

**City of Port Colborne
Regular Committee of the Whole Meeting 24-18
Minutes**

Date: December 10, 2018

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
M. Cuthbert, Corporate Communications Officer
J. Douglas-Kameka, Economic Development Officer
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 Steele called the meeting to order.

2. National Anthem

Students from St. Patrick Catholic Elementary School choir sang O Canada.

3. Introduction of Addendum Items:

Addition under Item 1, delegation by Sylvia Fannon, resident.

4. Confirmation of Agenda:

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

That the agenda dated December 10, 2018 be confirmed, as circulated or as amended.

CARRIED.

5. **Disclosures of Interest:**

Nil.

6. **Adoption of Minutes:**

(a) **Regular meeting of Committee of the Whole 22-18, held on November 26, 2018**

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

- (a) That the minutes of the regular meeting of the Committee of the Whole 22-18, held on November 26, 2018, be approved as presented.

CARRIED.

7. **Determination of Items Requiring Separate Discussion:**

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

8. **Approval of Items Not Requiring Separate Discussion:**

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

That items 1 to 11 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.

Item:

6. **Corporate Services Department, Finance Division, Report 2018-154, Subject: Approval of Spending Limits During the Interval Prior to the Approval of the 2019 Budget Estimates**

Committee of the Whole recommends:

That until such time that the 2019 Current Budget is adopted, the following be approved:

1. City Departments, Boards, and Agencies be allowed to incur operating costs to a level of 50% of the departmental expenditure of the prior year.

2. New capital items deemed essential by a department be approved by the respective Standing Committee or Board, or Agency and the Council of the City of Port Colborne prior to purchase.
3. That this policy be communicated to all Department Directors, Boards, and Agencies.

**7. Corporate Services Department, Finance Division, Report 2018-155,
Subject: 2019 Borrowing By-law**

Committee of the Whole recommends:

That a by-law be adopted to authorize temporary borrowing, as required, of up to \$4,000,000 for operating cash flow to meet the current expenditures of the Corporation until property taxes are billed and collected.

**8. Corporate Services Department, Finance Division, Report 2018-156,
Subject: Penalty Charges and Interest Rates for 2019**

Committee of the Whole recommends:

That the Penalty Charges and Interest Charges by-law be adopted to establish the 2019 late payment charges on payments due to the municipality.

**9. Corporate Services Department, Finance Division, Report 2018-157,
Subject: 2019 Interim Tax Billing**

Committee of the Whole recommends:

That a by-law be adopted to authorize the 2019 interim levy of taxes for all property tax classes, from the last revised assessment roll, before the adoption of the estimates for the year and final tax levy rates are established.

**10. Ministry of Municipal Affairs and Housing Re: A Congratulatory Message
to City Council**

Committee of the Whole recommends:

That the correspondence received from Steve Clark, Minister of Municipal Affairs and Housing Re: A Congratulatory Message to City Council, be received for information.

11. City of St. Catharines Re: Appointment of Supervisors for Conservation Authorities

Committee of the Whole recommends:

That the resolution received from the City of St. Catharines Re: Appointment of Supervisors for Conservation Authorities, be received for information.

CARRIED.

9. Presentations:**(a) 2018 Mayor's Christmas Card Contest Winners**

Mayor Steele presented to the Christmas Card Contest Winners a large copy of their drawing and a framed copy of the card. The winners were Nathan Cadot, Emma Croteau, Lucas den Hollander, Ryleigh Huneault, Adam Saltarelli, and Reagan Stanley. A copy of the presentation is attached.

10. Delegations:**(a) Terri Millstone of Magical Mediterranean Munchies seeking support and awareness for businesses located outside of the downtown core.**

Terri Millstone provided a verbal presentation requesting that Council provide support to small businesses outside of the downtown area. Ms. Millstone questioned why businesses are not permitted to place flyers in publicly funded places such as the Library or YMCA and advised that she would like to bring awareness to the Mediterranean diet.

(b) Sylvia Fannon regarding Planning and Development Department Report 2018-152, Subject: Private Retail Sale of Cannabis.

Sylvia Fannon provided a verbal presentation with respect to the retail sale of cannabis in the City. Ms. Fannon described concerns regarding the retail sale of cannabis in the City. A copy of the presentation is attached.

11. Mayor's Report:

Mayor Steele announced that there will be a New Year's Eve Family Celebration at the Vale Health & Wellness Centre, December 31, 2-6 p.m., with fireworks occurring at approximately 6 p.m. The Mayor also announced that the information about the Tim Hortons Free holiday skates can be found on the City's website.

12. Regional Councillor's Report:

Regional Councillor Butters advised that she and elected Regional Councillors attended three full days and two half days of orientation. Regional Councillor Butters also advised that the inaugural meeting of Council occurred on December 6 at which

candidates for the Regional Chair provided five minute speeches and answered questions. The Regional Councillor further advised that Regional Council selected twelve representatives to replace the Niagara Peninsula Conservation Authority Board on an interim basis. Finally, the Regional Councillor noted that Niagara Region Public Health forwarded correspondence advising of its availability to assist municipalities that opt in to allow retail cannabis sales.

13. Councillors' Items:

(a) Fallen trees in drains (Bodner)

In response to a concern expressed by Councillor Bodner with respect to fallen trees and branches causing blockages in drains, the Director of Engineering and Operations advised that crews reviewed two drains with a walk through pending on the rest and blockages will be removed in the winter months leading into spring.

Staff responses to Councillors' enquiries:

(a) Fire safety message to the community (Cartwright)

The Fire Chief provided a reminder to the community to practice fire safety at all times and to ensure proper working fire and carbon monoxide alarms, to be safe while cooking, and to properly use extension cords and lighting.

14. Consideration of Items Requiring Separate Discussion:

1. Planning and Development Department, Planning Division, Report 2018-152, Subject: Private Retail Sale of Cannabis

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

That the Council of The Corporation of the City of Port Colborne "opt-in" to having physical cannabis retail stores effective April 2019; and

That the Cannabis Retail Store Policy Statement be adopted; and

That a copy of this resolution be sent to the Premier of the Province of Ontario the Honourable Doug Ford, the Ontario Attorney General Minister, the Honourable Caroline Mulroney, the Minister of Finance, the Honourable Victor Fedeli.

Moved in referral by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That the Director of Planning and Development be directed to conduct public engagement including a telephone survey, online survey, and open house, and to report back to Council on the retail sale of cannabis,

for consideration at the January 14 meeting of Committee of the Whole/Council.

CARRIED.

2. Corporate Services Department, Clerk's Division, Report 2018-161, Subject: Appointment of Deputy Mayors for the 2018-2022 Term of Council

Moved by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That the following Councillors be appointed as Deputy Mayor for a six-month period:

Councillor Ron Bodner, December 2018 to May 2019,
Councillor Harry Wells, June 2019 to November 2019,
Councillor Frank Danch, December 2019 to May 2020,
Councillor Gary Bruno, June 2020 to November 2020,
Councillor Angie Desmarais, December 2020 to May 2021,
Councillor Eric Beauregard, June 2021 to November 2021,
Councillor Mark Bagu, December 2021 to May 2022,
Councillor Donna Kalailieff, June 2022 to November 2022.

Moved in amendment by Councillor A. Desmarais

Seconded by Councillor E. Beauregard

That the Councillors to be appointed as Deputy Mayor for a six month period be re-ordered as follows:

Councillor Ron Bodner, December 2018 to May 2019,
Councillor Frank Danch, June 2019 to November 2019,
Councillor Angie Desmarais, December 2019 to May 2020,
Councillor Mark Bagu, June 2020 to November 2020,
Councillor Harry Wells, December 2020 to May 2021,
Councillor Gary Bruno, June 2021 to November 2021,
Councillor Eric Beauregard, December 2021 to May 2022,
Councillor Donna Kalailieff, June 2022 to November 2022.

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

That the following Councillors be appointed as Deputy Mayor for a six-month period:

Councillor Ron Bodner, December 2018 to May 2019,
Councillor Frank Danch, June 2019 to November 2019,
Councillor Angie Desmarais, December 2019 to May 2020,
Councillor Mark Bagu, June 2020 to November 2020,
Councillor Harry Wells, December 2020 to May 2021,
Councillor Gary Bruno, June 2021 to November 2021,

Councillor Eric Beauregard, December 2021 to May 2022,
Councillor Donna Kalailieff, June 2022 to November 2022.

CARRIED.

**3. Corporate Services Department, Clerk's Division, Report 2018-162,
Subject: Review of Committees of Council Organization**

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

That attachment 'A' to Corporate Services Department, Clerk's Division Report 2018-162 setting out changes to the Committees of Council be approved.

CARRIED.

**4. Corporate Services Department, Clerk's Division, Report 2018-160,
Subject: Council Representation on Boards and Committees**

By general consensus the recommendations of the report were divided and voted on separately.

Moved by Councillor M. Bagu
Seconded by Councillor R. Bodner

That Councillor Ron Bodner be appointed as the Council representative on the Accessibility Advisory Committee for a term ending November 30, 2022.

That Councillor Angie Desmarais be appointed as the Council representative on the Active Transportation Committee for a term ending November 30, 2022.

That Councillor Donna Kalailieff be appointed as the Council representative on the Downtown Business Improvement Area Board of Management for a term ending November 30, 2022.

That Councillors Gary Bruno and Harry Wells be appointed as the Council representatives on the Drinking Water Quality Management System for a term ending November 30, 2022.

That Councillors Gary Bruno and Harry Wells be appointed as the Council representatives on the Economic Development Advisory Committee for a term ending November 30, 2022.

That Councillor Frank Danch be appointed as the Council representative on the Main Street Business Improvement Area Board of Management for a term ending November 30, 2022.

That Councillor Eric Beauregard be appointed as the Council representative on the Mayor's Youth Advisory Council for a term ending November 30, 2022.

That Councillors Gary Bruno and Ron Bodner be appointed as the Council representatives on the Niagara Central Airport Commission for a term ending November 30, 2022.

That Councillor Angie Desmarais be appointed as the Port Cares non-voting liaison to the Volunteer Board of Directors for a term ending November 30, 2022.

That Councillor Eric Beauregard be appointed as the Council representative on the Port Colborne Historical and Marine Museum Board for a term ending November 30, 2022.

That Councillors Gary Bruno, Donna Kalailieff and Ron Bodner be appointed as the Council representatives on the Port Colborne Medical Education, Recruitment and Health Services Committee for a term ending November 30, 2022.

That Councillor Mark Bagu be appointed as the Council representative on the Port Colborne Public Library Board for a term ending November 30, 2022.

That Councillor Angie Desmarais be appointed as the Council representative on the Port Colborne Senior Citizen Advisory Council for a term ending November 30, 2022.

That Councillor Donna Kalailieff be appointed as the Council representative on the Port Colborne/Wainfleet Chamber of Commerce for a term ending November 30, 2022.

That Councillors Frank Danch, Angie Desmarais, Donna Kalailieff, and Harry Wells be appointed as the Council representatives on the Property Standards Committee for a term ending November 30, 2022.

That Councillor Angie Desmarais be appointed as the Council representative to the Social Determinants of Health Advisory Committee – Everyone Matters for a term ending November 30, 2022.

That Councillor Angie Desmarais be recommended for appointment as the Council representative on the Regional Transportation Strategy Steering Committee for a term ending November 30, 2022.

That Councillors Ron Bodner and Harry Wells be appointed as the Council representatives on the Julia Yager Social and Recreation Centre Committee for a term ending November 30, 2022.

That Councillors Ron Bodner and Harry Wells be appointed as the Council representative on the Sherkston Community Centre Trust for a term ending November 30, 2022.

That the Clerk be directed to prepare the appropriate by-law for approval.
CARRIED.

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

That selection of Councillor representation on the following Boards and Committees be deferred until the first Council meeting in January:

Canal Days Advisory Committee
Committee of Adjustment
Environmental Advisory Committee
Fair Trade Town Committee
Grant Policy Committee
Niagara Community Foundation, Port Colborne Fund
Notice to Muzzle Appeal Committee
Port Colborne Transit Advisory Committee

CARRIED.

5. Community and Economic Development Department, Parks and Recreation Division, Report 2018-158, Subject: Level One Condition Survey – Sugarloaf Marina Dock Inspection

Moved by Councillor F. Danch
Seconded by Councillor G. Bruno

That Community and Economic Development Department, Parks and Recreation Division Report 2018-158, Subject: Level One Condition Survey – Sugarloaf Marina Dock Inspection, be received for information; and

That consideration of the Level One Inspection Report - Sugarloaf Marina dock facilities, be referred to the 2019 budget process.

CARRIED.

15. Notice of Motion:

Nil.

16. Adjournment:

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

That the Committee of the Whole meeting be adjourned at approximately
9:09 p.m.

CARRIED.

AL/cm

I AM THE SPOKESPERSON FOR SEVERAL PEOPLE HERE TONIGHT FROM GASLINE + SHERKSTON.

I have many serious concerns as we in Port Colborne debate whether to opt in or opt out of retail sales of cannabis.

I believe Port Colborne tries to present itself as a family-oriented City with strong family values and opportunities. We want to attract more families to live and work here. We want to attract tourism to our unique and beautiful City. We need to be careful, our vibrant tourist areas have good shops attracting many tourists. Cannabis smells absolutely awful, and this will have a negative effect all around. I do not want Port Colborne to become a tourist destination for pot.

I have heard the point that Port Colborne should represent itself as being "Open for Business", and that if we opt out are we giving the message that we are really "Closed for Business". Can't we use discretion when we choose what type of business we are open for? Don't we have enough respect for ourselves and our beautiful City to want to pick businesses we really want here? We want to bring jobs to our citizens. I believe attracting businesses to our area like GE brings many and good quality stable jobs for families in our City. This also attracts families to our City. I believe retail cannabis stores will provide a few jobs, likely without benefits and likely unstable in terms of long-term work. This does not attract families to our City. There are likely to be many unwanted effects from having a retail store selling cannabis. Will they attract dubious individuals to hang around retail sites, which may scare away other customers from area shops, losing them business? Will this lead to businesses pulling up stakes and leaving the City, losing tax dollars and pushing people out rather than attracting families here?

Growing up in Merritton I knew about the drug reputation in Port Colborne. Do we want to return to that? I have seen Port Colborne change positively over the last several years, but that old reputation is not far behind. When my husband and I retired we specifically moved to Port Colborne because we liked the City, area and the people. We liked how the City cares about retirees and the needs of it's elderly. We have to be careful if we want to present Port Colborne as a family-oriented and welcoming place to live. We already have two grow operations, both in the east end. We have seen how grow ops attract crime and less than attractive personalities. Take Pinecrest Road, for example. Do you really think the criminal activity that happened there won't happen again?

An Ohio State University 3 year study in Denver published in April 2017* stated that legal marijuana shops are linked to higher levels of property crime in nearby areas. The results show that legal marijuana sales come with a cost, according to Bridget Freisthler, lead author of the study and Professor of Social Work at Ohio State. "If you're looking strictly from a Public Health standpoint, there is a reason to be somewhat concerned about having a marijuana outlet near your home." She went on to say that the findings of this as well as her previous study, suggested there are reasons for citizens to be cautious about legal marijuana sales.

If you decide to go ahead,

Where will you put a retail store? I feel that Gasline and Sherkston have had its fill of this issue. There are other sites to consider. What about the west end of the City, Hwy. 3 and Killaly? It's away from schools, there are few houses. Farmedica in Sherkston should not be a place for retail, there are many homes in the area that would be greatly and very negatively affected.

Have you consulted with NRPS about the possibility of related increase in patrols and manpower? We have recently heard rumours that they are considering closing the Port Colborne Police Station.

This is all about sales and business, and nothing else. Believe me, the producers and sellers are making these products very attractive. There is nothing remotely related to having a conscience about the effects of these sales. I find it ridiculous that as adults we expect our young to read warnings first and then judge on the attractive candy we show off. I hold a Masters Degree in Clinical Social Work. I practiced as a Clinical Social Worker for 31 years, I do have some experience in matters of youth.

It seems I'm not alone. In an article in the St. Catharines Standard Aug. 16 Deputy Chief Bill Fordy expressed his concern about the impact on youth. Similar to youth hanging about LCBOs trying to get adults to buy for them, will this new form of retail lead to the same concern? Also on Oct. 2 in the Welland Tribune Scott Luey, Chief Administrative Officer here in Port Colborne said information from the Province is coming out in dribs and drabs. St. Catharines also on Aug. 16 was reported as having lost confidence in the Province when they shifted from having sales through LCBO like sites to private sales. Fort Erie as of Nov. 20 is split on its decision. Ward 5 Councillor Don Lubberts said there are too many unknowns, we don't know yet what we are getting into.

A month ago while listening to local Giant FM radio, the DJ said Wainfleet, West Lincoln and Niagara-on-the-Lake are opting out of retail sale of cannabis. They laughed and said not to worry, we can all go to Port Colborne to get our pot. I laughed and cried, given the meaning of this. Port Colborne is already called "Pot Colborne". Is this the reputation we want? I do not!

Many towns and cities are deciding to opt out. I think we need to ask why and take heed. In the Standard Nov. 28 there is report of St. Catharines having an online survey and public meeting on Dec. 11 before a decision is made for their city. In an article Dec. 3 Welland also is having an online survey until Jan. 5. In the Leader there was advertisement that we were to hold an Open House Oct. 30 and a Public Meeting Nov. 13 on these issues. I even called in and inquired about this, intending to attend these meetings. All of a sudden I learned they were cancelled. Why? Is Port Colborne not interested in hearing from it's citizens, unlike other cities in Niagara? If you are planning an online survey, how do you intend to notify the public about it?

Sylvia Fannon

808 Pinecrest Road

Port Colborne.

*Journal Reference: Bridget Freisthler, Andrew Gaidus, Christina Tam, William R. Ponicki, Paul J. Gruenewald. "From Medical to Recreational Marijuana Sales: Marijuana Outlets and Crime in Era of Changing Marijuana Legislation" *The Journal of Primary Prevention* 2017;

DOI: 10.1007/s10935-017-0472-9.

Christmas Card Contest

I would like to thank all of the children of the city for sending me their drawings for consideration in our Christmas Card Contest.

Tonight as you can see by these poster boards, we have some great artists among us.

Their drawings were blown up and put on these poster boards and displayed on our float for the Santa Claus parade.

Each of you will get to take home your upsized drawing.

We also have a framed copy of the card for each of you.

For the front of the card, we choose a drawing by Emma Croteau, a grade 8 student at Oakwood Public School.

Her drawing shows our marine heritage Museum. Our curator was very excited about this drawing.

Emma included bright colours and lots of detail.

Emma, can you please come up.

Emma comes up.

Also this year, because of the great artwork displayed on our float in the Santa Claus Parade, the Christmas Card Float won best of show in the “other” category.

We have a PORTicipate prize package for each of you which also includes some blank Christmas cards for you to take home and send to family and friends.

We have an additional prize for you Emma as your drawing was the showcase.

Present Christmas Inflatable and bag.

Emma, if you could just stand in front while I call up the other children, and then we will take a group photo.

Next, we have Adam Saltarelli, a grade 5 student at St. Patrick Catholic School, who provided us with a drawing of our ship's wheel with a snowman.

Adam, can you please come up.

Adam comes up. Present frame and bag.

Ryleigh Huneault is a grade 6 student at St. Patrick Catholic School.

She drew a picture of a ship in the canal all decorated for Christmas.

Ryleigh can you please come up.

Ryleigh comes up. Present frame and bag.

Next is Reagan Stanley, a grade 8 student at St. Patrick Catholic School.

Reagan's picture is the shows storefronts with our ship's wheel in a snow globe with the Welland Canal Bridge.

Reagan, can you please come up.

Reagan comes up. Present frame and bag.

Next is Lucas den Hollander, a grade 7 student at Oakwood Public School.

Lucas's picture is the shows a Christmas tree nicely decorated.

Lucas, can you please come up.

Lucas comes up. Present frame and bag.

And finally, we have Nathan Cadot, a grade 4 student at Oakwood Public School.

Nathan gave us a Christmas drawing of our lighthouse.

Nathan, can you please come up.

Nathan comes up. Present frame and bag.

We will now do a group photo if the parents want to get ready.