireworks supervisor for review.
- Event description information, including description of fireworks, type size and quantity.
 - firing procedures, manual or electric
 - emergency procedures
 - traffic control plans

That Betty Konc of 831 Highway 3, East, Port Colborne be advised that as the Authority having jurisdiction, Port Colborne Fire and Emergency Services conduct spot site inspections and may revoke approval for any violation of the Ontario Fire Code or the Explosives Act prior to or during the scheduled event.

8. Region of Niagara Re: State of Aggregate Resources in Niagara Region – Technical Addendum (PDS Report 12-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: State of Aggregate Resources in Niagara Region – Technical Addendum (PDS Report 12-2018), be received for information.

9. Region of Niagara Re: Waterfront Investment Program 2018 Funding Recommendations (PDS Report 16-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: Waterfront Investment Program 2018 Funding Recommendations (PDS Report 16-2018), be received for information.

10. Region of Niagara Re: New Regional Official Plan and Growth Management Program (PDS Report 21-2018)

Council resolves::

That the correspondence received from the Region of Niagara Re: New Regional Official Plan and Growth Management Program (PDS Report 21-2018), be received for information.

11. Region of Niagara Re: Climate Change Framework (PDS Report 22-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: Climate Change Framework (PDS Report 22-2018), be received for information.

12. Region of Niagara Re: Development Applications Monitoring Report – 2017 Year End (PDS Report 23-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: Development Applications Monitoring Report – 2017 Year End (PDS Report 23-2018), be received for information.

13. Niagara Region of Niagara Re: Taxpayer Affordability Guidelines

Council resolved:

That the correspondence received from the Region of Niagara Re: Taxpayer Affordability Guidelines be referred to the Director of Corporate Services.

15. Town of Pelham Re: Provincial Funding for Local Public Libraries

Council resolved:

That the resolution received from the Town of Pelham regarding the City of Port Colborne’s support for Provincial Funding for Local Public Libraries, be received for information.

16. Town of Pelham Re: Safe Drinking Water Training – Elected Municipal Officials

Council resolved:

That the resolution received from the Town of Pelham regarding City of Port Colborne’s support of Safe Drinking Water Training for Elected Municipal Officials, be received for information.

17. Town City of St. Catharines Re: Niagara Central Dorothy Rungeling Airport – Position regarding Niagara Region Uptake of Control and Governance of NCDRA and NDA

Council resolved:

That the resolution received from the City of St. Catharines regarding City of Port Colborne’s resolution regarding Niagara Central Dorothy Rungeling Airport – Niagara Region Uptake of Control of NCDRA and NDA, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

14. City of Quinte West Re: Cannabis Grace Period Request

No. 94 Moved by Councillor D. Elliot
 Seconded by Councillor B. Butters

That the resolution received from the City of Quinte Re: Cannabis Grace Period Request, be supported.

CARRIED.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

No. 95 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

- (a) That the minutes of the Port Colborne Transit Advisory Committee Meeting of March 28, 2018, be received.
- (b) That the minutes of the Port Colborne Public Library Board Meeting of May 8, 2018, be received.
- (c) That the minutes of the Port Colborne Active Transportation Advisory Committee Meeting of May 22, 2018, be received.

CARRIED.

11. Consideration of By-laws:

No. 96 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:

- 6595/50/18 Being a By-law to Authorize Entering Into a Contract Agreement with Dr. Kelly Maracle respecting the Maintenance of a Family Practice in Port Colborne
- 6596/51/18 Being a By-law to Delegate Financial and Staffing Authority to the Chief Administrative Officer during the Lamé Duck period
- 6597/52/18 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 Special and Regular Meetings of June 25, 2018


CARRIED.

12. Adjournment:

No. 97 Moved by Councillor D. Elliot
Seconded by Councillor Y. Doucet

That the Council meeting be adjourned at approximately 9:15 p.m.
CARRIED.

John Maloney
Mayor



Amber LaPointe
City Clerk

