

**City of Port Colborne
Regular Council Meeting 24-18
Minutes**

Date: September 24, 2018

Time: 8:11 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

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

Absent: Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (due to a leave of absence)

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)
P. Senese, Director of Corporate Services

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

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 141 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the agenda dated September 24, 2018 be confirmed, as
circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Councillor Bodner declared pecuniary interest with regard to item 2, Fire and Emergency Services Department, Report 2018-124, Subject: Regulating the Sale and Discharge of Fireworks, as his brother owns a business that sells fireworks and as he owns a business in Sherkston Shores that could potentially sell fireworks. Councillor Bodner refrained from discussing or voting on this item.

5. Adoption of Minutes:

No. 142 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

(a) That the minutes of the special meeting of Council 20-18,
September 10, 2018, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

Item 2.

7. Approval of Items Not Requiring Separate Discussion:

No. 143 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That items 1 to 13 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.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:**2. Fire and Emergency Services Department, Report 2018-124, Subject: Regulating the Sale and Discharge of Fireworks**

No. 144 Moved by Councillor D. Elliott
Seconded by Councillor F. Danch

That the proposed by-law for prohibiting and regulating the sale and discharge of fireworks attached to Fire and Emergency Services Department Report 2018-124 be approved, effective January 1, 2019; and

That staff be directed to make the necessary changes to the applicable fee schedule.

CARRIED.

9. Proclamations:

No. 145 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

Whereas the Province of Ontario has welcomed many people from around the world who have chosen this province as the place to start a new life in Canada, now as much as any other time in its history; and

Whereas many of these immigrants undertake to learn English in order to communicate with their fellow Ontarians, allowing them to start the process of building productive and rewarding lives in their new country; and

Whereas this diverse and multifaceted group of learners of English as a Second Language can be found throughout all levels of society in Ontario. They are students, teachers, researchers, caregivers, volunteers and workers, business owners and employees, professionals and labourers, all benefit from instruction in English as a Second Language and use that new knowledge to contribute to this province on an ongoing basis; and

Whereas the professional organization Teachers of English as a Second Language Ontario, hosts a conference in Toronto each year to maintain and expand the skills and abilities of its members to aid new comers to our province in their efforts to acquire English Language skills.

Now therefore, I, Mayor, John Maloney, proclaim October 28th to November 3rd, 2018 as "English as a Second Language Week" in the City of Port Colborne.

CARRIED.

10. Minutes of Boards, Commissions & Committees:

- a) **Minutes of the Canal Days Advisory Committee meeting of May 1, 2018**
- b) **Minutes of the Port Colborne Active Transportation Advisory Committee meeting of June 12, 2018**

No.146 Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

- a) That the minutes of the Canal Days Advisory Committee meeting of May 1, 2018, be received.
- b) That the minutes of the Port Colborne Active Transportation Advisory Committee meeting of June 12, 2018, be received.

CARRIED.

11. Consideration of By-laws:

No. 147 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That the following by-laws be enacted and passed:

- 6613/68/18 Being a by-law for prohibiting and regulating the sale of fireworks and the setting off of fireworks in the City of Port Colborne and to repeal By-law No. 2708/25/92
- 6614/69/18 Being a by-law to amend By-law No. 89-2000, being a by-law regulating traffic and parking on City roads (Davis Street)
- 6615/70/18 Being a by-law to amend By-law No. 89-2000, being a by-law regulating traffic and parking on City roads (Elm Street)
- 6616/71/18 Being a by-law to amend By-law No. 4310/46/02 a by-law Prescribing on and off street parking for persons with disabilities within the City of Port Colborne
- 6617/72/18 Being a by-law to adopt a Policy and Procedure for disposal of Surplus property in the City of Port Colborne
- 6618/73/18 Being a by-law to Appoint a Deputy Fire Chief
- 6619/74/18 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 September 24, 2018

CARRIED.

12. Council in Closed Session:

Motion to go into closed session – 8:18 p.m.

No. 148 Moved by Councillor B. Butters
Seconded by Councillor R. Bodner

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 meetings: August 27, 2018.
- (b) Planning and Development Department, By-law Enforcement Division Report 2018-130, concerning an

update with respect to ongoing property investigations, pursuant to *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

- (c) Planning and Development Department, Planning Division Report 2018-134, concerning an appeal under the *Planning Act* to the Local Planning Appeal Tribunal of Committee of Adjustment Decision B04-17-PC related to 2229 Highway 3 East, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- (d) Verbal report from Tammy Morden, Human Resources Coordinator, concerning the performance appraisal of the Chief Administrative Officer, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED.

Motion to rise with report – 9:39 p.m.

13. Disclosures of Interest Arising From Closed Session:

Councillor Danch declared a pecuniary interest related to closed session item (c), Planning and Development, Planning Division, Report 2018-134 concerning an appeal under the *Planning Act* to the Local Planning Appeal Tribunal of Committee of Adjustment Decision B04-17-PC related to 2229 Highway 3 East. Councillor Danch left the room during consideration of this item and refrained from discussing or voting on this matter.

14. Report/Motions Arising From Closed Session:

- b) Planning and Development Department, By-law Enforcement Division Report 2018-130, concerning an update with respect to ongoing property investigations, pursuant to Municipal Act, 2001, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting 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*.

- c) Planning and Development Department, Planning Division Report 2018-134, concerning an appeal under the Planning Act to the Local Planning Appeal Tribunal of Committee of Adjustment Decision B04-17-PC related to 2229 Highway 3 East, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting 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) Verbal report from Tammy Morden, Human Resources Coordinator, concerning the performance appraisal of the Chief Administrative Officer, pursuant to the Municipal Act, 2001, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.**

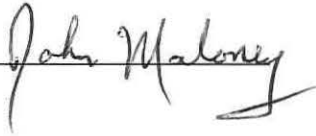
The City Clerk reported that Council received the presentation and related material provided from the Human Resources Coordinator for information in accordance with the *Municipal Act, 2001*.

15. **Adjournment:**

No. 149 Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 9:40 p.m.
CARRIED.

John Maloney
Mayor



Amber LaPointe
City Clerk



AL/cm