



**No. 202** Moved by Councillor B. Kenny  
Seconded by Councillor A. Desmarais

That the Minutes of the Twenty Sixth Meeting (Special) of Council of July 23, 2012 be adopted as circulated;  
That the Minutes of the Twenty Seventh Meeting (Regular) of Council of July 23, 2012 be adopted as circulated;  
That the Minutes of the Twenty Eighth Meeting (Special) of Council, July 30, 2012 be adopted as circulated; and  
That the Minutes of the Twenty Ninth Meeting (Special) of Council, August 1, 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. 203** Moved by Councillor B. Kenny  
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 August 13, 2012 with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendations contained therein adopted.

**Motion Arising from Committee of the Whole Councillor's Items/New Business:**

**Rescheduling of Royal Canadian Legion Street Dance**

Council resolved:

That Council hereby approves and authorizes the closure of the following roads for the purposes of controlling traffic for the Royal Canadian Legion Street Dance from 5:00 p.m. on Friday, August 17, 2012 until 1:00 a.m. on Saturday, August 18, 2012.

Catherine Street from the northernmost part of Clarence Street to the southernmost limit of the intersection of the alley behind Matheson's Drug Store.

That the By-law Enforcement Division issue a temporary permit for a Noise By-law exemption for the street dance.

That the above referenced approval be conditional upon the Royal Canadian Legion notifying area residents of said event.

**ITEMS:**

**1. Notice of Motion, Councillor Steele Re Amendment to the City's Alcohol Management Policy concerning the Two Drink Limit on Alcoholic Beverages per Patron at Special Events**

Council resolved:

That the motion to increase the City's drink limit at special events from two (2) drinks to four (4), be referred to the Canal Days Advisory Committee for review;

That the Committee be further directed to review other means by which to improve the sale of alcoholic beverages during special events, with a view to increasing efficiency and convenience for patrons; and

That the above referenced review include consultation with the Volunteer Advisory Committee, the Flavours Advisory Committee, bartender volunteers, Niagara Regional Police Service, Fire and Emergency Services, the Alcohol and Gaming Commission of Ontario, Councillor Steele, City staff, and other appropriate representatives.

2. **Department of Planning & Development, Report No. 2012-62, Subject: Recommendation Report for a Zoning By-law Amendment (File No. D14-14-03-12) East Side of Elm Street**

Council resolved:

1. That Council of the City of Port Colborne approve the Zoning By-law Amendment, attached hereto as Appendix "A", rezoning the land from the existing "LI" and "HI" zone to a site specific "LI-358 (Car Wash & Vehicle Sales and Rental Establishment)" and "HI-359 (Car Wash & Vehicle Sales and Rental Establishment)" zone that would allow a "vehicle sales and rental establishment" and a "car wash" and allow the parking spaces for the car was to be stacked.
2. That the City Clerk is hereby authorized and directed to proceed with the giving of notice of passing of the by-laws, in accordance with the *Planning Act*.
3. That pursuant to the provisions of Section 34(17) of the *Planning Act*, no further notice of public meeting be required.

3. **Department of Planning & Development, Report No. 2012-63, Subject: Information Report: Repeal By-law 4914/139/06 (Being a By-law to Adopt the New Official Plan, 2006)**

Council resolved:

That this report be received for information purposes.

4. **Department of Corporate & Community Services, Community Services Division Report No. 2012-26, Subject: Hourly Ice Rental Contract**

Council resolved:

That the Council of The Corporation of the City of Port Colborne receives this report for information  
CARRIED.

5. **Department of Chief Administrative Officer, Report No. 2012-09, Subject: Overholt Cemetery, Cemetery Regulation, Fees and Charges**

Council resolved:

1. That a by-law to adopt rules and regulations governing the operation, quiet enjoyment and provision of services in respect of the City's cemeteries as attached to this report be approved.

2. That a by-law to adopt the schedule of fees as attached to this report for internment rights, opening and closing, columbarium and cremation sales and opening and closing and other cemetery services be approved.
6. **Department of Planning & Development, Report No. 2012-64, Subject: Noise By-law Exemption – 799 Empire Road**

Council resolved:

Upon receipt of the non-objection form, that the Council of the City of Port Colborne approves the proposed grant of a temporary permit to exempt Ron Marshall from Section 4(3) of By-law 4588/119/04 on the following terms and conditions:

1. The temporary permit is for the period of August 18, 2012 at 1:00 p.m. until August 19, 2012 at 1:00 a.m. inclusive.
2. The permit is applicable only to the 3 or 4 bands performing in connection with event of August 18, 2012.

#### **Miscellaneous Correspondence**

7. **Port Colborne Feline Initiative request for proclamation of National Feral Cat Day, October 16, 2012**

Council resolved:

That October 16, 2012 be proclaimed as “National Feral Cat Day” in the City of Port Colborne in accordance with the request received from Kristi Mallinson Vogel, Port Colborne Feline Initiative.

8. **Niagara Peninsula Conservation Authority Re Strategic Planning Process**

Council resolved:

That the correspondence received from the Niagara Peninsula Conservation Authority Re Strategic Planning Process, be received for information and monitor reports.

9. **Region of Niagara Re Bill 100 – Ontario’s Proposed Great Lakes Protection Act and Great Lakes Strategy (ICP Report 77-2012)**

Council resolved:

That the correspondence received from the Region of Niagara Re Bill 100 – Ontario’s Proposed Great Lakes Protection Act and Great Lakes Strategy (ICP Report 77-2012), be received for information.

10. **Region of Niagara Re Population and Employment Forecast Review – Growth Plan for the Greater Golden Horseshoe (ICP Report 75-2012)**

Council resolved:

That the correspondence received from the Region of Niagara Re Population and Employment Forecast Review – Growth Plan for the Greater Golden Horseshoe (ICP Report 75-2012), be received for information.

#### **Outside Resolutions – Requests for Endorsement**

11. **Monte McNaughton, MPP Lambton-Kent Middlesex Re: Bill 76 – Act to Amend the *Ontario Lottery and Gaming Act* of 1999, entitled Ensuring Local Voices in New Casino Gambling Development Act, 2012**

Council resolved:

That the resolution received from Monte McNaughton, MPP Lambton-Kent Middlesex Re: Bill 76 – Act to Amend the *Ontario Lottery and Gaming Act* of 1999, entitled Ensuring Local Voices in New Casino Gambling Development Act, 2012, be received for information.

12. **City of St. Catharines Re VIA Rail Services in Niagara**

Council resolved:

That the resolution received from the City of St. Catharines Re VIA Rail Services in Niagara, be sent to the Port Colborne Transit Advisory Committee for advice.

#### ITEMS:

13. **Department of Engineering & Operations, Operations Division, Report No. 2012-25, Subject: Update on Showcasing Water Innovation Funding and Project 2011-31 – Integration of Water Loss Analysis Tools into a Water SCADA Project**

Council resolved:

- A. That the Council of the City of Port Colborne enter in a second agreement with Insyght Systems Inc., of Burlington, Ontario, for the additional scope detailed under Option A – Full Funding Received, in RFQ 2011-31 – Integration of Water Loss Analysis Tools into a Water SCADA System, at an additional cost of \$167,120.00 plus applicable taxes and;
- B. That funding for the balance of Project 2011-31 be financed under Account 6-595-76345-3319 and;
- C. That a contract by-law, whereby the City enters into a contract agreement with the Consultant, be prepared.

14. **Memorandum from Robert J. Heil, Chief Administrative Officer, dated August 13, 2012 Re Minor Addition to Fees and Charges By-law for the Overholt Cemetery**

Council resolved:

That the by-law to adopt rules and regulations governing the operation, quiet enjoyment and provision of services in respect of the City's cemeteries as presented in Chief Administrative Officer, Report No. 2012-09, Subject: Overholt Cemetery, Cemetery Regulation, Fees and Charges, be approved with the addition of the columbarium fees and charges, as outlined in this memorandum.

CARRIED.

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

Nil.

#### 8. **PROCLAMATIONS**

- (a) **National Feral Cat Day – October 16, 2012**

**No. 204** Moved by Councillor F. Danch

Seconded by Councillor D. Elliott

**WHEREAS** October 16<sup>th</sup>, 2012 is National Feral Cat Day, a day dedicated to educating communities about feral cats and Trap-Neuter-Vaccinate-Return, a humane method of care for unowned cats;

**AND WHEREAS** Trap-Neuter-Vaccinate Return improves the lives of cats. The stresses and behaviours associated with breeding, such as yowling and fighting stop;

**AND WHEREAS** Trap-Neuter-Vaccinate Return is recognized throughout the US and Canada as a humane and responsible way to manage feral cats;

**NOW THEREFORE**, I, Mayor, Vance M. Badawey, proclaim Tuesday, October 16th, 2012 as "National Feral Cat Day" in and for the City of Port Colborne and encourage all citizens to support Trap-Neuter-Vaccinate Return as a responsible and humane method of dealing with feral cat populations.

CARRIED.

**9. MINUTES OF BOARDS, COMMISSIONS & COMMITTEES**

(a) **Minutes of the Canal Days Advisory Committee Meeting of June 20, 2012**

**No. 205** Moved by Councillor B. Kenny  
Seconded by Councillor A. Desmarais

(a) That the Minutes of the Canal Days Advisory Committee Meeting of June 20, 2012 be received.

CARRIED.

**10. NOTICE OF MOTION**

Nil.

**11. INTRODUCTION, CONSIDERATION AND PASSGE OF BY-LAWS**

**By-laws for Three Readings**

**No. 206** 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:

- 5839/93/12 Being a By-law to Amend Zoning By-law 1150/97/81, as Amended, Respecting Lands Known as Part of Lot 28, Concession 3 Described as Part 1 on Plan 59R-13068 in the City of Port Colborne, Located on the East Side of Elm Street North of Barrick Road
- 5840/94/12 Being a By-law to Establish Rules, Regulations and Provisions for the Management of Cemeteries of the City of Port Colborne
- 5841/95/12 Being a By-law to Establish Fees and Charges for the Cemeteries of the City of Port Colborne
- 5842/96/12 Being a By-law to Authorize Entering Into A Second Contract Agreement with Insyght Systems Inc. Re RFQ 2011-31 Integration of Water Loss Analysis Tools into a Water SCADA System

CARRIED.

**12. CONFIRMATORY BY-LAW**

**No. 207** Moved by Councillor W. Steele  
Seconded by Councillor F. Danch

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

- 5843/97/12 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 August 13, 2012

CARRIED.

**13. COUNCIL IN CLOSED SESSION**

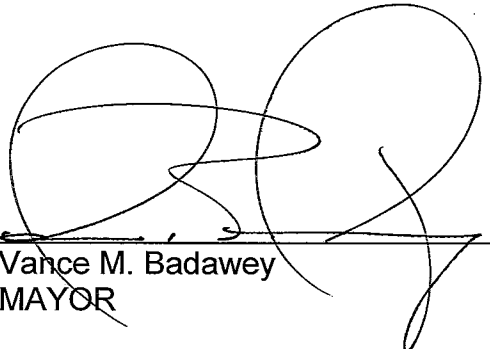
The Closed Session portion of the Council agenda was not required since all of the matters for consideration were dealt with during the Closed Session portion of the Special Council meeting held at 5:00 p.m. As a result, Council did not move into Closed Session.

**14. ADJOURN**

**No. 208** Moved by Councillor B. Kenny  
Seconded by Councillor W. Steele

That there being no further business, the Council meeting be adjourned at approximately 7:27 p.m.

CARRIED.



Vance M. Badawey  
MAYOR



Ashley Grigg  
CITY CLERK

AG/sm