

The "THIRTY SEVENTH MEETING" (REGULAR) of the Port Colborne City Council was held at the Municipal Offices, 66 Charlotte Street, Port Colborne on Monday, September 24, 2012 commencing at approximately 7:52 p.m.

ATTENDANCE

Mayor Vance Badawey presided with the following members in attendance:

COUNCILLORS

D. Elliott	W. Steele
A. Desmarais	Y. Doucet
F. Danch	B. Kenny
R. Bodner	B. Butters

REGIONAL COUNCILLOR:

Absent: D. Barrick

STAFF:

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

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

CALL MEETING TO ORDER – MAYOR VANCE BADAWEY

1. INTRODUCTION OF ADDENDUM ITEMS

Nil.

2. CONFIRMATION OF THE AGENDA

No. 249 Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the Agenda dated September 24, 2012 be confirmed as circulated.
CARRIED.

3. DISCLOSURES OF INTEREST

Nil.

4. ADOPTION OF MINUTES

- (a) Minutes of the Thirty Fifth Meeting (Special) of Council of September 4, 2012
- (b) Minutes of the Thirty Sixth Meeting (Regular) of Council of September 10, 2012

No. 250 Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That the Minutes of the Thirty Fifth Meeting (Special) of Council of September 4, 2012 be adopted as circulated;
 That the Minutes of the Thirty Sixth Meeting (Regular) of Council of September 10, 2012 be adopted as circulated.
 CARRIED.

5. DETERMINATION OF COUNCIL ITEMS REQUIRING SEPARATE DISCUSSION

Nil.

6. ADOPTION OF COUNCIL ITEMS NOT REQUIRING SEPARATE DISCUSSION

No. 251 Moved by Councillor R. Bodner
 Seconded by Councillor D. Elliott

That Items 1 to 11 on the regular agenda be approved, as amended at the Committee of the Whole meeting of September 24, 2012 with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendations contained therein adopted.

ITEMS:

- Department of Engineering & Operations, Engineering Division, Report No. 2012-28, Subject: Information Report – Steele Street and Elgin Street In-Service Road Safety Review – Final Report**

Council resolved:

That the Council of the City of Port Colborne receive this report for information purposes and direct City staff to complete the minor improvements as recommended by Associated Engineering.

- Department of Engineering & Operations, Engineering Division, Report No. 2012-29, Subject: Request for Killaly Street East Speed Limit Review**

Council resolved:

The Council of the City of Port Colborne approve an amendment to By-law 89-2000, Being a By-law Regulating Traffic and Parking on City Roads as follows:

- That Schedule “W” Speed Limits, to By-law 89-2000, as amended be amended by deleting therefrom the following:

Column 1	Column 2		Column 3
Highway	From	To	Maximum speed (km/h)
Killaly Street East	Welland Street	350 metres west of Snider Road	40

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

Column 1	Column 2		Column 3
Highway	From	To	Maximum speed (km/h)
Killaly Street East	James Street	350 metres west of Snider Road	40

3. That the increased speed become effective upon installation of the regulatory signs and that staff notify the Niagara Regional Police of the speeding concerns at this location.

3. **Department of Planning & Development, Report No. 2012-71, Subject: Downtown Parking Control Devices**

Council resolved:

1. That Council approve an amendment to By-law 89-2000 attached hereto as Appendix "A" to implement a maximum two hour free parking in locations where parking control devices are located in the Downtown Business Improvement Area.
2. That all parking control devices be removed and appropriately signed throughout the Downtown Business Improvement Area.
3. That enforcement be on a complaint basis.
4. That staff be directed to discuss parking enforcement with the contract company at a future time with a view to possibly reduce costs dependent upon the number of complaints received.
5. That Council increase the tax levy by approximately 0.2% during the 2013 budget deliberations to cover the loss of parking meter revenue.
6. That the 2012 deficit from lost revenue, cost of signage and meter removal be absorbed by the City and covered in the 2013 budget deliberations.

4. **Department of Chief Administrative Officer, Special Projects & Corporate Strategic Initiatives, Report No. 2012-5 Subject: Request from the Region of Niagara for the City of Port Colborne to consider withdrawal of the City's 2005 application to amend the Regional Policy Plan to permit the development of the proposed "Port Colborne Energy Park" in light of the passing of Regional Policy Plan Amendment RPPA 1-2012, "The Niagara Gateway Amendment"**

Council resolved:

That Council approves the withdrawal of the City's 2005 application for a Regional Policy Plan amendment in respect of the Port Colborne energy park, based upon the Region of Niagara's planning assessment and concurrence by the City's planning and legal advisors as confirmed in Special Projects & Corporate Strategic Initiatives Report 2012-05.

5. **Department of Economic Development, Tourism & Marketing, Report No. 2012-07, Subject: Ontario Trillium Foundation Application for Tourism Brochure Racks**

Council resolved:

That staff are hereby directed to apply to the Ontario Trillium Foundation, Small Capital Project program, for \$15,000 to purchase approximately thirty new brochure racks to be distributed at strategic locations across the Niagara Region.

6. **Department of Community Services, Report No. 2012-28, Subject: Skates for Kids Ice Time Request and Waiving of Ice Fees**

Council resolved:

1. That the Council of The Corporation of the City of Port Colborne recognize the PenFinancial "Skates for Kids" program and further direct Community Services to facilitate recognition of the program by posting promotional flyers at the Westside Arena and on the City website.
2. That the Council confirm the ice request for Friday, October 5, 2012 from 12:30 to 2:30 p.m., at the approved schools per hour rental rate of \$50.00 for a total charge of \$100.00 excl. HST.
3. That Members of Council support the event by each Councillor personally contributing \$10.00 and the Mayor contributing \$20.00 to cover the \$100.00 ice rental fee.

Miscellaneous Correspondence

7. **Port Colborne Co-Operative Housing Inc., Re Petition to Request Speed Bumps in the Saturn Road Area**

Council resolved:

That the petition received from Darlene Robitaille on behalf of the Port Colborne Co-Operative Homes Inc. Re Petition to Request Speed Bumps in the Saturn Road Area, be referred to the Department of Engineering and Operations.

8. **Lakeshore Catholic High School Re Terry Fox Walk, September 27, 2012**

Council resolved:

That the Council approve the route of Lakeshore Catholic High School for the Terry Fox Run to be held on Thursday, September 27, 2012 as proposed in the e-mail dated September 5, 2012 from Joseph Nori, Run Organizer, Lakeshore Catholic High School, and;

That such approval be subject to emergency services being notified of the details of the walk and the filing of a certificate of insurance with the Clerk prior to the event in the minimum amount of \$2,000,000.00 and showing the City of Port Colborne as an additional insured for the purposes of the event.

9. **Lori Kleinsmith of Bridges Community Health Centre Re Request for Proclamation of Community Health Week, October 1 – 5, 2012**

Council resolved:

That the week of October 1 – 5, 2012 be proclaimed as Community Health Week in the City of Port Colborne in accordance with the request received from Lori Kleinsmith, Bridges Community Health Centre.

10. **Chris Polegato, Associate Director of South Niagara Life Centre Re Request for Proclamation of October 2012 as South Niagara Life Ministries Awareness Month**

Council resolved:

That the month of October be proclaimed as South Niagara Life Ministries Awareness Month in the City of Port Colborne in accordance with the request received from Chris Polegato, Associate Director, South Niagara Life Centre.

Outside Resolutions – Requests for Endorsement

11. **Memorandum from J. Peyton, Executive Assistant, Director of Engineering and Operations, on behalf of the Port Colborne Transit Advisory Committee Re City of St. Catharines Resolution Concerning VIA Rail Service in Niagara**

Council resolved:

That in accordance with the recommendation of the Port Colborne Transit Advisory Committee, the resolution received from the City of St. Catharines regarding VIA Rail Service, and urging the Federal Government to have consultation with communities impacted by cuts to VIA Rail and reconsider reducing the already limited services in Niagara be supported; and

That the City of St. Catharines be so advised.

CARRIED.

7. **CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

Nil.

8. **PROCLAMATIONS**

(a) **Community Health Week, October 1- 5, 2012**

No. 252 Moved by Councillor R. Bodner
Seconded by Councillor Y. Doucet

WHEREAS Ontario must achieve the best-possible health and well-being for everyone living in the province;

AND WHEREAS health is much more than the absence of illness; it is the complete state of physical, mental, spiritual and social well-being;

AND WHEREAS Ontario’s health providers, health agencies, Local Health Integration Networks and the provincial government must work towards a future without systemic barriers that prevent people from reaching their full health potential, a future where everyone can make the choices that allow them to live a fulfilling life;

AND WHEREAS to achieve this future we need community-based health services that encourage the active participation of community members in the governance of their health care organizations and the design and delivery of services;

AND WHEREAS during the first week of October, Bridges Community Health Centre, along with Canadians across the country will be spotlighting the

importance of community-based services that respond to the fact that better health and well-being begins in our homes, in our schools, in our workplaces;

NOW THEREFORE, I, Mayor, Vance M. Badawey, proclaim the week of October 1 – 5, 2012 as “Community Health Week” in the City of Port Colborne.
CARRIED.

(b) October 2012 is South Niagara Life Ministries Awareness Month

No. 253 Moved by Councillor F. Danch
Seconded by Councillor W. Steele

WHEREAS South Niagara Life Centre’s Vision Statement is “Helping People Resolve Life Crisis, Issues, and Problems”;

AND WHEREAS South Niagara Life Centre’s (SNLC) counseling, health and wellness services, are freely offered, to all people, at 143 Gilmore Road five days a week in Fort Erie, and in their contact office at 26B Charlotte Street in Port Colborne one half day a week Wednesday afternoons;

AND WHEREAS SNLC, is a multi-counseling service provider, offers 29 categories of free and confidential health and wellness services and programs to all who inquire. These are in a variety of areas of crisis and emergency situations, needing timely counsel and ongoing programming. Key ongoing areas of counsel are marriage and family relationships, anger and conflict resolution, depression and anxiety, budgeting, child apprehension assistance, parenting, food and clothing resources through their Earn-As-You-Learn Life Skill classes, Project Keepsake, sexual health and wellness curriculum, abuse, self-cutting, suicide intervention, and more;

AND WHEREAS SNLC acknowledges its need to cultivate ongoing public awareness regarding opportunities to serve the public, and the services themselves, freely offered to all;

AND WHEREAS SNLC has a web site, at www.snlmcounsel.ca to offer information;

AND WHEREAS SNLC invites guests to attend their public awareness campaign “kick off on September 29th being held in Fort Erie in conjunction with SNLC’s Sugarbowl Walk & Roll Fundraising Campaign, at the Fort Erie library from 10:00 am to 12:30 pm;

AND WHEREAS SNLC also invites guests to attend their “October SNLC Awareness Tours” at the Fort Erie location, on Thursday, October 11th at 10:00 am or Monday, October 22nd at 4:00 p.m. and their awareness campaign finale on October 26th, being held in Port Colborne in conjunction with SNLC’s Hope-for-Life Fundraising Hors D’oeuvre event, at the Port Colborne BIC located at 10641 Highway 3 west from 6:30 p.m. to 8:30 p.m. Please come as our guest and consider bringing others by calling 905-871-0236.

NOW THEREFORE, I, Vance M. Badawey, Mayor of the City of Port Colborne, do hereby proclaim the month of October 2012 as “South Niagara Life Centre Awareness Month” in the City of Port Colborne.
CARRIED.

9. MINUTES OF BOARDS, COMMISSIONS & COMMITTEES

- (a) Minutes of the New Community Centre Advisory Committee Meeting of June 26, 2012**
- (b) Minutes of the Environmental Advisory Committee Meeting of June 6, 2012**

(c) **Minutes of the Port Colborne Transit Advisory Committee Meeting of June 27, 2012**

(d) **Minutes of the Heritage Port Colborne Meeting of July 11, 2012**

No. 254 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

- (a) That the Minutes of the New Community Centre Advisory Committee Meeting of June 26, 2012 be received.
- (b) Minutes of the Environmental Advisory Committee Meeting of June 6, 2012 be received.
- (c) Minutes of the Port Colborne Transit Advisory Committee Meeting of June 27, 2012 be received.
- (d) Minutes of the Heritage Port Colborne Meeting of July 11, 2012 be received.

CARRIED.

10. NOTICE OF MOTION

Nil.

11. INTRODUCTION, CONSIDERATION AND PASSGE OF BY-LAWS

By-laws for Three Readings

No. 255 Moved by Councillor D. Elliott
Seconded by Councillor A. Desmarais

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

- 5859/113/12 Being a By-law to Amend By-law No. 89-2000, a By-law Regulating Traffic and Parking on City Roads (Killaly Street East)
- 5860/114/12 Being a By-law to Amend By-law No. 89-2000, Being a By-law Regulating Traffic and Parking on City Roads

CARRIED.

12. CONFIRMATORY BY-LAW

No. 256 Moved by Councillor D. Elliott
Seconded by Councillor Y. Doucet

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

- 5861/115/12 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 Regular Meeting of Council of September 24, 2012

CARRIED.

13. COUNCIL IN CLOSED SESSION – 7:59 P.M.

No. 257 Moved by Councillor W. Steele
Seconded by Councillor R. Bodner

That Council proceed in camera in order to address the following matter(s):

- (a) Minutes of the Closed Session portion of the September 4, 2012 Special Council meeting, and the September 10, 2012 Regular Council meeting
- (b) Confidential Human Resources Division Report 2012-11, concerning human resource matters impacting employees of Centennial Pool,

pursuant to the *Municipal Act, 2001* Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees, and Subsection 239(2)(d), labour relations or employee negotiations

- (c) Confidential verbal report from the Chief Administrative Officer concerning matters impacting the Roselawn Centre, pursuant to the *Municipal Act, 2001* Subsection 239(2)(a), the security of the property of the municipality or local board, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, and Subsection 239(2)(d), labour relations or employee negotiations

CARRIED.

No. 258 Moved by Councillor D. Elliott
Seconded by Councillor Y. Doucet

That Council do now rise from closed session without report at approximately 8:40 p.m.
CARRIED.

14. DISCLOSURES OF INTEREST ARISING FROM CLOSED SESSION

Nil.

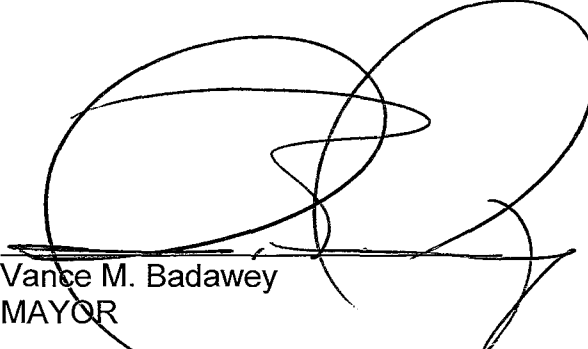
15. MOTIONS ARISING FROM CLOSED SESSION

Nil.

16. ADJOURN

No. 259 Moved by Councillor D. Elliott
Seconded by Councillor Y. Doucet

That there being no further business, the Council Meeting be adjourned at approximately 8:41 p.m.
CARRIED.



Vance M. Badawey
MAYOR



Ashley Grigg
CITY CLERK

AG/sm