



COMMITTEE OF THE WHOLE MEETING MINUTES

June 13, 2022, 4:00 p.m.

Council Members Present: Lord Mayor Betty Disero, Councillor(s) Norm Arsenault, Allan Bisback, Gary Burroughs, Clare Cameron, Wendy Cheropita, Sandra O'Connor, Erwin Wiens, John Wiens

Staff Present: Marnie Cluckie, Chief Administrative Officer
Kyle Freeborn, Director, Corporate Services
Kevin Turcotte, Director, Operations (Acting)
Mike Komljenovic, Manager, Operation (Acting)
Brett Ruck, Irrigation & Drainage Superintendent
Kirsten McCauley, Director, Community & Development Services
Rick Wilson, Manager, Planning
Darren Trostenko, Fire Chief (Acting)
Jay Plato, Deputy Fire Chief
Ralph Walton, Town Clerk
Colleen Hutt, Deputy Clerk

1. CALL TO ORDER

Chair Councillor Al Bisback called the meeting to order at 4:00 p.m.

2. ADOPTION OF AGENDA

The following member(s) requested to speak under New Business: Councillor(s): Lord Mayor Betty Disero, Councillor(s) Norm Arsenault, Gary Burroughs, Wendy Cheropita

Moved by: Councillor Norm Arsenault
that the agenda be adopted, as amended.

APPROVED

3. CONFLICT OF INTEREST

No conflicts of interest were declared at this time.

4. CLOSED SESSION

Moved by: Councillor Clare Cameron

that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding Niagara Gorge Jet Boat Lease; and
- Closed meeting under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board specifically regarding 176 Wellington Street.

APPROVED

Moved by: Councillor John Wiens

that Council rise from closed session that considered matters that qualify under the Municipal Act 2001, as amended:

- Closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding Niagara Gorge Jet Boat Lease; and
- Closed meeting under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board specifically regarding 176 Wellington Street,

with no direction.

APPROVED

5. PROCLAMATION

5.1 United Empire Loyalists

Lord Mayor Betty Disero read the proclamation for United Empire Loyalists Week.

6. DELEGATIONS

6.1 Jim Collard - Community School Alliance

Jim Collard, Representative to the Community Schools Alliance (CSA) on behalf of Council provided a brief background on the CSA to deal with

local school boards. Mr. Collard further provided what the CSA tries to achieve. He was before Committee to ask for approval of a draft motion to be forwarded to the Premier regarding the RNEF and moratorium on accommodation reviews and school closures. Mr. Collard answered questions from the Committee.

6.2 Gerry Kowalchuk - Queen & Mississauga Gateway Project

Gerry Kowalchuk was before the Committee to discuss the Queen & Mississauga Gateway Project and stated that the drawings are now complete with construction set to proceed in September. He provided a letter of recommendation for Aldershot Landscape Architects and stated that their quotation was within budget. Mr. Kowalchuk answered questions from the Committee.

6.3 Tony Visca - Pedal Pub

Marlo Saganski, General Manager spoke on behalf of Mr. Visca of the Pedal Pub. Ms. Saganski was before the Committee to seek approval of a new route for the Pedal Pub. She stated that they have listened to concerns and addressing them, they have also added a slow moving vehicle pass with caution sign to the bikes. Ms. Saganski answered questions from the Committee.

6.4 Richard Mell - Electric Kickscooters

Richard Mell, Grape Escapes was before the Committee to request consideration of the Town running a pilot program and passing a by-law to permit kick scooters within the Town limits. He provided an electronic presentation and explained that there is currently a provincial pilot project with many restrictions but the municipality must have a by-law to permit there use. Mr. Mell answered questions from the Committee.

7. RESPONSE TO DELEGATIONS

7.1 6.1 Community School Alliance

Moved by: Councillor Gary Burroughs

Whereas all students should have the opportunity to attend elementary and secondary school in their home community.

Therefore, be it resolved that:

1. The province increase the Rural and Northern Education Fund (RNEF) to \$50 million;

2. Should the current moratorium on accommodation reviews and school closures be lifted, we ask that the moratorium remain in place for schools that qualify for the RNEF until a thorough review of the education funding formula is completed;
3. Before templates required by the 2018 Pupil Accommodation Review Guideline (PARG) are developed, there be consultation with school boards and community groups including the Community Schools Alliance.

AND FURTHER that staff co-ordinate meetings with the School Boards to discuss the need for new schools in our community, both high schools and elementary schools.

APPROVED

7.2 6.2 OPS-22-024 - Queen & Mississagua Entrance Project - Contractor Approval

Moved by: Councillor John Wiens
that OPS-22-024 be lifted for discussion.

APPROVED

Moved by: Councillor John Wiens
that the recommendation contained in OPS-22-024 be approved as follows:

- 1.1 Council approve Aldershot Landscape Contractors Limited as a single-source contractor to complete the Queen & Mississagua Entrance project.

APPROVED / TIED / DEFEATED / DEFERRED

7.3 6.3 OPS-22-021 - Pedal Pub - Revised Route Request for 2022/23

Moved by: Councillor Norm Arsenault
that OPS-22-021 be lifted for discussion.

APPROVED

Moved by: Councillor Norm Arsenault
contained in OPS-22-021 be approved as follows:

- 1.1 Council supports the proposed route (Appendix I – Route Option 1) to be used by the Pedal Pub operator for the 2022/2023 season; and

1.2 Staff be directed to forward the Council decision to the Regional Municipality of Niagara.

APPROVED

Moved by: Councillor Gary Burroughs
that the Clerk be directed to check with the Regional Clerk to see if licences issued for NOTL by the Region can have specific dates in them.

APPROVED

7.4 6.4 Electric Kickscooters

Moved by: Councillor Norm Arsenault
that the issue of eScooters be referred to staff to review the pros and cons of eScooters especially as it relates to safety issues; review the provincial requirements for a pilot project and bring back a report to the new Council in January 2023 so that Council can adequately assess the recommendations of the staff report to ensure a decision can be made in time for the 2023 tourism season and advise Council of any potential costs of implementing such a program.

This motion was deferred to the next cycle of Council.

APPROVED

8. UPDATE by the CAO

Marnie Cluckie, Chief Administrative Officer provided the following updates:

- Volunteer Firefighter recruitment Graduation
- Newark neighbour community garden planting event
- Polish Sunday pilgrimage
- June 11th - remaining restrictions will be lifted
- Staff returning to Committee meeting beginning in July and the public back shortly after
- Traffic decreased by 3.1%
- 405 parking tickets issued and 65 penalty notice under non-parking AMPS
- No coyote sighting since May 26th
- Community garden opened at Newark Park on June 1st
- Annual garden tour on June 11th
- Turntable and Engine house fully completed
- Strawberry social event - June 27th

- Two active surveys - Rainbow crosswalk & bench and website
- NOTL Golf Classic on September 15th
- Community Centre hosting an open house
- Museum week

9. CONSENT AGENDA

9.1 OPS-22-017 - Encroachment Agreement - 409 Mississagua Street

Moved by: Councillor Wendy Cheropita
that the recommendations contained in Operation Services Report OPS-22-017 be approved as follows:

1.1 Council approves the encroachment agreement for the property known as 409 Mississagua Street to recognize an existing building and eaves encroaching into the municipal right of way, and that the agreement be forwarded to the Owners for signature; and

1.2 Staff be directed to prepare the necessary By-law to be forwarded to Council for approval.

APPROVED

9.2 OPS-22-019 - Irvine Road Municipal Drain – Construction Contract Award

that the recommendations contained in Operation Services Report OPS-22-019 be approved as follows:

1.1 Council award Contract Bid Number NOTL-ES-2022-MD-2 for the construction of the Irvine Road Municipal Drain to the successful bidder, CRL Campbell Construction and Drainage Limited of Wainfleet, Ontario, in the amount of \$728,450 plus applicable HST;

1.2 Council authorize the Lord Mayor and Town Clerk to sign a by-law to enter into an agreement with CRL Campbell Construction and Drainage Limited for the construction of the Irvine Road Municipal Drain;

1.3 Council approve a budget increase of \$96,838 to Capital Project C01966 to allow for the cost increase to the roads apportionment on the Irvine Road municipal drainage works; and

1.4 Council approve the increase of \$9,447 to the 1/3 non-agricultural grant to the lands as apportioned by the drainage engineer.

Moved by: Councillor Wendy Cheropita

APPROVED

9.3 OPS-22-021 - Pedal Pub – Revised Route Request for 2022/23, OPS-22-021

Operation Services Report OPS-22-021 was lifted, discussed and approved under Response to Delegations Item No. 6.3.

9.4 OPS-22-024 - Queen & Mississagua Entrance Project – Contractor Approval

Operation Services Report OPS-22-024 was lifted for discussion, voted on and approved under Response to Delegation Item No. 6.2

10. INFORMATION PACKAGES

The following items were lifted for discussion:

Item No. 10.1.1 - Information Report - Planning for Progress Status Update

Item No. 10.1.2 - Information Report - Motion regarding Parking By-law Amendment

Item No. 10.2.2 - Ltr to Region re OnDemand Transit Service

Moved by: Councillor Wendy Cheropita

that the Information Package of June 9, 2022 be received.

APPROVED

10.1 INFORMATION REPORTS

10.1.1 Planning for Progress Status Update - CDS-22-032

10.1.2 Motion regarding Parking By-law Amendment - Schedule S (Weight Restrictions) - CS-22-015

10.1.3 Bylaw Enforcement Metrics - May 2022 - CS-22-016

10.1.4 OnDemand Transit Metrics for April 2022, OPS-22-020

10.2 STAFF CORRESPONDENCE

10.2.1 Letter re Bill 109: More Homes for Everyone Act

10.2.2 Ltr to Region re OnDemand Transit Service

10.2.3 Notice of Passing - 28 Prideaux Street

10.2.4 Notice of Passing - 1014 Queenston Road

10.3 COMMITTEES OF COUNCIL MINUTES

10.4 OTHER MUNICIPAL CORRESPONDENCE

10.4.1 Cambridge resolution re Plan of Action to Address Joint & Several Liability

10.4.2 Cambridge resolution re Ontario Must Build it Right the First Time

10.4.3 Aurora resolution re Mandatory Firefighter Certification

10.4.4 Aurora resolution re Private Member's Bill C-233 Keira's Law

10.4.5 Shuniah resolution re Rural & Northern Education Fund

10.4.6 Fort Erie resolution re Voluntary Russian Sanction Request

10.4.7 Blue Mountains resolution re Votes Lists

10.4.8 Fort Erie resolution re Bidding Wars on Apartment Rentals

10.4.9 Fort Erie resolution re Tax Vacant Foreign Owned Properties

10.5 MISCELLANEOUS CORRESPONDENCE

10.5.1 Notice - Tulip Bulb Sale

11. NEW BUSINESS

Discussion took place regarding the following:

- Proclamation for Terry Fox Day - July 11, 2022
- Transportation Master Plan- 30 day public input
- Year of the Garden Hero

Moved by: Lord Mayor Betty Disero

APPROVED

Moved by: Lord Mayor Betty Disero

that Council and the Town proclamation July 11, 2022 Terry Fox Day.

APPROVED

11.1 Notices of Motion

- (a) Councillor Norm Arsenault brought forward a notice of motion regarding Bill 124.

(b) Councillor John Wiens brought forward a notice of motion regarding Parking By-law Amendment - Schedule S

(c) Councillor Erwin Wiens brought forward a notice of motion regarding Volunteer Fighter Fighters Association

12. ADJOURNMENT