



## COUNCIL MEETING MINUTES

Monday July 20, 2020

06:00 PM

### **PRESENT:**

This meeting was held via Video Conference due to COVID-19 and public health concerns and was able to be viewed via Livestream on the Town's website.

Lord Mayor Betty Disero, Councillors: Norm Arsenault, Al Bisback, Gary Burroughs, Clare Cameron, Wendy Cheropita, Erwin Wiens, John Wiens

### **REGRETS:**

### **STAFF:**

Sheldon Randall	Chief Administrative Officer (I)
Kyle Freeborn	Director, Corporate Services
Craig Larmour	Director, Community & Development Services
Nick Ruller	Fire Chief
Kevin Turcotte	Director, Operations (A)
Jeff Vyse	Manager of Public Works
Peter Todd	Town Clerk
Brett Ruck	Drainage & Irrigation Superintendent

### **OTHERS:**

### **MEDIA:**

This meeting was held via Video Conference due to COVID-19 and public health concerns and was able to be viewed via Livestream on the Town's website.

### **CALL TO ORDER:**

Lord Mayor Betty Disero called the meeting to order at 6:21 p.m.

### **ADOPTION OF THE AGENDA:**

The following items were added to the agenda:

- Robin Ridesic, Royal Oak Community School
- Chamber of Commerce - COVID-19 Update
- Bruce Gitlemann - COVID-19 Update

- Paul Harbour - Information Package Item 20
- OPS-20-021 - Ball's Beach Parkette – Shoreline Protection
- Councillor Gary Burroughs notice of motion
- Councillor Norm Arsenault notice of motion and new business

Moved by Councillor Erwin Wiens, seconded by John Wiens that the agenda be adopted, as amended.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
<b>TOTALS</b>	<b>8</b>	<b>0</b>

-resolution #1, **APPROVED, AS AMENDED.**

#### **CONFLICT OF INTEREST:**

Councillor Erwin Wiens previously declared a conflict of interest with any items dealing with 822 Concession 1 Road as he owns the property.

Councillor John Wiens previously declared a conflict of interest regarding Information Package July 16, 2020 Item No. 24 with regard to Kurtz Orchards as he owns a restaurant.

Councillor John Wiens declared a conflict of interest with Maria Mavridis, 10 Queen Street delegation as he owns a restaurant.

Councillor John Wiens declared a conflict of interest with Paul Harber, Ravine Vineyard Estate Winery delegation as he owns a restaurant.

#### **CLOSED SESSION:**

##### **Clerk to read resolution**

- 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 relating to Niagara Nursery School Extension.
- 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 relating to Niagara Regional

Police ongoing investigations.

At 6:30 p.m. the following motions were read in open session:

Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita 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)(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 relating to Niagara Nursery School Extension; 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 relating to Niagara Regional Police ongoing investigation.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #2, **APPROVED.**

At 8:03 p.m. the following motions were read in open session:

Moved by Councillor John Wiens, seconded by Councillor Clare Cameron that Council rise from the closed session to consider matters that qualify under the Municipal Act 2001, as amended:

- 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 relating to Niagara Nursery School Extension; 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 relating to Niagara Regional Police ongoing investigation with no report.

COUNCILLOR	YEA	NAY

NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #3, **APPROVED.**

## **COVID-19 UPDATE**

### **Sheldon Randall CAO (I)**

Sheldon Randall provided an update with respect to Queen Street trials including Canada Day, pedestrian physical distancing, parking and traffic measures, congestion points, and visitor needs. The CAO identified opportunities to be implemented, survey results, and work with the Chamber of Commerce for a report back to Council with further recommendations.

### **Bruce Gitlemann - Queen St. Closure Survey Results, July 20, 2020**

Bruce Gitlemann thanked Council and staff for their support during this unusual time. Mr. Gitlemann referred to a presentation Queen St. Closure Survey results July 20, 2020 Update 1 *Residents For Sustainable Tourism* and highlighted the following:

- Residents For Sustainable Tourism
- What is Overtourism
- Sustainable or Unsustainable Tourism - What does Niagara-on-the-Lake Want?
- Problems with Unsustainable Tourism
- Why Queen Street Closures Must End
- Results of Our Survey
- Flaws in Town Survey
- Future Agenda Items

Bruce Gitlemann answered questions of Council and Lord Mayor Betty Disero thanked him for the presentation.

### **Nick Ruller, Fire Chief - Town Emergency Management Program**

Fire Chief Nick Ruller spoke various aspects of the Town's Emergency Management Program that have been the topic of recent discussions. Fire Chief Ruller provided a brief review of the elements including: Emergency Operations Centre EOC, Emergency Control Group ECG, EOC Director and Liaison Officer, Lord Mayor Council Liaison

between EOC and Councillors, decision process and minutes, incident action plans. Fire Chief Nick Ruller answered questions of Council.

### **Kyle Freeborn, Director Corporate Services- Financial Update**

Kyle Freeborn provided an update with regard to April and May reports, COVID-19 mitigation measures, financial projections, and parking revenues. The Director answered questions of Council.

### **Heritage District Signage**

The CAO and Director Community & Development clarified the use of sandwich boards/signage in the Heritage District/Queen Picton Zone and side streets.

Councillor Clare Cameron assumed the Chair at this time.

Lord Mayor Betty Disero spoke to decision making with regard to the use of signage in the Old Town, and the engagement of the Municipal Heritage Committee's input on the matter.

The Lord Mayor assumed the chair at this time.

### **NEXT COMMITTEE OF THE WHOLE AND COUNCIL MEETING DATES:**

- (1) Committee of the Whole - Planning Meeting - August 10, 2020
- (2) Committee of the Whole - General Meeting - August 24, 2020
- (3) Council Meeting - August 31, 2020

Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that due to the AMO Conference cancellation:

- (2) Committee of the Whole - General Meeting - August 24, 2020 be moved forward one week to August 17, 2020; and
- (3) Council Meeting - August 31, 2020 be moved forward one week to August 24, 2020

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	abstained	
VACANT		
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	

TOTALS	6	1
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-resolution #4, **APPROVED.**

#### **MINUTES:**

- (1) Council Meeting Minutes - June 22, 2020
- (2) Special Council Meeting Minutes - June 26, 2020

Moved by Councillor John Wiens, seconded by Councillor Gary Burroughs that the minutes of the Council Meeting held June 22, 2020 and Special Council Meeting held June 26, 2020 be adopted.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #5, **APPROVED.**

#### **DELEGATIONS:**

Non-Agenda Delegation

- (1) Linda Sicoli, Niagara Region - Report on Regional Initiatives to Support Economic Recovery Post COVID-19

Linda Sicoli, in attendance with Regional Councillor Gary Zalepa, thanked Council for the opportunity to report on Regional initiatives to support economic development post COVID-19 and referred to a presentation highlighting the following: COVID-19 Economic Response Recovery:

- Department Summary
- COVID-19 Response
- ERRT- Economic Recovery Plan
- Niagara Economic Recovery Plan
- Actions
- COVID-19 Survey 2 Report
- COVID-19 Survey Report
- COVID-19 Survey Report NOTL

Linda Sicoli answered questions of Council and Lord Mayor Betty Disero thanked her for the presentation.

(2) Nada Arnot, 10 Wyckliffe Avenue - Blue Lady Food

Nada Arnot thanked Council for the opportunity to present Blue Lady Food and referred to a presentation highlighting the following:

- Blue Lady Food
- Agenda
- About Us: Adan & Nada Arnot
- About us: Blue Lady Food
- Our Vision
- Our Menu: Artisanal Twist on the Classics
- Early Success
- Barriers to Success in NOTL vs Other Municipalities
- Our Proposal: Rezone our Property
- Our Proposal: How This Might Work

Nada Arnot answered questions of Council and Lord Mayor Betty Disero thanked her for the presentation.

(3) Laura Sentineal, 1055 Line 1 Road - Proposed Protocol

Laura Sentineal thanked Lord Mayor Betty Disero with respect to a motion regarding horse and carriage operators and public protests; and Town staff session on defusing or de-escalating difficult situations related to public protests and protocol.

Laura Sentineal answered questions of Council and Lord Mayor Betty Disero thanked her for attending.

(4) Robin Ridesic, Royal Oak Community School Wellington Street

Robin Ridesic provided background information about Royal Oak Community School, and requested to amend the school's lease at the former hospital site. Ms. Ridesic explained the school would like to exchange the current nine rooms/nine bathrooms in their current space with five rooms/four bathrooms in the currently unused space as this would allow for social distancing in classrooms and entrance from both Wellington Street and Byron Street.

Robin Ridesic answered questions of Council and Lord Mayor Betty Disero thanked her for the presentation.

(4) Bruce Gitelmann - COVID-19 Update/Queen Street Closures was heard under COVID-19 Update

## Agenda Delegation

- (1) Applications for Cancellation, Reduction or Refund of Taxes under Section 357 of the Municipal Act, 2001

There was no one in attendance to speak to the Section 357 applications.

Moved by Councillor Norm Arsenault, seconded by Councillor Clare Cameron That application Nos. 2018-0003; 2019-0001; and 2019-0010 for cancellation, reduction or refund of taxes under Section 357 of the Municipal Act, 2001 be approved.

Application No. 2018-0003 was lifted and voted on separately.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	2

Application Nos. 2019-0001 and 2019-0010 were voted on.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #6, **APPROVED.**



(5) Maria Mavridis - 10 Queen Street Patio Extension Request

Councillor John Wiens previously declared a conflict of interest with the 10 Queen Street delegation as he owns a restaurant. Councillor Wiens did not take part in any discussion or vote on this item.

Maria Mavridis stated her family owned ORZO restaurant located at 10 Queen Streets. Ms. Mavridis referred to a presentation and spoke to the following:

- Special Situation - 10 Queen Street
- Existing Flower Beds
- Existing Patio & Front 4 Tables -Total 12 Seats
- Materials
- Seating Plan

Ms. Mavridis answered questions of Council and Lord Mayor Betty Disero thanked her for the presentation.

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that the Council meeting be extended to 11:00 p.m.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

(6) Paul Harber, Ravine Vineyard - Business Losses

Councillor John Wiens declared a conflict of interest with Ravine Vineyard as he owns a restaurant. Councillor Wiens did not take part in any discussion or vote on this item.

Paul Harber thanked Council for the opportunity to attend and spoke to the July 16, 2020 Information Package Item 20 Business Losses related to Ravine Vineyard. Mr. Harber highlighted the impact of COVID-19; financial loss to his business; and temporary summer patio tent. Mr. Harber requested Council's approval for a temporary exemption to exceed the current site plan to allow for the addition of two smaller 30X30 and 40X40 tents until October 31, 2020.

## RESPONSE TO DELEGATIONS FROM COUNCIL:

### (1) Paul Harber Ravine Vineyard - Business Losses

Councillor John Wiens declared a conflict of interest with Ravine Vineyard as he owns a restaurant. Councillor Wiens did not take part in any discussion or vote on this item.

Moved by Councillor Erwin Wiens, seconded by Councillor Wendy Cheropita Item 20 Information Package - July 16, 2020 that a temporary exemption to the site plan, to allow for two additional tents at Ravine Winery, be approved until October 31, 2020.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS (conflict)		
LORD MAYOR BETTY DISERO	X	
TOTALS	6	1

-resolution #7, **APPROVED.**

### (4) Robin Ridesic, Royal Oak Community School Wellington Street

Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs that staff be directed to revise the appendix to the Royal Oak lease agreement to permit the request to relocate to unused space at 176 Wellington Street in as condition maintaining all other existing terms of the agreement and to show support of the organizations flexibility.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	

TOTALS	8	0
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-resolution #8, **APPROVED.**

At 11:00 p.m. the following motion was read:

Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that this Council adjourn and reconvene on Wednesday, July 22, 2020 at 6:00 p.m. to complete the agenda.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

**Council reconvened the July 20, 2020 Council Meeting on July 22, 2020 at 6:00 p.m.**

Lord Mayor Betty Disero called the meeting to order at 6:02 p.m.

#### **PRESENT:**

Lord Mayor Betty Disero, Councillors: Norm Arsenault, Al Bisback, Gary Burroughs, Clare Cameron (6:11 p.m.), Wendy Cheropita, Erwin Wiens, John Wiens

#### **RESPONSE TO DELEGATIONS FROM COUNCIL:**

##### **(5) Maria Mavridis - 10 Queen Street Patio Extension Request**

Councillor John Wiens declared a conflict of interest with Maria Mavridis, 10 Queen Street delegation as he owns a restaurant, and did not take part in any discussion.

Sheldon Randall, CAO) (I) provided an update with respect to his meeting on site with the property owner, including the stones adjacent to the garden beds and sidewalk. The CAO advised if Council is willing to permit the extension that staff would be willing to work with the business owner see what they can achieve.

## COMMITTEE REPORTS:

### (1) Committee of the Whole - Planning Minutes - July 6, 2020

Councillor Erwin Wiens previously declared a conflict of interest with any items dealing with 822 Concession 1 Road as he owns the property. Councillor Wiens did not take part in any discussion or vote on this item.

Councillor Claire cameon assumed the Chair at this time.

9. Information Package June 25, 2020 Item No. 5 Email re: Coalition of Inclusive Municipalities (CIM)s

Moved by Lord Mayor Betty Disero, seconded by Councillor Wendy Cheropita that two additional members be added to the Inclusively Committee, Susan Batson and a representative from the Shaw Festival and the Terms of Reference be amended to reflect those additions.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

### APPROVED.

Lord Mayor Betty Disero assumed the Chair at this time.

Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita that the July 6, 2020 COTW - Planning Minutes be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	

JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #9, **APPROVED.**

(2) Committee of the Whole - General Minutes - July 13, 2020

Councillor Clare Cameron requested that her Notice of Motion (e) "Regulatory Orders - Information and Privacy Commissioner" be corrected to read:"Regulatory Orders".

Moved by Councillor Erwin Wiens, seconded by Councillor Norm Arsenault that the July 13, 2020 COTW - General Minutes be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #10, **APPROVED.**

(3) Municipal Heritage Committee Minutes - June 23, 2020

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that Item 8.1 MHC-20-004 89 - 91 Queen Street Heritage Application - Installation of Lighting and Minor Alterations to Storefront, be lifted and voted on separately.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	

LORD MAYOR BETTY DISERO		X
TOTALS	6	2

**APPROVED.**

Moved by Councillor John Wiens, seconded by Councillor Erwin Wiens that the balance of the June 23, 2020 Municipal Heritage Committee Minutes be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

The Municipal Heritage Committee Minutes - June 23, 2020 were voted on and approved.

-resolution #11, **APPROVED.**

(4) Audit Committee Minutes - June 24, 2020

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that the June 24, 2020 Audit Committee Minutes be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	

-resolution #12, **APPROVED.**

(5) CS-20-016 - 2020 Schedule for Committees of Council

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens That the staff recommendations contained in Report CS-20-013 be approved:

- 1.1. the 2020 Committee Meeting Schedule, attached as Appendix I, be adopted in principle, subject to changes by approval of committees; and
- 1.2. staff be directed to review the list of existing committees and forward recommendations to Council on options for reducing the number of committees/boards by disbanding and/or consolidating committees.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #13, **APPROVED.**

(5) OPS-20-021 - Ball's Beach Parkette – Shoreline Protection

Moved by Councillor Erwin Wiens, seconded by Councillor Al Bisback  
That the staff recommendations contained in Report OPS-20-021 be approved:

- 1.1 Council direct staff to complete all in water works in the Ball's Beach Parkette as outlined in this report, and
- 1.2 Council direct staff to reallocate funds from the Operating Account of Flood Mitigation in the amount of \$300,000.00 to the Erosion Control Project in Ball's Beach Parkette.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	

TOTALS	8	0
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-resolution #14, **APPROVED.**

# **BY - LAWS:**

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

**4308AE-20-** A by-law to amend By-law No. 4308AE-20, as amended, being a by-law to regulating traffic and parking on Town roads; and to amend Schedule "G" Parking Meter Zones

Moved by Councillor Al Bisback, seconded by Councillor John Wiens that leave be given to introduce by-law 4308AE-20 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

Moved by Councillor Al Bisback, seconded by Councillor Gary Burroughs that Appendix G be amended to delete Collingwood Street and replace it with Nelson Street.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Al Bisback, seconded by Councillor John Wiens that leave be given to introduce By-law 4308AE-20, as amended, and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	



JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED, AS AMENDED.**

**4316DT-20-** A by-law to amend By-law 4316-09, as amended, entitled a by-law to regulate the use of lands and the erection, use, bulk, height, location and spacing of buildings and structures within the Town of Niagara-on-the-Lake ( 61 & 85 Melville Street)

Moved by Councillor Clare Cameron, seconded by Councillor Al Bisback that leave be given to introduce By-law 4316DT-20 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that By-law 4216DT-20 be deferred to the next Council meeting to be held August 24, 2020 to provide opportunity for the applicant's lawyer to hear and make changes to the definition included in Marine Commercial.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

**5251-20-** A by-law to adopt the Investment Grade Audit for The Corporation of the Town of Niagara-on-the-Lake (Energy Performance Contract - Finance Option, LED Streetlighting Conversion June 29, 2020 P-1111)

Councillor Clare Cameron assumed the chair at this time.

Moved by Councillor Gary Burroughs seconded by Councillor Norm Arsenault that leave be given to introduce By-law 5251-20 and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY

NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO		X
TOTALS	5	3

**APPROVED.**

Lord Mayor Betty Disero assumed the Chair at this time.

**5252-20-** A by-law to repeal By-law 4600-12 being a by-law to adopt a policy entitled "Allocation of Waste Water Servicing Interim Policy" (Town Policy CC-GEN-006A)

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that leave be given to introduce By-law 5252-20 and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	2

**APPROVED.**

**4316DV-20 (5253-20)** A by-law to repeal By-law 4316BB-14 being a by-law to amend By-law 4316-09, as amended, entitled a Marihuana for Medical Purposes Production Facilities

Moved by Councillor Wendy Cheropita, seconded by Councillor Norm Arsenault that leave be given to introduce 5253-20 and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	

ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	0

**APPROVED.**

-resolution #15, **BY-LAWS, AS AMENDED, RECEIVED THREE READINGS.**

### **CORRESPONDENCE AND MOTIONS:**

#### **Clerk to read resolution**

1. The following resolution(s) be adopted:

- (1) Pedal Pub

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that the Pedal Pub motion be amended as follows:

AND WHEREAS at the July 22, 2020 Council meeting, Council discussed and identified concerns surrounding the following:

- Safety
- Traffic congestion; and
- Proximity of proposed routes to residential areas

THEREFORE BE IT RESOLVED that Council instruct the Region of Niagara that the Council of The Corporation of the Town of Niagara-on-the-Lake does not support ~~recommen~~ renewal of this license when it expires August 28, 2020.

AND FURTHER that this decision be forwarded to the Region, as the Town's response to their request.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens  
WHEREAS the business known as Pedal Pub requires a license (Regional) to operate;

AND WHEREAS The Niagara Region approves license agreements for use in Niagara-on-the- Lake;

AND WHEREAS the Region has requested the Town's comments regarding this license;

AND WHEREAS at the July 22, 2020 Council meeting, Council discussed and identified concerns surrounding the following:

- Safety
- Traffic congestion; and
- Proximity of proposed routes to residential areas

THEREFORE BE IT RESOLVED that Council instruct the Region of Niagara that the Council of The Corporation of the Town of Niagara-on-the-Lake does not support ~~recommend~~ renewal of this license when it expires August 28, 2020.

AND FURTHER that this decision be forwarded to the Region, as the Town's response to their request.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #16, **APPROVED, AS AMENDED.**

(2) Surveillance Camera Policy

Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs

WHEREAS the Town of Niagara-on-the-Lake is an institution subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA);

AND WHEREAS the collection of video surveillance in public places constitutes a collection of personal information;

AND WHEREAS the Town is currently collecting video surveillance at a wide variety of Town properties and public locations;

AND WHEREAS the Town is obligated under section 29 of MFIPPA to provide adequate notice of collection of personal information, including the related legislative authority, purpose of collection, and a contact for questions from members of the public;

AND WHEREAS the Information and Privacy Commission of Ontario has provided very helpful and detailed Guidelines for the Use of Video Surveillance, including recommendations for public institutions regarding their obligations under MFIPPA and a subsequent Technology Fact Sheet;

AND WHEREAS the Information and Privacy Commission of Ontario makes their expertise available to assist public institutions in crafting the policies and procedures that may be required to ensure compliance with MFIPPA;

THEREFORE BE IT RESOLVED that staff develop and implement a corporate policy and procedure to address the use of surveillance cameras on Town property, with specific reference to the IPC's Guidelines for the Use of Video Surveillance, which specifically addresses but is not limited to the following:

- Alignment with the Town's Privacy Policy, if applicable
- Consultation with internal and external stakeholders
- Notices of Collection
- How video recordings can be used, disclosed, retained and disposed of
- Staff awareness and training

Councillor Clare Cameron assumed the Chair at this time.

Lord Mayor Betty Disero assumed the Chair at this time.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #17, **APPROVED.**

(3) Regulatory Orders - Information and Privacy Commission

Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs

WHEREAS the Town of Niagara-on-the-Lake, in the performance of its services and operations, is subject to numerous pieces of legislation and associated regulations;

AND WHEREAS the Town's compliance with Provincial and Federal legislation and regulations is overseen by multiple regulatory bodies;

AND WHEREAS a final order that may be issued by a regulatory body in relation to any aspect of the Town's services and operations is a significant matter that may necessitate a change in policy or other Council direction to be provided to staff;

AND WHEREAS Members of Council have a responsibility under the Municipal Act to consider the well-being and interests of the municipality and to develop and evaluate the policies and programs of the municipality;

THEREFORE BE IT RESOLVED that, in the event an order is issued against the Town of Niagara-on-the-Lake by any Federal, Provincial or other equivalent regulator in Canada and the Province of Ontario, Council be notified of the order immediately upon its issuance and be provided with a copy of this order, for reference and consideration.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

-resolution #18, **APPROVED.**

(4) Delegation of Authority By-law Amendment 5218-20

Councillor Clare Cameron assumed the Chair at this time.

Lord Mayor Betty Disero assumed the Chair at this time.

Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita

WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and

Civil Protection Act related to COVID-19;

AND WHEREAS on March 17, 2020 the Council of the Town of Niagara-on-the-Lake passed By-law 5218-20 - A by-law to delegate powers and duties to the Lord Mayor and Chief Administrative Officer during the COVID-19 Pandemic;

AND WHEREAS Section 23.1 (2) of the Municipal Act a delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.

AND WHEREAS by-law 5218-20 does not explicitly provide a date for the expiry of the delegation of authority to the Lord Mayor and Interim CAO.

THEREFORE, BE IT RESOLVED that Council direct staff to prepare the necessary by-law amendment to By-law 5218-20 to indicate that the delegated authority shall cease to be effective upon the withdrawal of the local municipal emergency declaration described in the recitals above, or withdrawal of the provincial state of emergency related to Covid-19.

Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita

WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act related to COVID-19;

AND WHEREAS on March 17, 2020 the Council of the Town of Niagara-on-the-Lake passed By-law 5218-20 - A by-law to delegate powers and duties to the Lord Mayor and Chief Administrative Officer during the COVID-19 Pandemic;

AND WHEREAS Section 23.1 (2) of the Municipal Act a delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.

AND WHEREAS By-law 5218-20 does not explicitly provide a date for the expiry of the delegation of authority to the Lord Mayor and Interim CAO.

AND WHEREAS the Province has recently announced that they are moving to Stage 3 and with that decision, Council believes it introduces a certain degree of uncertainty that may require fluid decision making using the delegation of authority under this by-law.

THEREFORE BE IT RESOLVED that By-law 5218-20 remain in force until the August 24th Council meeting at which time is shall be repealed.

AND FURTHER BE IT RESOLVED that staff be directed to prepare the

necessary By-law to repeal By-law 5218-20 effective August 24, 2020 following a majority vote of Council.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS		X
JOHN WIENS		X
LORD MAYOR BETTY DISERO		X
TOTALS	4	4

-resolution #19, **REFUSED.**

(5) AGCO Limited Distilling Corporation

Moved by Councillor Al Bisback, seconded by Councillor Erwin Wiens

WHEREAS Staff received a letter, included below, from Limited Distilling Corporation (14 Henegan Road) to request support of their application to the Alcohol and Gaming Commission of Ontario (AGCO) for a Manufacturer's Limited Liquor Sales License Council, as required by the AGCO.

AND WHEREAS this request was circulated to all departments on June 29, 2020 and no objections were made.

THEREFORE BE IT RESOLVED that The Council of the Town of Niagara-on-the-Lake supports the application by Limited Distilling Corporation, seeking a Manufacturer's Limited Liquor Sales Licence to permit the sale of single servings of alcohol at its distillery located at lands known municipally as 14 Henegan Road, Niagara-on-the-Lake, Ontario, subject to the following restrictions:

1. Limited Distilling Corporation would only be permitted to sell and serve spirits which it has manufactured;
2. Spirits may only be sold and served between 9:00a.m. and 12:00 a.m. on any day;
3. Spirits may only be sold and served in areas approved under the Licence that are on or immediately adjacent to the Manufacturing Site and under the sole control of Limited Distilling Corporation; and
4. Guests are only permitted to carry and consume spirits on the Manufacturing Site in area that are under the sole control of Limited Distilling Corporation and approved under the Licence.



Moved by Councillor John Wiens, seconded by Councillor Al Bisback that this motion, Limited Distilling Corporation, be deferred to the August 24, 2020 Council Meeting.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #20, **DEFERRED AUGUST 24 COUNCIL.**

(6) Deloitte Service Delivery Review Report

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens

WHEREAS Council approved that Report CS-20-014 be deferred until such time that a new CAO has been hired and can participate in a workshop with Council and staff on June 22, 2020;

WHEREAS the Town's Procedure By-law states that after a Main Motion has been adopted or defeated, any Member may at any time prior to adjournment of the Meeting at which the Main Motion was decided, give notice in writing that the Member will move at the first Meeting thereafter for reconsideration of the Main Motion.

WHEREAS in order for Council to reconsider this decision, the rules must be suspended in order to allow for the introduction of a motion to reconsider.

THEREFORE BE IT RESOLVED that as per section 2.2. of the Town's Procedure By-law, Council temporary suspend the rules to consider a motion to reconsider.

---- Two Thirds Majority Required -----

\* Approval required before considering the next motion

BE IT RESOLVED that Council reconsider its decision from June 22, 2020 to defer Report CS-20-014 until such time that a new CAO has been hired and can participate in a workshop with Council and staff on June 22, 2020.

---- Two Thirds Majority Required -----

\* Approval required before considering the next motion

BE IT RESOLVED that Council approve Report CS-20-014 attached hereto and adopt the report as recommended by staff.

Moved by Councillor Norm Arsenault, seconded by Councillor Erwin Wiens that as per section 2.2 of the Town's Procedure By-law, Council temporarily suspend the rules to consider a motion to reconsider.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

APPROVED.

Councillor Clare Cameron assumed the Chair at this time.

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that Council reconsider its decision from June 22, 2020 to defer Report CS-20-014 until such time that a new CAO has been hired and can participate in a workshop with Council and staff on June 22, 2020.

Lord Mayor Betty Disero assumed the Chair at this time.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

APPROVED.

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that Council approve Report CS-20-014 attached hereto and adopt the report recommended by staff.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

APPROVED.

#### Recommendation 1.1

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS (absent)		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

APPROVED.

#### Recommendation 1.2

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK		X
GARY BURROUGHS		X
CLARE CAMERON		X
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS		X
LORD MAYOR BETTY DISERO	X	

TOTALS	2	5
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DEFEATED.

### Recommendation 1.3

COUNCILLOR	YEA	NAY
NORM ARSENAULT		X
ALLAN BISBACK		X
GARY BURROUGHS		X
CLARE CAMERON		X
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS		X
LORD MAYOR BETTY DISERO	X	
TOTALS	1	6

DEFEATED.

### Recommendation 1.4

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

APPROVED.

Moved by Councillor Clare Cameron, seconded by Councillor Norm Arsenault, that Report CS-20-014 be amended to include:

1.5 That the Town procure the services of a consulting firm to support staff in the establishment of key performance indicators for every service identified in the report, and collaborate with staff and Council in doing so and to be funded from the Provincial Modernization Grant.

### Recommendation 1.5

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	

ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

APPROVED.

-resolution #21, **APPROVED, AS AMENDED CS-20-014.**

(7) Endorse Declaration of Mutual Commitment & Friendship

Moved by Councillor Norm Arsenault, seconded by Councillor Erwin Wiens  
BE IT RESOLVED THAT the Council of the Corporation of the Town of Niagara-on-the-Lake authorizes the Lord Mayor to sign the joint AMO-OFIFC Declaration of Mutual Commitment and Friendship on behalf of the municipality and participate in related concurrent activities during the AMO 2020 Conference.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA (abstain)		
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

-resolution #22, **APPROVED.**

(8) Endorse Welland Resolution - Cannabis Facility Odour

Moved by Councillor Wendy Cheropita, seconded by Councillor Erwin Wiens  
BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake endorses the attached resolution from the City of Welland dated June 16, 2020.

At its meeting of June 16, 2020, Welland City Council passed the following motion:

"Whereas the residents of Ward 1 and Ward 2 been exposed to continuous

nuisance odour and light management control issues from a cannabis facility in the neighbouring municipality of Pelham; and further

Whereas the impact residents have long being patient and accommodating while this business attempts to get the emissions under control and it is increasingly impacting their quality of life: and further

Whereas the facility falls outside of our jurisdiction where our by-law do not apply The City of Welland.

Now therefore be it resolved that the Council of the City of Welland directs staff to work with Niagara Region and the LAM's in a collaborative manner to effect change in the approval process and hold existing facilities accountable for their odour and light emissions; and further

That a copy of this motion be forwarded to Niagara Region, area municipalities, MP, MPPs and AMO for support."

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #23, **APPROVED.**

(9) Endorse Sarnia Resolution - Long Term Care Home Improvements

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback

BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake endorses the attached resolution from the City of Sarnia dated June 22, 2020.

Re: Long Term Care Home Improvements

At its meeting held on June 22, 2020, Sarnia City Council adopted the following resolution submitted by Councillor Margaret Bird with respect to the conditions in Long Term Care homes exposed by the pandemic:

That due to the deplorable conditions exposed by the pandemic in LTC homes in the province, and because this is a time for action, not just continuous streams of investigations, commissions and committees, and because the problems have been clearly identified, that Sarnia City Council direct staff to send this motion to the 444 Ontario Municipalities, asking them

to urge Premier Ford to start implementing the required resolutions immediately, as follows:

1. increasing hours for all part-time and casual labour
2. since the government provides funding for privately operated homes, they have an obligation to inspect these homes and see that they are being properly run, and that funds are being used for the benefit of the residents and not the huge profitability of the operators, and
3. to end the neglect and unacceptable conditions being experienced, each day, by our vulnerable seniors.

Sarnia City Council respectfully seeks your endorsement of this resolution.

If your municipal council endorses this resolution, we would request that a copy of the resolution be forwarded to the following:

Doug Ford, Premier of Ontario; and  
City of Sarnia, City Clerk's Office

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #24, **APPROVED.**

(10) Endorse Niagara Region Resolution - Coalition of Inclusive Municipalities

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback

WHEREAS the Region of Niagara adopted a number of recommendations at its Regional Council on September 19, 2019 recommending that they join the Coalition of Inclusive Municipalities (CIM);

AND WHEREAS the Region of Niagara has invited all twelve municipalities to join in the signing of the declaration to join the Coalition;

AND WHEREAS in order for municipalities to participate, the Coalition of Inclusive Municipalities has requested that each municipal Council pass a motion of support;

AND WHEREAS diversity, equity and inclusion matter to all of Niagara, it is important to support initiatives to tackle racism discrimination and promote human rights and diversity.

NOW THEREFORE BE IT RESOLVED that Lord Mayor Betty Disero be directed to sign the Declaration to Join the Coalition of Inclusive Municipalities.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #25, **APPROVED.**

2. Information Package(s)

(a) Information Package - July 16, 2020

Item No. 4 - Current Committee of Adjustment Applications - July & August 2020

Item No. 6 - Notice of Decision - By-law 500XN-20 Cannabis Production & Processing

Item No. 16 - Food Truck

Item No. 21 - Orzo Presentation - 10 Queen Street Patio

Item No. 19 - Letter Re Exemption from By-law 4316AR-13

Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that the property located at 48 Glendale Avenue, Niagara-on-the-Lake be exempted from By-law 4316-09, as amended until October 31, 2020 provided there are no more than two food trucks on the property belonging to the owner of Lorenzo's Diner.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON		X
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	



JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

**APPROVED.**

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that Council received the July 16, 2020 Information Package.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #26, **APPROVED.**

#### **NOTICE OF MOTION:**

Councillor Clare Cameron assumed the Chair at this time.

Lord Mayor Betty Disero gave notice of two motions - Deferral of Development Charges Fees for Industrial Development; and Tourism Strategy

Lord Mayor Betty Disero assumed the Chair at this time.

Councillor Gary Burroughs gave notice of motion - Heritage Tax Relief.

Councillor Norm Arsenault gave notice of motion - Short Term Rentals.

Councillor Wendy Cheropita gave notice of motion - Sign Locations.

#### **NEW BUSINESS:**

There was no new business brought forward.

#### **LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS:**

There were no Lord Mayor's report, announcements or remarks.

## MEMBERS' ANNOUNCEMENT:

There were no Members' announcements.

## PROCEEDINGS BY-LAW:

**Clerk to read resolution for reading of by-law**

**5254-20** - A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on July 20, 2020

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that leave be given to introduce By-law No. 5254-20 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #27, **BY-LAW RECEIVED THREE READINGS.**

## RESOLUTIONS:

1. Moved by Councillor Erwin Wiens, seconded by John Wiens that the agenda be adopted, as amended.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

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**APPROVED, AS AMENDED.**

2. Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita 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)(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 relating to Niagara Nursery School Extension; 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 relating to Niagara Regional Police ongoing investigation.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

3. Moved by Councillor John Wiens, seconded by Councillor Clare Cameron that Council rise from the closed session to consider matters that qualify under the Municipal Act 2001, as amended:
- 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 relating to Niagara Nursery School Extension; 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 relating to Niagara Regional Police ongoing investigation with no report.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	

VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

4. Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that due to the AMO Conference cancellation:
- (2) Committee of the Whole - General Meeting - August 24, 2020 be moved forward one week to August 17, 2020; and
- (3) Council Meeting - August 31, 2020 be moved forward one week to August 24, 2020

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA (abstained)		
VACANT		
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	1

**APPROVED.**

5. Moved by Councillor John Wiens, seconded by Councillor Gary Burroughs that the minutes of the Council Meeting held June 22, 2020 and Special Council Meeting held June 26, 2020 be adopted.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

6. Moved by Councillor Norm Arsenault, seconded by Councillor Clare Cameron That application Nos. 2018-0003; 2019-0001; and 2019-0010 for cancellation, reduction or refund of taxes under Section 357 of the Municipal Act, 2001 be approved.

Application No. 2018-0003

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
<b>TOTALS</b>	<b>6</b>	<b>2</b>

Application Nos. 2019-0001 and 2019-0010

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
<b>TOTALS</b>	<b>8</b>	<b>0</b>

**APPROVED.**

7. Moved by Councillor Erwin Wiens, seconded by Councillor Wendy Cheropita Item 20 Information Package - July 16, 2020 that a temporary exemption to the site plan, to allow for two additional tents at Ravine Winery, be approved until October 31, 2020.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		

ERWIN WIENS	X	
JOHN WIENS (conflict)		
LORD MAYOR BETTY DISERO	X	
TOTALS	6	1

**APPROVED.**

8. Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs that staff be directed to revise the appendix to the Royal Oak lease agreement to permit the request to relocate to unused space at 176 Wellington Street in as condition maintaining all other existing terms of the agreement and to show support of the organizations flexibility.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

9. Moved by Lord Mayor Betty Disero, seconded by Councillor Wendy Cheropita that two additional members be added to the Inclusively Committee, Susan Batson and a representative from the Shaw Festival and the Terms of Reference be amended to reflect those additions.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita

that the July 6, 2020 COTW - Planning Minutes be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

10. Moved by Councillor Erwin Wiens, seconded by Councillor Norm Arsenault that the July 13, 2020 COTW - General Minutes be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

11. Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that Item 8.1 MHC-20-004 89 - 91 Queen Street Heritage Application - Installation of Lighting and Minor Alterations to Storefront, be lifted and voted on separately.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	

JOHN WIENS	X	
LORD MAYOR BETTY DISERO		X
TOTALS	6	2

**APPROVED.**

Moved by Councillor John Wiens, seconded by Councillor Erwin Wiens that the balance of the June 23, 2020 Municipal Heritage Committee Minutes be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

12. Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that the June 24, 2020 Audit Committee Minutes be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	

**APPROVED.**

13. Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens That the staff recommendations contained in Report CS-20-013 be approved:

- 1.1. the 2020 Committee Meeting Schedule, attached as Appendix I, be adopted in principle, subject to changes by approval of committees; and
- 1.2. staff be directed to review the list of existing committees and forward recommendations to Council on options for reducing the number of



committees/boards by disbanding and/or consolidating committees.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

14. Moved by Councillor Erwin Wiens, seconded by Councillor Al Bisback  
That the staff recommendations contained in Report OPS-20-021 be approved:

1.1 Council direct staff to complete all in water works in the Ball's Beach Parkette as outlined in this report, and

1.2 Council direct staff to reallocate funds from the Operating Account of Flood Mitigation in the amount of \$300,000.00 to the Erosion Control Project in Ball's Beach Parkette.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

15. Moved by Councillor Al Bisback, seconded by Councillor Gary Burroughs By-law 4308AE-20 Appendix G be amended to delete Collingwood Street and replace it with Nelson Street.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	

GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Al Bisback, seconded by Councillor John Wiens that leave be given to introduce By-law 4308AE-20, as amended, and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED, AS AMENDED.**

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that By-law 4216DT-20 be deferred to the next Council meeting to be held August 24, 2020 to provide opportunity for the applicant's lawyer to hear and make changes to the definition included in Marine Commercial.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Gary Burroughs seconded by Councillor Norm Arsenault that leave be given to introduce By-law 5251-20 and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO		X
TOTALS	5	3

**APPROVED.**

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that leave be given to introduce By-law 5252-20 and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	2

**APPROVED.**

Moved by Councillor Wendy Cheropita, seconded by Councillor Norm Arsenault that leave be given to introduce 4316DV-20 (5253-20) and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	

ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	0

**APPROVED.**

16. Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that the Pedal Pub motion be amended as follows:  
AND WHEREAS at the July 22, 2020 Council meeting, Council discussed and identified concerns surrounding the following:

- Safety
- Traffic congestion; and
- Proximity of proposed routes to residential areas

THEREFORE BE IT RESOLVED that Council instruct the Region of Niagara that the Council of The Corporation of the Town of Niagara-on-the-Lake does not support ~~recommend~~ renewal of this license when it expires August 28, 2020.

AND FURTHER that this decision be forwarded to the Region, as the Town's response to their request.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens  
WHEREAS the business known as Pedal Pub requires a license (Regional) to operate;

AND WHEREAS The Niagara Region approves license agreements for use in Niagara-on-the- Lake;

AND WHEREAS the Region has requested the Town's comments regarding this license;

AND WHEREAS at the July 22, 2020 Council meeting, Council discussed and

identified concerns surrounding the following:

- Safety
- Traffic congestion; and
- Proximity of proposed routes to residential areas

THEREFORE BE IT RESOLVED that Council instruct the Region of Niagara that the Council of The Corporation of the Town of Niagara-on-the-Lake does not support ~~recommend~~ renewal of this license when it expires August 28, 2020.

AND FURTHER that this decision be forwarded to the Region, as the Town's response to their request.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED, AS AMENDED.**

17. Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs WHEREAS the Town of Niagara-on-the-Lake is an institution subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); AND WHEREAS the collection of video surveillance in public places constitutes a collection of personal information; AND WHEREAS the Town is currently collecting video surveillance at a wide variety of Town properties and public locations; AND WHEREAS the Town is obligated under section 29 of MFIPPA to provide adequate notice of collection of personal information, including the related legislative authority, purpose of collection, and a contact for questions from members of the public; AND WHEREAS the Information and Privacy Commission of Ontario has provided very helpful and detailed Guidelines for the Use of Video Surveillance, including recommendations for public institutions regarding their obligations under MFIPPA and a subsequent Technology Fact Sheet; AND WHEREAS the Information and Privacy Commission of Ontario makes their expertise available to assist public institutions in crafting the policies and procedures that may be required to ensure compliance with MFIPPA; THEREFORE BE IT RESOLVED that staff develop and implement a corporate policy and procedure to address the use of surveillance cameras on Town property, with specific reference to the IPC's Guidelines for the Use of Video Surveillance, which specifically addresses but is not limited to the following:  
-Alignment with the Town's Privacy Policy, if applicable

- Consultation with internal and external stakeholders
- Notices of Collection
- How video recordings can be used, disclosed, retained and disposed of
- Staff awareness and training

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

18. Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs WHEREAS the Town of Niagara-on-the-Lake, in the performance of its services and operations, is subject to numerous pieces of legislation and associated regulations;  
AND WHEREAS the Town's compliance with Provincial and Federal legislation and regulations is overseen by multiple regulatory bodies;  
AND WHEREAS a final order that may be issued by a regulatory body in relation to any aspect of the Town's services and operations is a significant matter that may necessitate a change in policy or other Council direction to be provided to staff;  
AND WHEREAS Members of Council have a responsibility under the Municipal Act to consider the well-being and interests of the municipality and to develop and evaluate the policies and programs of the municipality;  
THEREFORE BE IT RESOLVED that, in the event an order is issued against the Town of Niagara-on-the-Lake by any Federal, Provincial or other equivalent regulator in Canada and the Province of Ontario, Council be notified of the order immediately upon its issuance and be provided with a copy of this order, for reference and consideration.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS		X

JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

**APPROVED.**

19. Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act related to COVID-19;  
AND WHEREAS on March 17, 2020 the Council of the Town of Niagara-on-the-Lake passed By-law 5218-20 - A by-law to delegate powers and duties to the Lord Mayor and Chief Administrative Officer during the COVID-19 Pandemic;  
AND WHEREAS Section 23.1 (2) of the Municipal Act a delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.  
AND WHEREAS By-law 5218-20 does not explicitly provide a date for the expiry of the delegation of authority to the Lord Mayor and Interim CAO.  
AND WHEREAS the Province has recently announced that they are moving to Stage 3 and with that decision, Council believes it introduces a certain degree of uncertainty that may require fluid decision making using the delegation of authority under this by-law.  
THEREFORE BE IT RESOLVED that By-law 5218-20 remain in force until the August 24th Council meeting at which time it shall be repealed.  
AND FURTHER BE IT RESOLVED that staff be directed to prepare the necessary By-law to repeal By-law 5218-20 effective August 24, 2020 following a majority vote of Council.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS		X
JOHN WIENS		X
LORD MAYOR BETTY DISERO		X
TOTALS	4	4

**REFUSED.**

20. Moved by Councillor John Wiens, seconded by Councillor Al Bisback that this motion, Limited Distilling Corporation, be deferred to the August 24, 2020 Council Meeting.

COUNCILLOR	YEA	NAY
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NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**DEFERRED AUGUST 24 COUNCIL.**

21. Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens  
WHEREAS Council approved that Report CS-20-014 be deferred until such time that a new CAO has been hired and can participate in a workshop with Council and staff on June 22, 2020;

WHEREAS the Town's Procedure By-law states that after a Main Motion has been adopted or defeated, any Member may at any time prior to adjournment of the Meeting at which the Main Motion was decided, give notice in writing that the Member will move at the first Meeting thereafter for reconsideration of the Main Motion.

WHEREAS in order for Council to reconsider this decision, the rules must be suspended in order to allow for the introduction of a motion to reconsider.

THEREFORE BE IT RESOLVED that as per section 2.2. of the Town's Procedure By-law, Council temporarily suspend the rules to consider a motion to reconsider.

---- Two Thirds Majority Required -----

\* Approval required before considering the next motion

BE IT RESOLVED that Council reconsider its decision from June 22, 2020 to defer Report CS-20-014 until such time that a new CAO has been hired and can participate in a workshop with Council and staff on June 22, 2020.

---- Two Thirds Majority Required -----

\* Approval required before considering the next motion

BE IT RESOLVED that Council approve Report CS-20-014 attached hereto and adopt the report as recommended by staff.

Moved by Councillor Norm Arsenault, seconded by Councillor Erwin Wiens that as per section 2.2 of the Town's Procedure By-law, Council temporarily suspend the rules to consider a motion to reconsider.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	



ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that Council reconsider its decision from June 22, 2020 to defer Report CS-20-014 until such time that a new CAO has been hired and can participate in a workshop with Council and staff on June 22, 2020.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that Council approve Report CS-20-014 attached hereto and adopt the report recommended by staff.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

## Recommendation 1.1

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS (absent)		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

**APPROVED.**

## Recommendation 1.2

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK		X
GARY BURROUGHS		X
CLARE CAMERON		X
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS		X
LORD MAYOR BETTY DISERO	X	
TOTALS	2	5

**DEFEATED.**

## Recommendation 1.3

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT		X
ALLAN BISBACK		X
GARY BURROUGHS		X
CLARE CAMERON		X
WENDY CHEROPITA		X
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS		X
LORD MAYOR BETTY DISERO	X	

TOTALS	1	6
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**DEFEATED.**

Recommendation 1.4

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

**APPROVED.**

Moved by Councillor Clare Cameron, seconded by Councillor Norm Arsenault, that Report CS-20-014 be amended to include:

1.5 That the Town procure the services of a consulting firm to support staff in the establishment of key performance indicators for every service identified in the report, and collaborate with staff and Council in doing so and to be funded from the Provincial Modernization Grant.

Recommendation 1.5

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS (abstain)		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

**APPROVED, AS AMENDED CS-20-014.**

22. Moved by Councillor Norm Arsenault, seconded by Councillor Erwin Wiens  
BE IT RESOLVED THAT the Council of the Corporation of the Town of Niagara-on-the-Lake authorizes the Lord Mayor to sign the joint AMO-OFIFC Declaration of Mutual Commitment and Friendship on behalf of the municipality

and participate in related concurrent activities during the AMO 2020 Conference.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA (abstain)		
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
<b>TOTALS</b>	<b>7</b>	<b>0</b>

**APPROVED.**

23. Moved by Councillor Wendy Cheropita, seconded by Councillor Erwin Wiens  
BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake endorses the attached resolution from the City of Welland dated June 16, 2020.

At its meeting of June 16, 2020, Welland City Council passed the following motion:

"Whereas the residents of Ward 1 and Ward 2 been exposed to continuous nuisance odour and light management control issues from a cannabis facility in the neighbouring municipality of Pelham; and further

Whereas the impact residents have long being patient and accommodating while this business attempts to get the emissions under control and it is increasingly impacting their quality of life: and further

Whereas the facility falls outside of our jurisdiction where our by-law do not apply The City of Welland.

Now therefore be it resolved that the Council of the City of Welland directs staff to work with Niagara Region and the LAM's in a collaborative manner to effect change in the approval process and hold existing facilities accountable for their odour and light emissions; and further

That a copy of this motion be forwarded to Niagara Region, area municipalities, MP, MPPs and AMO for support."

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	

JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

24. Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback  
BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake endorses the attached resolution from the City of Sarnia dated June 22, 2020.

Re: Long Term Care Home Improvements

At its meeting held on June 22, 2020, Sarnia City Council adopted the following resolution submitted by Councillor Margaret Bird with respect to the conditions in Long Term Care homes exposed by the pandemic:

That due to the deplorable conditions exposed by the pandemic in LTC homes in the province, and because this is a time for action, not just continuous streams of investigations, commissions and committees, and because the problems have been clearly identified, that Sarnia City Council direct staff to send this motion to the 444 Ontario Municipalities, asking them to urge Premier Ford to start implementing the required resolutions immediately, as follows:

1. increasing hours for all part-time and casual labour
2. since the government provides funding for privately operated homes, they have an obligation to inspect these homes and see that they are being properly run, and that funds are being used for the benefit of the residents and not the huge profitability of the operators, and
3. to end the neglect and unacceptable conditions being experienced, each day, by our vulnerable seniors.

Sarnia City Council respectfully seeks your endorsement of this resolution. If your municipal council endorses this resolution, we would request that a copy of the resolution be forwarded to the following:

Doug Ford, Premier of Ontario; and  
City of Sarnia, City Clerk's Office

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	

LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

25. Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback WHEREAS the Region of Niagara adopted a number of recommendations at its Regional Council on September 19, 2019 recommending that they join the Coalition of Inclusive Municipalities (CIM); AND WHEREAS the Region of Niagara has invited all twelve municipalities to join in the signing of the declaration to join the Coalition; AND WHEREAS in order for municipalities to participate, the Coalition of Inclusive Municipalities has requested that each municipal Council pass a motion of support; AND WHEREAS diversity, equity and inclusion matter to all of Niagara, it is important to support initiatives to tackle racism discrimination and promote human rights and diversity. NOW THEREFORE BE IT RESOLVED that Lord Mayor Betty Disero be directed to sign the Declaration to Join the Coalition of Inclusive Municipalities.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

26. Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that the property located at 48 Glendale Avenue, Niagara-on-the-Lake be exempted from By-law 4316-09, as amended until October 31, 2020 provided there are no more than two food trucks on the property belonging to the owner of Lorenzo's Diner.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON		X
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	

JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

**APPROVED.**

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that Council received the July 16, 2020 Information Package.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

27. Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that leave be given to introduce By-law No. 5254-20 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

28. Moved by Councillor John Wiens, seconded by Councillor Clare Cameron that this Council adjourn to the next regular meeting of August 24, 2020 and if a special meeting is required, it will be held at the call of the Lord Mayor.

COUNCILLOR	YEA	NAY

NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA (absent)		
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

**APPROVED.**

**VERBAL MOTIONS:**

1. Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that this Council adjourn and reconvene on Wednesday, July 22, 2020 at 6:00 p.m. to complete the agenda.





























COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
VACANT		
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

**APPROVED.**

**ADJOURNMENT: 09:30 PM**

**LORD MAYOR BETTY DISERO    TOWN CLERK PETER TODD**



 357 Applications - July 20.20.pdf     
  4316DT-20 61 & 85 Melville.pdf     
  MHC Minutes - June 23.20.pdf  
 Regulatory Orders Motion.pdf     
 Surveillance Camera - Policy Motion.pdf     
 Pedal Pub Motion.pdf  
 Delegation of Authority By-law Amendment.pdf     
 5251-20 Investment Grade Audit.pdf  
 Delegation L Sicoli Reg Initiates Support Economic Recovery Post Covid-19.pdf  
 Delegation N Arnot Food Truck Co-Owner-Operator.pdf     
 Laura Sentineal Delegation Request.pdf  
 COTW Planning Mintues July 6, 2020.pdf     
 COTW General Minutes July 13, 2020.pdf  
 AGCO Resolution - Limited Distilling.pdf     
 Deloitte Report Motion.pdf  
 Audit Committee - June 24.20.pdf     
 Council Meeting Minutes, June 22, 2020.pdf  
 Council Meeting Minutes, June 26, 2020.pdf  
 5252-20 wastewater servicing interim policy cc-gen-006a.pdf  
 4308AE-20 Parking Meter Rate Increase July 16.20.pdf  
 Declaration of Mutual Commitment and Friendship Motion.pdf  
 Endorse City of Welland Cannabis Odour Motion.pdf     
 Sarnia Long term Care.pdf  
 Coalition of Inclusive Municipalities .pdf     
 5253-20 Repeal By-law 4316BB-20.pdf     
 melville.pdf  
 WW POLICY REPEAL.pdf     
 Report \_ CS-20-016.pdf