

Town of Niagara-on-the-Lake Minutes



June 27, 2023, 9:30 a.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis (9:54 a.m.), Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Staff Present: Marnie Cluckie - Chief Administrative Officer, Victoria Steele - Strategy & Government Relations Officer, Shaunna Arenburg - Town Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Rome D'Angelo - Director of Operations

1. CALL TO ORDER

Lord Mayor Zalepa called the meeting to order at 9:30 a.m.

2. FOCUS STATEMENT

Councillor Ruller read the focus statement.

3. O'CANADA

4. ADOPTION OF THE AGENDA

The following members requested to speak under New Business:

Councillor Burroughs
Councillor Cheropita

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Tim Balasiuk

That the agenda be adopted as amended

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (1): Councillor Maria Mavridis

APPROVED (8 to 0)

5. COUNCIL & COMMITTEE OF THE WHOLE MINUTES

Councillor O'Connor requested item 5.5 Committee of the Whole - General - June 13, 2023, item 7.5 be amended to strike out the phrase using a phased in approach from section 1.1 of her motion as it was all in one year. And that item 8.4 be amended to read requested clarification on the wastewater capacity for NOTL based on the report and if the new wastewater treatment plant that opened in 2022 was part of the statistics and clarification on the status of the Queenston wastewater study.

Moved by: Councillor Adriana Vizzari

Seconded by: Councillor Wendy Cheropita

That the minutes from following dates be approved May 23, June 13, and June 20 be approved as amended.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (1): Councillor Gary Burroughs

Absent (1): Councillor Maria Mavridis

APPROVED, AS AMENDED (7 to 1)

5.1 Council Minutes - May 23, 2023

5.2 Special Council Minutes - May 23, 2023

5.3 Committee of the Whole Planning Minutes- June 13, 2023

5.4 Special Council Minutes - June 13, 2023

5.5 Committee of the Whole General Minutes - June 20, 2023

5.6 Special Council Minutes - June 20, 2023

6. CONFLICT OF INTEREST

There were none.

7. PROCLAMATIONS

There were none.

8. NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES:

9. LORD MAYOR'S REPORT

Lord Mayor Zalepa updated Council on the following:

- May 23 attended a small gathering, with Neil Lumsden the Minister of Tourism and Sport at the Shaw Festival and Peller Estate Winery; reviewed tourism features and opportunities in NOTL
- May 23 attended NOTL Rotary Club's Paul Harris awards dinner at the Community Centre; locals Vaughan and Lauren Goettler, Jody Porter and Cindy Grant were recognized; entertainment was provided by a young group of performers from Yellow Door Theatre productions.
- May 25-28 attended FCM with Councillors Balasiuk, and Mavridis. Speeches from PM, Leader of NDP, Green Party and many informative sessions, notes will be circulated to Council
- May 29 attended the Niagara Pride week Flag raising at Town Hall
- June 1 attended NOTL Arts Collective Open house at Chateau des Charmes. Many amazing local artists and their works on display.
- June 2 attended Niagara Geo Park update at Niagara College; this exciting project is working towards UNESCO designation for the Niagara Geo Park.
- June 2 attended awards dinner for 809 Newark Squadron RCAC at the Legion branch 124
- June 3 attended 52nd Annual Review for 809 Newark Squadron RACAC at the Croatian Hall on Line 3; outdoors; presented Best First Year Cadet Award to LAC Tera Epp
- June 3 attended 60th Anniversary Maclaren car rally on Queen St hosted by Q124
- June 5 attended flag raising for National Accessibility week, joined by our JAAC committee members.

- June 5 attended media launch event for Jazz Niagara festival schedule of concerts; with Councillors Cheropita and Mavridis, congratulations to Juliet Dunn on another exciting lineup of concerts.
- June 6 attended Fort George Tourism Day, familiarization tour; hosted by Parks Canada and FOGF
- June 7th attended reception at Hockey Hall of Fame, for international site selection group (Exis Global Summit), brought greetings on behalf of Regional Chair Bradley; sponsored by Niagara Region Economic Development.
- June 8 meeting with Greenbelt Foundation CEO Edward McDonnell, discussed how Municipalities can support the Greenbelt.
- June 8 attended speaker series at NOTL Museum; Aboriginal origins in Niagara.
- June 9 attended Pillitteri Family 30th Anniversary event at Pillitteri Winery. Gary and Lena have been farming in NOTL for over 70 years; what a legacy they have built.
- June 9. Attended NOTL PickleBall Tournament; watched pro session; full arena; weekend of hundreds of participants; excellent exposure for the Town.
- June 10 attended General Hollar Run; at the Polish cemetery; with Polish Ambassador; Gen Consul, and other dignitaries, including Mayor of Jurczyce.
- June 10 attended NOTL Firefighters Recruits graduation; congrats to the families and individuals taking on this important responsibility.
- June 11 attended Polish Sunday, Pilgrimage at the Polish Cemetery, including a parade to the Cenotaph;
- June 12 attended DSBN Chess tournament for grades 3-8 at the NOTL Community centre
- June 13 attended at Grape Escapes wine tours, as they hosted education tours for GTA high school students (over 100) about history in Niagara
- June 15 attended NOTL Chamber of Commerce event, Business Forum; Brought remarks and updates on the work of Council; Councillors Burroughs, Cheropita, Balasiuk, Wiens, Mavridis, and O'Connor, Thanks to the Chamber for hosting at Ravine Winery.

- June 17 attended the Niagara Ride for dads at the Legion; in support of prostate cancer research. Councillor Wiens was riding along with his wife Dorothy.
- June 17 attended flag raising at the Cenotaph for United Empire Loyalist week; also held a ceremony at the Col John Butler homestead site where the UEL group dedicated a tree to her Majesty Queen Elizabeth
- June 17 attended the butterfly release ceremony hosted by NOTL Palliative Care, in support of loved ones who have experienced loss in 2022 with Councillors O'Connor and Cheropita.
- June 19 attended an open house promoting the Niagara Region's seniors programming at the NOTL Community Centre. Programming every week day.
- June 20 attended the ribbon cutting for our rainbow crosswalk in Town
- June 22 attended the grand opening of the new Vineland Growers Coop facility in Vineland. With Councillor Wiens and Regional Chair Bradley,
- June 22 attended along with Minister of Agriculture, Honouable Lisa Thompson at Mathias Oppenlander farm on Line 3 as they were provided with a grant and recognition as sustainable farm by the Minister. Councillor Wiens, MPP Gates and MP Baldinelli attended.
- June 24 attended yard sale in support of NOTL Cats Rescue, on Line 2 in Virgi.
- June 24 attended the Smugglers Cove boat club annual Sailpast in NOTL; with MP Baldinelli and MPP Gates.

10. MEMBERS' ANNOUNCEMENT

Councillor Mavridis joined the meeting at 9:54 a.m.

Councillor O'Connor - attended the Glendale Public Information Session

Councillor Cheropita - announced the Step Up for Ukraine event taking place Saturday, July 22

Councillor Cheropita - announced that at 5 p.m. July 11 the Village Celebrates their 25th Anniversary, she extended congratulations to the Hawley family.

Councillor Vizzari - attended Community Crew Lunch Box Gala - they provide lunches to school children throughout the Community.

Councillor Balasiuk - announced the Cherry Festival taking place on July 8 and that there will be Paddle Board Race taking place at Queen's Royal Park

11. DELEGATIONS

11.1 Non- Agenda Delegation

11.1.1 Andrea Kaiser - Regional Councillor - Regional Updates

Regional Councillor Andrea Kaiser and the Commissioner of Niagara Region Community Services Adrienne Jugley gave a presentation on Community Services including:

- Community Services
- Children's Services
- Homelessness Services & Community Engagement
- Housing Services
- Seniors Services
- Social Assistance & Employment Opportunities

Councillor Kaiser and Commissioner Jugley answered questions from Council.

11.2 Agenda Delegation

11.2.1 George Webber - Friends of the Forgotten - Item 15.1 - Negro Burial Ground - Archaeological Assessment - Stage 1 Results - OPS-23-042

George Webber spoke about the stage 1 assessment results, the fundraising efforts, explained the funding model, and thanked Council for their support.

George answered questions from Council.

12. RESPONSE TO DELEGATIONS FROM COUNCIL

13. PRESENTATIONS

13.1 Roger Smith - NOTL Fleet Service Review

Director D'Angelo introduced the presentation and provided the background to the project, the scope of work (deliverables). Director introduced Roger Smith for the Fleet Service Review presentation.

Roger Smith presented:

- the seven key steps in NOTL Fleet Review
- management practices review
- fleet management practices survey
- fleet and GHG baseline profile
- lifecycle analysis results
- fleet capital budget planning
- long-term capital planning key results
- EV level two charging analysis

Director D'Angelo concluded the presentation with the staff recommendations.

Roger Smith answered questions from Council.

14. CONSENT AGENDA

14.1 Fleet Service Review & Green Fleet Strategy, OPS-23-016

Councillor Cheropita lifted the report for discussion.

Councillor O'Connor spoke to the report and how it will guide Council for the next 15 years and appreciates the inclusion of greening the fleet and the commitment to environmental sustainability. Councillor O'Connor requested additional time to review the report and proposed a motion to defer.

Council discussed the modernization service delivery review, reducing future costs, electric vehicles, the lifespan of vehicles and budget concerns.

Lord Mayor Zalepa passed the chair to Councillor Wiens at 11:31 a.m.

Lord Mayor Zalepa referenced the staggered recommendations in the report, requested direction from Council on how they would like to proceed.

Councillor Vizzari left the meeting at 11:32 a.m.

Lord Mayor Zalepa resumed the chair at 11:34 a.m.

Moved by: Councillor Maria Mavridis
Seconded by: Councillor Tim Balasiuk

That report OPS-23-016 be deferred to September.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (1): Councillor Adriana Vizzari

APPROVED (8 to 0)

14.2 Discretionary Grants, CS-23-017

Lord Mayor Zalepa left the meeting at 11:36 a.m.

Deputy Lord Mayor Wiens assumed the Chair for the remainder of the meeting.

Councillor Burroughs asked about informing the media, CAO Cluckie clarified that a media release was not intended to come back to Council unless a motion of Council is passed and letters will be sent out.

Councillor Mavridis requested the total amount promised to the Fire Fighter Association. Chief Jay Plato clarified that a number was not confirmed they were promised priority consideration when the grant program goes live.

Councillor Mavridis requested the application be amended to not include events that require purchasing tickets, the event should be free for the public to attend.

Moved by: Councillor Maria Mavridis
Seconded by: Councillor Wendy Cheropita

That:

1.1 Council approves the attached Discretionary Grant Policy and Procedure (**Appendix I**); and

That recommendation 1.1 be amended to include in the application that the grant funding cannot be used for paid ticketed events and to include in the application that only new events or initiatives or existing events with new items be funded.

Yea (5): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, and Councillor Erwin Wiens

Nay (2): Councillor Gary Burroughs, and Councillor Sandra O'Connor

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED, AS AMENDED (5 to 2)

Three members needed to be appointed to the Discretionary Grant Committee. Councillors Balasiuk, Burroughs, Mavridis and Vizzari put their names forward for consideration.

Councillor Burroughs withdrew his name from consideration.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Maria Mavridis

That the policy and procedure be amended to include that indexing does not preclude amending the total discretionary grant budget / add and Council.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

Councillor O'Connor left the room at 11:53 a.m.

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Tim Balasiuk

1.2 Council appoints three (3) Council members to the Discretionary Grant Committee; Councillor Mavridis, Councillor Balasiuk, and Councillor Vizzari; and

1.3 The Discretionary Grant Program opens for applications on September 5, 2023, for a period of six weeks for consideration of funding for 2023 / 2024 applications, with the Discretionary Grant Committee meetings occurring in October and a report returning to Council in November for final approval.

Yea (5): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, and Councillor Erwin Wiens

Nay (1): Councillor Gary Burroughs

Absent (3): Councillor Sandra O'Connor, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (5 to 1)

15. INFORMATION PACKAGES

Councillor O'Connor returned to the meeting at 11:57 a.m.

15.1 Negro Burial Ground - Archaeological Assessment - Stage 1 Results - OPS-23-042

15.2 Email Community Schools Alliance re: 2023 Call for Nominations

Councillor Burroughs lifted the item for discussion.

Councillor Burroughs spoke to the Community Schools Alliance and spoke to the history of the alliance, former Councillor Jim Collard was a member for many years. The alliance is the conduit to the minister of education. Councillor Burroughs put his name forward to be considered.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Wendy Cheropita

That Councillor Burroughs be nominated to submit his application to the Community Schools Alliance.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

15.3 Email from Councillor Cheropita re: Step up for Ukraine

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Tim Balasiuk

That Council receive the Information Package.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

16. COMMITTEES OF COUNCIL MINUTES

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That the minutes from the following dates be received April 2023, May 10, May 17, May 18, May 24, May 29, and June 7, 2023.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (2): Councillor Nick Ruller, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

16.1 Niagara-on-the-Lake Public Library Board Minutes - April 2023

16.2 Irrigation Committee Minutes - May 10, 2023

16.3 Heritage Trail Committee Minutes - May 17, 2023

16.4 Committee of Adjustment Minutes - May 18, 2023

16.5 Urban Design Committee Minutes - May 24, 2023

16.6 Municipal Heritage Committee Minutes - May 29, 2023

16.7 Municipal Heritage Committee Minutes - June 7, 2023

17. MOTIONS

18. NOTICE OF MOTION

Councillor Mavridis gave a notice of motion regarding By-law Officers.

Councillor Cheropita gave a notice of motion regarding a Fleet Study.

19. BY-LAWS

Moved by: Councillor Wendy Cheropita
Seconded by: Councillor Gary Burroughs

that leave be given to introduce By-law No. 5519-23, 5520-23, 5521-23, 5522-23, 5523-23, 5524-23, 5525-23, 5526-23 and 5527-23 that the same be considered read a first, second and third time and passed this 27th day of June, 2023.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

19.1 By-law 4316EQ-23 - 507 Butler Street- Zoning By-law

19.2 By-law 500YE-23 - 882 Line1 Road - Zoning By-law

19.3 By-law 5519-23 - 241 Johnson Street - Development Agreement

19.4 By-law 5520-23 - 241 Johnson Street (Lot 1 - 30M-344) - Part Lot Control Exemption By-law

19.5 By-law 5521-23 - 445 Line 2 Road Subdivision - Assumption By-law

19.6 By-law 5522-23 - Apricot Glen Phase 1 Subdivision - Assumption By-law

19.7 By-law 5523-23 - Apricot Glen Phase 2 Subdivision - Assumption By-law

19.8 By-law 5524-23 - Paxton Lane (Block 71 + Part Block 72 - 30M-375) - Part Lot Control Exemption By-law

19.9 By-law 5525-23 - 494 Line 2 Road

19.10 By-law 5526-23 - Natalie Gallard MLE Officer

20. NEW BUSINESS

Councillor Burroughs inquired about parking and by-law enforcement on weekends. Fire Chief Jay Plato confirmed officers are out 8:00 a.m.-9:30 p.m. on weekends. There is a third-party afterhours number for complaints that notifies the parking officers. Chief Plato will direct officers to add more focus to Queens Royal Park area.

Councillor Burroughs inquired about in-person vs hybrid meetings and would like to begin meeting in person immediately, CAO Cluckie advised a report is coming forward in July.

Councillor O'Connor advised the EAC and MAT Committee are eager to start meeting.

Councillor Cheropita brought forward complaints about parking machines received from Laurie Harley one the ambassadors.

Councillor Cheropita inquired about the sidewalk on Andres and requested clarification on which side of street the sidewalk will be installed on as the residents would like it on the west side. Director D'Angelo clarified the sidewalk would be on the East side with construction starting in July. The east side was chosen as there are too many utilities on the west side.

21. CLOSED SESSION

Moved by: Councillor Nick Ruller

Seconded by: Councillor Gary Burroughs

Council proceeded to go into a closed meeting to consider matters that qualify under the Municipal Act 2001 under Section 239(3.1) for the purposes of educating and providing training to members regarding the Standard of Care Water Quality;

and that Council proceed to go into a closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 144 & 176 John Street East, 200 John Street & 588 Charlotte Street.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Nick Ruller

That Council rise from a closed meeting to consider matters that qualify under the Municipal Act 2001 under Section 239(3.1) for the purposes of educating and

providing training to members regarding the Standard of Care water Quality with no report; and

That Council rise from a closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 144 & 176 John Street East, 200 John Street & 588 Charlotte Street with no report.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

22. PROCEEDINGS BY-LAW No. 5527-23

Moved by: Councillor Nick Ruller

Seconded by: Councillor Adriana Vizzari

That leave be given to introduce By-law No. 5527-23, and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

23. ADJOURNMENT

Adjournment time: 3:50 p.m.

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Adriana Vizzari

That Council adjourn to the next Council Workshop meeting of June 29, 2023, and if a special meeting is required, it will be held at the call of the Lord Mayor

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)