



COMMITTEE OF THE WHOLE MEETING MINUTES

July 18, 2023, 9:30 a.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Lord Mayor Gary Zalepa

Council Members Absent: Councillor Erwin Wiens

Staff Present: Marnie Cluckie - Chief Administrative Officer, Shaunna Arenburg - Town Clerk, Kirsten McCauley - Director of Community and Development Services, Kyle Freeborn - Director of Corporate Services/ Treasurer, Rome D'Angelo - Director of Operations, Shannon Mista - Deputy Clerk

Staff Absent: Victoria Steele - Strategy & Government Relations Officer, Jay Plato - Fire Chief

1. CALL TO ORDER

Councillor Wendy Cheropita called the meeting to order at 9:30 a.m.

2. ADOPTION OF AGENDA

Councillor Wendy Cheropita requested to speak under New Business.

Lord Mayor Zalepa joined the meeting virtually at 9:39 a.m.

Moved by: Councillor Gary Burroughs

That the agenda be adopted as amended.

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 Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

3. CONFLICT OF INTEREST

There were none.

4. DELEGATIONS

4.1 Non-Agenda Delegations

4.1.1 Cathy Simpson - The Library Board 2022 Year End Review

Cathy Simpson, Chief Librarian, and Darryl Novack Board Chair, presented on the Library Board 2022 year-end review with highlights on;

- The Vision/ Mission Statement
- 789 new members last year
- an increase in social media followers
- 72,949 items were circulated last year.
- Cognitive care kits were created.
- Service development through Federal Economic Development
- New Programming - (Tots, Teens, Between the Stacks (Speed Dating), the Makery, The Repair Cafe, and Tech Help.
- Outreach - Home delivery, Community Garden and Seed Garden, Migrant Farm Workers
- Pop-up Library

4.2 Agenda Delegations

There were none.

5. RESPONSE TO DELEGATIONS

Councillor Burroughs asked if the library is in the Virgil Information Centre and Cathy responded yes, they have a pop-up library there.

Councillor Vizzari asked clarifying questions on the Repair Cafe.

The Lord Mayor and Councillor O'Connor commended the Board for all the great work they are doing around the Community.

6. PRESENTATIONS

6.1 Carlos Alvarez & Jodie Nesbitt - KPMG 2022 Financial Statements and Audit Findings

Carlos Alvarez, Audit Partner with KPMG presented on:

- Audit Highlights
- Audit Risks and Results
- Misstatements
- Control Deficiencies
- Independence
- Audit Quality
- Additional Matters
- Appendices

7. CONSENT AGENDA

Consent Agenda items 7.1, 7.2, and 7.6 were lifted for separate discussion.

Moved by: Councillor Nick Ruller

That the Consent Agenda be approved, with the exception of the items 7.1, 7.2 and 7.6 listed for separate discussion, and the reports and recommendations contained therein be forwarded to Council for adoption.

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 Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

7.1 2024 Budget Timeline, CS-23-024

Lifted by Councillor Ruller.

Councillor Ruller asked some clarifying questions on the budget.

Council discussed and asked questions regarding:

- The operating levy increased by 6.5%.
- Employee Bargaining Group.
- What are our commitments for salaries and other fixed expenses.
- Action items within that funding target.
- Fleet Review.
- MAT Tax/Short Terms Rentals

Moved by: Councillor Sandra O'Connor

That recommendation 3 be amended to Council give Staff guidance for 2024 for an operating levy increase not to exceed 6.5% and an option to not exceed 3%.

Yea (6): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, and Councillor Nick Ruller

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

Absent (1): Councillor Erwin Wiens

APPROVED, AS AMENDED (6 to 2)

Moved by: Councillor Maria Mavridis

That the balance of agenda item 7.1 be approved.

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 Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

7.2 Committees of Council – Hybrid Meetings, CS-23-025

Lifted by Councillor Ruller.

Lord Mayor Zalepa left the meeting at 10:50 a.m.

Council discussed and asked questions regarding:

- The number of IT Staff required.
- Budget Implications
- Which Committees would transition to hybrid vs virtual
- Returning to all in-person
- The preferences of Committee Members

Moved by: Councillor Sandra O'Connor

It is respectfully recommended that:

1. Council distribute the motion to move to hybrid meetings, attached as **Appendix I**, to the Committees selected to transition to the hybrid model: Municipal Heritage, Urban Design, Irrigation, and the Committee of Adjustment.
2. Council approve the proposed Phase-in Schedule of Hybrid Meetings, attached as **Appendix II**; and
3. Council approve the proposed Hybrid Policy – Committees of Council, attached as **Appendix III**. With scope modified to address only those committees selected to move to hybrid meetings.
4. Staff be directed to report back to Council with the financial implications of moving all of the committees to hybrid as part of the 2024 budget.

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

Nay (1): Councillor Gary Burroughs

Absent (1): Councillor Erwin Wiens

APPROVED, AS AMENDED (7 to 1)

7.3 2022 Year End Deficit, CS-23-026

It is respectfully recommended that:

1. Council receives this report quantifying the 2022 Operating Budget Deficit of \$99,416 or 0.4%; and
2. Council approves that the deficit be funded with the Contingency Reserve.

7.4 2022 Financial Statements and Audit Findings Report, CS-23-027

This report was lifted and approved during item 6.1.

Council discussed and asked questions regarding:

- New closing requirements.
- Process Reviews/ Process of Capital Budgeting
- The consolidated of Hydro's statements
- Surplus vs deficit
- ESG accounting for natural assets
- Asset Management Plan requirements
- Drain Billing

Moved by: Councillor Maria Mavridis

It is respectfully recommended that:

1. Council approves the proposed consolidated financial statements for the year ended December 31, 2022, for The Corporation of the Town of Niagara-on-the-Lake (the "Town"), attached as **Appendix I**;
 - 1.2. Council approves the attached Audit Findings Report for the year ended December 31, 2022, for The Corporation of the Town of Niagara-on-the-Lake, attached as **Appendix II**; and Council approves the proposed consolidated financial statements for the year ended December 31, 2022, for The Corporation of the Town of Niagara-on-the-Lake (the "Town"), attached as **Appendix I**;
 - 1.3 Council approves \$30,000 to fund consulting services for implementation of and compliance with the new Asset Retirement Obligations accounting standard for yearend 2023 (PS 3280 Asset Retirement Obligations).

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 Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

7.5 2023 Catch Basin Cleaning - 2024 and 2025 option - OPS-23-043

It is respectfully recommended that:

1. Council approve the lowest compliant bid of \$162,150.00 (excluding applicable taxes) from GFL Environmental Services Inc. for a three-year contract for Catch Basin Cleaning; and
2. Council direct Staff to stay within the approved budget amount of \$50,000 for works to be completed in 2023; and
3. Council direct Staff to allocate the appropriate operating budget for 2024 and 2025 to ensure all works identified are completed; and
4. Council authorize the Director of Operations to sign the required contract documents on behalf of the Corporation.

7.6 911 Lakeshore Road - Zoning By-law Amendment Application ZBA-08-2023 (Removal of Holding Symbol), CDS-23-161

Lifted for discussion by Councillor Ruller.

Councillor Burroughs confirmed Council was discussing Palatine Hills Estate Winery.

Councillor Burroughs requested an explanation on the fire hydrant issue, how it is not a Town fire hydrant and if it was connected to a pond.

Director McCauley informed Councillor Burroughs that one of the requirements for lifting the holding symbol is confirmation that the dry fire hydrant on the subject lands is connected to an adequate water source.

Councillor Ruller confirmed the hydrant is connected to a cistern.

Moved by: Councillor Adriana Vizzari

It is respectfully recommended that:

1. The Zoning By-law Amendment Application (ZBA-08-2023) to remove the Holding (H) symbol from the Zoning By-law affecting the subject lands, 911 Lakeshore Road, be approved; and
2. The draft Zoning By-law Amendment, attached as **Appendix III** to this report, to remove the Holding (H) symbol affecting the subject lands be forwarded to Council for approval.

Yea (6): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (3): Councillor Tim Balasiuk, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 0)

8. INFORMATION PACKAGES

Moved by: Councillor Gary Burroughs

That items 8.4 and 8.5 from the Information Package be approved.

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

Absent (2): Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

8.1 Heritage Training Manual - CDS-23-159

Lifted for discussion by Councillor O'Connor

Councillor O'Connor inquired about the status of the Heritage Tax Rebate Program noted in the report.

Director McCauley informed Councillor O'Connor that the program is still under review, and is on the Community Services and Development task list for this year. Staff capacity is being reviewed in order to follow through with the implementation of the program.

Moved by: Councillor Maria Mavridis

That agenda item 8.1 be received.

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

Absent (2): Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

8.2 Mississagua Street - Reconstruction Update - OPS-23-037

Lifted for discussion by Councillor O'Connor

Councillor Balasiuk left the meeting at 11:43 a.m.

Councillor O'Connor highlighted the challenges with the removal of the boulevard trees and noted that some of the roots of the trees have already been damaged by the construction of sidewalks. Councillor O'Connor expressed how trees are a part of the character of the neighbourhood and emphasized how important it is to take the trees into consideration and suggested a high priority be placed on trees when doing the upcoming planning.

Councillor Burroughs also expressed wanting to keep the trees where possible and inquired if Council could receive an estimate on how many trees will be part of the project and if sidewalks are necessary on both sides of the street. Councillor Burroughs requested that the signage at Queen Street and Mississugua Street be improved to provide better direction.

Director D'Angelo confirmed he has noted all of the elements discussed and informed Council that they are currently in the design faze and he will share this information with the designers and engineering group.

Director D'Angelo advised the intention is to have a Public Information Session with the design to engage the public and receive their feedback and input.

Councillor Vizzari assumed the Chair at 11:46 a.m.

Councillor Cheropita inquired about the bicycle lanes being very narrow on new streets and asked how wide the bike lanes would be on this project.

Director D'Angelo explained that the standards will be applied based on the width of the platform and the limitations of the platform. The

Transportation Master Plan will also be applied, and the criteria is laid out in that plan.

Councillor Cheropita stated that her recommendation would be sidewalks on one side and wider bike lanes on the other for safety in the community.

Councillor Cheropita resumed the chair at 11:50 a.m.

Moved by: Councillor Gary Burroughs

That item 8.2 be received.

Yea (6): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (3): Councillor Tim Balasiuk, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 0)

8.3 Line 3 Road Reconstruction Tender Results - OPS-23-041

Councillor Mavridis left the meeting at 11:44 a.m.

Lifted for discussion by Councillor Ruller

Councillor Ruller inquired about the total budgeted amount being under what was allotted and if there will be a surplus. He inquired what happens when there is a significant variance like this, is there an opportunity mid-budget cycle to approve other projects?

Director Freeborn informed Councillor Ruller that reallocating those funds would be possible after confirmation with the department that the funds are surplus through either a staff report or a notice of motion.

Councillor Ruller inquired how he could action that in the future. CAO Cluckie advised there is usually a percentage that can be reallocated, and it is usually located in the policy.

Director D'Angelo was directed to give consideration to other projects that could be advanced with surplus funds and to report back to Council.

Councillor O'Connor had a question on timing with the construction of HWY 55 in Virgil as many locals use Line 3 as a detour around it and how does it jive with the construction on HWY 55.

Director D'Angelo stated that the timing and mobilization of this project will be towards the end of August / early September with the anticipation that the HWY 55 Niagara Stone Road construction will be completed in the September/October timeframe. There will be an overlap but because of the distance between the two projects and the plan to provide proper detour signs he doesn't foresee an issue.

Moved by: Councillor Nick Ruller

That agenda item 8.3 be received.

Yea (6): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (3): Councillor Tim Balasiuk, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 0)

8.4 Line 5 Road Watermain Replacement Tender Results - OPS-23-045

8.5 By-law AMPS Statistics from September 2021 to April 2023, FES-23-007

8.6 Media Release re: Town Statement - Confirmed Case of Oak Wilt in Niagara-on-the-Lake

Councillor Burroughs congratulated Staff for reacting very quickly to a very serious situation in our community. He hopes that education within the community can be provided because it will play a huge role in when to cut oak trees.

CAO Cluckie confirmed that the Operations Department have identified a Lead and they have been working with the Communications Department to develop a new webpage with information on oak wilt. Communication on social media makes connections and Staff will take away that the Horticulture Society is organizing groups so that we can connect.

Director D'Angelo advised that Operations have been working very closely with the Canadian Food Inspection Agency which has identified wilt in this area. There is a staff person with expertise in oak wilt that they will be meeting with every Tuesday, and oak wilt has been added to the Vineland Research Agenda for the next meeting.

Moved by: Councillor Adriana Vizzari

That agenda item 8.6 be received.

Yea (5): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (4): Councillor Tim Balasiuk, Councillor Maria Mavridis, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (5 to 0)

9. NOTICE OF MOTION

Councillor Mavridis put forth three Notices of Motions:

- Parking permit extension
- By-law enforcement officers
- Municipal licensing and building licensing

10. NEW BUSINESS

Councillor Vizzari assumed the Chair at 12:09 p.m.

Councillor Cheropita inquired about creating lane swims for adults in the evenings in the Veterans Park Pool.

Director D'Angelo informed Council that they have a meeting this afternoon to discuss the aquatics schedule and that any changes made will be provided to Council and the Community.

Councillor Cheropita asked if Staff could bring forward the Project List from the previous Council. CAO Cluckie confirmed that the information will be circulated.

Councillor Cheropita resumed the Chair at 12:12 p.m.

11. ADJOURNMENT

Adjournment time: 12:12 p.m.

Moved by: Councillor Gary Burroughs

That Council adjourn to the next Council Meeting of July 25, 2023, and if a special meeting is required, it will be held at the call of the Lord Mayor.

Yea (5): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (4): Councillor Tim Balasiuk, Councillor Maria Mavridis, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (5 to 0)