

**City of Port Colborne
Regular Council Meeting 17-20
Minutes**

- Date:** July 13, 2020
- Time:** 6:40 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor (via Zoom)
E. Beauregard, Councillor (via Zoom)
R. Bodner, Councillor (via Zoom)
G. Bruno, Councillor (via Zoom)
F. Danch, Councillor (via Zoom)
A. Desmarais, Councillor (via Zoom)
D. Kalailieff, Councillor (via Zoom)
W. Steele, Mayor (presiding officer)
H. Wells, Councillor (via Zoom)
- Staff Present:** D. Aquilina, Director of Planning and Development Department (via Zoom)
B. Boles, Director of Corporate Services (via Zoom)
N. Halasz, Manager of Parks and Recreation (via Zoom)
S. Hanson, Manager of By-law Services (via Zoom)
C. Lee, Director of Engineering and Operations (via Zoom)
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
C. Madden, Deputy Clerk

Also in attendance was one member of WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

Mayor Steele delivered his Mayor's Report, a copy of which is attached.

Regional Councillor Butters reported to Council on various items that were brought forth at the recent Region of Niagara Standing Committee meetings and Special Council meeting including the election of the Regional Chair, whether wearing face masks will be mandatory in the Niagara Region, and Basic Income Security. Councillor Butters concluded her report by encouraging residents to maintain social distancing and to follow the news provided on the Region of Niagara's website with respect to COVID-19.

2. Introduction of Addendum Items:

None.

3. Confirmation of Agenda:

No. 105 Moved by Councillor M. Bagu
Seconded by Councillor D. Kalailieff

That the agenda dated July 13, 2020 be confirmed, as circulated.

CARRIED

4. Disclosures of Interest:

Councillor Danch declared a pecuniary interest regarding item 3 (Planning and Development Department, Report 2020-84, Subject: Stopping Up and Closing part of Carl Road and Sale to 1970065 Ontario Inc.) as Rankin Construction Inc. is a customer of the Councillor's business. Councillor Danch refrained from discussing and voting on item 1.

Councillor Wells declared a pecuniary interest regarding item 3 (Planning and Development Department, Report 2020-84, Subject: Stopping Up and Closing part of Carl Road and Sale to 1970065 Ontario Inc.). Councillor Wells refrained from discussing and voting on item 1.

Councillor Beauregard declared a pecuniary interest regarding item 1 (Reconsideration of Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines), item 2 (Planning and Development Department, By-law Enforcement Division, Report 2020-88, Subject: Proposed Discharge of Firearms and Bows By-law 2020), item 3 (Planning and Development Department, Report 2020-84, Subject: Stopping Up and Closing part of Carl Road and Sale to 1970065 Ontario Inc.), and item 5 (Corporate Services Department, Report 2020-91, Subject: Niagara's South Coast Tourism Association) as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to these items. Councillor Beauregard refrained from discussing and voting on these items.

5. Adoption of Minutes:

No. 106 Moved by Councillor E. Beauregard
Seconded by Councillor A. Desmarais

(a) That the minutes of the regular meeting of Council 15-20, held on June 22, 2020, 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, 6, 7, 10, and 11.

7. Approval of Items Not Requiring Separate Discussion:

No. 107 Moved by Councillor G. Bruno
Seconded by Councillor F. Danch

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.

Items:

8. Region of Niagara Re: Declaration of Public Health Issues

Council Resolved:

That the correspondence received from the Region of Niagara Re: Declaration of Public Health Issues, be received for information.

9. Jack Ammendolia, BES, PLE, Managing Partner and Director, Education, Niagara Catholic District School Board Re: Education Development Charges By-law

Council Resolved:

That correspondence received from Jack Ammendolia, BES, PLE, Managing Partner and Director, Education, Niagara Catholic District School Board Re: Education Development Charges By-law, be received for information.

CARRIED

8. Consideration of Items Requiring Separate Discussion:

1. Reconsideration of Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines

No. 108 Moved by D. Kalailieff
Seconded by R. Bodner

That Council reconsiders Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines.

LOST

2. Planning and Development Department, By-law Enforcement Division, Report 2020-88, Subject: Proposed Discharge of Firearms and Bows By-law 2020

No. 109 Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

That the proposed Discharge of Firearms and Bows By-law be approved, as presented; and

That the proposed amendment to the Noise By-law be approved, as presented.

CARRIED

3. Planning and Development Department, Report 2020-84, Subject: Stopping Up and Closing part of Carl Road and Sale to 1970065 Ontario Inc.

No. 110 Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That the attached By-law to stop up, close, declare surplus to the needs of the municipality and sell part of the Carl Road road allowance, Part 1 & 2 on Plan 59R- 16702 to 1970065 Ontario Inc. be approved; and

That the Mayor and Clerk be authorized to sign and execute all documents respecting the sale of these lands.

CARRIED

4. Chief Administrative Officer Department, Report 2020-89, Subject: Ramey Road Name Change Request

No. 111 Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

That Chief Administrative Officer Report 2020-89, Subject: Ramey Road Name Change Request, be received for information; and

That Council adopt the Road Name Policy attached as Appendix A to this report.

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

That the main motion be amended by adding the following as the third paragraph:

“That staff prepare an updated list of names for commercial/industrial zones and bring a recommendation forward to Council with respect to changing the name of Ramey Road.”

CARRIED

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

That Chief Administrative Officer Report 2020-89, Subject: Ramey Road Name Change Request, be received for information;

That Council adopt the Road Name Policy attached as Appendix A to this report; and

That staff prepare an updated list of names for commercial/industrial zones and bring a recommendation forward to Council with respect to changing the name of Ramey Road.

CARRIED

5. Corporate Services Department, Report 2020-91, Subject: Niagara's South Coast Tourism Association

No. 112 Moved by Councillor M. Bagu
Seconded by Councillor A. Desmarais

That Council appoint the following to the Niagara's South Coast Tourism Association Board of Directors:

- Mayor William C. Steele
- Councillor Ron Bodner
- Scott Luey
- Bryan Boles; and

That any and all previous Directors of Niagara's South Coast Tourism Association be removed; and

That the necessary by-law be approved by Council and signed by the Mayor and City Clerk.

CARRIED

6. Planning and Development Department, By-law Enforcement Division, Report 2020-90, Subject: Parking and Traffic – Pleasant Beach Road

No. 113 Moved by Councillor G. Bruno
 Seconded by Councillor H. Wells

That Council approve the following recommended measures in order to alleviate the ongoing issues on Pleasant Beach Road:

- Rename Pleasant Beach Road in accordance with the draft Road Naming Policy
- Increase Tow away fines from \$60.00 to \$160.00
- Prepare and complete a RFP for additional towing companies
- Enforcement increases as necessary (staffing and vehicles)
- Reduce the speed limit after Michener Road to 40 km/hr
- Implement one (1) hour parking in front of the restaurant "Rudders"
- Extend Prohibited Parking/Tow-Away Zone to cover entire length of Michener Road
- Extend the Prohibited Parking/Tow-Away Zone on Pleasant Beach starting at Beach Road; and

That Schedule 'W' Speed Limits to By-law 89-2000, as amended be further amended to delete the following therefrom:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Pleasant Beach Road	Hwy #3	South to Lake Erie excepting that portion of Pleasant Beach Rd designated as Regn. Rd. No.1	60

That Schedule 'W' Speed Limits to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Pleasant Beach Road	Michener Road	South to Lake Erie	40
Pleasant Beach Road	Hwy #3	South to Michener	60

That Schedule 'E' Time Limited Parking to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4	Column 5
Highway	Side	From	To	Times/Days	Maximum
Pleasant Beach Rd	West	152m north of the lakeshore	14m north therefrom	Anytime	1 hour

That Schedule 'C2' Parking Prohibition Tow Away Zone to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Day
Michener Road	Both	Pleasant Beach Rd	Holloway Bay Road	Anytime

That By-law 6082/48/14 Schedule "A" – Administrative Penalty Designated By-law Provisions – Traffic By-law 89—2000, as amended, be further amended by deleting therefrom the following:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
69	205.03.01	Park in Tow Away Zone	\$60

That By-law 6082/48/14 Schedule "A" – Administrative Penalty Designated By-law Provisions – Traffic By-law 89—2000, as amended, be further amended by adding thereto the following:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
69	205.03.01	Park in Tow Away Zone	\$160

Moved in amendment by Councillor G. Bruno
 Seconded by Councillor H. Wells

That the main motion be amended by striking out the first bulleted item in paragraph one.

CARRIED

Moved in amendment by Councillor H. Wells
 Seconded by Councillor G. Bruno

That the main motion be amended by adding the following as the eighth paragraph:

“That a no passing double line be implemented on Pleasant Beach Road from Michener Road south until the road end; and”

CARRIED

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

That the main motion be amended by adding the following as the seventh bullet in the first paragraph and the ninth paragraph, respectively:

“• Extend Prohibited Parking/Tow-Away Zone to cover entire length of Beach Road”

“That Schedule ‘C2’ Parking Prohibition Tow Away Zone to By-law 89-2000, as amended be further amended by adding thereto the following:”

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Day
Beach Road	Both	Pleasant Beach Road	Empire Road	Anytime

CARRIED

The following was accepted as a friendly amendment:

That the main motion be amended by striking out the fourth paragraph and adding the following thereto:

“That Schedule ‘E’ Time Limited Parking to By-law 89-2000, as amended be further amended by adding thereto the following:”

Column 1	Column 2	Column 3		Column 4	Column 5
Highway	Side	From	To	Times/Days	Maximum
Pleasant Beach Rd	West	152m north of the lakeshore	14m north therefrom	May 1 to October 31 inclusive 12 p.m. to 9 p.m. daily	1 hour

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

That Council approve the following recommended measures in order to alleviate the ongoing issues on Pleasant Beach Road:

- Increase Tow away fines from \$60.00 to \$160.00
- Prepare and complete a RFP for additional towing companies
- Enforcement increases as necessary (staffing and vehicles)
- Reduce the speed limit after Michener Road to 40 km/hr
- Implement one (1) hour parking in front of the restaurant “Rudders”
- Extend Prohibited Parking/Tow-Away Zone to cover entire length of Michener Road
- Extend Prohibited Parking/Tow-Away Zone to cover entire length of Beach Road
- Extend the Prohibited Parking/Tow-Away Zone on Pleasant Beach starting at Beach Road; and

That Schedule ‘W’ Speed Limits to By-law 89-2000, as amended be further amended to delete the following therefrom:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed

Pleasant Beach Road	Hwy #3	South to Lake Erie excepting that portion of Pleasant Beach Rd designated as Regn. Rd. No.1	60
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That Schedule 'W' Speed Limits to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Pleasant Beach Road	Michener Road	South to Lake Erie	40
Pleasant Beach Road	Hwy #3	South to Michener	60

That Schedule 'E' Time Limited Parking to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4	Column 5
Highway	Side	From	To	Times/Days	Maximum
Pleasant Beach Rd	West	152m north of the lakeshore	14m north therefrom	May 1 to October 31 inclusive 12 p.m. to 9 p.m. daily	1 hour

That Schedule 'C2' Parking Prohibition Tow Away Zone to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Day
Michener Road	Both	Pleasant Beach Rd	Holloway Bay Road	Anytime

That By-law 6082/48/14 Schedule "A" – Administrative Penalty Designated By-law Provisions – Traffic By-law 89—2000, as amended, be further amended by deleting therefrom the following:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
69	205.03.01	Park in Tow Away Zone	\$60

That By-law 6082/48/14 Schedule "A" – Administrative Penalty Designated By-law Provisions – Traffic By-law 89—2000, as amended, be further amended by adding thereto the following:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
69	205.03.01	Park in Tow Away Zone	\$160

That a no passing double line be implemented on Pleasant Beach Road from Michener Road south until the road end; and

That Schedule 'C2' Parking Prohibition Tow Away Zone to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Day
Beach Road	Both	Pleasant Beach Road	Empire Road	Anytime

CARRIED

7. Ron Tripp, Acting Chief Administrative Officer for the Regional Municipality of Niagara Re: Joining the Coalition of Inclusive Municipalities

No. 114 Moved by Councillor E. Beauregard
 Seconded by Councillor M. Bagu

That the correspondence received from Ron Tripp, Acting Chief Administrative Officer for the Regional Municipality of Niagara, dated February 28, 2020 including Regional report titled "CAO 14-2019 Action and Resources to Join the Coalition of Inclusive Municipalities" which outlines the staff recommendations and resourcing to support this initiative as well as a draft declaration, requesting that the Corporation of the City of Port Colborne support the joining of the Coalition of Inclusive Municipalities and signing of the declaration and participate in a media release and possible media event (as coordinated by Niagara Region with the municipalities); be received; and

That, the following Declaration to Join the Coalition of Inclusive Municipalities be adopted and forwarded to Niagara Region:

GIVEN THAT The Canadian Commission for UNESCO (United Nations Educational, Scientific and Cultural Organization) is calling on municipalities to join a Coalition of Inclusive Municipalities and to be part of UNESCO's international Coalition launched in 2004: and

The Federation of Canadian Municipalities (FCM) endorses the Call for a Coalition of Inclusive Municipalities and encourages its members to join; and

WHEREAS Municipal governments in Canada, along with other levels of government, have responsibilities under Canada's Charter of Rights and Freedoms as well as federal, provincial and territorial human rights codes, and therefore have an important role to play in combating racism and discrimination and fostering equality and respect for all citizens;

BE IT RESOLVED THAT The Regional Municipality of Niagara, The Corporation of the Town of Fort Erie, The Corporation of the Town of Grimsby, The Corporation of the Town of Lincoln, The Corporation of the City of Niagara Falls, The Corporation of The Town of Niagara-on-the-Lake, The Corporation of the Town of Pelham, The Corporation of the City of Port Colborne, The Corporation of the City of St. Catharines, The Corporation of the City of Thorold, The Corporation of The Township of Wainfleet, The Corporation of the City of Welland, and The Corporation of the Township of West Lincoln agree to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments (see Appendix A) and agree to develop or adapt a joint Plan of Action led by the Regional Municipality of Niagara accordingly; and

These Common Commitments and the Municipalities' joint Plan of Action will be an integral part of the Municipalities' vision, strategies, and policies; and

In developing or adapting and implementing the joint Plan of Action toward progressive realization of the Common Commitments, the Municipalities will cooperate with other

organizations and jurisdictions, including other levels of government, indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights; and

The Municipalities will set their priorities, actions and timelines and allocate resources according to their unique circumstances, and within their means and jurisdiction. The Municipalities will exchange their expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

CARRIED

10. Barclay Walker, Dr. Amanda Bell and Terry Suess Re: City of Port Colborne Sidewalk Contract 2020-12 (Stanley Street Portion)

No. 115 Moved by Councillor D. Kalailieff
Seconded by Councillor H. Wells

That correspondence received from Barclay Walker, Dr. Amanda Bell and Terry Suess Re: City of Port Colborne Sidewalk Contract 2020-12 (Stanley Street Portion), be received for information.

CARRIED

11. City of Welland Re: Odour and Light Management Control Issues from Cannabis Facilities

No. 116 Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That the resolution received from the City of Welland, Re: Odour and Light Management Control Issues from Cannabis Facilities, be received for information.

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

That the main motion be amended by striking out the words "received for information" and inserting thereto the word "supported."

CARRIED

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

That the resolution received from the City of Welland, Re: Odour and Light Management Control Issues from Cannabis Facilities, be supported.

CARRIED

9. Proclamations:

None.

10. Minutes of Boards, Commissions & Committees:

No. 117 Moved by Councillor R. Bodner
Seconded by Councillor H. Wells

(a) Minutes of the Port Colborne Public Library Board Meeting of March 3, 2020.

CARRIED

11. Councillors' Items:

Staff Responses to Previous Councillors' Enquiries

None.

Councillors' Issues/Enquiries

(a) Speeding on Lakeshore Road West (Bagu)

Councillor Bagu reported that there has been a high volume of cars speeding on Lakeshore Road West just past Tennessee Avenue. The Mayor confirmed that he will request the Niagara Regional Police to investigate this issue.

(b) Enforcement of Loud Exhaust Pipes (Bagu)

Councillor Bagu expressed concern regarding the lack of enforcement of loud exhaust pipes on vehicles. The Mayor reported that he will pass along this information to the Niagara Regional Police to investigate.

(c) Parking at Sugarloaf Marina (Bagu)

Councillor Bagu expressed gratitude toward staff for the great work they have been doing to manage the high volume of parking at Sugarloaf Marina.

(d) Dock Buggies at Sugarloaf Marina (Bagu)

In response to Councillor Bagu's inquiry regarding whether staff could implement a system that would allow customers at Sugarloaf Marina to start using the dock buggies in order to carry their supplies from the car to the boat, the Manager of Parks and Recreation confirmed that staff will investigate this matter.

(e) Fish Cleaning Station at Sugarloaf Marina (Bagu)

In response to Councillor Bagu's request to reinstate the fish cleaning station on the docks at Sugarloaf Marina, the Manager of Parks and Recreation confirmed that staff will investigate this matter in conjunction with Public Health and the Emergency Operations Centre.

(f) Garbage Receptacles at Sugarloaf Marina (Bagu)

In response to Councillor Bagu's inquiry with respect to whether garbage receptacles could be installed along the docks at Sugarloaf Marina, the Manager of Parks and Recreation reported that garbage receptacles were removed as a result of multiple animals entering the docks to get to the garbage receptacles. The Manager of Parks and Recreation confirmed that staff will investigate other options such as a barge type system.

(g) Garbage Receptacles on Friendship Trail (Beauregard)

Councillor Beauregard reported that there has been a large amount of garbage along the Friendship Trail recently and inquired as to whether or not more garbage receptacles could be placed in the area of Davis and Durham Streets. The Manager of Parks and Recreation confirmed that staff will investigate this issue.

(h) Illegal Dumping on Friendship Trail (Beauregard)

Councillor Beauregard reported that there has been a large amount of illegal dumping on Durham Street between Elizabeth Street and Reuter Road along the Friendship Trail. The Chief Administrative Officer confirmed that he will work with staff to investigate this issue.

(i) Davis Street Parking Issues (Beauregard)

In response to Councillor Beauregard's inquiry with respect to whether more enforcement could be conducted or whether more road markings could be installed on Davis Street along the boulevard where there is no parking, the Manager of By-law Services informed Council that she will investigate this

issue with the Director of Engineering and Operations as well as the Ward 2 Councillors.

(j) Apology to Business on Pleasant Beach Road (Bodner)

Councillor Bodner provided an expression of regret towards the business located on Pleasant Beach Road for the comments made during the last Council Meeting.

(k) Operations of Centennial Beach (Bodner)

In response to Councillor Bodner's inquiry with respect to how the operations are going at Centennial Beach, the Manager of Parks and Recreation informed Council that the operations are generally going well considering the influx of attendees as well as the changing environment. The Manager of By-law Services reported that from a by-law standpoint, parking and social distancing have not been issues in this area so far. The Chief Administrative Officer reported to Council that some negative emails were received regarding the operations at Centennial Beach; however, he further reminded Council that even though Centennial Beach has some amenities, it is not a staffed beach and therefore, it can be challenging to enforce all the activity.

(l) Line Painting (Bodner)

In response to Councillor Bodner's request with respect to putting hash markings on the road by Centennial Beach, the Director of Engineering and Operations confirmed that he will arrange for staff to complete this.

(m) Stone Roads (Bodner)

In response to Councillor Bodner's inquiry regarding whether there is any type of relief that could be offered to a resident who has health issues related to ingesting dust from their stone road, the Director of Engineering and Operations informed Council that staff are investigating repairs that could be offered in that location.

(n) Issues with the Odour Resulting From Cannabis Growing (Bodner)

Councillor Bodner expressed concern with respect to the odour that produces when cannabis is being grown by those who have a licence to do so. He informed Council that this issue creates hardship for surrounding residents. The Mayor requested that staff investigate this issue and the Manager of By-law Services confirmed that she will review the town of Pelham's recently passed by-law regarding this same topic.

(o) Property Impacting from Flooding (Bruno)

Councillor Bruno informed Council that there is a property on King Street that has been impacted four separate times by flooding. The Director of Engineering and Operations informed Council that staff is in discussions with the St. Lawrence Seaway and requested that they inspect a number of their drainage swales. In response to Councillor Bruno's request, the Chief Administrative Officer confirmed that he will contact the City's Insurance Adjuster and ask that they investigate this issue as soon as possible.

(p) Erie Street Pipe Break (Bruno)

In response to Councillor Bruno's request for an update on the Erie Street pipe break, the Director of Engineering and Operations informed Council that an old section of a cast iron main on Erie Street had blown out and cracked to the service line. He further reported that there were communication issues the night of the incident as the storm had caused the phone lines to cut out. The Director of Engineering and Operations confirmed that there is a post-event meeting happening later in the week to discuss solutions to these issues.

(q) Stage 3 in Niagara Region (Bruno)

In response to Councillor Bruno's inquiry regarding whether Council meetings and Citizen Committee meetings could resume in person after the Niagara Region enters into Stage 3, the City Clerk reported that Council meetings will continue to be conducted virtually; however, the format will change from an entirely electronic meeting to electronic participation. This means that some Councillors will be participating electronically online and some will be participating in Council Chambers in order to adhere to social distancing measures. The City Clerk further informed Council that Citizen Committee meetings will resume once the Niagara Region enters Stage 3 but these meetings will only take place in settings where social distancing measures can be adhered to. As a response to Councillor Bruno's further inquiry if more staff will be returning to work in the office, the City Clerk informed Council that City Hall is now open for appointments only and that if the Niagara Region enters into Stage 3, some staff will continue to work from home in order to safely adhere to social distancing measures.

(r) Playground Equipment (Bruno)

In response to Councillor Bruno's inquiry regarding whether the Parks and Recreation Division foresees any challenges with reopening some of the facilities that would be free to reopen should the Niagara Region enter Stage 3, the Manager of Parks and Recreation informed Council that recovery plans have been presented to the Emergency Operations Centre and that the major

concern staff is currently investigating is the reopening of the Vale Health and Wellness Centre.

(s) Grass cutting on Main Street and on Killaly Street West (Danch)

Councillor Danch informed Council and staff that the grass needs to be cut on Seaway property located on Main Street by the weir. Councillor Danch also reported that grass on Seaway property located on Killaly Street West, east of the weir needs to be cut. The Mayor confirmed that a meeting has been set up with the Niagara representative for Seaway to discuss the properties that require grass cutting.

(t) Speed Sign on Shamrock Avenue (Danch)

In response to Councillor Danch's request for an update on the speed limit signs to be installed on Shamrock Avenue, the Director of Engineering and Operations confirmed that locates are in and that this should be completed in the near future.

(u) Speed Sign on Barrick Road (Danch)

In response to Councillor Danch's request for an update with regards to speed limit signs being installed on the easterly part of Barrick Road past Elm Street, the Director of Engineering and Operations confirmed that staff have completed this task.

(v) Issue with Waste (Desmarais)

Councillor Desmarais requested that Staff look into the issue of excessive garbage being located around the City.

(w) Loud Cars (Desmarais)

Councillor Desmarais expressed concern about the lack of enforcement of loud cars being heard throughout the City.

(x) Speeding on Cement Plant Road (Kalailieff)

Councillor Kalailieff expressed appreciation towards the Mayor for coordinating with the Niagara Regional Police to provide a higher level of enforcement of speeding vehicles on Cement Plant Road.

(y) Update on Eagle Marsh Drain (Kalailieff)

In response to Councillor Kalailieff's request for an update on the Eagle Marsh Drain, the Director of Engineering and Operations informed Council

that as long as the drain flows naturally, once there is a storm event staff will be able to drudge. He further reported that repairs are underway on the gate which should be complete by the end of the week and that there is a new activation system being installed by the contractor that raises and lowers the gate.

(z) Centennial Beach – Cedar Bay Park (Wells)

Councillor Wells informed Council that there are no signs at Centennial Beach related to the times of being open. He further reported that he has received concerns of people swimming late at night. The Manager of Parks and Recreation indicated that this matter will be investigated.

(a) Brookfield Road (Wells)

Councillor Wells informed Council that there is a portion of Brookfield Road on the southbound lane between Forks Road south to a driveway entrance that is very damaged. In response to Councillor Wells’ request for a sign to be installed that warns drivers of the damage, the Director of Engineering and Operations confirmed that base repairs are to be completed in the next few weeks and that staff will address the loose sections of asphalt and cautionary signage as soon as possible.

12. Consideration of By-laws:

No. 118 Moved by Councillor F. Danch
 Seconded by Councillor G. Bruno

That the following by-law be enacted and passed:

6797/47/20	Being a By-law to Stop Up and to Close and to Declare Surplus and to Authorize the Sale of the Portion of the Carl Road Road Allowance, Being Part 1 & 2, Plan 59R-16702 to 1970065 Ontario Inc.
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CARRIED

No. 119 Moved by Councillor F. Danch
 Seconded by Councillor G. Bruno

That the following by-law be enacted and passed:

6798/48/20	Being a by-law to appoint a Board of Directors for Niagara’s South Coast Tourism Association
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CARRIED

From: "Dean Davies" <[REDACTED]>
To: "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>
Date: 2020-07-12 01:51 PM
Subject: Re: Report 2020-15

To whom it may concern,

I am writing to you in support of Kruze Ovenden, as council prepares to review their decision to deny him relief of the debt he inherited following the tragic and untimely death of his mother Cheryl Booth-Hampson.

"Something just doesn't seem right about all of this" Luke Mackenzie, Age 15 when asked what brought him out to the first of many protests in support of Kruze Ovenden at Port Colborne City Hall. Niagara This Week February 6th 2020

I think Luke's words have stayed with me all these months because they are so simple, and so true. Here are few of the things about this situation that just don't seem right to me.

Charges in excess of \$22,000 for removal of items/yard clean-up, are exorbitant. I've never hired a removal company, let alone a landscaping company to carry out a yard clean-up, but speaking from personal experience, I can tell you that I have had the contents of my family home packed and shipped transatlantic and back for far less.

At the time of Cheryl Hampson-Booth's death her debt to the City had reached approximately \$35,000 dollars. This debt was inherited by her only child Kruze Ovenden. Kruze has managed to pay over \$17,000 of this debt, and yet today, with the accumulation of compounding penalties/interest, he owes nearly \$25,000.

"I thought there would be a different outcome tonight, especially with everything my mom went through before she died." Kruze Ovenden after receiving council's unanimous vote to reject his request for fines to be waived on compassionate grounds. Port Colborne Leader January 30th 2020

I can only imagine how defeated Kruze must have felt at this decision, after waiting months for a response from Council, while interest and penalties were piling up. Kruze was on his own and grieving. He asked for all fines to be waived out of desperation. By the time of the meeting, he had already made a concerted effort to pay what he could of his mother's debt. He cleared the entire water bill debt, and paid over \$5000 of the outstanding tax debt before his case was rejected. None of this was recognized. I thought perhaps council were unaware of the payments made but I asked Amber LaPointe, City Clerk about this, and was informed that Council were in fact aware prior to the decision to reject Kruze's request. This should have been a starting point to work out a payment plan, not a complete dismissal. I urge all members of council, and our Mayor, as leaders and representatives of our community, to do the right thing, and not only stop interest and penalties from accruing but also remove interest and penalties from the outstanding balance. Give this young man who has made a remarkable effort in extremely difficult times, a fighting chance at the future he deserves.

Sincerely,

Kelly Langley Davies
226 Alexandra St.
Port Colborne
L3K 2Y8

Laurie Dayboll
10128 Lakeshore Road
Wainfleet, Ontario.
L3K 5V4

July 11, 2020

Mayor Steele and Members of Council
City of Port Colborne

Re: Cheryl Booth / Kruze Ovenden and charges associated with the cleanup of 48 Kent Street, Port Colborne

Mayor Steele, Members of Council, City of Port Colborne staff, meeting attendees:

For those of you who do not know me, my name is Laurie Dayboll and I live at 10128 Lakeshore Road in Wainfleet. I am a Port Colborne native; my maiden name is Laurie McNay. During my career I was an administrator for South Niagara Community Development Corporation and Returning Officer for both Elections Canada and Elections Ontario. I mention this because I understand the responsibilities of being a public servant and of being in the public eye while in that role.

This evening you are discussing whether there is a wrong to be righted....to determine if all or any of the, fees penalties and interest charges associated with Kruze Ovenden's property will be written off or forgiven.

I would like to challenge ALL OF YOU to look at this in a different light! To look at this as an opportunity to right a different wrong, or rather to do the right thing in your role as representatives of the City of Port Colborne.

No matter where we live, we have neighbours and often the relationship with those neighbours truly adds to or detracts from the experience of living in the community we do. The Corporation of the City of Port Colborne was one of Cheryl Booth's closest neighbours! During this unprecedented time, we are reminded of the importance of neighbours supporting a person through tough times or addiction or mental illness. And my challenge to you is to realize that this was the City of Port Colborne's role as well. Right outside of the City's back window, City staff and council members could see that Cheryl Booth was in trouble. The City of Port Colborne also knew that some of the actions occurring could (and later did) result in action from themselves the City...The City knew what all of the implications of these actions would be more than any of Cheryl's other neighbours.

Now, The City of Port Colborne has a network of resources and connections that address addiction issues and mental illness strategies and support: Port Cares, Bridges, community organizations etc. The City knows who to get in touch with and how to do so and may even have representatives sitting as Board Members of these organizations. But what did the City do as Cheryl's neighbour?????? Did the City try to be supportive? Did the City do anything before the resulting enforceable cleanup and the notices after the costs couldn't be paid.

As a Council, you choose to delegate funds to community groups, you bring organizations that provide awareness presentations to council and you stand with them in support of their efforts and goals, you fly the flags of groups that need a voice, like yours, to break down barriers.

I challenge you to consider this: that during these unprecedented times, when we are reminded that we are "in this together" you, as the City of Port Colborne's current representatives, take the opportunity to do the right thing. Take up your neighbour's cause and be her voice. Show understanding and compassion and support. Be an example of a good neighbour. You, then, will not have to determine whether you should forgive the charges or penalties or interest, but will take ownership of the fact that back then, when this was happening, something MAYBE could have been done to help your neighbour that was suffering and needed the City's support and MAYBE these charges would never have occurred to begin with.

I challenge you, the City of Port Colborne to remove all of the cleanup charges, penalties, interest and fees from the tax roll for 48 Kent Street; not to FORGIVE them but to REMOVE them, in understanding that maybe the City could have done more for their neighbour at the time these were incurred. What an example to your neighbourhood and to your community this would be.

Thank you for your time and consideration.

Respectfully,

Laurie Dayboll

From: "Gillian MacKenzie" <[REDACTED]>
To: "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>, "Gillian MacKenzie" <[REDACTED]>
Date: 2020-07-12 12:43 PM
Subject: Public Comment for July 13th, 2020 Council Meeting
Kent Street

Agenda Item #1 Re: 48

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Gillian MacKenzie
406 King Street,
Port Colborne, Ontario,
L3K 4H4
[REDACTED]

Re: Reconsideration of Planning and Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines.

Dear Council Members,

I am writing to you in support of the reconsideration of Kruze Ovenden's request to have the interest and penalties removed from the debt he inherited at 48 Kent Street in Port Colborne and to have future interest frozen.

As a mother of 4 teenage boys Kruze's situation really hits home. If something happened to me and my sons were in Kruze's situation I could imagine nothing less than our amazing community coming together and helping them out in any way they could. I have been a homeowner and part of this wonderful city for 21 years and could not imagine living anywhere else. I have seen us rise up and surround people with love and hope tragedy after tragedy.

We take care of each other.

Kruze has made payment towards this debt with what little he has. The incredible residents of our community have come together and assisted as much as they can. It's time for our elected representatives to do their part. It is within your power to help this young man. I have seen the Federal, Provincial and Municipal government waive interest and penalties for people on their government debts time after time because of extenuating personal circumstances and this is no exception.

Kruze should be responsible for the original amount of the clean up bill. The city needs to be reimbursed for what was paid out to have his mother's property cleaned up. Everything else; administration charges, mailing fees, interest and penalties are phantom charges and should be

withdrawn. These charges are not part of the budget, were not paid to another party by the city and do not cost the taxpayers anything to remove.

I know Council was concerned about setting precedence with a decision of this nature and it is a valid concern. In making your determination please remember that we are all human and are all an extenuating circumstance or two away from being in need of help from others at any given time. Showing compassion and looking for ways to help people when they are in need is what truly makes a community. Shouldn't we be doing that anyways?

Thank you for your consideration,

Gillian MacKenzie

12 July 2020.

Mayor Steele and Councillors;

Recently council provided significant exemptions of taxes and fees to a multimillion-dollar development being undertaken by Rankin Construction two blocks from Kruze Ovenden's home at 48 Kent Street. Most citizens will recognize this decision as an investment that will pay for itself in the future. But regardless of those motivations, it is unreasonable to provide such substantial breaks for a company owned by a millionaire non-resident while at the same time imposing crushing fees and compounded penalties on a young long-term resident who has attempted to repay a substantial debt imposed upon his mother even while she was suffering from extreme and ultimately fatal mental and physical health issues.

This opportunity for reconsideration of Mr. Ovenden's situation is a chance to address that disparity. It is a chance to demonstrate Port Colborne's commitment to treating the most valued part of the community, our residents, in a manner that allows them a chance to survive and thrive in this city while we move to redevelop the city as a whole.

I hope the people of Port Colborne can count on your demonstration of support for a fellow resident who has been through some very difficult times. From all accounts, Kruze wants to be able to repay the initial fines assessed to his mother without still losing his home due to the steady accumulation of compounding interest and penalties on the initial clean-up cost.

The COVID 19 crisis has demonstrated to you our representatives, and to all citizens just how tenuous our health and financial stability can be. Showing mercy in the application of these penalties and interest is an opportunity to acknowledge that what has been happening to Kruze could happen to our relatives, our friends, and ourselves in short order should life take a difficult turn.

Please do the right thing and support a meaningful reduction in fees and penalties in the Kruze Ovenden case. Show the people of our city that council has the ability to look beyond their fee and penalty schedule to ensure that the impacts of bylaw enforcement action aren't passed on to a responsible young person who has suffered greatly as a result of his mother's illnesses and death.

Thank you for your consideration,

Christopher Radimer

123 Kent Street, Port Colborne.



From: "Tammy Ivankovich" <[REDACTED]>
To: "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>
Date: 2020-07-13 09:49 AM
Subject: Kruz Overden

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing this email in support of Kruz Overden. Council is revisiting his request for help in regards to the property he inherited on Kent St and the fines his Mother accrued prior to her passing and the penalties and interest on those fines that are amassing as I write this.

I know Kruz personally and know he is doing everything he can to pay off his Mother's fines and penalties because he wants to keep the family home, and he has put in a lot of work and effort with friend' help to clean the property up. This is close to impossible with the monthly interest charges on the fine. I find this disturbing that the City of Port Colborne would be profiting off one of it's tax payers by charging and allowing to accrue compound interest, especially a very young person who has just entered the work force.

Kruz has been handed more responsibility and loss then should be expected for his age and yet he is doing his best to try and at least maintain. He is working full time at OSKAM steel but does not make enough to keep up with this interest.

Youth like Kruz are the future of Port Colborne and will be in charge of how the city runs one day. It is in everyone's interest to support them and help them where possible.

I am not asking you to feel sorry for Kruz, I am asking you to make a common sense decision and support one of your young taxpayers, so he is able to become an asset and productive citizen of Port Colborne. With so many troubled young people in today's climate, I would hope that council does not make things impossible for this one.

Tammy Ivankovich
[REDACTED]

From: [REDACTED]
To: deputyclerk@portcolborne.ca
Cc:
Date: Jul 13, 2020, 10:48:08 AM
Subject: Kruze Ovenden

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I would like to add my name to the list of concerned citizens in support of Kruze Ovenden. I agree with many of the points made by the group of supporters that have taken up his cause and media statements already made.

I will add to those points as opposed to repeating them for your consideration. As a tax payer I am troubled to learn that the substantial amount Kruze has paid has not gone to the actual bill, but phantom fees, interest and administrative fees. Does this in effect the tax payer burden as a result? I would like an answer to this question.

I was very disheartened to see how this was handled by counsel initially. I do appreciate the second look at it and ask that you recognize that Kruze is now taking care of it. I understand the city's position when you are dealing with someone making no effort, but that is not the case now. I would hope this would be the case in all of these situations. Work with people that show effort and be reasonable. This is not a special request per say. There seems to have been a frustration on this case in particular and i'm asking that it be looked at with fresh eyes as Kruze has shown himself to be conscientious in making this his top priority.

Thank you for your time and consideration of this matter.

Sincerely,
Tammy Minor

[REDACTED]



MAYOR'S REPORT
JULY 13, 2020 COUNCIL MEETING

COVID-19 UPDATE

Good evening and welcome to our virtual council meeting.

I am here in the council chambers with our CAO Scott Luey, Clerk Amber LaPointe, Deputy Clerk Charlotte Madden and a member of Wee Stream who are live streaming this meeting for us. I would like to welcome our eight city councillors and various city directors who are each attending from home.

City Hall and almost all of our facilities remain closed to the public.

Staff have been working with members of our Emergency Operations Centre on recovery plans for a safe and gradual reopening once we get the go ahead from the Province of Ontario and our Emergency Operations Centre determines that it is safe to open our facilities to staff and members of the public.

In the meantime, we will continue to find new ways to deliver services to you.

Many of our restaurants are now offering service on their outdoor patios or with takeout, curbside pickup.

We ask for your patience while we all work together for a safe and gradual return of services.

Nickel Beach

As of Friday, July 10, 2020, the following operational changes were implemented at Nickel Beach.

For Port Colborne residents, season passes will be available and valid Mondays - Thursdays, excluding Civic Holiday, Monday, Aug. 3, and Labour Day, Monday, Sept. 7, and can be purchased for \$100+HST at the beach gates with proof of residency (drivers licence, property bill (hydro, phone, water, etc.).

Note that season passes do not guarantee beach access if we are at capacity. If season pass holders attend Nickel Beach Friday to Sunday, they are still required to pay the regular resident fee.

Early entry to Nickel Beach will be reserved for Port Colborne residents only on Fridays, Saturdays and Sundays from 9:30 – 10:30 a.m. Beginning at 10:30 a.m. the gates will then open to the general public.

A new entry point has been established at the entrance of Lake Road. This will provide additional parking for walk-on beachgoers. Parking is free for Port Colborne residents and \$10 for general public.

Accessible parking is available inside the front gates next to the playground area. Staff will direct those who require access.

These changes have been implemented for the enjoyment of all beaches goers. I have to say I have been a little disappointed in some of the comments out on social media about our visiting “out-of-towners” and I would ask everyone to be respectful of all visitors to Nickel Beach.

Hydro One Announcement

Hydro One has announced the completion of the first stage of infrastructure upgrades to improve power reliability to the City of Port Colborne and the surrounding area. A second high-voltage transmission line has now been energized, providing an additional and alternate source of power to serve communities and customers in the area.

Last summer, Hydro One announced further plans to improve local reliability by investing approximately \$30 million to advance the refurbishment of the Port Colborne Transmission Station from 2025 to 2022. Once in service, the station refurbishment will increase the amount of available power to the Port Colborne area, improving long-term reliability and supporting economic growth.

This collaboration with Hydro One, the City of Port Colborne and Canadian Niagara Power to upgrade aging infrastructure from the 1950s provides immediate and long-term benefits to our residents and businesses.

Pathstone Mental Health

Pathstone Mental Health has begun to re-open their off-site walk-in clinics designed to service children and youth up to age 18 and their families across Niagara. No referral, cost or health card is needed to meet one-on-one with a Pathstone counsellor.

New protocols require an appointment to be made in advance, either the day of the desired walk-in session or a day in advance by calling **1-800-263-4944** during business hours. This will ensure physical distancing and cleaning is maintained between appointments.

The 5-day per week walk-in clinic located at The Branscombe Centre, 1338 Fourth Avenue in St. Catharines has been meeting with clients' in-person for the past few weeks.

Starting July 29th, the Port Colborne location at Bridges Community Health Centre, 380 Elm Street will be open every Wednesday from 9 a.m. to 4:30 p.m.

Scammers claiming to be from Canada Revenue Agency

For many months, the Niagara Regional Police Service has received reports of scam phone calls involving persons claiming to be Canada Revenue Agency workers.

This scam involves threatening or coercive language to scare individuals into paying fictitious debt to the CRA, or they can be arrested. This debt repayment may involve gift cards, wire transfers or cyber based currency. The member of the public is then asked about their personal banking information and social insurance number.

This is done under the guise of paying a fine instead of an arrest and "verifying" the potential victim's identity. This scam is further complicated by the use of technology that can cause a phone display to show a local Niagara telephone number, or a Niagara Regional Police registered telephone number. This is called "spoofing".

Members of the public are advised to be cautious of such scams and know that the Canada Revenue Agency will not call you and ask for banking information while telling you are wanted. The Canada Revenue Agency would never negotiate payments for fines over the phone or roadside. Furthermore, the Canada Revenue Agency, does not accept e-transfers or wire payments for any fees or services.

If you receive a call saying you owe money to the CRA, you can call them directly or check your "My Account" online.

Closing

In closing, we must remain vigilant in fighting this virus.

Our number one priority is the health and safety of our citizens as we begin a safe and gradual reopening of services and business activities. Please stay safe.

No. 120

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

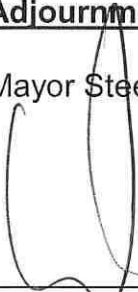
That the following by-laws be enacted and passed:

6796/46/20	Being a By-law to Amend By-Law No. 6746/110/19, A By-law to Establish Penalty Charges and Interest Charges on Payments Due to the Municipality for 2020
6799/49/20	Being a By-Law to Amend By-Law No. 6082/48/14 Being a By-law to Establish a System for Administrative Penalties Respecting the Stopping, Standing and Parking of Vehicles, Schedule 'A' – Administrative Penalty By-law Designated By-law Provisions Traffic By-law No. 89-2000 on Pleasant Beach Road
6800/50/20	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 July 13, 2020

CARRIED

13. Adjournment:

Mayor Steele adjourned the meeting at approximately 10:09 p.m.



William C. Steele
 Mayor



Amber LaPointe
 City Clerk

AL/cm