



SPECIAL COUNCIL MEETING MINUTES

Friday July 24, 2020

03:30 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:

Councillor Stuart McCormack

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

OTHERS:

Sandra O'Connor

MEDIA:

CALL TO ORDER:

Lord Mayor Betty Disero called the meeting to order at 3:30 p.m.

CONFLICT OF INTEREST:

Councillor John Wiens declared a conflict of interest with the agenda item as he owns a restaurant.

CORRESPONDENCE AND MOTIONS:

1. The following resolution(s) be adopted:

(a) Enforcement of Physical Distancing Requirements

Councillor John Wiens previously declared a conflict of interest with this agenda item as he owns a restaurant.

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault,

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 23, 2020 an emergency was declared by the Lord Mayor, under the provisions of the Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9, relating to the outbreak of the Novel Coronavirus 19 (COVID-19);

AND WHEREAS the Province of Ontario has enacted O. Reg. 364/20: RULES FOR AREAS IN STAGE 3 under Subsection 7.0.2 (4) (or as current) of Emergency Management and Civil Protection Act to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials;

AND WHEREAS the Council of The Corporation of the Town of Niagara-on-the-Lake ~~considers it desirable to~~ *must* support the intent and purpose of the Provincial Orders made under the Act in order to protect the health, safety and well-being of persons in the Town by prohibiting certain activities and regulating physical distancing during the COVID-19 Emergency;

AND WHEREAS Ontario Regulation 364/20: RULES FOR AREAS IN STAGE 3 states under Schedule 2, specific rules relating to food and drink:

1. (1) Restaurants, bars, food trucks, concession stands and other food or drink establishments may open if they comply with the following conditions:
 1. No buffet-style service may be provided.
 2. Patrons must be seated when eating or drinking at the establishment.
 3. The establishment must be configured so that patrons seated at different tables are separated by,
 - i. a distance of at least two metres, or
 - ii. plexiglass or some other impermeable barrier.

AND WHEREAS on March 27, 2020 the Province of Ontario granted power to municipal law enforcement officers to enforce Orders issued by the Province under the Act;

THEREFORE BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake support staff in the proactive enforcement of the Orders issued by the Province under the Act, specifically distancing requirements as outlined in Ontario Regulation 364/20: RULES FOR AREAS IN STAGE 3, Schedule 2, specific rules relating to food and drink Subsection 1.(1) 3, in order to protect the health, safety, and

well-being of residents and visitors as the Town reopens under Phase 3.

AND FURTHER that Council support the Staff recommendation of a graduated approval to enforcement:

1. Delivery of education package to each
2. Warning upon complaint
3. Issuance of a ticket upon evidence of offence.

AND FURTHER that Council support the use of community volunteers to assist staff in delivering education information to businesses and visitors, and to act as goodwill ambassadors to explain the new rules explaining physical distancing.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
STUART MCCORMACK	ABSENT	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

-resolution #1, **APPROVED**.

PROCEEDINGS BY-LAW:

By-law No. 5255-20 - A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on July 24, 2020.

Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law No. 5255-20 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	
STUART MCCORMACK	ABSENT	
ERWIN WIENS	X	
JOHN WIENS	X	

LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #2, **APPROVED.**

ADJOURNMENT

Moved by Council Al Bisback, seconded by Councillor Clare Cameron that this Council adjourn to the next regular meeting to be held 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	X	
STUART MCCORMACK	ABSENT	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #3, **APPROVED.**

RESOLUTIONS

- Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault,

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 23, 2020 an emergency was declared by the Lord Mayor, under the provisions of the Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9, relating to the outbreak of the Novel Coronavirus 19 (COVID-19);

AND WHEREAS the Province of Ontario has enacted O. Reg. 364/20: RULES FOR AREAS IN STAGE 3 under Subsection 7.0.2 (4) (or as current) of Emergency Management and Civil Protection Act to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials;

AND WHEREAS the Council of The Corporation of the Town of Niagara-on-the-Lake ~~considers it desirable to~~ *must* support the intent and purpose of the Provincial Orders made under the Act in order to protect the health, safety and well-being of persons in the Town by prohibiting certain activities and regulating physical distancing during the COVID-19 Emergency;

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AND FURTHER that Council support the Staff recommendation of a graduated approval to enforcement:

1. *Delivery of education package to each*
2. *Warning upon complaint*
3. *Issuance of a ticket upon evidence of offence.*

AND FURTHER that Council support the use of community volunteers to assist staff in delivering education information to businesses and visitors, and to act as goodwill ambassadors to explain the new rules explaining physical distancing.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
ALLAN BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
STUART MCCORMACK	ABSENT	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	7	0

-resolution #1, **APPROVED.**

2. Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law No. 5255-20 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	
STUART MCCORMACK	ABSENT	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

APPROVED.

3. Moved by Council Al Bisback, seconded by Councillor Clare Cameron that this Council adjourn to the next regular meeting to be held 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	X	
STUART MCCORMACK	ABSENT	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	0

-resolution #3, **APPROVED.**

VERBAL MOTIONS:

ADJOURNMENT: 04:18 PM

LORD MAYOR BETTY DISERO

TOWN CLERK PETER TODD