



COUNCIL MEETING MINUTES

Monday January 20, 2020

05:00 PM

PRESENT:

Lord Mayor Betty Disero, Councillors: Gary Burroughs, Norm Arsenault, Al Bisback, Clare Cameron (5:17 pm), Wendy Cheropita, Stuart McCormack, Erwin Wiens, John Wiens

REGRETS:

STAFF:

Sheldon Randall	Chief Administrative Officer (I)
Peter Todd	Town Clerk
Victoria Butters	Deputy Clerk
Colleen Hutt	Deputy Clerk
Sarah Stevens	Human Resources Generalist
Kyle Freeborn	Director of Corporate Services
Nick Ruller	Fire Chief
Kevin Turcotte	Manager of Parks & Recreation
Fred Cervantes	Manager Information Technology

OTHERS:

MEDIA:

Dariya Baiguzhiyeva	The Lake Report
Penny Coles	The NOTL Local

5:00 P.M. - WORKSHOP

Discussion on Report CAO-20-001 Adoption of Recommendations in the Ombudsman's Report "Inside Job"

Lord Mayor Betty Disero called the workshop to order at 5:00 p.m.

Sarah Stevens, Human Resources Generalist, referred to Report CAO-20-001 Adoption of Recommendations in the Ombudsman's Report "Inside Job".

Sarah Stevens read the fifteen (15) recommendations in the Ombudsman's Report "Inside Job", and provided an overview of the Town's current or future progress with each recommendation in Report CAO-20-001.

Councillors provided amendments to Report CAO-20-001, which are listed under (3) Report CAO-20-001 Adoption of Recommendations in the Ombudsman's Report "Inside Job".

Staff answered questions of Council and Lord Mayor Betty Disero thanked Sarah Stevens for the update.

6:00 P.M. - REGULAR MEETING AGENDA:

CALL TO ORDER:

Lord Mayor Betty Disero called the meeting to order 6:01 p.m.

FOCUS STATEMENT:

Councillor Wendy Cheropita opened the meeting with the focus statement.

O'CANADA:

Council, staff and all those present sang O'Canada.

Councillor Al Bisback expressed condolences for Kathleen Cartwright and highlighted her contribution to the Library Board. Council and all in attendance rose for a moment of silence.

ADOPTION OF THE AGENDA:

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

NON-AGENDA DELEGATIONS:

The following item was removed from the agenda:

- (1) Brett Ruck, Irrigation & Drainage Superintendent Shoreline Protection

AGENDA DELEGATIONS:

The following items were added to the agenda:

- (2) Jason Clements, Niagara Holiday Rentals
CS-20-001 Municipal Accommodation Tax (MAT)
- (3) Janet Jones, 487 Mississagua Street
CS-20-001 Municipal Accommodation Tax (MAT)
- (4) Tony Chisholm - 133 Regent Street
CS-20-001 Municipal Accommodation Tax (MAT)
- (5) Tim Jennings - Shaw Festival
CS-20-001 Municipal Accommodation Tax (MAT)
- (6) Paul MacIntyre - Vintage Hotels
CS-20-001 Municipal Accommodation Tax (MAT)
Presentation
- (7) Carl Robazza - Vintage Hotels
CS-20-001 Municipal Accommodation Tax (MAT)

COMMITTEE REPORTS:

- (5) Municipal Heritage Meeting Minutes - December 10, 2019

CORRESPONDENCE AND MOTIONS:

5. Library Board - Service Delivery Review
- Library Board Response Letter
- (6) Councillor Clare Cameron requested a New Business item be added regarding an update for the Service Delivery Review; and December 19, 2010 Information Package item 7. Commemorating Local Heritage in the New "Glendale Niagara District".
- (7) Councillor Stuart McCormack requested to speak to Service Delivery Review.

Moved by Councillor Wendy Cheropita, seconded by Councillor Norm Arsenault that the agenda, as amended, be adopted.

APPROVED, AS AMENDED.

CONFLICT OF INTEREST:

There were no conflicts of interest declared at this time.

PROCLAMATION

(1) Kin Canada Service Clubs

Lord Mayor Betty Disero read the Kin Canada Day - February 20, 2020 & Kin Canada Week - February 16-22, 2020 proclamation.

NEXT COMMITTEE OF THE WHOLE AND COUNCIL MEETING DATES: (Clerk to announce the dates)

The next Committee of the Whole - Planning meeting is scheduled for Monday, February 3, 2020 at 6:00 p.m. The next Committee of the Whole Meeting - General meeting is scheduled for Monday, February 10, 2020, at 6:00 p.m. The next Council Meeting is scheduled for Monday, February 24, 2020, at 6:00 p.m.

All delegation requests will be reviewed by the Clerk and included whenever possible. The deadline for non-agenda delegation requests is no later than 12:00 p.m. on the Thursday prior to the COTW or Council meeting. Delegations regarding a staff report listed on a published agenda must be received no later than 12:00 p.m. on the day of the scheduled 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 December 9, 2019

-resolution #1, **APPROVED.**

- (2) Special Council Meeting Minutes dated December 16, 2019

-resolution #2, **APPROVED.**

DELEGATIONS:

At Clerk's discretion, delegations will be added

Non-Agenda Delegation

- (1) David Levesque, Bed & Breakfast Association
2020 Short Term Rental Licence Fees

David Levesque stated he was a resident and tax payer, and provided background information as a short term rental owner in the Town of Niagara-on-the-Lake. Mr. Levesque identified his concerns with the recent licence fee increase; complaints brought to the Town's attention; and enforcement/short term rentals. Mr. Levesque requested that the 2020 fee increase be tabled and the current late payment penalty fee be waived pending further discussion to establish a collaborative long term solution. Mr. Levesque answered questions of Council and Lord Mayor Betty Disero thanked him for coming forward.

Agenda Delegation

- (1) Cindy Grant, Community Wellness Committee Chair
Committee Recommendation Report & Update

Cindy Grant, Chair, provided an update with respect to the Community Wellness Committee Report of Recommendations. Ms. Grant referred to an electronic presentation and highlighted the following:

- Nine Categories of Recommendations
- Summary of Recommendations
 1. Communication
 2. Environment
 3. Pedestrian and Bicycle Safety
 4. Housing Option
 5. Transportation Services
 6. Lifelong Learning

7. Lifelong Physical Activity
8. Social Connectedness
9. Health Services

Ms. Grant answered questions of Council and Lord Mayor Betty Disero thanked her for coming forward.

- (2) Jason Clements, Niagara Holiday Rentals
CS-20-001 Municipal Accommodation Tax (MAT)

Jason Clements stated he was a short term rental owner, as well as owning Niagara Holiday Rentals, and advertised on Airbnb. Mr. Clements read spoke to average house prices; hotel rates; HST; effect of MAT; 2020/enforcement; bookings; and travel industry laws. Mr. Clements requested Council to consider the impacts to the industry and Lord Mayor Betty Disero thanked him for coming forward.

- (3) Janet Jones, 487 Mississagua Street
CS-20-001 Municipal Accommodation Tax (MAT)

Janet Jones, stated she was the past President of the B&B Association and noted the short term rental industry in Niagara-on-the-Lake is a tourist attraction. Ms. Jones outlined her concerns with the introduction of a MAT; adapting to new tax and cost; and the effect to the short term rental industry/tourism. Ms. Jones asked the Town to come together on this issue and Lord Mayor Betty Disero thanked her for coming forward.

- (4) Tony Chisholm - 133 Regent Street
CS-20-001 Municipal Accommodation Tax (MAT)

Tony Chisholm stated he sits on various committees and operates a short term rental property. Mr. Chisholm spoke in opposition to the proposed MAT and outlined his concerns with Report CS-20-001 recommendations; impact to his guests; and tourism. Mr. Chisholm requested Council to consider forming a working group or expanded committee as a positive alternative to the negative tax. Lord Mayor Betty Disero thanked Mr. Chisholm for coming forward.

- (5) Tim Jennings - CEO Shaw Festival
CS-20-001 Municipal Accommodation Tax (MAT)

Tim Jennings requested Council to reject Report CS-20-001 and suggested it be returned to staff for significantly more work and study for all of the potential impacts. He spoke to the downside impact to the artists and arts workers, as well as, tourism patrons and local businesses. Mr. Jennings highlighted his concerns and urged Council not to move forward with the MAT until there is a better understanding of all of the potential impacts for all parties. Mr. Jennings answered questions of Council and Lord Mayor Betty Disero thanked him for coming forward.

(6) Paul MacIntyre - Vintage Hotels
CS-20-001 Municipal Accommodation Tax (MAT)
Presentation

Paul MacIntyre stated the MAT main intent is to provide funding for Tourism; and that the development initiatives should also create new programs and services that visitors take advantage of when visiting.

Mr. MacIntyre referred to an electronic presentation and spoke to the following:

- Municipal Accommodations Tax Impact Analysis
- Financial Impact of the Report
- Other Implications
- Town of Niagara-on-the-Lake Official Plan Review Growth Analysis - Technical Background Report October 16, 2015

Mr. MacIntyre answered questions of Council and Lord Mayor Betty Disero thanked him for coming forward.

(7) Carl Robazza - Vintage Hotels
CS-20-001 Municipal Accommodation Tax (MAT)

Carl Robazza, stated the Niagara-on-the-Lake businesses have been brought together over the MAT, and are hopeful that Council understands the significance of its decision with Report CS-20-001. Mr. Robazza requested that Council vote against the report or delay it until it is fully understood what is at stake. He spoke to his concerns with the report and asked Council to move forward in a way that benefits the entire community. Mr. Robazza answered questions of Council and Lord Mayor Betty Disero thanked him for coming forward.

RESPONSE TO DELEGATIONS FROM COUNCIL:

- (1) David Levesque, Bed & Breakfast Association
2020 Short Term Rental Licence Fees

Moved by Councillor Al Bisback, seconded by Councillor Clare Cameron that staff consider allowing the existing short term rental fees to be paid over two instalments for 2020;

And further that the short term rental licensing license fees be reviewed for 2021.

-resolution #3, **APPROVED, AS AMENDED.**

Moved by Councillor Wendy Cheropita, seconded by Councillor Gary Burroughs that Section 2.2 of Town's Procedural Bylaw 4675-13 be applied, that the rules and procedures contained herein may be suspended, at such times and upon such conditions as may be deemed appropriate, by an affirmative vote of Two Thirds of Council, in order that the short term rental rates be reconsidered.

A polled vote was called by Councillor Gary Burroughs.

COUNCILLOR	YEA	NAY
Norm Arsenault		X
Allan Bisback		X
Gary Burroughs	X	
Clare Cameron		X
Wendy Cheropita	X	
Stuart McCormack		X
Erwin Wiens		X
John Wiens		X
Lord Mayor Betty Disero		X
TOTALS	2	7

DEFEATED.

Moved by Councillor Wendy Cheropita, seconded by Gary Burroughs that Council establish a working committee for short term rental operators to work in collaboration with Council and staff to work on issues of concerns and build a strong working relationship.

-resolution #4, **APPROVED, AS AMENDED.**

(2) The following report was lifted for discussion and voted on separately and is listed under (2) Committee of the Whole - General Meeting Minutes - January 13, 2020.

(a) Report CS-20-001 Municipal Accommodation Tax (MAT)

COMMITTEE REPORTS:

(1) Committee of the Whole Planning Meeting Minutes, January 6, 2020

-resolution #5, **APPROVED JANUARY 6, 2020 COMMITTEE OF THE WHOLE PLANNING MEETING MINUTES.**

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

The following report was lifted for discussion and voted on separately under Response to Delegations from Council:

(a) Report CS-20-001 Municipal Accommodation Tax (MAT)

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that the recommendations contained in Report CS-20-001 be amended to include:

1.1 Remove the words "or equivalent"; and

1.8 That the MAT Committee consider an exemption to short term rental operations of 3 bedrooms or less from the MAT for the calendar year 2020.

A polled vote was called by Councillor Erwin Wiens.

COUNCILLOR	YEA	NAY
Norm Arsenault	X	
Allan Bisback	X	
Gary Burroughs		X
Clare Cameron		X
Wendy Cheropita		X
Stuart McCormack		X

Erwin Wiens	X	
John Wiens		X
Lord Mayor Betty Disero	X	
TOTALS	4	5

DEFEATED (resolution #6).

Therefore, the motion to amend Report CS-20-001 was voted on and defeated.

Moved by Councillor Clare Cameron, seconded by Councillor Stuart McCormack that consideration of the report be deferred until a comprehensive tourism strategy is completed.

A polled vote was called by Councillor Gary Burroughs.

COUNCILLOR	YEA	NAY
Norm Arsenault		X
Allan Bisback		X
Gary Burroughs	X	
Clare Cameron	X	
Wendy Cheropita	X	
Stuart McCormack	X	
Erwin Wiens		X
John Wiens	X	
Lord Mayor Betty Disero		X
TOTALS	5	4

APPROVED.

Therefore, the motion to defer Report CS-20-001 was voted on and approved.

The balance of the January 13, 2020 COTW General Meeting Minutes was voted on and approved.

-resolution #7, **APPROVED, AS AMENDED, JANUARY 13, 2020 COMMITTEE OF THE WHOLE GENERAL MEETING MINUTES.**

- (3) Report CAO-20-001 Adoption of Recommendations in the Ombudsman's Report "Inside Job"

Recommendation

1:

Moved by
Councillor Clare
Cameron,
seconded by
Councillor Stuart
McCormack that
once the revised
staff employee
code of conduct is
approved by staff
that it be
forwarded to
Council for
information.

APPROVED.

Recommendation

3:

Moved by
Councillor Clare
Cameron,
seconded by
Councillor Wendy
Cheropita that staff
be directed to
create specific
confidentiality
agreements for
any staff with
access to
confidential
information at the
outset of a hiring
process.

APPROVED.

Recommendation

4:

Moved by

Councillor Clare
Cameron,
seconded by
Councillor Wendy
Cheropita that staff
be directed to add
a section to the
CAO Recruitment
Committee Terms
of Reference with
the heading 'Staff
and Officials with
Permitted Access
to Confidential
Information' with
the names and
roles listed below.
APPROVED.

Recommendation
5:

Moved by
Councillor Clare
Cameron,
seconded by
Councillor Wendy
Cheropita that staff
be directed to
create a new hiring
policy, applicable
to all recruitments,
with a special
section for the
CAO role.
APPROVED.

Recommendation
8:

Moved by
Councillor Clare

Cameron,
seconded by
Councillor Norm
Arsenault that the
staff of the CAO
and Lord Mayor's
Office will continue
to be respectful of
Council's position
and follow the
direction of
Council.

APPROVED.

Recommendation
10:

Moved by
Councillor Stuart
McCormack,
seconded by
Councillor Erwin
Wiens that the
Clerk provide on
February 10, 2020,
a date for
providing Council
an updated policy
dealing with
retention of
records in any and
all forms including
but not limited to
electronic form
and aiming to
achieve a
functional
classification
system.

APPROVED.

Recommendation

12:

Moved by
Councillor Clare
Cameron, Wendy
Cheropita that
council has
approval authority
of the new hiring
policy.

APPROVED.

Recommendation
14:

Moved by
Councillor Gary
Burroughs,
seconded by
Wendy Cheropita
that the Integrity
Commissioner
appointed by the
Town be
considered as a
resource in an
investigation
process.

APPROVED.

Moved by Councillor Gary Burroughs, seconded by Councillor Clare Cameron that the recommendations contained in Report CA0-20-001 be approved, as amended.

-resolution #8, **APPROVED, AS AMENDED, REPORT CAO-20-001.**

4) Report FC-19-013A 2020 Proposed Operating Budget

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that the recommendations contained in Report FC19-013A be amended to delete recommendation 1.5:

1.5 Council approve an allocation of \$400,000 from potential Municipal Accommodation Revenue to the Operating Budget, reducing the operating levy increase from \$1,167,601 to \$767,601 (8.61% increase after assessment growth reduced to 5.14%).

APPROVED (deleted recommendation 1.5).

Moved by Councillor Stuart McCormack, seconded by Councillor Wendy Cheropita that Report FC-19-013A Option 2 – Send Operating budgets back to Senior Management to look for further reductions or make changes as directed be approved.

A polled vote was called by Lord Mayor Betty Disero:

COUNCILLOR	YEA	NAY
Norm Arsenault		X
Allan Bisback		X
Gary Burroughs	X	
Clare Cameron		X
Wendy Cheropita	X	
Stuart McCormack	X	
Erwin Wiens	X	
John Wiens		X
Lord Mayor Betty Disero		X
TOTALS	4	5

DEFEATED.

Therefore Report FC-19-013A Option 2 – Send Operating budgets back to Senior Management to look for further reductions or make changes as directed was voted on and defeated.

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that Report FC19-013A 2020 Proposed Operating Budget, as amended, be approved.

A polled vote was called by Lord Mayor Betty Disero:

COUNCILLOR	YEA	NAY
Norm Arsenault	X	
Allan Bisback	X	
Gary Burroughs	X	
Clare Cameron	X	
Wendy Cheropita		X

Stuart McCormack	X	
Erwin Wiens	X	
John Wiens	X	
Lord Mayor Betty Disero		X
TOTALS	7	2

APPROVED.

Therefore Report FC19-013A 2020 Proposed Operating Budget, as amended, was voted on and approved.

-resolution # 9, **APPROVED, AS AMENDED, REPORT FC-19-013A.**

(5) Municipal Heritage Meeting Minutes - December 10, 2019

-resolution #10, **APPROVED DECEMBER 10, 2019 MHC MEETING MINUTES.**

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)

Councillor Stuart McCormack assumed the Chair at this time.

5189-19- (THIRD READING) - A by-law to provide for a drainage works in the Town of Niagara-on-the-Lake, in the Regional Municipality of Niagara, to be known as the Epp Drain (Peller Estates)

By-law 5189-19 was lifted and voted separately for third reading and approved.

-resolution 11, **BY-LAW RECEIVED THIRD READING.**

5190-19- A by-law for maintaining land in a clean and clear condition and repeal By-law 4114-07

By-law 5190-19 was lifted and voted separately for three readings and approved.

5201-20- A by-law to appoint GM BluePlan Engineering Limited to prepare

an Engineers Report under the Drainage Act, R.S.O. 1990 (Airport Municipal Drain #3 - Six Mile Creek)

5202-20- A by-law to authorize a subdivision agreement between The Corporation of the Town of Niagara-on-the-Lake and Carmel Construction Ltd. (108 & 114 Tanbark Road)

5203-20- A by-law to authorize specific individuals to undertake site visits or site inspections of property designated or property proposed to be designated pursuant to the Ontario Heritage Act, R.S.O. 1990, c.O.18

5204-20- A by-law to authorize the Lord Mayor and Town Clerk to sign any and all necessary documents pertaining to LPAT Case Number PL 180833

-resolution # 12, **BY-LAWS RECEIVED THREE READINGS.**

CORRESPONDENCE AND MOTIONS:
Clerk to read resolution

1. The following resolution(s) be adopted:

(a) Committee Membership Appointments

Moved by Councillor John Wiens, seconded by Councillor Al Bisback that the last paragraph of the motion be referred to the Heritage Trail Committee.

APPROVED.

-resolution #13, **APPROVED.**

Lord Mayor Betty Disero resumed the Chair at this time.

(b) Employee Bargaining Agreement

Lord Mayor Betty Disero ruled the Employee Bargaining Agreement motion out of order and asked it be removed from the agenda.

A motion to uphold the Chair was voted on and approved. Therefore, the motion was ruled out of order.

Councillor Stuart McCormack assumed the Chair at this time.

(c) AMO Conference

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that the motion be amended to include that Councillor Erwin Wiens report to Council on the conference.

APPROVED.

-resolution #14, **APPROVED, AS AMENDED.**

2. Information Package(s)

(a) January 16, 2020

Council lifted the following item from the Information Package for discussion:

1. 2018 - 2020 Strategic Plan Placemat

-resolution #15, **RECEIVED INFORMATION PACKAGE FOR INFORMATION.**

3. Community Wellness Committee Meeting Minutes, January 13, 2020 - Community Wellness Committee Report

Moved by Councillor Clare Cameron, seconded by Councillor Norm Arsenault that Council endorse and move forward on all recommendations, with the exception of item #9, which will be forwarded to the Provincial MPP for consideration.

- resolution #16, **APPROVED.**

The Community Wellness Committee Report, and Meeting Minutes, were voted on, as amended, and approved.

-resolution #17, **APPROVED, AS AMENDED, COMMUNITY WELLNESS COMMITTEE MEETING MINUTES.**

4. CAO Selection Committee Meeting Minutes, January 6, 2020

- Terms of Reference CAO Selection Committee

- Revised Proposed Timeline for Recruitment

Moved by Councillor Wendy Cheropita, seconded by Councillor Gary Burroughs that Council consider the following CAO qualifications:

1. Deep understanding of municipal government.
2. Senior level organizational and leadership skills - including finances, talent and strategy, and governance.
3. Excellent negotiating skills, communication skills and experience resolving organizational and inter-department conflicts and challenges.
4. Innovation advocate with passion to collaborate and engage with staff and council to create a high performance team.
5. Citizen centric experience.

-resolution #18, **APPROVED.**

-resolution #19, **APPROVED CAO SELECTION COMMITTEE MEETING MINUTES.**

5. Library Board - Service Delivery Review
- Library Board Response Letter

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that Council approve the additional funding of \$16,800 to be funded from the provincial grant for municipal modernization, in order to include the library in the scope of the project.

APPROVED.

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."

Councillor Norm Arsenault gave notice of motion regarding the creation of an Environmental Advisory Committee.

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.

(1) Service Delivery Review

Discussion took place with regard to the Delloitte service delivery review.

LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS:

There were no Lord Mayor reports, announcements or remarks at this meeting.

MEMBERS' ANNOUNCEMENT AND WORKPLAN UPDATES:

Announcement of special functions Council attended and upcoming Community events

There were no Council members' announcements or work plan updates at this meeting.

PROCEEDINGS BY-LAW:

Clerk to read resolution for reading of by-law

5205-20- A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on January 20, 2020

-resolution #20, **BY-LAW RECEIVED THREE READINGS.**

RESOLUTIONS:

1. Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita that the minutes of the Council Meeting held December 9, 2020 be adopted.

APPROVED.

2. Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that the minutes of the Special Council Meeting held December 16, 2019 be adopted.

APPROVED.

3. Moved by Councillor Al Bisback, seconded by Councillor Clare Cameron that staff consider allowing the existing short term rental fees to be paid over two instalments for 2020;
And further that the short term rental licensing license fees be reviewed for 2021.

APPROVED, AS AMENDED.

4. Moved by Councillor Wendy Cheropita, seconded by Gary Burroughs

Establish a working committee for short term rental operators to work in collaboration with Council and staff to work on issues of concerns and build a strong working relationship.

APPROVED, AS AMENDED.

5. Moved by Councillor Stuart McCormack, seconded by Councillor Gary Burroughs that the Minutes and Reports of the January 6, 2020 Committee of the Whole Planning Meeting be adopted.

APPROVED.

6. Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that the recommendations contained in Report CS-20-001 be amended to include:

1.1 Remove the words "or equivalent"; and

1.8 That the MAT Committee consider an exemption to short term rental operations of 3 bedrooms or less from the MAT for the calendar year 2020.

A polled vote was called by Councillor Erwin Wiens.

COUNCILLOR	YEA	NAY
Norm Arsenault	X	
Allan Bisback	X	
Gary Burroughs		X
Clare Cameron		X
Wendy Cheropita		X
Stuart McCormack		X
Erwin Wiens	X	
John Wiens		X
Lord Mayor Betty Disero	X	
TOTALS	4	5

DEFEATED.

7. Moved by Councillor Stuart McCormack, seconded by Councillor Norm Arsenault that the Minutes and Reports of the January 13, 2020 Committee of the Whole General Meeting be adopted, as amended.

APPROVED, AS AMENDED.

8. Moved by Councillor Stuart McCormack, seconded by Councillor Erwin Wiens that the recommendations contained in Report CAO-20-001 be adopted to include:
 - 1.1 Council approve the adoption of the of the 15 recommendations put forward in the Ombudsman Report "Inside Job" and apply the recommendation to the Town of Niagara-on-the-Lake policies and practices; and
 - 1.2 Council approve the timeline outlined in this report.

APPROVED, AS AMENDED.

9. Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that the recommendations contained in Report FC-19-013A be adopted to include:
 - 1.1 Report FC-19-013 (Appendix A) be received and Recommendation Nos. 1.1, 1.2, 1.4 and 1.5 in the report be set aside;
 - 1.2 A Special Area Levy for Storm Water of \$437,199 (or a 2.48% increase) be approved for the 2020 Operating Budget;
 - 1.4 Council approve an additional \$100,000 of interest revenue to be included in the 2020 Operating Budget, reducing the total previous operating levy increase of \$1,267,601 to \$1,167,601 (9.48% increase after assessment growth reduced to 8.61%) for the reasons outlined in this report.
 - ~~1.5 Council approve an allocation of \$400,000 from potential Municipal Accommodation Revenue to the Operating Budget, reducing the operating levy increase from \$1,167,601 to \$767,601 (8.61% increase after assessment growth reduced to 5.14%).~~
 - 1.6 the 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 2020 tax year after budgets are approved.

APPROVED, AS AMENDED.

10. Moved by Councillor Wendy Cheropita, seconded by Councillor Al

Bisback that the minutes of the Municipal Heritage Committee Meeting held December 10, 2019 be adopted.

APPROVED.

11. Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law No. 5189-19, and that the same be considered read a third time and passed, any ruling of this Council to the contrary notwithstanding.

APPROVED.

12. Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law Nos. 5190-19, 5201-20, 5202-20, 5203-20 and 5204-20 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

APPROVED.

13. Moved by Councillor John Wiens, seconded by Councillor Al Bisback BE IT RESOLVED that Council recognize resignations and /or vacancies on the following Committees of Council:

- Greg Dell – Transportation Committee
- Amarjog Johal – Glendale Task Force
- Richard Stubbings – Safety Committee
- Library Board Vacancy (Kathleen Cartwright)

AND FURTHER that Steffanie Bjorgan be appointed to the Heritage Trail Committee and *refer to the committee* that the terms of reference be amended to reflect the increase in membership.

APPROVED.

14. Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens
WHEREAS it has been the past practice of Council to receive approval for any member wishing to attend more than one major Conference in a calendar year;
AND WHEREAS Councillor Erwin Wiens has committed to attend the 2020 Ontario Good Roads Association Conference in February 2020.
THEREFORE BE IT RESOLVED that Council provide permission to Councillor Erwin Wiens to attend the Annual AMO Conference in August 2020, *and report to Council on the Conference.*

APPROVED, AS AMENDED.

15. Moved by Councillor Gary Burroughs, seconded by Councillor Al

Bisback that Council receive the January 16, 2020 Information Package for information.

APPROVED.

16. Moved by Councillor Clare Cameron, seconded by Councillor Norm Arsenault that Council endorse and move forward on all recommendations, with the exception of item #9, which will be forwarded to the Provincial MPP for consideration.

APPROVED.

17. Moved by Councillor Clare Cameron, seconded by Councillor Norm Arsenault that the minutes of the Community Wellness Committee Meeting held January 13, 2020 be adopted, as amended.

APPROVED, AS AMENDED.

18. Moved by Councillor Wendy Cheropita, seconded by Councillor Gary Burroughs that Council consider the following CAO qualifications:
1. Deep understanding of municipal government.
 2. Senior level organizational and leadership skills - including finances, talent and strategy, and governance.
 3. Excellent negotiating skills, communication skills and experience resolving organizational and inter-department conflicts and challenges.
 4. Innovation advocate with passion to collaborate and engage with staff and council to create a high performance team.
 5. Citizen centric experience.

APPROVED.

19. Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that the CAO Selection Committee Meeting held January 6, 2020 be adopted.

APPROVED.

20. Moved by Councillor Gary Burroughs, seconded by Councillor Erwin Wiens that leave be given to introduce By-law 5205-20 and that the same be considered read a first, second and third time and passed, any ruling of this Council to the contrary notwithstanding.

APPROVED.

21. Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that this Council adjourn to the next regular meeting to be held February 24, 2020 and if a special meeting is required, it will be

held at the call of the Lord Mayor.

APPROVED.

VERBAL MOTIONS:

1. Moved by Councillor Wendy Cheropita, seconded by Councillor Norm Arsenault the agenda, as amended, be adopted.

APPROVED, AS AMENDED.

2. Moved by Councillor Wendy Cheropita, seconded by Councillor Gary Burroughs that Section 2.2 of Town's Procedural Bylaw 4675-13 be applied, that the rules and procedures contained herein may be suspended, at such times and upon such conditions as may be deemed appropriate, by an affirmative vote of Two Thirds of Council, in order that the short term rental rates be reconsidered.

A polled vote was called by Councillor Gary Burroughs.

COUNCILLOR	YEA	NAY
Norm Arsenault		X
Allan Bisback		X
Gary Burroughs	X	
Clare Cameron		X
Wendy Cheropita	X	
Stuart McCormack		X
Erwin Wiens		X
John Wiens		X
Lord Mayor Betty Disero		X
TOTALS	2	7

DEFEATED.

3. Moved by Councillor Clare Cameron, seconded by Councillor Stuart McCormack that consideration of the report be deferred until a comprehensive tourism strategy is completed.

A polled vote was called by Councillor Gary Burroughs.

COUNCILLOR	YEA	NAY
Norm Arsenault		X
Allan Bisback		X
Gary Burroughs	X	
Clare Cameron	X	

Wendy Cheropita	X	
Stuart McCormack	X	
Erwin Wiens		X
John Wiens	X	
Lord Mayor Betty Disero		X
TOTALS	5	4

APPROVED.

4. Recommendation

1:

Moved by
Councillor Clare
Cameron,
seconded by
Councillor Stuart
McCormack that
once the revised
staff employee
code of conduct is
approved by staff
that it be
forwarded to
Council for
information.

APPROVED.

Recommendation

3:

Moved by
Councillor Clare
Cameron,
seconded by
Councillor Wendy
Cheropita that staff
be directed to
create specific
confidentiality
agreements for
any staff with
access to
confidential
information at the

outset of a hiring process.

APPROVED.

Recommendation

4:

Moved by Councillor Clare Cameron, seconded by Councillor Wendy Cheropita that staff be directed to add a section to the CAO Recruitment Committee Terms of Reference with the heading 'Staff and Officials with Permitted Access to Confidential Information' with the names and roles listed below.

APPROVED.

Recommendation

5:

Moved by Councillor Clare Cameron, seconded by Councillor Wendy Cheropita that staff be directed to create a new hiring policy, applicable to all recruitments, with a special section for the CAO role.

APPROVED.

Recommendation

8:

Moved by
Councillor Clare
Cameron,
seconded by
Councillor Norm
Arsenault that the
staff of the CAO
and Lord Mayor's
Office will continue
to be respectful of
Council's position
and follow the
direction of
Council.

APPROVED.

Recommendation
10:

Moved by
Councillor Stuart
McCormack,
seconded by
Councillor Erwin
Wiens that the
Clerk provide on
February 10, 2020,
a date for
providing Council
an updated policy
dealing with
retention of
records in any and
all forms including
but not limited to
electronic form
and aiming to
achieve a
functional
classification
system.

APPROVED.

Recommendation
12:

Moved by
Councillor Clare
Cameron, Wendy
Cheropita that
council has
approval authority
of the new hiring
policy.

APPROVED.

Recommendation
14:

Moved by
Councillor Gary
Burroughs,
seconded by
Wendy Cheropita
that the Integrity
Commissioner
appointed by the
Town be
considered as a
resource in an
investigation
process.

APPROVED.

5. Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that the recommendations contained in Report FC19-013A be amended to delete the following:

1.5 Council approve an allocation of \$400,000 from potential Municipal Accommodation Revenue to the Operating Budget, reducing the operating levy increase from \$1,167,601 to \$767,601 (8.61% increase after assessment growth reduced to 5.14%).

APPROVED.

6. Moved by Councillor Stuart McCormack, seconded by Councillor Wendy Cheropita that Report FC-19-013A Option 2 – Send Operating budgets back to Senior Management to look for further reductions or make changes as directed be approved.

A polled vote was called by Lord Mayor Betty Disero:

COUNCILLOR	YEA	NAY
Norm Arsenault		X
Allan Bisback		X
Gary Burroughs	X	
Clare Cameron		X
Wendy Cheropita	X	
Stuart McCormack	X	
Erwin Wiens	X	
John Wiens		X
Lord Mayor Betty Disero		X
TOTALS	4	5

DEFEATED.

- Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that Report FC19-013A 2020 Proposed Operating Budget, as amended, be approved.

A polled vote was called by Lord Mayor Betty Disero:

COUNCILLOR	YEA	NAY
Norm Arsenault	X	
Allan Bisback	X	
Gary Burroughs	X	
Clare Cameron	X	
Wendy Cheropita		X
Stuart McCormack	X	
Erwin Wiens	X	
John Wiens	X	
Lord Mayor Betty Disero		X
TOTALS	7	2

APPROVED.

- Moved by Councillor John Wiens, seconded by Councillor Al Bisback that the last paragraph be referred to the Heritage Trail Committee.

APPROVED.




































- Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that the motion be amended to include that Councillor Erwin Wiens report to Council on the conference.

APPROVED.

- 10. Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that Council approve the additional funding of \$16,800 to be funding from the provincial grant for municipal modernization , in order to include the library in the scope of the project.
APPROVED.

ADJOURNMENT: 10:25 PM

LORD MAYOR BETTY DISERO TOWN CLERK PETER TODD

 5189-19 Third reading.pdf  5190-19.pdf  5201-20.pdf  5202-20.pdf  Kin Canada Proclamation.pdf
 D Levesque B&B Short Term Rentals.pdf  5203-20.pdf  Council Meeting Minutes, December 16, 2019.pdf
 COTW Planning Meeting Minutes, January 6, 2020.pdf  COTW General Meeting Minutes, January 13, 2020.pdf
 Council Meeting Minutes, December 16, 2019.002.pdf  Council Meeting Minutes, December 9, 2019.pdf
 FC-19-013A.pdf  CAO-20-001.pdf  AMO Conference.pdf  Committee Appointments.pdf
 Employee Bargaining Group.pdf  Community Wellness - Meeting Minutes January 13.20.pdf
 CWC_Recommendation Report - FINAL Jan 13 2020.pdf  CAO Selection Committee Meeting Jan 6.20.pdf
 Draft Terms of Reference - Chief Administrative Officer Selection Committee.pdf
 NOTL- Revised Timeline- CAO Recruitment.pdf  MHC Minutes December 10, 2019.pdf
 5204-20 -LPAT Case Number PL180833.pdf  pdfshare.pdf  NOTL - Change Order - Library.pdf
 Delegation Request Form Revised June.19 (fill in form).pdf  T. Chisholm - Delegation Request.pdf
 Delegation Request Form Revised June.19 (fill in form) (1).pdf  T. Jennings.pdf  Municipal Accommodations TAX.pdf
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 C. Robazza.pdf  Library Board Letter.pdf