



COUNCIL MEETING MINUTES

Monday December 14, 2015

07:00 PM

PRESENT:

Lord Mayor Pat Darte, Councillors: Terry Flynn (7:06 p.m.), Jamie King (7:25 p.m.), Betty Disero, Martin Mazza, John Wiens, Jim Collard, Paolo Miele

REGRETS:

Councillor Maria Bau-Coote

STAFF:

Mike Galloway	Chief Administrative Officer
Holly Dowd	Director of Corporate Services / Town Clerk
Victoria Butters	Deputy Clerk
Sheldon Randall	Director of Operations
John Henricks	Director of Community & Development
Brenda Garrett	Manager of Finance / Treasurer

OTHERS:

MEDIA:

Suzanne Mason, Sun Media
Representative TVCogeco

CALL TO ORDER:

The Lord Mayor called the meeting to order at 7:00 p.m.

FOCUS STATEMENT:

Councillor Betty Disero opened the meeting with a Focus Statement.

O'CANADA:

Council and all those present sang O'Canada.

ADOPTION OF THE AGENDA:

(New Business Items and Notice of Motions to be introduced)

The Lord Mayor stated he would make his ruling on Point of Personal Privilege under New Business.

Moved by Councillor John Wiens, seconded by Councillor Jim Collard that the agenda be adopted as presented and amended by adding the item as noted. **APPROVED.**

CONFLICT OF INTEREST:

Council members declare their conflicts of interest.

Councillor Martin Mazza previously declared a conflict of interest with Closed Session Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, 1875 Niagara Stone Road as he lives within the surrounding area of the subject property.

Councillor Jim Collard declared a conflict of interest with Community & Development Services Report CDS-15-084, Municipal Heritage Committee Minutes - December 8, 2015 recommendation 1.3.2, 1.3.3 and 1.3.4, 142 Queen Street as he and his wife own and operate a short term rental.

Councillor John Wiens declared a conflict of interest with Community & Development Services Report CDS-15-084, Municipal Heritage Committee Minutes - December 8, 2015 recommendation 1.3.1, 10 Queen Street; and 1.3.2, 1.3.3 and 1.3.4, 142 Queen Street as he owns and operates a restaurant with a patio.

LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS:

Lord Mayor Pat Darte spoke to the following:

- Pearl Glove Charity Boxing Event at White Oaks, November 27
- Amnesty International's Human Rights Day, December 10
- BMO Financial Group \$500,000 donation to Brock's Goodman School of Business, December 1
- Candlelight Stroll and Virgil Firefighters' Annual Turkey Roll, December 4

- Queenston Bake Sale & Christmas Bazaar, December 5
- Proposed New Official Plan engagement session, December 7
- Municipal Heritage Committee Christmas Event, December 8
- Niagara-on-the-Lake Christmas Parade, December 12
- Niagara-the-Lake Public Library Christmas Open House, December 13

MEMBERS' ANNOUNCEMENT:

Announcement of special functions Council attended and upcoming Community events

Councillor Jim Collard provided an update regarding last week's AMO meeting and Nuclear Waste Management meeting.

NEXT COMMITTEE OF THE WHOLE AND COUNCIL MEETING DATES:

(Clerk to announce the dates)

The next Committee of the Whole meeting is scheduled for Monday, January 11, 2016, at 7:00 p.m. The next Council Meeting is scheduled for Monday, January 18, 2016, at 7:00 p.m.

All delegation requests will be reviewed by the Clerk and included whenever possible. The deadline for delegation requests is no later than 10:00 a.m. on the day of the meeting.

Meeting times can be subject to change. For more detailed information, please visit the Town's website at www.notl.org or contact the office at 905-468-3266.

MINUTES:

Clerk to read the resolution to adopt minutes

(1) Council Meeting Minutes dated November 23, 2015

- resolution #1, **APPROVED NOVEMBER 23, 2015 COUNCIL MEETING MINUTES.**

DELEGATIONS:

At Clerk's discretion, delegations will be added (Deadline 10:00 a.m. on the morning of the meeting)

Non-Agenda Delegation

(1) Gary Burroughs, Regional Councillor

Niagara Region Update

Regional Councillor Gary Burroughs thanked Lord Mayor Pat Darte and Council for the opportunity to bring an update from the Region to Niagara-on-the-Lake Council. Regional Councillor Burroughs spoke to the Regional Wastewater Treatment Plant and Lagoons; Niagara Region Report #CSD 69-2015 2016 Property Tax Policy; tax assessments; Greenbelt Study Update: Crombie Report; the Ombudsman's Report on Seniors Homes; and Upper Canada Lodge. Regional Councillor Burroughs answered questions of Council and Lord Mayor Pat Darte thanked him for coming forward.

Agenda Delegation

There were no Agenda Delegations at this meeting.

RESPONSE TO DELEGATIONS FROM COUNCIL:

COMMITTEE REPORTS:

(1) **Public Community & Development Advisory Committee**
Clerk to read the resolution to receive Minutes

The following application was heard at the December 7, 2015 Public Community & Development Advisory Committee Meeting:

- Proposed New Draft Official Plan

- resolution #2, **RECEIVED DECEMBER 7, 2015 COMMUNITY & DEVELOPMENT ADVISORY COMMITTEE MEETING MINUTES.**

(2) **Community & Development Advisory Committee**
Chair Councillor Jamie King, Vice Chair Councillor Maria Bau-Coote

The following are the recommendations from the December 7, 2015 Community & Development Advisory Committee Meeting, which have been referred to this Council meeting for consideration:

(a) Report CDS-15-081

1.1 the draft release of lands from Part Lot Control By-law for Blocks 8 and 9, The Village Subdivision, attached as Appendix B to this report, be forwarded to Council upon receipt of the applicable registered Subdivision Plan and 30R Plans

(b) Report CDS-15-082

1.1 that the November 13, 2015 UNESCO Committee minutes,

attached as Appendix A to this report, be received; and
1.2 that the following recommendation be forwarded to Council for approval:

- 1.2.1 that the letter provided indicating the Town's intention on being nominated for a UNESCO designation be forwarded to Town Council for approval and signed by the Lord Mayor with the addition of sending a copy to the Cultural Strategy Committee.

(c) Report CDS-15-083

1.1 Council receive the draft Official Plan for the Town of Niagara-on-the-Lake and provide input as part of the Official Plan review process; and

1.2 staff be directed to consider how best to implement the Urban Design Guidelines for Mary Street and Niagara Stone Road as part of the Official Plan review process, including adoption of Urban Design policies and standards or guidelines, and a Development Permit System for these areas.

The Clerk read a brief summary from the December 7, 2015 Community & Development Advisory Committee Meeting minutes.

- resolution #3, **APPROVED DECEMBER 7, 2015 COMMUNITY & DEVELOPMENT ADVISORY COMMITTEE MEETING MINUTES.**

(3) Corporate Services Advisory Committee

Chair Councillor Terry Flynn, Vice Chair Councillor Paolo Miele

The following are the recommendations from the December 7, 2015 Corporate Services Advisory Committee Meeting, which have been referred to this Council meeting for consideration:

(a) Report CS-15-040

1.1 That the Discretionary Grant Budget be increased by the Consumer Price Index of 0.9% to \$108,377 for the 2016 Operating Budget, with an increase to match CPI for future years; and

1.2 The following be approved as recommended by the Discretionary Grant Committee as part of the 2016 Operating Budget:

Red Roof Retreat	\$ 4,000.00
Willowbank School of Restoration Arts	\$ 1,100.00
The Friends of Fort George	\$ 9,000.00
RiverBrink Art Museum	\$ 3,500.00
Shaw Festival	\$30,000.00
Music Niagara	\$ 4,500.00

Bravo Niagara!	\$ 3,000.00
Royal Canadian Legion Branch 124	\$ 1,000.00
Niagara Jazz Festival	\$ 4,500.00
The Niagara Pumphouse Arts Centre	\$ 3,000.00
NOTL Rotary Club	\$ 1,500.00
Niagara Nursery School & Child Care Centre	\$ 1,000.00
Friends of Laura Secord	\$ 2,000.00
Niagara-on-the-Lake Safety Committee	\$ 1,200.00
NOTL Chamber of Commerce Peach Festival	\$ 3,000.00
NOTL Chamber of Commerce Candlelight Stroll	\$ 2,000.00
NOTL Icewine Festival	\$30,000.00
TOTAL	\$104,300.00

- 1.3 The following be included in the 2016 Operating Budget:
- 1.3.1 Niagara-on-the-Lake Chamber of Commerce - Fee for Service \$30,000
 - 1.3.2 Niagara Historical Society & Museum - \$96,560
 - 1.3.3 Niagara District Airport - Operating Budget \$15,352
Capital Budget \$23,884
 - 1.3.4 Niagara College Payment in Lieu of Taxes (PILS) \$20,000

(b) Report CS-15-041

1.1 that The Corporation of the Town of Niagara-on-the-Lake's 2015 Annual Progress Report of the 2013 - 2017 Multi-Year Accessibility Plan, attached as Appendix "A" be received by Council; and,

1.2 that The Corporation of the Town of Niagara-on-the-Lake continue to participate in a two-year contract (2016-2017) as a member of the Joint Accessibility Advisory Committee at an annual cost not to exceed \$10,000 and the funds be considered as part of the 2016 and 2017 budgets; and

1.3 that the Clerk and Lord Mayor be authorized to sign the contract with The Herrington Group Ltd. for Joint Accessibility Services

(c) Report CS-15-042

1.1 that the necessary by-law be prepared to authorize the Clerk and Lord Mayor to enter into the franchise agreement between The Corporation of the Town of Niagara-on-the-Lake (Town) and Enbridge Gas Distribution Inc. (Enbridge).

(d) Report CS-15-043

1.1 The annual indexing of Cash-in-Lieu of Parking be approved

and set at \$22,161 per stall, being a 1.8% increase, effective January 1, 2016

(e) Report CS-15-044

1.1 Council approve the annual indexing of Development Charge fees, with a fee increase of 1.8% effective January 1, 2016, as detailed in "**Appendix A**" attached to this report

The Clerk read a brief summary from the December 7, 2015 Corporate Services Advisory Committee Meeting minutes.

Councillor Paolo Miele requested that item 1.a) Report CS-15-040 Discretionary Grant Applications - 2016 of the December 7, 2015 Corporate Service Advisory Committee Meeting minutes be lifted for discussion and voted on separately.

The Clerk explained the Niagara Workers Welcome Concert discretionary grant application and the circumstances that the representative didn't file by the November 1st deadline. Council agreed to accept the submission.

Moved by Councillor Paolo Miele, seconded by Councillor Jim Collard that item 1.a) Report CS-15-040, Discretionary Grant Applications, 2016 be amended by approving an additional application from Niagara Workers Welcome Concert in the amount of \$1,000. **APPROVED.**

Discussion took place regarding the balance of the 2016 discretionary grant funds; Niagara Historical Museum needs; Canada 150 Celebration; and retaining funds for 2017 discretionary grants.

Moved by Councillor Paolo Miele, seconded by Councillor Jim Collard that item 1.a) Report CS-15-040, Discretionary Grant Applications, 2016 be amended by adding the following recommendation:

1.4 that the balance of the Discretionary Grant budget be provided to the Niagara Historical Society & Museum.

A polled vote was called for by Councillor Martin Mazza regarding recommendation 1.4 being an amendment to report CS-15-040.

COUNCILLOR	YEA	NAY
Maria Bau-Coote (absent)		
Jim Collard	X	
Betty Disero	X	

Terry Flynn		X
Jamie King	X	
Martin Mazza		X
Paolo Miele	X	
John Wiens		X
Lord Mayor Pat Darte	X	
TOTALS	5	3

APPROVED (recommendation 1.4).

Discussion took place regarding the letter from Dan Patterson, President, Niagara College attached to the December 14, 2015 Council Agenda.

Report CS-15-040 Discretionary Grant Applications - 2016 was voted on, as amended, and approved.

The balance of the December 7, 2015 Corporate Services Advisory Committee Meeting minutes was voted on and approved.

- resolution 4, **APPROVED, AS AMENDED, DECEMBER 7, 2015 CORPORATE SERVICES ADVISORY COMMITTEE MEETING MINUTES.**

(4) **Clerk to read resolution to adopt recommendation**

Finance Report FC-15-006

Finalization of 2016 Capital and Operating Budgets

Discussion took place regarding the proposed budgets/process; heritage incentive grants; increase to library grant; Council's requested efficiencies/staff recommendations; pc/printer replacement program; Council Chambers technology and Fire and Emergency Services communications systems upgrades.

Moved by Councillor Paolo Miele, seconded by Councillor Martin Mazza that report FC-15-006 be amended by deleting from the 2016 budget the amount of \$17,000, Account C00702/C00704 for camera replacement in the Council Chambers. **DEFEATED.**

Further discussion took place regarding a proposed budget increase for the Niagara-on-the-Lake Public Library.

Moved by Councillor Terry Flynn, seconded by Councillor Betty Disero that Report FC-15-006 be amended by adding to

recommendation 1.4 "and amended by increasing the Niagara-on-the-Lake Public Library's Grant by \$22,752 in the 2016 budget".

A polled vote to amend the Library's grant was called by Councillor Terry Flynn.

COUNCILLOR	YEA	NAY
Maria Bau-Coote (absent)		
Jim Collard	X	
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza	X	
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	8	0

APPROVED (\$22,752 Library grant increase).

A polled vote was called by Councillor Jim Collard regarding Report FC-15-006, as amended.

COUNCILLOR	YEA	NAY
Maria Bau-Coote (absent)		
Jim Collard	X	
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza		X
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	7	1

APPROVED (FC-15-006 as amended).

- resolution #5, **APPROVED, AS AMENDED, RECOMMENDATIONS FC-15-006.**

- (5) **Clerk to read resolution to adopt recommendation**
Community & Development Services Report CDS-15-084
Municipal Heritage Committee Minutes - December 8, 2015

Councillor Jim Collard previously declared a conflict of interest with

Community & Development Services Report CDS-15-084, Municipal Heritage Committee Minutes - December 8, 2015 recommendation 1.3.2, 1.3.3 and 1.3.4, 142 Queen Street as he and his wife own and operate a short term rental. Councillor Collard did not take part in any discussion or vote on these recommendations.

Councillor John Wiens previously declared a conflict of interest with Community & Development Services Report CDS-15-084, Municipal Heritage Committee Minutes - December 8, 2015 recommendation 1.3.1, 10 Queen Street; and 1.3.2, 1.3.3 and 1.3.4, 142 Queen Street as he owns and operates a restaurant with a patio. Councillor Wiens did not take part in any discussion or vote on these recommendations.

Report CDS-15-084 recommendation 1.3.1, 10 Queen Street was lifted and voted on separately and approved.

Report CDS-15-084 recommendation 1.3.2, 1.3.3 and 1.3.4, 142 Queen Street was lifted and voted on separately and approved.

The balance of Report CDS-15-084 was voted on and approved.

- resolution #6, **APPROVED RECOMMENDATIONS CDS-15-084.**

BY - LAWS:

Clerk to introduce the by-laws before Council

Clerk to read resolution(s) for readings of by-laws

(by-laws and agreements are available for viewing in the Clerk's Department)

4848-15- A by-law to exempt certain lands from part lot control (Blocks 8 and 9 The Village Subdivision)

4849-15- A by-law to designate the property known municipally as, Chapman Saltbox, 87 Ball Street, in the Town of Niagara-on-the-Lake, in the Province of Ontario, as being of cultural heritage value or interest

4850-15- A by-law to designate the property known municipally as, Miss Young's School, 630 King Street, in the Town of Niagara-on-the-Lake, in the Province of Ontario, as being of cultural heritage value or interest

4851-15- A by-law to authorize a Franchise Agreement between The Corporation of the Town of Niagara-on-the-Lake and Enbridge Gas Distribution Inc.

4852-15- A by-law to authorize an agreement between The Herrington Group Ltd. and the Joint Accessibility Advisory Committee of The Corporation of the Town of Niagara-on-the-Lake, The Town Lincoln, The Township of West Lincoln, The Town of Pelham, The Town of Grimsby, The City of Thorold (JAAC)

- resolution #7, **BY-LAWS RECEIVED THREE READINGS.**

CORRESPONDENCE AND MOTIONS:

Clerk to read resolution

1. The following resolution(s) be adopted:

- (a) Standing Committee Chair & Vice Chair January 2016 to December 2016

- resolution #8, **APPROVED STANDING COMMITTEE CHAIR & VICE CHAIR 2016 RESOLUTION.**

- (b) Enbridge Gas Distribution Inc. Franchise Agreement

- resolution #9, **APPROVED ENBRIDGE FRANCHISE AGREEMENT RESOLUTION.**

- (c) Councillor Betty Disero - Construction Height Regulations

Councillor Betty Disero read her motion and referred to an electronic presentation with examples of homes in the Toronto area. Councillor Disero spoke to multi story houses/garage fronts replacing smaller houses on smaller lots.

Council agreed to amend the words in the proposed motion from "in Old Town" to "across Niagara-on-the-Lake".

- resolution #10, **APPROVED, AS AMENDED, REVIEW OF HEIGHT REGULATIONS RESOLUTION.**

- (d) Councillor Betty Disero - Health Hub

Councillor Betty Disero read her motion and spoke to the proposed visit to the Langs Community Health Hub site.

- resolution #11, **APPROVED LANGS COMMUNITY HEALTH**

HUB SITE VISIT RESOLUTION.

- (e) Councillor Betty Disero - Health Services

Councillor Betty Disero read her motion and spoke to the Province's new policy restricting the number of family physicians who can join Family Health Networks and Organizations.

- resolution #12, **APPROVED HEALTH SERVICES RESOLUTION.**

- (f) Councillor Betty Disero - Niagara Region Specialized Transit

Councillor Disero read her motion and spoke to communicating Niagara Region's specialized transit service to Niagara-on-the-Lake residents. In answer to a question, Lord Mayor Pat Darte noted he would ask, at Regional Council, about Niagara Region communicating its specialized transit service.

- resolution #13, **APPROVED NIAGARA REGION SPECIALIZED TRANSIT COMMUNICATION RESOLUTION.**

- (g) Councillor Betty Disero - Parking Meters

Councillor Betty Disero advised that she would like to revise her motion that was attached to the Council Agenda. She then read her revised motion and spoke to a need for creative parking solutions in the Queen Street area. Further discussion took place regarding parking beyond the heritage district. Council agreed to amend the words "the Heritage District" to "Niagara-on-the-Lake, Old Town".

- resolution #14, **APPROVED, AS AMENDED, PARKING SOLUTIONS REPORT RESOLUTION.**

NOTICE OF MOTION:

As per the Town's Procedural By-law, "A notice of motion may be introduced by any Member at a regular Meeting of Council or Committee of the Whole for consideration at the next or a subsequent regular meeting of Council, and the same shall then be included in the notice of the Meeting at which it is to be considered."

There were no notices of motion brought forward at this meeting.

NEW BUSINESS:

New Business may be introduced at a regular Meeting under adoption of the Agenda. Items of direction to staff must be in the form of a motion.

Lord Mayor Pat Darte stated he was asked to rule on a point of privilege from Councillor Martin Mazza from the November 23, 2016 Council meeting. Lord Mayor Darte advised after reviewing Councillor Mazza's request, and consultation with the Town's solicitor, if something takes place at a meeting and a point of personal privilege is requested, the Presiding Officer must make the ruling at the meeting it occurs. Therefore there is no point of privilege to be heard. Discussion took place regarding Procedure By-law 4675-13 section 6.2.15.1 appeal process for the decision of the Presiding Officer. Councillor Martin Mazza withdrew his point of privilege request.

Council spoke to the following:

- December 10, 2015 Information Package Item #15 Press Release NOTL Hydro Board challenges Minister of Energy to debate - Niagara-on-the-Lake provides 11 Recommendations on Reducing the Cost of Electricity

CLOSED SESSION:

Clerk to read resolution

The Municipal Act 2001, as amended,

- Section 239.(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically the CAO Recruitment
- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically 1875 Niagara Stone Road

Councillor Martin Mazza previously declared a conflict of interest with Closed Session Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, 1875 Niagara Stone Road as he lives within the surrounding area of the subject property. Councillor Mazza left the Closed Session for this item and did not take part in any discussion or vote on it.

The Clerk read the following motion:

Moved by Councillor Betty Disero, seconded by Councillor Jim Collard

WHEREAS Section 239.(7) of the Municipal Act, 2001 (hereinafter referred to as the "Act") mandates that the municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not;

AND WHEREAS Section 239.(8) of the Act requests that the record required by Section 239.(8) of the Act requests that the record required by Section 239.(7) shall be made by the clerk, in the case of a meeting of Council;

AND WHEREAS on December 14, 2015, Niagara-on-the-Lake Council will hold a Closed Meeting as permitted under Section 239.(2)(b) of the Act;

AND WHEREAS Section 228.(4) permits the Clerk the discretionary authority to delegate in writing to any person, other than a member of council, any of the clerks powers and duties under the Act.

THEREFORE BE IT RESOLVED THAT on December 14, 2015, the Clerk Holly Dowd, delegates her authority for the purpose of the closed session of the Council Meeting to the Chief Administrative Officer, Mike Galloway.

APPROVED (resolution #15).

The Clerk did not proceed into the Closed Session meeting and remained in the Council Chambers for the duration of the meeting.

At 9:47 p.m. Councillor Terry Flynn excused himself from the meeting and sent his regrets for the Closed Session, he then left the Council Chambers.

At 9:49 p.m. the following motion was read in open session:

Moved by Councillor Betty Disero, seconded by Councillor Jim Collard that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

Section 239.(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically the CAO recruitment; and

Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically 1875 Niagara Stone Road.

APPROVED (resolution #16).

At 10:34 p.m. Councillor Martin Mazza left the Closed Session due to his conflict of interest with the second item and returned to the Council Chambers.

At 10:34 the following motion was read in open session:

Moved by Councillor Paolo Miele, seconded by Councillor John Wiens that

the Council Meeting be extended beyond 10:30 p.m. in order to finish the agenda items. **APPROVED**

At 10:36 the following motions were read in open session:

Moved by Councillor Jamie King, seconded by Councillor Paolo Miele
That Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

Section 239.(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically the CAO recruitment with the following:

That Council appoint Odgers Berndtson Canada Inc. to do the search for a Chief Administrative Officer. **APPROVED** (resolution #17).

Moved by Councillor Betty Disero, seconded by Councillor Jim Collard
That Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically 1875 Niagara Stone Road with no report. **APPROVED** (resolution #18).

PROCEEDINGS BY-LAW:

Clerk to read resolution for reading of by-law

4853-15- A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on December 14, 2015

- resolution #19, **BY-LAW RECEIVED THREE READINGS.**

VERBAL MOTIONS:

1. Moved by Councillor John Wiens, seconded by Councillor Jim Collard that the agenda be adopted as presented and amended by adding the item as noted. **APPROVED.**
2. Moved by Councillor Paolo Miele, seconded by Councillor Jim Collard that item 1.a) Report CS-15-040, Discretionary Grant Applications, 2016 be amended by approving an additional application from Niagara Workers Welcome Concert in the amount of \$1,000. **APPROVED.**
3. Moved by Councillor Paolo Miele, seconded by Councillor Jim Collard that item 1.a) Report CS-15-040, Discretionary Grant Applications, 2016 be amended by adding the following recommendation:

1.4 that the balance of the Discretionary Grant budget be provided to the Niagara Historical Society & Museum. **APPROVED.**

4. Moved by Councillor Paolo Miele, seconded by Councillor Martin Mazza that report FC-15-006 be amended by deleting from the 2016 budget the amount of \$17,000, Account C00702/C00704 for camera replacement in the Council Chambers. **DEFEATED.**
5. Moved by Councillor Terry Flynn, seconded by Councillor Betty Disero that report FC-15-006 be amended by adding to recommendation 1.4 "and amended by increasing the Niagara-on-the-Lake Public Library's Grant by \$22,752 in the 2016 budget". **APPROVED.**
6. Moved by Councillor Paolo Miele, seconded by Councillor John Wiens that the Council Meeting be extended beyond 10:30 p.m.in order to finish the agenda items. **APPROVED**

RESOLUTIONS:

1. Moved by Councillor Betty Disero, seconded by Councillor Paolo Miele that the minutes of the Council Meeting held November 23, 2015 be adopted. **APPROVED.**
2. Moved by Councillor Betty Disero, seconded by Councillor Paolo Miele that the Minutes/Report of the December 7, 2015 Public Community & Development Advisory Committee Meeting be received, regarding:
 - Draft Official Plan **APPROVED.**
3. Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn that the Minutes and Reports of the December 7, 2015 Community and Development Advisory Committee Meeting be adopted. **APPROVED.**
4. Moved by Councillor Terry Flynn, seconded by Councillor Paolo Miele that the Minutes and Reports of the December 7, 2015 Corporate Services Advisory Committee Meeting be adopted. **APPROVED AS AMENDED.**
5. Moved by Councillor Betty Disero, seconded by Councillor Paolo Miele that the recommendations contained in Finance Report FC-15-006 be adopted to include that:

- 1.1 Town of Niagara-on-the-Lake's 2016 Capital Budget, in the amount of \$8,030,350 be approved as noted in "**Appendix A**" attached to this report;
 - 1.2 10-Year (2017 - 2026) Capital Forecast, in the amount of \$62,160,021, be approved "in principle" as noted in "**Appendix B**" attached in this report;
 - 1.3 2016 Capital Reserve contribution be increased by \$68,132 over the 2015 reserve contribution to \$2,337,687 (2015 - \$2,269,555), be approved;
 - 1.4 2016 Operating Budget as noted in "**Appendix C**" attached to this report and the General Levy, in the amount of \$9,148,861, be approved; *and amended by increasing the NOTL Public Library's Grant by \$22,752 in the 2016 budget;* and
 - 1.5 Clerk prepare the necessary by-law to set and levy the tax rates for the Town of Niagara-on-the-Lake's purposes, for Niagara Regional purposes, and for educational purposes for the 2016 tax year, as soon as the applicable budgets have been approved. **APPROVED AS AMENDED.**
6. Moved by Councillor Betty Disero, seconded by Councillor Paolo Miele that the recommendations contained in Community & Development Services Report CDS-15-084 be adopted to include:
- 1.1 that the December 8, 2015 Municipal Heritage Committee minutes, attached as Appendix A (to this report), be received; and
 - 1.2 that the following Ontario Heritage Permits be forwarded to Council for approval, subject to the conditions as outlined in the December 8, 2015 Municipal Heritage Committee minutes:
 - 1.2.1 153 King Street; and
 - 1.2.2 106 Queen Street
 - 1.3 that the following recommendation be forwarded to Council for approval:
 - 1.3.1 that the Owner of 10 Queen Street follow Option No. 3 which detailed the bi-fold doors when applying for a heritage permit; and
 - 1.3.2 the heritage permit for the proposed designs for a new pergola, and front and side porticoes at 142 Queen Street

not be approved; and

- 1.3.3 the applicant return with a revised designs for the proposed pergola that is more in keeping with the character of the building at 142 Queen Street; and
- 1.3.4 the applicant submit a landscaping plan with the new proposed design including the space on the front lawn to be used for pedestrian seating for 142 Queen Street; and
- 1.3.5 the Municipal Heritage Committee make a site visit to the property at 421 Hunter Road; and
- 1.3.6 the process be initiated to designate the property at 421 Hunter Road under Part IV of the Ontario Heritage Act.

APPROVED.

- 7. Moved by Councillor Betty Disero, seconded by Councillor Paolo Miele that leave be given to introduce By-law Nos.4848-15, 4849-15, 4850-15, 4851-15, and 4852-15, and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding. **APPROVED.**
- 8. Moved by Councillor Jim Collard, seconded by Councillor John Wiens that the following Standing Committee Chair and Vice Chair be appointed for the period, January 2016 to December 2016:

CORPORATE SERVICES ADVISORY COMMITTEE

Chair - Councillor Terry Flynn, Vice Chair - Councillor Paolo Miele

COMMUNITY & DEVELOPMENT ADVISORY COMMITTEE

Chair - Councillor Jamie King, Vice Chair - Councillor Maria Bau-Coote

OPERATIONS ADVISORY COMMITTEE

Chair - Councillor John Wiens, Vice Chair - Councillor Betty Disero.

APPROVED.

- 9. Moved by Councillor Betty Disero, seconded by Councillor Paolo Miele that the Council of The Corporation of the Town of Niagara-on-the-Lake (Council) approved By-law 4851-15 and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act; and
That Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of By-law 4851-15 pursuant to the provisions of Section 9(4) of the Municipal Franchises Act. **APPROVED.**

10. Moved by Councillor Betty Disero, seconded by Councillor John Wiens
WHEREAS one of the priorities of Town Council is to preserve the heritage in the Old Town;
AND WHEREAS there is a growing trend of smaller lots being created in the Old Town;
AND WHEREAS the compatibility of new housing units is an important factor in the development *across Niagara-on-the-Lake*.
THEREFORE BE IT RESOLVED that Council requests the Community and Development Services Department to assess the impacts of current "as of right" height regulations when applied to new house construction, both for existing development lots and potential new lot creation in the Established Residential areas *across Niagara-on-the-Lake* ; and
Further that staff be directed to report back to Council either in conjunction with the Official Plan review or through initiation of a separate zoning review of height regulations and lot size in these Established Residential areas. **APPROVED, AS AMENDED.**
11. Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn
WHEREAS the Council of The Corporation of the Town of Niagara-on-the-Lake (Council) supports the concept of an integrated health service for the Town of Niagara on the Lake;
AND WHEREAS since the beginning of 2015 Council has supported the Niagara-on-the-Lake Health Steering Committee in its pursuit of a Health Hub for Niagara on the Lake;
AND WHEREAS the Langs Community Health Hub may be used as a model for the Province of Ontario and for a Community Health Hub within the Town of Niagara-on-the-Lake.
THEREFORE BE IT RESOLVED that Council requests Town staff to contact the Administrative staff of Langs Community Health Hub in Cambridge to arrange a tour for members of Council and Senior Management Team wishing to attend, to gain a better understanding of what a health hub is, the process involved and the role the municipality should play in the development of a health hub in Niagara-on-the-Lake. **APPROVED.**
12. Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn
WHEREAS it is the desire of the Council of The Corporation of the Town of Niagara-on-the-Lake to advocate for appropriate Health

Services for the residents of Niagara on the Lake;
AND WHEREAS the Province, through new regulation, has restricted the number of family physicians who can enter into the Family Health Network or Family Health Organization Team;
AND WHEREAS these imposed restrictions have proven to make it difficult in the recruiting and retaining of additional physicians to assist with the growing population in Niagara-on-the-Lake.
THEREFORE BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake endorses the resolution from the Town of Fort Erie dated October 27, 2015, to support urging the Province to reverse its new policy restricting the number of Family Physicians who can join the Family Health Networks and Organizations. **APPROVED.**

13. Moved by Councillor Betty Disero, seconded by Councillor John Wiens
WHEREAS on January 19, 2015 the Council of The Corporation of the Town of Niagara-on-the-Lake (Council) requested the Director of Operations staff to report on a public transit system/method to assist residents of Niagara-on-the-Lake get to local hospitals and GOTransit locations;
AND WHEREAS Council has been made aware that the Niagara Region provides such a service, through a public announcement bulletin dated November 20th;
AND WHEREAS Council would like to make all residents of Niagara-on-the-Lake aware that such a service exists to assist with their needs for medical appointments.
THEREFORE BE IT RESOLVED that Council requests Operations staff to report on a Communications Plan that will help to advertise Specialized Transit offered by Niagara Region, that BTS Network Inc. commenced on December 1st, 2015, to assist residents with mobility issues obtain transportation to medical appointments, education facilities and employment. **APPROVED.**

14. Moved by Councillor Betty Disero, seconded by Councillor John Wiens
WHEREAS the Town of Niagara on the Lake purchased, through an RFP, parking meters for the *Heritage District* area in Old Town in 2013;
AND WHEREAS these parking meters, although currently working, have gone through a period of time that was problematic for the public and tourists to use in a satisfactory manner;
WHEREAS there have been many questions and discussion from the public on the efforts by staff in the maintaining of the parking meters;

AND WHEREAS there is still a need/desire to find creative solutions for additional parking spaces in the *Heritage District* area which may or may not use parking meters as the solution;

AND WHEREAS the Director of Community & Development services has indicated he will be reporting early in the new year with respect to the new parking meters acquisition and next steps.

THEREFORE BE IT RESOLVED that Council requests staff to report on the possibility of issuing visitor passes, notwithstanding the fact that permit holders would have to follow all the maximum parking allowance for meters; and

Further that staff be requested to look at options to increase the parking inventory for *Niagara-on-the-Lake, Old Town* for residents, employees and guests. **APPROVED, AS AMENDED.**

15. Moved by Councillor Betty Disero, seconded by Councillor Jim Collard

WHEREAS Section 239.(7) of the Municipal Act, 2001 (hereinafter referred to as the "Act") mandates that the municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not;

AND WHEREAS Section 239.(8) of the Act requests that the record required by Section 239.(8) of the Act requests that the record required by Section 239.(7) shall be made by the clerk, in the case of a meeting of Council;

AND WHEREAS on December 14, 2015, Niagara-on-the-Lake Council will hold a Closed Meeting as permitted under Section 239.(2)(b) of the Act;

AND WHEREAS Section 228.(4) permits the Clerk the discretionary authority to delegate in writing to any person, other than a member of council, any of the clerks powers and duties under the Act.

THEREFORE BE IT RESOLVED THAT on December 14, 2015, the Clerk Holly Dowd, delegates her authority for the purpose of the closed session of the Council Meeting to the Chief Administrative Officer, Mike Galloway. **APPROVED.**

16. Moved by Councillor Betty Disero, seconded by Councillor Jim Collard that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

Section 239.(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically the CAO recruitment; and

Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically 1875 Niagara

Stone Road. **APPROVED.**

17. Moved by Councillor Jamie King, seconded by Councillor Paolo Miele that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:
Section 239.(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically the CAO recruitment with the following:
That Council appoint Odgers Berndtson Canada Inc. to do the search for a Chief Administrative Officer. **APPROVED.**
18. Moved by Councillor Betty Disero, seconded by Councillor Jim Collard that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:
Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically 1875 Niagara Stone Road with no report. **APPROVED.**
19. Moved by Councillor Betty Disero, seconded by Councillor John Wiens that leave be given to introduce By-law No. 4853-15 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding. **APPROVED.**
20. Moved by Councillor Betty Disero, seconded by Councillor John Wiens that this Council adjourn to the next regular meeting to be held January 18, 2016 and if a special meeting is required, it will be held at the call of the Lord Mayor. **APPROVED.**

VERBAL MOTIONS:

ADJOURNMENT: 10:40 PM

LORD MAYOR Pat Darte

TOWN CLERK HOLLY DOWD