

The "FORTY FIRST MEETING" (REGULAR) of the Port Colborne City Council was held at the Municipal Offices, 66 Charlotte Street, Port Colborne on Monday, October 22, 2012 commencing at approximately 7:40 p.m.

ATTENDANCE

Mayor Vance Badawey presided with the following members in attendance:

COUNCILLORS

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

Absent: D. Elliott (due to work commitment), B. Kenny (due to vacation)

REGIONAL COUNCILLOR:

Absent: D. Barrick (due to a prior commitment)

STAFF:

R. Heil, Chief Administrative Officer
A. Grigg, City Clerk
D. Aquilina, Director of Planning & Development
R. Hanson, Director of Engineering & Operations
K. Thomas, Manager of Accounting/Tax Collector/Acting City Treasurer
H. Hakim, Manager of Community Services
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. 282 Moved by Councillor F. Danch
Seconded by Councillor W. Steele

That the Agenda dated October 22, 2012 be confirmed as circulated.
CARRIED.

3. DISCLOSURES OF INTEREST

Nil.

4. ADOPTION OF MINUTES

- (a) **Minutes of the Thirty Eighth Meeting (Regular) of Council, October 9, 2012**
- (b) **Minutes of the Thirty Ninth Meeting (Special) of Council, October 11, 2012**

No. 283 Moved by Councillor F. Danch
Seconded by Councillor W. Steele

That the Minutes of the Thirty Eighth Meeting (Regular) of Council of October 9, 2012 be adopted as circulated;

That the Minutes of the Thirty Ninth Meeting (Special) of Council of October 11, 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. 284 Moved by Councillor A. Desmarais
Seconded by Councillor R. Bodner

That Items 1 to 14 on the regular agenda be approved, as amended at the Committee of the Whole Meeting of October 22, 2012 with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendations contained therein adopted.

ITEMS:

1. Department of Planning & Development, Report No. 2012-74, Subject: Additional Policies to be included in the Adopted City of Port Colborne Official Plan

Council resolved:

1. That Council endorse the policies contained in the report with respect to property maintenance.
2. That Council direct staff to provide the property maintenance policies to the Region to be included in their modifications for Regional Council approval.

2. Department of Engineering & Operations, Engineering Division, Report No. 2012-30, Subject: Vale Health and Wellness Centre LEED Silver Certification Policies

Council resolved:

That the Council of the City of Port Colborne approve the Lamp Purchasing Policy, the Carpool Policy and the Open Space Requirement to meet the requirements of LEED Silver Certification for the Vale Health and Wellness Centre.

3. Department of Engineering & Operations, Engineering Division, Report No. 2012-31, Subject: Information Report – Skate & BMX Park Construction Progress

Council resolved:

That this report is presented for the information of Council and no further action is required as this time.

4. Department of Engineering & Operations, Engineering Division, Report No. 2012-32, Subject: Application for Bulk Water Haulage Agreement – Village Enterprises Water Haulage (New Owners)

Council resolved:

That the Council of the City of Port Colborne authorizes entering into a Bulk Water Sales Agreement with:

Village Enterprises Water Haulage, 554 Holloway Road, Sherkston, Ontario, L0S 1R0; and further

That the Mayor and Clerk be authorized to sign the agreement.

5. **Department of Community & Corporate Services, Report No. 2012-32, Subject: Cancellation, reduction or refund of Realty Tax for 2010 and 2011 Taxation year for Port Colborne Community Association for Resource Extension**

Council resolved:

That applications pursuant to Section 358, numbered 2010-02, 2010-03, 2011-02, 2011-03, 2011-04 and 2011-05 to write off taxes in the total amount of \$32,399.06 be approved.

6. **Department of Community & Corporate Services, Clerk's Division, Report No. 2012-35, Subject: Appointment to the Accessibility Advisory Committee**

Council resolved:

That Alexander Kapellas be appointed to the Accessibility Advisory Committee for a term ending December 31, 2016.

That the Clerk be directed to bring forward the necessary by-law for approval.

Miscellaneous correspondence

7. **Carol Madden, Poppy Chairman, Royal Canadian Legion Branch 56 Re Request for Proclamation of Annual Poppy Campaign, October 26 – November 11, 2012**

Council resolved:

That October 26th to November 11th, 2012 be proclaimed as "Poppy Week" in the City of Port Colborne in accordance with the request received from Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne.

8. **Ontario Coalition for Better Child Care (OCBCC) & Canadian Union of Public Employees (CUPE) Re Request for Proclamation of Child Care Worker & Early Childhood Educator Appreciation Day, October 24, 2012**

Council resolved:

That Wednesday, October 24th, 2012 be proclaimed as "Child Care Worker & Early Childhood Educator Appreciation Day" in the City of Port Colborne in accordance with the request received from Fred Hahn, President, CUPE Ontario and Sheila Olan-MacLean, President OCBCC.

9. **Correctional Service Canada Re Request for Proclamation of Restorative Justice Week, November 18 – 25, 2012**

Council resolved:

That the week of November 18th – 25th, 2012 be proclaimed as "Restorative Justice Week" in the City of Port Colborne in accordance with the request received from Don Head, Commissioner, Correctional Service Canada.

10. **Honourable Bob Chiarelli, Ontario Minister of Infrastructure and Minister of Transportation Re Federal Long-Term Infrastructure Plan**

Council resolved:

That the correspondence received from the Honourable Bob Chiarelli, Ontario Minister of Infrastructure and Minister of Transportation Re Federal Long-Term Infrastructure Plan, be received for information.

11. **Pam Swick Janjac, Development Officer, Port Cares Re Request for Proclamation of Port Cares Week, November 23 – 30, 2012**

Council resolved:

That the week of November 23rd – 30th, 2012 be proclaimed as “Port Cares Week” in accordance with the request received from Pam Swick Janjac, Development Officer, Port Cares.

12. **Association of Summer Theatres ‘Round Ontario Re Showboat Festival Theatre Closure**

Council resolved:

That the correspondence received from the Association of Summer Theatres ‘Round Ontario Re Showboat Festival Theatre Closure, be received and referred to the Manager of Community Services.

13. **Region of Niagara Re Smarter Niagara Incentives Program Grants to Local Municipalities (ICP Report 86-2012)**

Council resolved:

That the correspondence received from the Region of Niagara Re Smarter Niagara Incentives Program Grants to Local Municipalities (ICP Report 86-2012), be received for information.

14. **City of Welland Re Request for Endorsement of Petition to the Legislative Assembly regarding Dr. Kevin Smith’s Niagara Health System Report to the Minister of Health and Long Term Care – Proposed Changes to the Hospital Services in South Niagara**

Council resolved:

That the resolution received from the City of Welland Re Request for Endorsement of a Petition to the Legislative Assembly regarding Dr. Kevin Smith’s Niagara Health System Report to the Minister of Health and Long Term Care – Proposed Changes to the Hospital Services in South Niagara, be received and referred to the South Niagara Health Care Corporation.

CARRIED.

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

Nil.

8. **PROCLAMATIONS**

(a) **Poppy Week, October 26th – November 11th, 2012**

No. 285 Moved by Councillor W. Steele
Seconded by Councillor R. Bodner

That I, Mayor Vance M. Badawey, do hereby proclaim October 26th, 2012 to November 11th, 2012 as “Poppy Week” in the City of Port Colborne in honour of the men and women from Port Colborne who gave their lives during the two World Wars and the Korean War; and further

That the citizens of the City of Port Colborne are encouraged to participate in Remembrance Day services to be held at H.H. Knoll-Lakeview Park on Sunday, November 11th, 2012 at 10:45 a.m.
CARRIED.

(b) Child Care Worker & Early Childhood Educator Appreciation Day, October 24th, 2012

No. 286 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

WHEREAS years of research confirms the benefits of high quality child care for young children's intellectual, emotional, social and physical development and later life outcomes;

AND WHEREAS child care promotes the well-being of children and responds to the needs of parents, child care workers and the broader community by supporting quality of life so that citizens can fully participate in and contribute to the economic and social life of their community;

AND WHEREAS many studies show trained and knowledgeable Early Childhood Educators and child care staff are the most important element in quality child care;

NOW THEREFORE, I, Mayor, Vance M. Badawey, proclaim October 24th, 2012 as the 12th annual "Child Care Worker & Early Childhood Educator Appreciation Day" in the City of Port Colborne in recognition of the education, dedication and commitment of child care workers to children, their families and the quality of life of the community.
CARRIED.

(c) Restorative Justice Week, November 18th – 25th, 2012

No. 287 Moved by Councillor W. Steele
Seconded by Councillor A. Desmarais

WHEREAS in the face of crime or conflict, restorative justice offers a philosophy and approach that views these matters principally as harm done to people and relationships;

AND WHEREAS restorative justice approaches strive to provide support and opportunities for the voluntary participation and communication between those affected by crime and conflict (victims, offenders, community) to encourage accountability, reparation and a movement towards understanding, feelings of satisfaction, healing and a sense of closure;

AND WHEREAS this year's theme for Restorative Justice Week is "Diverse Needs; Unique Responses", it is an opportunity to learn about restorative justice, educate and celebrate along with other communities across the country during the week;

NOW THEREFORE, I, Mayor, Vance M. Badawey, proclaim the week of November 18 – November 25, 2012 as "Restorative Justice Week" in the City of Port Colborne.
CARRIED.

(d) Port Cares Week, November 23rd - 30th, 2012

No. 288 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

WHEREAS Port Cares is a unique community organization in Port Colborne that provides leadership, support and resources to improve quality of life. "Port Cares is caring for our community";

AND WHEREAS Port Cares has requested and Port Colborne City Council has approved the observance of a "Port Cares Week", to be held during the days of November 23rd – 30th, 2012;

AND WHEREAS observance of Port Cares Week would encourage a broader interest in all that happens through Port Cares and promote ongoing and new supporters to the Organization;

NOW THEREFORE, I, Mayor, Vance M. Badawey, proclaim the week of November 23rd – 30th, 2012 as "Port Cares Week" within the limits of the City of Port Colborne.
CARRIED.

9. MINUTES OF BOARDS, COMMISSIONS & COMMITTEES

(a) Minutes of the New Community Centre Advisory Committee Meeting of August 21, 2012

No. 289 Moved by Councillor W. Steele
Seconded by Councillor R. Bodner

That the Minutes of the New Community Centre Advisory Committee Meeting of August 21, 2012 be received.
CARRIED.

10. NOTICE OF MOTION

Nil.

11. INTRODUCTION, CONSIDERATION AND PASSAGE OF BY-LAWS

By-laws for Three Readings

No. 290 Moved by Councillor F. Danch
Seconded by Councillor Y. Doucet

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

- 5868/122/12 Being a By-law to Authorize Entering Into a Bulk Water Sales Agreement with Village Enterprises Water Haulage
- 5869/123/12 Being a By-law to Appoint Alexander Kapellas to the Accessibility Advisory Committee

CARRIED.

12. CONFIRMATORY BY-LAW

No. 291 Moved by Councillor A. Desmarais
Seconded by Councillor F. Danch

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

- 5870/124/12 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 and Regular Meetings of Council of October 22, 2012

CARRIED.

13. COUNCIL IN CLOSED SESSION – 7:47 P.M.

No. 292 Moved by Councillor W. Steele
Seconded by Councillor A. Desmarais

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

- (a) Minutes of the Closed Session portion of the October 9, 2012 Regular Council meeting and the October 11, 2012 Special Council meeting
- (b) Verbal report from the Mayor concerning correspondence received October 12, 2012 concerning the potential disposition of municipal property located on Walnut Street, 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. 293 Moved by Councillor Y. Doucet
Seconded by Councillor A. Desmarais

That Council do now rise from closed session with report at approximately 8:27 p.m.

CARRIED.

14. DISCLOSURES OF INTEREST ARISING FROM CLOSED SESSION

Nil.

15. MOTIONS ARISING FROM CLOSED SESSION

No. 294 Moved by Councillor Y. Doucet
Seconded by Councillor A. Desmarais

That, with respect to the request from the owner of 23 Walnut street concerning the sale of a portion of the road allowance along Walnut Street for a nominal fee, staff be directed to proceed in accordance with provisions of By-law 3218/90/95, being a By-law to Adopt a Policy and Procedure for Disposal of Surplus Property in the City of Port Colborne, and make said lands available for purchase at fair market value.

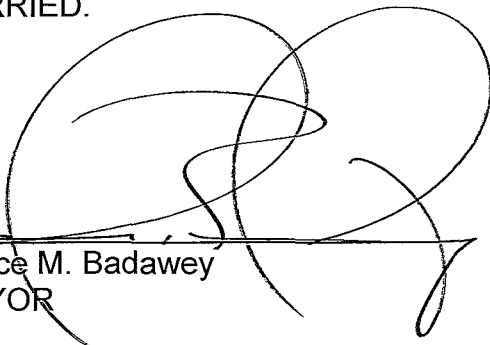
CARRIED.

16. ADJOURN

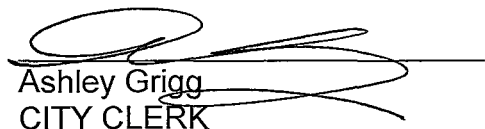
No. 295 Moved by Councillor F. Danch
Seconded by Councillor B. Butters

That there being no further business, the Council meeting be adjourned at approximately 8:28 p.m.

CARRIED.



Vance M. Badawey
MAYOR



Ashley Grigg
CITY CLERK