

The "THIRTY SIXTH MEETING" (SPECIAL) of the Port Colborne City Council was held at the Municipal Offices, 66 Charlotte Street, Port Colborne on Monday, December 8, 2014 commencing at approximately 5:30 p.m.

ATTENDANCE

Mayor John Maloney presided with the following members in attendance:

COUNCILLORS

D. Elliott	J. Mayne
A. Desmarais	Y. Doucet
F. Danch (arrived at 6:00 p.m.)	B. Kenny
R. Bodner	B. Butters

STAFF

R. Heil, Chief Administrative Officer
D. Aquilina, Director of Planning & Development (left at 9:40 p.m. following consideration of item (a))
T. Cartwright, Fire Chief (left at 9:40 p.m., following consideration of item (a))
N. Giles, Executive Assistant to the Mayor
A. Grigg, City Clerk

GUESTS

T. Richardson, Solicitor, Solicitor, Sullivan Mahoney LLP (in attendance concerning item (a), left at 7:05 p.m.)
S. Premi, Solicitor, Sullivan Mahoney LLP (in attendance concerning item (a), left at 7:05 p.m.)
T. McAvoy, Chief Executive Officer, McAvoy, Belan and Campbell (in attendance concerning item (a), left at 7:43 p.m.)
K. Burke, Insurance Broker, McAvoy, Belan and Campbell (in attendance concerning item (a), left at 7:43 p.m.)
G. Bruno, Chair, Port Colborne Fibre Inc. (in attendance concerning item (a), arrived at 8:08 p.m. and left at 8:50 p.m.)

CALL MEETING TO ORDER – MAYOR JOHN MALONEY

1. CONFIRMATION OF THE AGENDA

No. 268 Moved by Councillor Y. Doucet
Seconded by Councillor B. Kenny

That the agenda of the Special Meeting of Council of December 8, 2014 be confirmed as circulated.

CARRIED.

2. COUNCIL IN CLOSED SESSION – 5:31 P.M.

No. 269 Moved by Councillor D. Elliott
Seconded by Councillor B. Kenny

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

- (a) Verbal report from the Chief Administrative Officer providing a debriefing concerning confidential strategic matters and ongoing litigation impacting the City of Port Colborne and the receipt of legal advice respecting same, and an update on the disposal of Niagara Regional Broadband Network shares, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(a) the security of the property of the municipality or local board, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, Subsection 239(2)(c) a proposed or pending acquisition or

disposition of land by the municipality or local board, Subsection 239(2)(d) labour relations or employee negotiations, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- (b) Confidential Community & Corporate Services, Clerk's Division Report No. 2014-42, Subject: Appointments to Boards and Committees, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
- (c) Confidential Chief Administrative Officer Report No. 2014-04 regarding a matter of potential litigation, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED.

No. 270 Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That Council do now rise from closed session with report at approximately 10:30 p.m.

CARRIED.

3. DISCLOSURES OF INTEREST FROM CLOSED SESSION

Nil.

4. MOTIONS ARISING FROM CLOSED SESSION

- (b) **Confidential Community & Corporate Services, Clerk's Division Report No. 2014-42, Subject: Appointments to Boards and Committees, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees**

No. 271 Moved by Councillor D. Elliott
Seconded by Councillor Y. Doucet

That the City Clerk be directed to bring forward a report in open session with respect to appointments to boards and committees recommended by Council, as follows:

Accessibility Advisory Committee

That Bryan Ingram be appointed to the Accessibility Advisory Committee for a term ending December 31, 2018.

Canal Days Advisory Committee

That Claudia Brema be appointed to the Canal Days Advisory Committee for a term ending December 31, 2018.

Committee of Adjustment

That Dan O'Hara and Bill Steele be appointed to the Committee of Adjustment for a term ending November 30, 2018.

Environmental Advisory Committee

That Beth Palma and Tim Hoyle be appointed to the Environmental Advisory Committee for a term ending December 31, 2017.

Heritage Port Colborne:

That Brenda Haymes be appointed to the Heritage Port Colborne Committee for a term ending December 31, 2017.

Port Colborne Energy Inc.

That Gary Bruno be appointed to Port Colborne Energy Inc. for a term ending November 30, 2017.

Port Colborne Hydro Inc.

That Gary Bruno and Vance Badawey be appointed to Port Colborne Hydro Inc. for a term ending November 30, 2017.

Port Colborne Fibre Inc.

That Gary Bruno and Vance Badawey be appointed to Port Colborne Fibre Inc. for a term ending November 30, 2017.

Port Colborne Historical and Marine Museum Board

That the following persons be appointed to the Port Colborne Historical and Marine Museum Board:

1. Marge McAvoy for a term ending December 31, 2018;
2. Terry Huffman for a term ending December 31, 2018;
3. Bonnie Johnston for a term ending December 31, 2018;
4. Tim Hoyle for a term ending December 31, 2016;
5. Michael Reles for a term ending December 31, 2016;
6. Margaret Tanaszi for a term ending December 31, 2016.

Port Colborne Medical Education, Recruitment and Health Services Committee

That the following persons be appointed to the Port Colborne Medical Education, Recruitment and Health Services Committee:

1. Tim Hoyle (citizen representative) for a term ending December 31, 2016;
2. Vance Badawey (citizen representative) for a term ending December 31, 2017;
3. Amanda Bell (medical health representative) for a term ending December 31, 2018;
4. Carmela Rulli (medical health representative) for a term ending December 31, 2018.

Port Colborne Public Library Board

That the following persons be appointed to the Port Colborne Public Library Board:

1. William Higgins for a term ending November 30, 2018;
2. Cheryl MacMillan for a term ending November 30, 2018;
3. Michael Cooper for a term ending November 30, 2018;
4. Derek Miller for a term ending November 30, 2018;
5. Anne Kennerly for a term ending November 30, 2018;
6. Valerie Catton for a term ending November 30, 2018;
7. Bryan Ingram for a term ending November 30, 2018.

Port Colborne Transit Advisory Committee

That the following persons be appointed to the Port Colborne Transit Advisory Committee:

1. Denise Archer (medical health representative) for a term ending December 31, 2018.
2. Casey Biko (business representative) for a term ending December 31, 2018.
3. Bryan Ingram (representing persons with disabilities) for a term ending December 31, 2018.

Property Standards Committee

That Tim Hoyle be appointed to the Property Standards Committee for a term ending November 30, 2018.

Port Colborne Senior Citizen Advisory Council

That Dorothy Santarella be appointed to the Port Colborne Senior Citizen Advisory Council for a term ending December 31, 2016.

Livestock Valuer

That Deborah Wright be appointed as Livestock Valuer for a term ending November 30, 2018.

Town Crier

That Dr. Tom Pekar be appointed as Town Crier for a term ending December 31, 2018.

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

CARRIED.

- (c) **Confidential Chief Administrative Officer Report No. 2014-04 regarding a matter of potential litigation, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board**

No. 272 Moved by Councillor R. Bodner
Seconded by Councillor J. Mayne

That staff be directed to suspend the use of an opening prayer at Council/Committee of the Whole meetings, as set out under the City's Procedural By-law, until such time a decision on the subject is rendered by the Supreme Court of Canada.

Recorded Vote:

Yes: Bodner, Desmarais, Elliott, Kenny, Maloney, Mayne

No: Butters, Danch, Doucet

CARRIED.

5. CONFIRMATORY BY-LAW

No. 273 Moved by Councillor Y. Doucet
Seconded by Councillor B. Kenny

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

- 6159/125/14 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 December 8, 2014

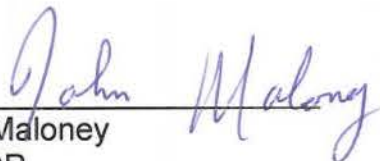
CARRIED.

6. ADJOURN

No. 274 Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That there being no further business, the special meeting of Council meeting be adjourned at approximately 10:35 p.m.

CARRIED.


John Maloney
MAYOR


Ashley Grigg
CITY CLERK