City of Port Colborne
Regular Council Meeting 22-15
Minutes

Date: July 13, 2015
Time: 9:00 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: J. Mayne, Councillor (due to vacation)

Staff Present: D. Aquilina, Director of Planning & Development
T. Cartwright, Fire Chief
D. D'Innocenzo, Licensing Clerk (minutes)
A. Grigg, City Clerk
H. Hakim, Manager of Community Services
R. Hanson, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
P. Senese, Director of Community & Corporate Services
C. Vincent, Manager of Special Projects and Corporate Strategic Initiatives

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

1. Call to Order:
Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:
Nil.

3. Confirmation of Agenda:

No. 175 Moved by Councillor F. Danch
Seconded by Councillor R. Bodner

That the agenda dated July 13, 2015 be confirmed, as circulated.
CARRIED.

4. Disclosures of Interest:
Councillor Elliott declared a pecuniary interest with regard to closed session item (b), verbal report from the Director of Planning and Development concerning the potential disposition of City owned land, as he is employed by Royal LePage, which represents the subject property. Councillor Elliott left the room during consideration of this item and refrained from discussing or voting on this matter.
5. **Adoption of Minutes:**

   (a) Regular meeting of Council 20-15, held on June 22, 2015.

   No. 176 Moved by Councillor B. Kenny
   Seconded by Councillor A. Desmarais

   That the Minutes of the regular meeting of Council 20-15, held on June 22, 2015, be approved, as presented.
   CARRIED.

   (b) Special meeting of Council 21-15, held on June 29, 2015.

   No. 177 Moved by Councillor R. Bodner
   Seconded by Councillor Y. Doucet

   That the Minutes of the special meeting of Council 21-15, held on June 29, 2015 be approved, as presented.
   CARRIED.

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

   Nil.

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

   No. 178 Moved by Councillor Y. Doucet
   Seconded by Councillor B. Butters

   That Items 1 to 26 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.

   **Motion Arising from Councillor’s Items/New Business:**

   **Report Regarding Backyard Fires Under the Open Air Burning By-law**

   Council resolved:

   That the Fire Chief be directed to prepare a report regarding options to permit backyard fires under the City’s Open Air Burning By-law.

   **Items:**

   1. **Chief Administrative Officer, Special Projects & Corporate Strategic Initiatives, Report No. 2015-133, Subject: Stopping Up and Closing of Part of Two Unopened Road Allowances, Kleinsmith Road**

   Council resolved:

   That Council approves for enactment the draft by-law attached hereto as Attachment “E” which provides for authorization to:

   1. Permanently close and deed to Nyon Oil Inc. and Nyon Marine Fuelling Corporation (Nyon) part of the original road allowance known as Kleinsmith Road between Parts 55 and 56 on Reference Plan 59R-15312, conditional on the consent of the Ontario Minister of Transport to accept and dedicate a “New Municipal Access Road”. The portion of the unimproved and untraveled portion of the original road allowance between Lots 24 and 25, Concession 4 north of the road allowance between concessions 3 and 4 and south of the Welland Canal, in the former geographic Township of
Humberstone, now in the City of Port Colborne, designated as Parts 1, 7 and 8 on the Reference Plan 59R-15310 dated March 18, 2015;

2. To Accept and dedicate as municipal road lands conveyed by Nyon Oil Inc. and Nyon Marine Fuelling Corporation (Nyon) to the City to include Parts 28, 29, and 30 as well as Parts 17 and 18 on Reference Plan 59R-15312, conditional on the consent of the Ontario Minister of Transport to accept and dedicate a "New Municipal Access Road"; and,

3. To widen the untraveled portion of Kleinsmith Road to include Parts 28, 29 and 30 on Reference Plan 59R-15312 and to extend Kleinsmith Road to include the lands designated as Parts 17 and 18 on Reference Plan 59R-15312 and the dedication of the lands as a "New Municipal Access Road", conditional on the consent of the Ontario Minister of Transport after its construction by Nyon Oil Inc. and Nyon Marine Fuelling Corporation (Nyon) to the acceptable standard agreed upon in the Road Agreement between Nyon and the City.


Council resolved:

a. That the Council of the City of Port Colborne award Project 2015-13 Sewer Flushing & CCTV Inspection to Dynamic Industrial Services Inc., of St. Catharines, Ontario, with a submitted tender price of $63,480.00 plus any applicable taxes. Staff is to utilize the bid items as listed within the awarded tender document, in such a manner as to complete all required works, all the while, keeping within the annual budget allocations by Council. Further, that a contract by-law, whereby the City enters into a contract agreement with the contractor be prepared.

b. That funding for Project 2015-13, be financed under Account 7-590-76250-3328 Sanitary Sewers and 0-510-74800-3328, Storm Sewers Maintenance Budgets.


Council resolved:

a. That the Council of the City of Port Colborne award Project 2015-15, Municipal Drain Maintenance and Cleaning to Anthony’s Excavating Central Inc., of Wellandport, Ontario, for the total tendered price of $574,416.60, plus applicable taxes. Staff is to utilize the bid items as listed within the awarded tender document, in such a manner as to complete all works as may be required.

b. That a contract by-law, whereby the City enters into a contract agreement with the contractor be prepared.

c. That funding for Project 2015-15 be financed on an interim basis, under GL Accounts 3-560-33202-1510, 3-560-33214-1510, 3-560-33235-1510, 3-560-33231-1510, 3-560-33242-1510, and that staff be authorized to initiate billings back to each municipal drains watershed, at the completion of each watersheds works.

Council resolved:

a. That the Council of the City of Port Colborne endorse the proposed plan, to temporary suspend, the mid-summer cutting of roadside grass within the study area, all as detailed in report 2015-126 for a period of three (3) years.

b. That staff be directed to suspend both contract and any City staff cutting of roadsides within the study areas.

c. That monitoring of the study area continue, with reporting back to Council on an annual basis, to determine if the intended results of the program are being realized.

5. **Engineering & Operations, Engineering Division, Report No. 2015-131, Subject: Information Report, Establishing a Temporary Entrance to Port Colborne Quarries**

Council resolved:

a. That the Council of the City of Port Colborne endorse the proposed plan, to allow Port Colborne Quarries, (the Proponent) a Temporary entrance off the south side of Second Concession Road at Chippawa road.

b. That staff be directed to monitor the activities within the travel route to ensure that the Municipality's interests are protected.

6. **Community & Corporate Services, Clerk's Division, Report No. 2015-122, Subject: Appointment to the Accessibility Advisory Committee**

Council resolved:

That Laura Slade be appointed to the Accessibility Advisory Committee for a term ending December 31, 2019.

That the necessary by-law be presented for approval.

7. **Community & Corporate Services, Clerk's Division, Report No. 2015-132, Subject: Appointment to the Downtown Port Colborne Business Improvement Area Board of Management**

Council resolved:

That Dee Tilbrook be appointed to the Downtown Port Colborne Business Improvement Area Board of Management for a term ending with that of the appointing Council.

That the necessary by-law be presented for approval.

8. **Community & Corporate Services, Corporate Services Division, Report No. 2015-121, Subject: Port Colborne Community Bus Rate Increase**

Council resolved:

That the Council of the City of Port Colborne approves the attached Port Colborne Transit Fare Structure, effective August 1, 2015.
9. **Community & Corporate Services, Corporate Services Division, Report No. 2015-124, Subject: Port Colborne Community Bus Proposed Route Changes**

Council resolved:

1. That the Council of the City of Port Colborne approves the East Community Route change to accommodate the providing of transit service to the Port Colborne Public Library and be effective immediately as a trial for July, August and September and that at the September Transit Advisory Committee meeting the committee review the option to make the change permanent.

2. That the East Community Route continue to depart from City Hall and turn left on King Street, the bus will turn left onto Clarence, right onto Catharine, right onto Elgin to stop at the stop sign at Elgin and King Street to safely drop off customers and then turn left on King Street to carry on with the regular route.

10. **Community & Corporate Services, Corporate Services Division, Report No. 2015-125, Subject: Temporary Loan to Port Colborne Hydro Inc. and Review of Granting Policy**

Council resolved:

That the Council of the City of Port Colborne provide a loan via note payable of up to $100,000 to be borrowed on an as needed basis and to be repaid including an interest rate for the best investment rate we could get at our bank, and further,

That Council delegate to the Board of Port Colborne Hydro Inc. to review the grant policy, report back to Council with recommended changes, possible future funding sources for the grant program and that future grants be suspended until such review is completed.

11. **Fire & Emergency Services, Report No. 2015-130, Subject: By-law Appointment Deputy Fire Chief**

Council resolved:

That Michael Bendia be appointed as Deputy Fire Chief for the City of Port Colborne, to carry out the duties under the *Fire Prevention and Protection Act* and the City's Regulating By-law, and to act on behalf of the Fire Chief in the case of an absence and/or vacancy; and,

That the appropriate by-law be presented for approval.

12. **Planning & Development, Report No. 2015-123, Subject: Notice of Passing of Niagara Catholic District School Board Education Development Charges**

Council resolved:

That Planning & Development, Report No. 2015-123, Subject: Notice of Passing of Niagara Catholic District School Board Education Development Charges, be referred to the Director of Planning and Development to report back regarding an appeal of the Niagara Catholic District School Board Education Development Charges, and that the Director contact area municipalities and seek to partner in a joint appeal.

Council resolved:

1. That Council resolves to extend the Draft Plan Approval for the Rosedale Draft Plan of Subdivision to August 12, 2017, subject to the following modifications:

   1. That the following be added as conditions of draft plan approval:

      • "That the owner provides a written acknowledgement to the Regional Planning and Development Services Department (Development Services Division) that draft approval of this subdivision does not include a commitment of serving allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of final approval of the subdivision for registration purposes."

      • "That the owner shall provide the Regional Planning and Development Services Department (Development Services Division) with a written undertaking stating that all offers and agreements of purchase and sale, which may be negotiated prior to registration of this subdivision, shall contain a clause that servicing allocation will not be assigned until the plan is granted final approval for registration, and a similar clause be inserted in the subdivision agreement between the owner and the City of Port Colborne."

      • "That in order to provide for Regional curbside collection of waste the owner shall comply with any applicable Regional policies relating to the collection of waste and ensure that all streets and development blocks can provide a through access."

2. That Condition 8 be deleted.

3. That Condition 9 removes the following phrase: "without the consent of the Regional Municipality of Niagara".

4. That Condition 13 be revised to reflect that design for the water distribution to service the draft plan area is to be submitted to the City of Port Colborne for review and approval.

5. That Conditions 14 and 15 be deleted and replaced with the following conditions:

   • "That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings, with calculations, for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment and Climate Change (MOECC) Compliance Approval under the Transfer of Review Program.

Note: Under the MOECC Transfer of Review Program, general sanitary and storm systems are reviewed. Any
specialized systems and/or stormwater management will require direct application to the MOECC office in Toronto. Please note that any additional approvals required from any other agency (NEC, NPCA, MTO, etc.) as part of the application must be obtained prior to submission of the ECA application. The developer should discuss any items with an engineering consultant."

• "That prior to approval of the final plan or any on-site grading, the owner submit to the Regional Planning and Development Services Department (Development Services Division) for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991:

(a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and,

(b) Detailed erosion and sedimentation control plans.

Note: The Region will request that the Niagara Peninsula Conservation Authority review the stormwater management and other related plans on the Regions behalf and submit comments to the Regional Planning and Development Services Department (Development Services Division) regarding the approval of these plans and the subsequent clearance of related conditions by Regional Planning Staff."

• "That the owner enters into an agreement with the Regional Municipality of Niagara and assumes their portion of the cost to construct the sanitary sewer to the Industrial Pumping station as a result of this development."

6. That Conditions 26, 27, 28 and 29 be deleted and replaced with the following conditions:

• "That prior to approval of the final plan, the owner shall submit to the Regional Planning and Development Services Department (Development Services Division) for review and approval a detailed noise impact study assessing potential noise impacts from Highway 58 and the adjacent Loyalist Industrial Park for the proposed development and recommending mitigation measures to meet the applicable Ministry of the Environment and Climate Change noise guidelines."

• "That the subdivision agreement between the owner and the City of Port Colborne contain provisions whereby the owner agrees to implement the approved mitigation measures recommended by the noise impact study referred to in the condition above."
7. That Condition 33 be deleted and replaced with a condition that states:

"That prior to approval of the final plan, the owner shall submit to the Regional Planning and Development Services Department (Development Services Division) for review and approval a Stage 1 Archaeological Assessment to address the registered archaeological sites on the subject lands. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter of compliance from the Ministry of Tourism and Culture through the Regional Planning and Development Services Department (Development Services Division) confirming that all archaeological resource concerns have met licensing and resource conservation requirements."

8. That Conditions 34, 35, 36, 37, and 39 be amended to recognize that the Regional Municipality of Niagara is no longer the approval authority for this Draft Plan of Subdivision, and that the City of Port Colborne should instead be advised of any conditions needed to be satisfied prior to final approval.

9. That Conditions 38 and 40 be deleted.

2. That Upper Canada Consultants be notified accordingly.

14. Community & Corporate Services, Community Services Division, Report No. 2015-135, Subject: 37th Annual Canal Days Marine Heritage Festival (July 31 – August 3) Request for Road and Parking Closures

Council resolved:

1. That Council hereby approves and authorizes the closure of the following roads to street parking and through traffic beginning at 4:00 a.m. Friday, July 31, 2015 ending at 6:00 a.m. on Tuesday, August 4, 2015.

   West Street from the northern limit of Princess Street to the northern limit of Sugarloaf Street;

   Princess Street from the eastern limit of King Street to the eastern limit of West Street;

   Park Street from the eastern limit of King Street to the eastern limit of West Street;

   Charlotte Street from the eastern limit of King Street to the eastern limit of West Street;

   Kent Street from the eastern limit of King Street to the eastern limit of West Street;

   Victoria Street from the eastern limit of King Street to the eastern limit of West Street;

   Adelaide Street from the eastern limit of King Street to the eastern limit of West Street;

   Sugarloaf Street from the eastern limit of King Street to the eastern limit of West Street;
Clarence Street from the eastern limit of King Street to the western limit of Welland Street;

Clarence Street from the eastern limit of Catharine Street to the western limit of King Street;

Charlotte Street from the western limit of King Street to the western limit of Catharine Street;

Catharine Street from the southern limit of Clarence Street to a point 85 feet south of the northern limit of Charlotte Street;

and

Municipal Parking Lot located west of King Street, east of Catharine Street and south of Princess Street.

2. That Council hereby approves and authorizes the closure of Market Square area to street parking and through traffic beginning at 12:01 p.m. Friday, July 31, 2015 and ending at 8:00 a.m. on Tuesday, August 4, 2015 for the purpose of hosting the Market Square Concert venue; approves and authorizes that the parking spaces (approximately 13) on the west side of King Street from Sugarloaf Street to Charlotte Street be closed to vehicle parking beginning at 4:00 a.m. on Friday, July 31, 2015 and ending at 6:00 p.m. on Monday, August 3, 2015; and approves and authorizes that the two parking spaces on both the east and west sides of King Street, north of the Charlotte Street limit, be closed to allow for the shuttle bus stops beginning at 4:00 a.m. on Friday, July 31, 2015 and ending at 6:00 p.m. on Monday, August 3, 2015.

3. That Council hereby approves and authorizes the closure of the following street to street parking and through traffic beginning at 5:00 p.m. on Friday, July 31, 2015 ending at 5:00 p.m. on Sunday, August 2, 2015 for the purpose of hosting the Historical & Marine Museum Canal Days Events.

   Princess Street from the western limit of King Street to the western limit of Catherine Street.

4. That Council hereby approves and authorizes the closure of the following areas to street parking and through traffic from 8:00 a.m. to 11:00 a.m. on Saturday, August 1, 2015 for the purpose of the 2015 Canal Days Road Running Race:

   King Street: Controlled closure to the southern limit of Sugarloaf Street to the Public Works yard. Participants will be through this area in a timely manner and the closure will be cleared immediately following the last runner.

   Elm Street: Controlled closure to the southern limit of Sugarloaf Street. Participants will be through this area in a timely manner and the closure will be cleared immediately following the last runner.

   Marina Road: Controlled closure at the northern limit.

   HH Knoll Lakeview Park Service Road: Hard closure between Marina Road and the Northland Pointe Service Road. Access to the park from Elm Street/Marina Road will be closed between 8:00 a.m. and 11:00 a.m., and security will be stationed at the intersection to enable residents and
marina visitor’s entry. Access to the boat ramp, Hospital, and Northland Pointe will be from Fielden Avenue only. Police and security will ensure safe temporary use of roads for both vehicular traffic related to the hospital, visitors to Northland Pointe, boaters, and 5KM race participants.

Fielden Avenue: Controlled closure south limit at Sugarloaf Street.

Fielden Avenue: Controlled closure south limit at the Northland Pointe Service Road.

Northland Pointe Service Road: Hard closure at Fielden Avenue to Steele Street.

Steele Street: Controlled closure south limit at Sugarloaf Street to Northland Pointe Service Road.

Sugarloaf Street (south lane): Hard closure south lane between King Street and Elm Street, Steele Street and Rosemount Avenue. As 5KM participants will be traveling both eastbound and westbound we require this be closed completely for the duration of the event 8:00 a.m. to 11:00 a.m. Note: Police will be on hand to direct two-way traffic in the westbound lane only.

Tennessee Avenue: Controlled closure at Steele Street through to Tennessee Avenue and Rosemount Avenue. Tennessee Ave will be closed to traffic entirely for this 3 hour period. Volunteers will be stationed along the route, and will enable residents to exit or enter, by car, at the Rosemount intersection only.

Rosemount Avenue (East lane): Hard closure in the East lane between Tennessee Avenue and Sugarloaf Street. The road will remain open to two-way traffic at all times, with 5KM participants relegated to one lane.

5. That Council hereby approves and authorizes the closure of the following roads to street parking and through traffic beginning at 5:00 a.m. to 7:00 p.m. on Sunday, August 2, 2015 for the purpose of hosting the Canal Days Car Show.

Steele Street from the southern limit of Steele Street to the southern limit of Sugarloaf Street;

Fielden Avenue from the southern limit of Fielden Avenue to the southern limit of Sugarloaf Street; and

Elm Street from the southern limit of Elm Street to the southern limit of Sugarloaf Street.

6. That Council hereby approves and authorizes the closure of the following areas to street parking and through traffic beginning at 6:00 a.m. to 3:00 p.m. on Sunday, August 2, 2015 for the purpose of the 2015 Canal Days Mountain Bike Race.

Barrick Road, the last 100m west of the railroad tracks until the eastern limit of Barrick road, which is a dead end area. (The mountain bike race needs the last 100m of the road closed off from just west of the railway tracks to allow racers
coming out of the trail and connecting to the trails in the Robin Hood area;)

Sherwood Forest Lane from the northern point on Borden Avenue to the northern limit of Sherwood Forest Lane. This road will be used for the start of the race and there will be several road crossings during the race. This closure would not affect any residents;

Church Street from Main Street to Weir Road; and

Weir Road from Main Street West to Derek’s Point.

That Council hereby approve and authorize that the following Municipal parking lot be closed 6:00 a.m. until 3:00 p.m., on Sunday, August 2, 2015:

Main Street West, north side sidewalk from Church Street to parking lot on west side of Weir Canal, Municipal lot, formerly known as “Joey’s Pizzeria”.

Miscellaneous Correspondence

15. Region of Niagara (Public Works - Waste Management) Re Notice of Submission of Environmental Assessment – Environmental Assessment of the Proposed Expansion of the Humberstone Landfill, City of Welland

Council resolved:

That the correspondence received from the Region of Niagara (Public Works – Waste Management) Re Notice of Submission of Environmental Assessment – Environmental Assessment of the Proposed Expansion of the Humberstone Landfill, City of Welland, be referred to the Director of Engineering and Operations.

16. Niagara Catholic District School Board Re Notice of Passing of Education Development Charges By-laws by the Niagara Catholic District School Board

Council resolved:

That the correspondence received from the Niagara Catholic District School Board Re Notice of Passing of Education Development Charges By-laws by the Niagara Catholic District School Board, be received for information.

17. Region of Niagara Re Proposed Education Development Charges by the Niagara Catholic District School Board (CSD Report 56-2015) Request for Support of the Principles outlined in Appendix 1

Council resolved:

That the correspondence from the Region of Niagara Re Proposed Education Development Charges by the Niagara Catholic District School Board (CSD Report 56-2015) request for support of the principles outlined in Appendix 1, be received for information.

Council resolved:

That the correspondence received from the Region of Niagara Re 2014 Reserve Water and Wastewater Treatment Capacities & Servicing Strategy Update for Niagara-on-the-Lake Wastewater Treatment Plant, be received for information.


Council resolved:

That the correspondence received from the Region of Niagara Re Solid Waste Management By-law Update, be received for information.

20. **Region of Niagara Re Bill 73 Smart Growth for Our Communities Act (PDS Report 27-2015)**

Council resolved:

That the correspondence received from the Region of Niagara Re Bill 73, Smart Growth for Our Communities Act, be received for information.

21. **Region of Niagara Re Local and Regional Partnerships Niagara GO Hub Transit Station Study – Memorandum of Understanding**

Council resolved:

That the correspondence received from the Region of Niagara Re Local and Regional Partnerships Niagara GO Hub Transit Station Study – Memorandum of Understanding, be received for information.


Council resolved:

That the correspondence received from the Region of Niagara Re Water & Wastewater Rate and Requisition Methodology and Claw Back Percentages and Municipal Tax Adjustments, be received for information.

23. **Municipality of Tweed – Disaster Relief Committee Re Request for Financial Support to Assist Homeowners due to Serious Flooding around Stoco Lake and adjoining Waterways, during April 2014**

Council resolved:

That the Director of Community and Corporate Services be directed to create a Disaster Relief Fund to benefit the Municipality of Tweed, with donations to be received at City Hall, and that all citizens of the City of Port Colborne be invited to make a donation.

24. **James Nash on behalf of Prostate Cancer Canada Re Request for Proclamation of September 2015 as Prostate Cancer Awareness Month**

Council resolved:

That the month of September 2015 be proclaimed as "Prostate Cancer Awareness" Month in the City of Port Colborne in accordance with the request received from James Nash on behalf of Prostate Cancer Canada.
Outside Resolutions – Requests for Endorsement

25. Town of Fort Erie Re Requesting the Province to Introduce Legislative Changes to Reform the Interest Arbitration System in Ontario

Council resolved:

That the resolution received from the Town of Fort Erie in support of the City of Niagara Falls Re Requesting the Province to Introduce Legislative Changes to Reform the Interest Arbitration System in Ontario, be received for information.

26. R. Bruce Smith, Secretary Treasurer, Niagara Central Airport Commission/Niagara Central Dorothy Rungeling Airport, Re Request for Support to have the Regional Municipality of Niagara take over operation of the Niagara Central Airport Commission/Niagara Central Dorothy Rungeling Airport

Council resolved:

WHEREAS the municipalities of The Corporation of the City of St. Catharines, The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the City of Niagara Falls have recently passed resolutions requesting that The Regional Municipality of Niagara (the "Region") assume the operation and control of the Niagara District Airport ("NDA");

WHEREAS the Niagara Central Dorothy Rungeling Airport ("NCDRA"), based on an Economic Impact Study prepared by David Archbold, dated November, 2014, will generate an economic impact of a conservative estimate forty million dollars ($40,000,000.00) over the period 2014 to 2018 in the Niagara Region;

AND WHEREAS since the NCDRA and the NDA, while having similar operations, also have operations that complement and support each other such that together they provide a full service airport system;

AND WHEREAS the NCDRA is important to the Niagara South Economic Development Plan;

AND WHEREAS the NCDRA is currently the home base for approximately fifty (50) aircraft, five (5) businesses, the Air Cadet Eagle Squadron, eight (8) existing hangars, and three (3) approved hangars, and is expanding;

AND WHEREAS the NCDRA has substantial room for expansion in the number of both private and commercial hangars;

AND WHEREAS the NCDRA attracts upwards often thousand (10,000) tourists to the Niagara Region on an annual basis as a result of its flying, parachuting, flight training and related operations running out of the NCDRA;

AND WHEREAS it is the opinion of the Niagara Central Airport Commission that, based on the foregoing that, it would be prudent for the Region to assume control of and operation of both the NDA and the NCDRA simultaneously as a single Niagara Region airport system;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE RESOLVES AS FOLLOWS:
1. The Corporation of the City of Port Colborne supports the transfer of the operations of the NCDRA to The Regional Municipality of Niagara and carrying out whatever steps are necessary to complete this transfer.

2. That if The Corporation of the City of Welland, The Corporation of the Town of Pelham and The Corporation of the Township of Wainfleet also pass similar resolutions to the one above, that the Clerk notify The Regional Municipality of Niagara of the passing of these resolutions;

3. That if The Regional Municipality of Niagara approves the taking over of the operations of the NCDRA, that staff be directed to work with their counterparts in each of the other municipalities, as well as The Regional Municipality of Niagara to effect this change forthwith.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

(a) September 2015 is Prostate Cancer Awareness Month.

No. 179 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

WHEREAS During the month of September Prostate Cancer Canada spreads information and awareness about prostate cancer;

AND WHEREAS Prostate Cancer is the most common cancer among Canadian men;

NOW THEREFORE, I, Mayor, John Maloney, proclaim September 2015 as “Prostate Cancer Awareness Month” in the City of Port Colborne.

CARRIED.

10. Minutes of Boards, Commissions & Committees:

(a) Minutes of the Port Colborne Public Library Board Meeting of May 5, 2015.

No. 180 Moved by Councillor B. Butters
Seconded by Councillor R. Bodner

That the Minutes of the Port Colborne Public Library Board Meeting of May 5, 2015 be received.

CARRIED.

(b) Minutes of the Canal Days Advisory Committee Meeting of May 20, 2015.

No. 181 Moved by Councillor B. Butters
Seconded by Councillor Y. Doucet

That the Minutes of the Canal Days Advisory Committee Meeting of May 20, 2015 be received.

CARRIED.
11. Consideration of By-laws:

**No. 182** Moved by Councillor B. Butters
Seconded by Councillor B. Kenny

That the following by-laws be enacted and passed:

- 6259/85/15 Being a By-law to Stop Up and to Close the Portion of Kleinsmith Road Shown as Parts 55 and 56 on Reference Plan 59R-15312 and Widening of the Untravelled Portion of Kleinsmith road to Include Part 28, 29 and 30 on Reference Plan 59R-15312 and Extend Kleinsmith Road to Include the Lands Designated as Part 17 and 18 on Reference Plan 59R-15312
- 6260/86/15 Being a By-law to Authorize Entering Into a Contract Agreement with Dynamic Industrial Services Inc. Re Project #2015-13 Sewer Flushing & CCTV Inspection
- 6261/87/15 Being a By-law to Authorize Entering Into a Contract Agreement with Anthony's Excavating Central Inc. Re Tender 2015-15 Municipal Drain Maintenance
- 6262/88/15 Being a By-law to Appoint a Member to the Accessibility Advisory Committee
- 6263/89/15 Being a By-law to Appoint a Member to the Downtown Business Improvement Area Board of Management
- 6264/90/15 Being a By-law to Appoint a Deputy Fire Chief
- 6265/91/15 Being a By-law to Close Temporarily Sections of Specified Streets and Parking to Vehicular Traffic for Purposes of the 2015 "Canal Days" Festival
- 6266/92/15 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 July 13, 2015

CARRIED.

12. Council in Closed Session:

Motion to go into Closed Session – 9:09 p.m.:

**No. 183** Moved by Councillor B. Butters
Seconded by Councillor D. Elliott

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

(a) Minutes of the closed session portion of the June 22, 2015 Council meeting.

(b) Verbal report from the Director of Planning and Development concerning the potential disposition 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) Verbal report from the Director of Community and Corporate Services regarding a human resources matter, pursuant to the Municipal Act, 2001, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, Subsection 239(2)(d) labour relations or employee negotiations.

CARRIED.

Motion to Rise With Report:

**No. 184** Moved by Councillor F. Danch
Seconded by Councillor R. Bodner
That Council do now rise from closed session with report at approximately 10:33 p.m.
CARRIED.

13. Disclosures of Interest Arising From Closed Session:

Mayor Maloney declared a pecuniary interest with regard to closed session item (b), verbal report from the Director of Planning and Development concerning the potential disposition of City owned land, as he owns property and lives less than a city block away from the property. Mayor Maloney left the room during consideration of this item and refrained from discussing or voting on this matter. Councillor Doucet assumed the Chair during consideration of this item.

Councillor Elliott declared a pecuniary interest with regard to closed session item (b), verbal report from the Director of Planning and Development concerning the potential disposition of City owned land, as he is employed by Royal LePage, which represents the subject property. Councillor Elliott left the room during consideration of this item and refrained from discussing or voting on this matter.

14. Report/Motions Arising From Closed Session:

(b) Verbal report from the Director of Planning and Development concerning the potential disposition 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

The Mayor advised that direction was given to staff during closed session in accordance with the Municipal Act, 2001.

(c) Verbal report from the Director of Community and Corporate Services regarding a human resources matter, pursuant to the Municipal Act, 2001, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, Subsection 239(2)(d) labour relations or employee negotiations

The Mayor advised that direction was given to staff during closed session in accordance with the Municipal Act, 2001.

15. Adjournment:

No. 185    Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That the Council meeting be adjourned at approximately 10:34 p.m.
CARRIED.

John Maloney
Mayor

Ashley Crigg
City Clerk

AG/dd