

The "THIRTY SECOND MEETING" (SPECIAL) of the Port Colborne City Council was held at the Municipal Offices, 66 Charlotte Street, Port Colborne, on Monday, August 20, 2012 commencing at approximately 6:15 p.m.

ATTENDANCE

Mayor Vance Badawey presided with the following members in attendance:

COUNCILLORS

W. Steele
A. Desmarais
F. Danch
B. Butters

Absent: D. Elliott (due to the Association of Municipalities of Ontario Conference), Y. Doucet (due to vacation), B. Kenny (due to vacation), R. Bodner (due to vacation)

STAFF

R. Heil, Chief Administrative Officer
D. Aquilina, Director of Planning & Development
R. Hanson, Director of Engineering & Operations
P. Senese, Director of Community & Corporate Services
S. Thompson, General Manager & Director, Economic Development, Tourism & Marketing
A. Grigg, City Clerk

CALL MEETING TO ORDER – MAYOR VANCE BADAWEY

1. INTRODUCTION OF ADDENDUM ITEMS

Correction: The description of closed session items (a) and (b) were corrected to add the words "or disposition" in order to read as follows: "pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board."

Addition: E-mail correspondence from the General Manager and Director, Economic Development, Tourism and Marketing, dated August 16, 2012, concerning the potential sale of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board. This item was circulated via addendum on August 17, 2012.

2. CONFIRMATION OF THE AGENDA

No. 209 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

That the Agenda of the Special Meeting of Council of August 20, 2012 be confirmed, as amended.

CARRIED.

3. COUNCIL IN CLOSED SESSION – 6:16 P.M.

No. 210 Moved by Councillor W. Steele
Seconded by Councillor F. Danch

That Council proceed in camera in order to address the following matters:

- (a) Confidential verbal report from the Director of Planning and Development regarding the potential sale of a portion of the former Humberstone Shoe Park lands, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board
 - (b) Confidential verbal report from the General Manager and Director, Economic Development, Tourism & Marketing concerning the potential sale of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board
 - (c) E-mail correspondence from the General Manager and Director, Economic Development, Tourism and Marketing, dated August 16, 2012, concerning the potential sale of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board
- CARRIED.

Note: Due to time considerations, Council rose from closed session without having considered item (c) on the closed session agenda. Council resolved into closed session to consider this item following consideration of Department of Planning & Development, Report No. 2012-65, Subject: Options Report: Community Infrastructure Improvement Fund.

No. 211 Moved by Councillor W. Steele
Seconded by Councillor A. Desmarais

That Council do now rise from closed session with report at approximately 7:11 p.m.
CARRIED.

4. DISCLOSURES OF INTEREST (CLOSED SESSION AND OPEN SESSION MATTERS)

Nil.

5. MOTIONS ARISING FROM CLOSED SESSION

(a) **Confidential verbal report from the Director of Planning and Development regarding the potential sale of a portion of the former Humberstone Shoe Park lands, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board**

- (i) Report from closed session concerning the potential sale of a portion of the former Humberstone Shoe Park lands

The Director of Planning and Development reported the City is in receipt of an Offer of Purchase and Sale for a portion of the former Humberstone Shoe Park lands from Jeff Andrews in Trust in the amount of \$60,000, plus Harmonized Sales Tax. The Director advised that the purchaser has proposed the construction of an eight unit apartment building.

- (ii) Introduction of motion(s) arising from closed session

No. 212 Moved by Councillor W. Steele
Seconded by Councillor A. Desmarais

That the Director of Planning and Development be directed to accept the Offer to Purchase submitted by Jeff Andrews In Trust, for the purchase of a portion of the former Humberstone Shoe Park lands, at a price of \$60,000.00, which offer includes the condition that if at the end of a two year period the purchaser has not completed construction, the Purchaser shall sell back the property to the City at 75% of the purchase price, and with a closing date of January 2, 2013; and

That the Director of Planning and Development be directed to report back in open session concerning the inclusion of site plan control provisions for the proposed development.

CARRIED.

6. **ITEMS FOR DISCUSSION**

1. **Department of Planning & Development, Report No. 2012-65, Subject: Options Report: Community Infrastructure Improvement Fund**

The Director of Planning and Development provided an overview of the report. Members of Council engaged in discussion concerning projects for submission under the Community Infrastructure Improvement Fund.

No. 213 Moved by Councillor A. Desmarais
Seconded by Councillor W. Steele

That staff be directed to enquire with the Federal Economic Development Agency to determine whether servicing of the industrial lands located on the eastside of the Welland Canal would be an eligible project under the Community Infrastructure Improvement Fund;

That if servicing of the eastside industrial lands is confirmed to be an eligible project, that staff be directed to submit two applications under the Community Infrastructure Improvement Fund for the following projects: servicing of the industrial lands located on the eastside of the Welland Canal, and reconstruction of the Clarence Street Storm Sewer.

That if servicing of the eastside industrial lands is not an eligible project, that staff be directed to submit an application under the Community Infrastructure Improvement Fund for the reconstitution of the Clarence Street Storm Sewer.

CARRIED.

Members of Council briefly discussed potential funding sources for the City's matching portion of project funds. Mayor Badawey informed that he had information on potential funding sources which could not be publicly disclosed due to the potential disposition of City owned land.

7. COUNCIL IN CLOSED SESSION – 7:36 P.M.

No. 214 Moved by Councillor B. Butters
Seconded by Councillor W. Steele

That Council proceed in camera in order to address the following matters:

Confidential matters reported by the Mayor related to potential municipal funding sources for a project submitted under the Community Infrastructure Improvement Fund, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board
CARRIED.

No. 215 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

That Council do now rise from closed session with report at approximately 7:40 p.m.
CARRIED.

8. MOTIONS ARISING FROM CLOSED SESSION

No. 216 Moved by Councillor W. Steele
Seconded by Councillor A. Desmarais

That the municipal portion of funding for an application under the Community Infrastructure Improvement Fund be identified as “municipal sources”, to be determined at a later date.
CARRIED.

9. COUNCIL IN CLOSED SESSION – 7:43 P.M.

No. 217 Moved by Councillor B. Butters
Seconded by Councillor W. Steele

That Council proceed in camera in order to address the following matters:

(c) E-mail correspondence from the General Manager and Director, Economic Development, Tourism and Marketing, dated August 16, 2012, concerning the potential sale of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c), a proposed or pending acquisition or disposition of land by the municipality or local board
CARRIED.

No. 218 Moved by Councillor W. Steele
Seconded by Councillor B. Butters

That Council do now rise from closed session with report at approximately 8:23 p.m.
CARRIED.

10. MOTIONS ARISING FROM CLOSED SESSION

Members of Council expressed the need for servicing of the industrial lands located on the eastside of the Welland Canal.

No. 219 Moved by Councillor W. Steele
Seconded by Councillor F. Danch

That staff be directed to report back on the cost to service the industrial lands located on the eastside of the Welland Canal and opportunities to “bundle” properties with potential purchasers prior to the commencement of servicing.
CARRIED.

11. INTRODUCTION, CONSIDERATION AND PASSAGE OF BY-LAWS

By-laws for Three Readings

No. 220 Moved by Councillor W. Steele
Seconded by Councillor A. Desmarais

That the following by-laws be read a first, second and third time and passed:

- 5844/98/12 Being a By-law to Authorize Entering into an Agreement of Purchase and Sale Respecting the Sale of a Portion of the Former Humberstone Shoe Park Lands

CARRIED.

12. CONFIRMATORY BY-LAW

No. 221 Moved by Councillor A. Desmarais
Seconded by Councillor B. Butters

That the following by-law be read a first, second and third time and passed:

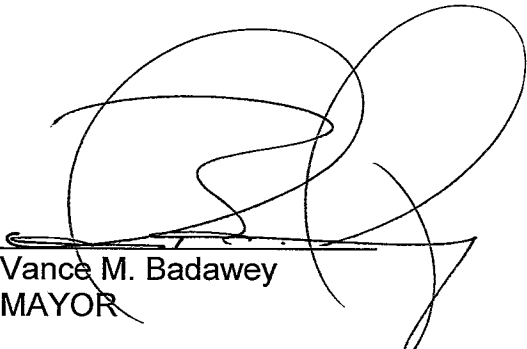
- 5845/99/12 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special Meeting of Council of August 20, 2012.


CARRIED.

13. ADJOURN

No. 222 Moved by Councillor W. Steele
Seconded by Councillor B. Butters

That there being no further business, the Special Council meeting be adjourned at approximately 8:25 p.m.
CARRIED.


Vance M. Badawey
MAYOR


Ashley Grigg
CITY CLERK