



COUNCIL MEETING MINUTES

Monday November 13, 2017

06:00 PM

PRESENT:

Lord Mayor Pat Darte, Councillors: Jim Collard, Paolo Miele, Martin Mazza, Betty Disero, John Wiens, Jamie King, Maria Bau-Coote (7:00 p.m.), Terry Flynn.

REGRETS:

STAFF:

Holly Dowd	Chief Administrative Officer
Peter Todd	Town Clerk
Victoria Butters	Deputy Clerk
Sheldon Randall	Director of Operations
Craig Larmour	Director Community & Development
Rob Grimwood	Fire Chief

OTHERS:

Callum Shedden	Town Solicitor
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MEDIA:

Suzanne Mason	Sun Media
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CALL TO ORDER:

The Lord Mayor called the meeting to order at 6:00 p.m.

FOCUS STATEMENT:

Councillor Jamie King opened the meeting with the focus statement.

O'CANADA:

Council, staff and those present sang O'Canada.

ADOPTION OF THE AGENDA:

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

The Clerk advised of the following amendments/revisions to the agenda:

- Minor changes to Appendix I Report FC-17-011 2018 Corporate User Fees, to reflect increase in Parking meter rates for Queen Street from King to Gate Streets \$2.75 per hour; and Appendix D By-law 5015-17 The Village Phase 4 West, regarding securities and clauses 6.2(e) and (f)
- Motion to appoint four members to Indoor Pool Committee based on Councillors' responses

Moved by Councillor Terry Flynn, seconded by Councillor Jamie King that the agenda be adopted as presented and amended by items as noted.

APPROVED.

CONFLICT OF INTEREST:

Council members declare their conflicts of interest.

Councillor John Wiens previously declared a conflict of interest with Report CDS-17-065 524 Regent Street & 535 King Street (Pillar & Post) - Application for Site Plan Approval and associated by-law, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes, as his business operates a similar use.

Councillor Jim Collard declared a conflict of interest with Report CDS-17-065 524 Regent Street & 535 King Street (Pillar & Post) - Application for Site Plan Approval and associated by-law; and Report CDS-17-066 Municipal Heritage Committee Minutes - October 10, 2017, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes, as he owns and operates a short term rental.

Councillor Jim Collard declared a conflict of interest with Report FC-17-012 Bill 127 Tax in Respect of Transient Accommodation of the November 6, 2017 Finance Advisory Committee Meeting minutes, as he owns and operates a short term rental.

Councillor Jim Collard declared a conflict of interest with Report FC-17-013 Draft Operating and Capital Budget Updates, specifically staff salaries, of

the November 6, 2017 Finance Advisory Committee Meeting minutes; and Closed Session Section 239.(2)(d) Labour Relations or employee negotiations, as a family member is employed by the Town.

Councillor Martin Mazza declared a conflict of interest with Closed Session Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Fire Code violation properties.

LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS:

Lord Mayor Pat Darte spoke to the following:

- NOTL Kids Halloween Party, October 28
- Treaties Recognition Week Niagara-on-the Lake Public Library, November 1
- Volunteer Firefighter Appreciation Event, November 4
- 225th Anniversary performance "An Upper Canada Revue: Simcoe's First Parliament", November 5
- Wine Industry Reception Niagara Business Leadership Series, November 9
- Crossroads Remembrance Day Ceremony, November 10
- Remembrance Day Ceremonies Queen Street and Queenston Cenotaphs; Niagara Historical Society & Museum Camp Kosciuszko Exhibition; and St. Michaels Trivia Night, November 11
- Welland Canal Fallen Workers Memorial unveiling, November 12
- Launch of Christmas in Niagara-on-the-Lake, November 15

MEMBERS' ANNOUNCEMENT:

Announcement of special functions Council attended and upcoming Community events

Councillor Terry Flynn provided an update with regard to local service clubs, fire halls and church organizations etc. that help less fortunate members of the community; as well as the need to promote and support our local organizations.

Councillor Betty Disero provided an update with regard to 2017 Rising Spirits local residents writing awards; Niagara-on-the-Lake Historical Society & Museum Camp Kosciuszko collection; and the Friends of Fort George Beefsteak Society Dinner.

Councillor Martin Mazza provided an update with regard to the Crossroads

Public School Remembrance Day Ceremony November 10th; and the students of 809 Newark Squadron Air Cadets visit to European First and Second World War sites.

NEXT COMMITTEE OF THE WHOLE AND COUNCIL MEETING DATES:

(Clerk to announce the dates)

The next meeting for Public Meetings under the Planning Act is scheduled for Monday, November 27, 2017 at 5:00 p.m.. The next Committee of the Whole meeting is scheduled for Monday, December 4, 2017 at 6:00 p.m. The next Council Meeting is scheduled for Monday, December 11, 2017, 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 and for delegations wishing to speak to a staff report listed on a published agenda submissions must be received by 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 October 16, 2017.

-resolution #1, **APPROVED OCTOBER 16, 2017 COUNCIL MEETING MINUTES.**

DELEGATIONS:

At Clerk's discretion, delegations will be added

Non-Agenda Delegation

- (1) NOTL Lakers Mite Boys Provincial Softball Champions Presentation

Kevin Turcotte, Manager of Parks & Recreation highlighted the Niagara-on-the-Lake Lakers Mite Boys (9 & 10 years) team Provincial Softball championship. On behalf of Council, Lord Mayor Pat Darte congratulated the team and presented plaques to the following:

Easton Andres
Brandon Falk
Quinten Davis
Finn Moffet
Logan Rossi
Cole Friesen

Andrew Bayne
Riley Smith
Jacob Doucette
Zachary Tiessen
Eli Bice
Ryerson Gignac

Coaches:
Kevin Bayne
Trevor Falk
Rich Andres

(2) Canada Sesquicentennial Committee Presentation

Lord Mayor Pat Darte highlighted the Canada Sesquicentennial Committee events and expressed Council's thanks and appreciation to the Committee and Town staff for their leadership in planning and producing a year of celebration. In addition, Lord Mayor Darte thanked all of the volunteers who assisted with the various events and, Town residents and visitors for supporting our efforts to honour such a significant milestone in Canada's history.

Lord Mayor Darte called upon the following Committee members to accept their certificates:

Rick Meloen
Richard Coyne
John Mather
Clare Cameron
Tony Chisholm
Amy Klassen
Cheryl Morris

Bill Cowie
Bill French
Mona Babin
Peter Martin
Sarah Bowers
Janice Thomson

In closing, Lord Mayor Darte also thanked Director of Operations Sheldon Randall, Manager of Parks & Recreation Kevin Turcotte and Council members for their support.

(3) Town of Niagara-on-the-Lake & Niagara Advance Volunteer Recognition Awards

The Lord Mayor announced the 22nd year of the Town of Niagara-on-the-Lake & Niagara Advance Volunteer Recognition Awards. He noted it was the volunteers who made Niagara-on-the-Lake such a special community and do so much to

make our Town a great place to live, work and play.

Cultural Contribution

Councillor Jim Collard
Hermine Steinberg

This year the award for Contribution to Culture goes to Hermine Steinberg, the person who established the Niagara-on-the-Lake Writer's Circle. The circle's regular meetings encourage and support anyone interested in writing, including youth. Once a year it offers recognition to the many talented members of the group with an awards night and an anthology to publish their work. Our volunteer recognition award is especially timely this year as Hermine encouraged her members to commemorate the 150th anniversary of Confederation through their work. A weekly article is published in the Niagara Advance, giving us all a chance to enjoy the groups' insights into what this country means to them, and to think about what it means to us. Thank you Hermine for your efforts in the establishment of the Niagara-on-the-Lake Writer's Circle and for encouraging so many talented people to share their cultural contribution with our community. Hermine Steinberg was present to accept the award.

Historic Contribution

Councillor Betty Disero
David Hemmings

The award in the category of historic contribution to Niagara-on-the-Lake goes to David Hemmings, whom many of you will already know because of his extensive work on preserving the heritage of our town. His volunteer contributions include serving as a member of the Municipal Heritage Committee, the UNESCO Committee, and the tree bylaw working group. He is a talented writer who is often called on to provide research, write and take photographs for these efforts. He is an active member of the Niagara Historical Society, this year serving as president. One of his current projects is completing histories of the 310 houses in the Town's heritage district, which will be a valuable resource. Thank you David for all you do to help us preserve the heritage of our historic town. David Hemmings was present to accept the award.

Work with the Environment

Councillor Jamie King
Leslie Frankish & Holmes Hooke

This year, the award for protecting our environment goes to two people, neighbours in the Chautauqua area, who have worked extensively on tree preservation: Leslie Frankish and Holmes Hooke. Inspired by the Communities in Bloom project, they took it upon themselves to do a tree inventory of their neighbourhood, recording tree species, size and location, taking almost 5,000 pictures, producing a 181-page spread sheet and a detailed map, and cataloging almost 1,000 trees. They also looked at the rejuvenation of the tree canopy to ensure all future plantings will be appropriate to the history of the area. They have developed a Chautauqua Community Tree Plan and a website containing the information they have gathered, they have sought funding for replanting, and have rescued oak seedlings to be replanted. This has been a huge undertaking and truly a labour of love, one from which all of in Niagara-on-the-Lake will benefit. Thank you both for your tremendous efforts to help the town preserve and increase its tree canopy. Holmes Hooke was present to accept the awards.

Work with Seniors

Councillor Paolo Miele
Paul McHoull

We live in a community rich with a senior population, some who have lived here all their lives and others who have chose to come to our town to spend their retirement years. There are many groups and activities available to enrich their lives and our town, and Paul McHoull is a gentleman who is involved in organizing two of the best attended activities - the Niagara-on-the-Lake Lawn Bowling Club and the indoor carpet bowling club. His dedication ensures members they have somewhere to practise their sport and keep active all year round. He has given many years to helping ensure these clubs run smoothly for their members, serving in several executive positions, and has also helped promote them to increase membership and keep the clubs and NOTL seniors active. Thanks Paul for all you do for two great organizations in town that help keep our seniors healthy and engaged in such enjoyable and social sports. Paul Mchoull was present to accept the award.

Community Assistance

Councillor Martin Mazza
Leah Shouten, Noah Schouten, Everett Pritchard, Mallory Doppenberg

This summer, four of our young people decided to do something for

Red Roof Retreat, an organization that helps special needs children and young adults. After a visit to Red Roof last year, Leah Schouten, Noah Schouten, Mallory Doppenberg and Everett Pritchard decided to raise money to help other kids, and they chose to do that by swimming across Lake Erie. They signed up to participate as a relay team in a sanctioned 20-kilometre swim from Sturgeon Point, New York to Crystal Beach in Fort Erie. They trained for about eight months, and worked at raising funds every chance they got, but the weather on the August day of the event was not in their favour. They persevered through high winds and choppy waves, and about five and a half hours into the swim, with the youngsters still in the water and making a valiant effort to continue, the race was called off, and none of the 40 swimmers in the lake that day finished the crossing. These four youngsters were devastated, and worked with their parents to plan another crossing, looking for a favourable day for swimming. Although their second swim was not an official, sanctioned event, they can now say they have successfully crossed Lake Erie, and in doing so, have raised more than \$10,000 for Red Roof Retreat, earning them this year's volunteer award for community assistance. Congratulations Leah, Noah, Mallory and Everett on your accomplishments.

Leah Shouten, Noah Schouten, Everett Pritchard, Mallory Doppenberg were present to accept the awards.

Community Events

Councillor Betty Disero

Kathy Thomas

In the category of community events, one person who works quietly behind the scenes and deserves to be thanked publicly is Kathy Thomas of Queenston. She was a part of organizing the program for the Canada 150 celebrations in her village and the official dedication of the community park. Planning began early last spring with a tree planting throughout the village, which she was part of. An extremely talented artist, she brings ideas to life, and designed a poster for the park opening, and a unique Queenston stamp available from the post office. She also places and maintains the flags on hydro poles in the village.

One neighbour says she saw someone in a safety vest recently haul a huge extension ladder from a van, place it against the poles and remove the flags that had been up since last spring to put them away for the winter. That was Kathy, who has earned this award by truly going above and beyond in her volunteer efforts for her village of

Queenston. Kathy Thomas was not present to accept the award.

Work With Safety

Councillor Jim Collard

Bikes for Farmworkers

In the category of safety, this year's award goes to Bikes for Farmworkers, a new organization that has just completed its first season, refurbishing and distributing an amazing 270 donated bikes to migrant farmworkers. Volunteers also repaired another 168 bikes belonging to workers on 12 local farms, but they hope to get to more of them next year. Their mission is to be a source of low-cost, safe, roadworthy bikes and to provide free repair services for migrant workers, and they have demonstrated their success at meeting that goal. There are four volunteers who have been instrumental in that success - Terry Weiner, Mark Gaudet, Michel Lapointe and Ken Eden, and they could use more bikes and more volunteers if anyone is handy with repairs. They plan to work all winter. Congratulations to this dedicated group of volunteers, and let's hope they get more donated bikes, and some offers of help. Terry Weiner, Mark Gaudet, Michel Lapointe and Ken Eden were present to accept the awards.

Contribution to Education

Councillor Paolo Miele

Karen Web

Schools always value volunteer assistance from the community, often from parents, but the award for contribution to education this year goes to a grandmother. Karen Web began helping out at Crossroads Public School in her grandchildren's classes, but she continues to volunteer in the Grade 2 class after they have moved on. She is there every week, often for the whole day. She listens to students read to her, works with students who need extra help to finish their work, and helps them with special projects they are working on. Whatever they need, she is there for them. She is a valuable member of the school community, and it's evident she loves helping the students as much as they love having her in their class. Congratulations Karen, from the students and staff at Crossroads Public School and from all of us. Karen Web was present to accept the award.

Contribution to Services Clubs

Councillor John Wiens

Bob Forbes

This year's volunteer contribution to a service club goes to Bob Forbes, for his dedication and community work as a Niagara-on-the-Lake Kinsman.

During his 25 years with the club, he has served in all executive positions, helping to guide fundraising for major projects. He has chaired the annual Car Show and Shine, with one of the largest turnouts of more than 420 cars. He has chaired the Niagara-Stone Road cleanup, and has co-chaired the Kinsmen Bicycle and Wine Tour, with funds going to the Terry Fox Run. Bob has also been the chairman of fundraising for cystic fibrosis donations, and has helped the club raise more than \$1,000 each year for Cystic Fibrosis Canada. He exemplifies the Kinsman motto, "serving the community's greatest needs," making him a deserving recipient for this year's Service Club Award. Bob Forbes was present to accept the award.

Sports & Recreation

Councillor Maria Bau-Coote
Arc Giampa

Niagara-on-the-Lake has several sports organizations in town, all made strong by their volunteers. Tonight we are recognizing Arc Giampa, another behind-the-scenes volunteer. Arc works in an area that as important as it is, seldom receives public recognition. Niagara-on-the-Lake Minor Hockey and Minor Lacrosse have both depended on Arc for scheduling, a demanding job that is essential for a league to operate efficiently. His job has been described as a thankless, tiresome, 24 hours a day/seven days a week position that he manages exceptionally well. And in addition to his organizational skills and the time he puts in as a scheduler and convenor, he has a reputation for being always being at the arena and always being willing to help out. Minor sports is very fortunate to have a volunteer with his skills and work ethic and he is well deserving of this award for his contribution to sports and recreation. Arc Giampa was not present to accept the award.

Volunteer Under 21

Councillor Terry Flynn
Logan Friesen

We are always pleased to acknowledge outstanding young volunteers for their involvement in the community, and Crossroads

student Logan Friesen is a youngster who is passionate about making a difference. She is an active member of the school's Me2We club, which is dedicated to helping less fortunate children around the world. Logan is kind, caring and compassionate, and recognizes that service above self is the way to help make a difference.

She loves to lead campaigns, and has been extremely enthusiastic about collecting batteries for a company that removes zinc from them and turns it into electronic tablets that are then distributed to needy countries. She has also helped organize a We Scare Hunger campaign to raise awareness about hunger in our local community. This group at Crossroads collected more than 800 pounds of food for those in need last Christmas. We look forward to watching Logan continue to grow in her leadership abilities, and we thank her for her volunteer efforts, which are sure to inspire others. Logan Friesen was present to accept the award.

Work with Youth & Peggy Anderson Award

Lord Mayor Darte

We have two awards left to hand out tonight. One is for work with youth, and the other is the Peggy Anderson Award, in memory of the founder of Newark Neighbours, and given each year to an outstanding volunteer in our community.

We are giving both of these awards to Perry and Shari Hartwick, for their work with KidSport Niagara. Unfortunately they couldn't be here tonight. This is a couple who truly understand the many benefits to kids who are active in sports, but they also know finding money to pay for sports can be difficult for some families, and many kids aren't able to participate because of financial barriers. Perry and Shari organize fundraisers and work with corporate partners to make money available to help pay for registration and equipment costs in minor sports.

In 2016, Kidsport raised more than \$40,000 and helped 140 kids. The Niagara chapter hopes to raise \$75,000 by the end of this year, a daunting task, but we know Perry and Shari are giving it their all. We congratulate them on their efforts and thank them for their outstanding dedication to helping ensure all kids in Niagara are able to participate in sports if they wish. Perry and Shari Hartwick were present to accept the awards.

(4) Dominic Ventresca, Co-Chair

Niagara Age-Friendly Network Update

Dominic Ventresca thanked Council for the opportunity to provide an update with regard to the Niagara Age-Friendly Network. Mr. Ventresca referred to an electronic presentation and highlighted the following:

- Age-Friendly Niagara Strategy: From Plan to Action
- Outline of Presentation
- World Health Organization's 8 Age-Friendly Community Domains
- Niagara Community Profile & Overview
- Overview of Age-Friendly Niagara
- Age-Friendly Niagara Vision & Overview
- Aging Strategy and Action Plan
- Community's Goals & Key Messages
- Converting the Plan into Action
- AFC early results
- Questions/Comments?

Mr. Ventresca thanked Council and Lord Mayor Pat Darte thanked him for coming forward.

Agenda Delegation

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

The representative, on behalf of the owners of 49 Kenmir Avenue Road, spoke to application #2017-00009 tax adjustment reduction in the amount of \$0.00. He highlighted a major retaining wall issue effecting the subdivision and, as such the structures should be removed from the assessment accordingly. In addition, he spoke to the tax adjustment reductions #2015-00005 in the amount of \$3,354.09; and #2016-00005 in the amount of \$6,182.99.

357 Application #2017-00009 49 Kenmir was lifted for discussion and voted on separately.

Discussion took place regarding the Municipal Property Assessment Corporation's decision regarding it's tax adjustment reduction in the amount of \$0.00 for 2017; and the property owners' objection.

Moved by Councillor Terry Flynn, seconded by Councillor Martin

Mazza that 357 Application #2017-00009 49 Kenmir Avenue be referred to staff for follow-up with the property owners, Lord Mayor, CAO, Director of Operations, Treasurer and Revenue Coordinator.
APPROVED.

The balance of the 357 Applications were voted on and approved.

-resolution #2, **APPROVED, AS AMENDED, 357 APPLICATIONS.**

RESPONSE TO DELEGATIONS FROM COUNCIL:

(1) Niagara-on-the-Lake Age-Friendly Steering Committee

Further to the Niagara Age-Friendly Network Update, Councillor Maria Bau-Coote, provided an update regarding the Town's Age-Friendly Steering Committee. Councillor Bau-Coote outlined the challenge with moving the committee forward; and a proposed notice of motion to hire someone to take over the Committee's Town initiatives.

COMMITTEE REPORTS:

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

At the October 30, 2017 Public Community & Development Meeting, the Town Clerk advised at 5:00 p.m. there was no quorum and under Council's Procedural By-law, if there was no quorum by 5:15 p.m., the meeting would be adjourned.

At 5:15 p.m., there was no quorum of the Public Community & Development Advisory Committee. Attendance was taken and the meeting was adjourned.

The Town Clerk advised that the meetings will be rescheduled and that proper notice will be provided.

-resolution #3, **RECEIVED OCTOBER 30, 2017 PUBLIC COMMUNITY & DEVELOPMENT ADVISORY COMMITTEE MEETING MINUTES.**

(2) Community & Development Advisory Committee Chair Councillor Martin Mazza, Vice Chair Councillor Betty Disero

The following are the recommendations from the November 6, 2017 Community & Development Advisory Committee Meeting, which have been referred to this Council meeting for consideration:

(a) Report CDS-17-065

1.1 The Site Plan Agreement with respect to lands known municipally as 524 Regent Street and 535 King Street (Pillar & Post), attached as **Appendix B**, together with the Site Plan, Landscape Plan, and Building Elevations attached as **Appendix C**, be approved.

(b) Report CDS-17-066

1.1 the October 10, 2017 Municipal Heritage Committee minutes (**Appendix A** to this report) be received; and

1.2 the following apply to the revised drawings for demolition of rear addition and construction of new rear addition at 421 Hunter Road (MHC-17-042A):

1.2.1 the Heritage Committee provide comments on the revised concept proposal for demolition and construction of a new rear addition and that staff provide the applicant with such; and

1.2.2 a Heritage Impact Assessment is provided to better understand the evolution of the structure and the cultural

1.3 the following apply to the installation request of a red and white striped, retractable awning at 37-43 Queen Street (MHC-17-043):

1.3.1 the Heritage Permit Application to install a red and white striped retractable awning not be approved

1.4 the following apply to the installation request of replacement windows and doors as well as re-painting and repairing front façade where necessary at 83 Queen Street (MHC-17-044):

1.4.1 the Heritage Permit Application to replace the wood front doors with replica wood doors of the same dimensions and design be approved; and

1.4.2 re-painting in the existing colours and repairs to the pilasters, trim and marquee on the building be approved; and

1.4.3 the window glazing on the building not be replaced with thermal pane glass but that the existing single-pane wood windows be maintained and repaired in order to be functional except for the side-facing in-set display windows in the front entrance which can be thermal pane and picture windows without the use of muntin bars

1.5 the following apply to the replacement of cedar shingles with asphalt shingles at 209 Queen Street (MHC-17-045):

1.5.1 the Heritage Permit Application to replace the cedar shingles with asphalt shingles not be approved

1.6 the following apply to the restoration request of the existing

wood windows at 178 Gate Street (MHC-17-046):

1.6.1 the Heritage Permit Application to restore the existing wood windows be approved

1.7 the following apply to the restoration request at 65 Queen Street, formerly McCrae Hall (MHC-17-048):

1.7.1 the original Heritage Permit H-15-020 for building designs at 65 Queen Street be amended and the approved drawings dated October 10, 2017 replace the previously approved drawings; and

1.7.2 all Hardie Board on the building be installed smooth side out; and

1.7.3 all Azek material (or similar material) be installed with a smooth, matte; and

1.7.4 the pressure treated wood screening for the mechanicals be similar in colour to the asphalt shingles but more detail be provided for the proposed screening; and

1.7.5 staff be enabled to approve minor design changes to the approved if they do not significantly impact the design of the building from the streetscape; and

1.7.6 the applicant return to the Municipal Heritage Committee for a second heritage permit for details pertaining to doors and windows details, colours, lighting, signage, trim and any other details requested by staff; and

1.7.7 wood clapboard be used on the front elevation with a minimum 5 inch exposure, where permitted under the Building Code Act, and that all cement board siding have the same exposure as the wood clapboard siding; and

1.7.8 that there be period appropriate wood sashes and frames with simulated divided lights on the front façade of the building, where permitted under the Building Code Act

1.8 the following apply to the request for comments regarding the proposed revision to the drawings for, which include the construction of two new buildings and the reconstruction of the historic structure at 135 Queen St (MHC-17-049):

1.8.1 the Heritage Committee provides comments on the concept revised drawings for 135 Queen Street.

1.8.2 Planning staff will provide the applicant with a summary of comments.

1.9 the following apply to the request for review of the proposed hotel with underground parking facilities and landscaping impacting 114, 118, 122, 126 Queen Street, 219 Victoria Street, and 115, 117, 119 Johnson Street and 129 Johnson Street and the Official Plan and Zoning By-law Amendments respectively as well as future applications for site plan approval and consent existing attached

garage:

- 1.9.1 the Heritage Impact Assessment submitted be peer-reviewed at the applicant's cost and that the Heritage Permit Application to facilitate construction of a new hotel with underground parking facilities and landscaping at 114, 118, 122, 126 Queen Street, 219 Victoria Street, and 115, 117, 119 Johnson Street and 129 Johnson Street be refused

1.10 Staff recommend the following recommendation be received that:

- 1.10.1 Committee turn down the current staff recommendation and request that the fence be rebuilt to conform to the Fence and Drainage By-laws and that a Heritage Permit be applied for, before construction begins

1.11 Staff recommend the following staff recommendation be approved that:

- 1.11.1 the Heritage Permit Application to demolish the attached garage at 222 Gate Street be refused.

(c) Report CDS-17-067

1.1 this report outlining considerations for a Municipal Tree Protection Policy be received; and

1.2 Council direct Staff to consult with the builder/developer community to determine the impact of implementing a Municipal Tree Protection Policy.

The Clerk read a brief summary from the November 6, 2017 Community & Development Advisory Committee meeting.

Councillor John Wiens previously declared a conflict of interest with Report CDS-17-065 524 Regent Street & 535 King Street (Pillar & Post) - Application for Site Plan Approval, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes, as his business operates a similar use. Councillor Wiens did not take part in any discussion of vote on this item.

Councillor Jim Collard previously declared a conflict of interest with Report CDS-17-065 524 Regent Street & 535 King Street (Pillar & Post) - Application for Site Plan Approval, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes, as he owns and operates a short term rental. Councillor Collard did not take part in any discussion or vote on this item.

Report CDS-17-065 524 Regent Street & 535 King Street (Pillar & Post) - Application for Site Plan Approval, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes

was lifted and voted on separately and approved.

Councillor Jim Collard previously declared a conflict of interest with Report CDS-17-066 Municipal Heritage Committee Minutes - October 10, 2017, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes, as he owns and operates a short term rental. Councillor Collard did not take part in any discussion or vote on this item.

Report CDS-17-066 Municipal Heritage Committee Minutes - October 10, 2017, of the November 6, 2017 Community & Development Advisory Committee Meeting minutes was lifted and voted on separately and approved.

The balance of the November 6, 2017 Community & Development Advisory Committee Meeting minutes was voted on and approved.

-resolution #4, **APPROVED NOVEMBER 6, 2017 COMMUNITY & DEVELOPMENT ADVISORY COMMITTEE MEETING MINUTES.**

(3) Operations Advisory Committee

Chair Councillor Jim Collard, Vice Chair Councillor Jamie King

The following are the recommendations from the November 6, 2017 Operations Advisory Committee Meeting, which have been referred to this Council meeting for consideration:

(a) Report OPS-17-064

1.1 The remaining funds from the Concession 2 Road Resurfacing project be allocated toward the milling and paving of Four Mile Creek Road between East and West Line Road and Hunter Road with base coarse asphalt

(b) Report OPS-17-065

1.1 That Council approve the purchase and installation of TransitFare & Systems integrated, AODA compliant next stop announcement and smart card fare management systems approved in Report OPS-17-014 at an estimated cost of \$44,000, with alternate financing in lieu of the withdrawn Public Transit Infrastructure Funding grant

The Clerk read a brief summary from the November 6, 2017 Operations Advisory Committee meeting.

-resolution #5, **APPROVED NOVEMBER 6, 2017 OPERATIONS ADVISORY COMMITTEE MEETING MINUTES.**

(4) Corporate Services Advisory Committee

Chair Councillor Maria Bau-Coote, Vice Chair Councillor John Wiens

The following are the recommendations from the November 6, 2017 Corporate Services Advisory Committee Meeting, which have been referred to this Council meeting for consideration:

(a) Report CS-17-031

1.1 That a by-law be prepared, authorizing the Lord Mayor and Town Clerk to execute the contribution agreement, attached to this report, from the Clean Water and Waste Water Fund (CWWF) to proceed with projects outlined in Report OPS-16-042

(b) Report CS-17-032

1.1 The Terms of Reference for the Community Wellness Working Group, attached to this report as Appendix A, be forwarded to Council for approval

(c) Report CS-17-033

1.1 The Terms of Reference for the Young People Working Group, attached to this report as Appendix A, be forwarded to Council for approval; and

1.2 The Terms of Reference for the Lord Mayors' Youth Advisory Council, attached to this report as Appendix B, be forwarded to Council for information

The Clerk read a brief summary from the November 6, 2017 Corporate Services Advisory Committee meeting.

-resolution #6, **APPROVED NOVEMBER 6, 2017 CORPORATE SERVICES ADVISORY COMMITTEE MEETING MINUTES.**

(6) Finance Advisory Committee Meeting

Chair Councillor Paolo Miele, Vice Chair Lord Mayor Pat Darte

The following are the recommendations from the November 6, 2017 Finance Advisory Committee Meeting, which have been referred to this Council meeting for consideration:

(a) Report FC-17-010

1.1 The proposed variable rate of \$1.3997 per cubic meter (m^3) (\$1.3471 per m^3 in 2017) for water and the proposed variable rate of \$1.0823 per m^3 (\$0.9839 per m^3 in 2017) for wastewater be approved and

1.2 The fixed rates for both water and wastewater as set out in the below table be approved; and

Fixed Charge Per Month						
Meter Size	Water			Wastewater		
	2017	2018	% Increase	2017	2018	% Increase
Up to 3/4"	23.11	23.80	3%	25.55	26.32	3%
1"	32.37	33.34	3%	35.76	36.83	3%
1.5"	41.61	42.86	3%	45.98	47.36	3%
2"	67.04	69.05	3%	73.02	75.21	3%
3"	254.29	261.92	3%	280.99	289.42	3%
4"	323.64	333.35	3%	357.63	368.36	3%
6"	485.46	500.02	3%	536.44	552.53	3%
8"	670.40	690.51	3%	740.79	763.01	3%
12"	924.68	952.42	3%	1021.80	1052.45	3%

1.3 Council direct staff to provide notice to the public of the revised rates; and

1.4 The proposed variable and fixed rates for water and wastewater become effective on January 1, 2018; and

1.5 The necessary by-law be amended to reflect the water and wastewater rates as approved in this report

(b) Report FC-17-011

1.1 Council approve the proposed 2018 user fees and charges (excluding taxes) for:

- a) Corporate Services (Appendix A)
- b) Fire and Emergency Services (Appendix B)
- c) Public Works (Appendix C)
- d) Parks and Recreation (Appendix D)
- e) Planning Application Fees (Appendix E)
- f) Building Fees (Appendix F)
- g) Sign Permit and Property Standards (Appendix G)
- h) Building Permit Fees (Appendix F)

as outlined in this report and appendices;

1.2 The Proposed 2018 Operating Budget be prepared using the new rates; and

1.3 A by-law be prepared adopting all user fees and charges

(c) Report FC-17-012, as amended

1.1 that a Finance Advisory Committee Meeting be held in the Council Chambers to hear comments from all owners/operators of Hotels/Motels and Short Term Rental Accommodations regarding a proposed tax being implemented on their establishment; and

1.2 that each delegation be allotted no longer than five minutes; and

1.3 that staff report back to Council with comments from the public following the Provincial Regulations being completed

(d) Report FC-17-013

1.1 The second draft of the 2018 Capital and Operating Budgets,

as contained in this report, be received;

1.2 The final 2018 Capital and Operating Budgets come forward for approval to the December 4, 2017 Committee of the Whole Meeting; and

1.3 That the balance of \$15,215.33 allocated for the dock area parking lot (Project Number C00380) be transferred from parking reserves to off set operating levy

The Clerk read a brief summary from the November 6, 2017 Finance Advisory Committee meeting.

Councillor Jim Collard previously declared a conflict of interest with Report FC-17-012, as amended, Bill 127 - Tax in Respect of Transient Accommodation of the November 6, 2017 Finance Advisory Committee Meeting minutes, as he owns and operates a short term rental. Councillor Collard did not take part in any discussion or vote on this item.

Report FC-17-012, as amended, Bill 127 - Tax in Respect of Transient Accommodation of the November 6, 2017 Finance Advisory Committee Meeting minutes was lifted and voted on separately and approved.

Councillor Betty Disero requested that Report FC-17-013 Draft 2018 Operating and Capital Budget Updates, of the November 6, 2017 Finance Advisory Committee Meeting minutes be lifted for discussion and voted on separately.

Discussion took place regarding a proposed 3% increase being provided to the Niagara Historical Society & Museum line item in the 2018 Operating Budget; impact to the budget; and revenues.

Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn that report FC-17-013, Draft Operating and Capital Budget Updates, that an increase be provided to the line item in the 2018 Operating Budget for the NOTL Historical Society & Museum, by 3%.

A polled vote was called by Councillor Betty Disero.

COUNCILLOR	YEA	NAY
Maria Bau-Coote		X
Jim Collard		X
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	

Martin Mazza		X
Paolo Miele		X
John Wiens		X
Lord Mayor Pat Dart	X	
TOTALS	4	5

DEFEATED

The motion to provide the Niagara Historical Society & Museum with a 3% increase was voted on and defeated.

Discussion took place regarding the dock area parking/wall/reserves; potential meters; federal government responsibilities; and shoreline preservation.

Further discussion took place regarding the transportation master plan; water and waste; and assessment impacts to the budget.

Council agreed to schedule an additional Finance Advisory Sub-committee meeting for Thursday, November 16, 2017 at 2:00 p.m.

Report FC-17-013 Draft Operating and Capital Budget Updates of the November 6, 2017 Finance Advisory Committee Meeting minutes was voted on and approved.

The balance of the November 6, 2017 Finance Advisory Committee Meeting minutes was voted on and approved

-resolution #7, **APPROVED NOVEMBER 6, 2017 FINANCE ADVISORY COMMITTEE 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)

5011-17- A by-law to authorize a Site Plan Agreement between The Corporation of the Town of Niagara-on-the-Lake and LPH Limited (526 Regent Street - WS King Street - NS Anne Street)

5012-17- A by-law to amend By-law 814-77 being a by-law to establish and regulate water and wastewater rates and charges with the Town of

Niagara-on-the-Lake and to repeal By-law 4919-17

5013-17- A by-law to authorize an agreement between The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the City of St. Catharines and to rescind By-law 4975-17 (Automatic Aid Agreement with City of St. Catharines)

5014-17- A by-law to execute the Clean Water and Waste Water Fund (Ontario) Transfer Payment Agreement between The Corporation of the Town of Niagara-on-the-Lake and Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure

5015-17- A by-law to authorize a Subdivision Agreement between The Corporation of the Town of Niagara-on-the-Lake and Traditional Neighbourhood Developments Inc. (1 Rampart Street - The Village Phase 4 West)

5016-17- A by-law to authorize a Subdivision Agreement between The Corporation of the Town of Niagara-on-the-Lake and Solmar (Niagara) Inc. (128 - 174 Anne Street Subdivision)

5017-17- A by-law to authorize a Subdivision Agreement between The Corporation of the Town of Niagara-on-the-Lake and Woodcastle Development Inc.(1532 Concession 4 Road - Woodcastle Acres)

Councillor John Wiens previously declared a conflict of interest with By-law 5011-17 as his business operates a similar use. Councillor Wiens did not take part in any discussion or vote on any readings of this by-law.

Councillor Jim Collard previously declared a conflict of interest with By-law 5011-17 as he owns and operates a short term rental. Councillor Collard did not take part in any discussion or vote on this item.

By-law 5011-17 was lifted and voted on separately for three readings and approved.

The balance of the by-laws was voted on for three readings and approved.

- resolution #8, **BY-LAWS RECEIVED THREE READINGS.**

CORRESPONDENCE AND MOTIONS:

Clerk to read resolution

1. The following resolution(s) be adopted:

- (a) Councillor Betty Disero - Town Policy Curb & Gutter Byron Street

Discussion took place regarding the timelines; parking meters; budget/reserves; and proposed review of the policy. Council agreed to remove the word 'revision' from the motion.

A polled vote was called by Councillor Betty Disero.

COUNCILLOR	YEA	NAY
Maria Bau-Coote	X	
Jim Collard	X	
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza	X	
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	9	0

APPROVED.

-resolution #9, **APPROVED RESOLUTION.**

- (b) Councillor Betty Disero - OMAFRA Nomination

A polled vote was called by Councillor Betty Disero.

COUNCILLOR	YEA	NAY
Maria Bau-Coote	X	
Jim Collard	X	
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza	X	
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	9	0

APPROVED.

-resolution #10, **APPROVED RESOLUTION.**

(c) Councillor Betty Disero - 115, 117 & 119 Paxton Lane

A polled vote was called by Councillor Betty Disero.

COUNCILLOR	YEA	NAY
Maria Bau-Coote	X	
Jim Collard		X
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza	X	
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	8	1

APPROVED.

-resolution #11, **APPROVED RESOLUTION.**

(d) Councillor Martin Mazza - Ash Borer Disease

A polled vote was called by Councillor Martin Mazza.

COUNCILLOR	YEA	NAY
Maria Bau-Coote	X	
Jim Collard	X	
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza	X	
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	9	0

APPROVED.

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

(e) Councillor Terry Flynn - Niagara District Airport Lands

Council agreed to amend the motion to read in part: 'transfer of lands to the Niagara District Airport'.

A polled vote was called by Councillor Terry Flynn.

COUNCILLOR	YEA	NAY
Maria Bau-Coote	X	
Jim Collard	X	
Betty Disero	X	
Terry Flynn	X	
Jamie King	X	
Martin Mazza	X	
Paolo Miele	X	
John Wiens	X	
Lord Mayor Pat Darte	X	
TOTALS	9	0

APPROVED.

-resolution #13, **APPROVED RESOLUTION.**

(f) Appointments to Indoor Pool Committee

-resolution #14, **APPROVED RESOLUTION.**

2. Information Package(s):

- [October 19](#)
- [October 26](#)
- [November 2](#)
- [November 9](#)

- resolution #15, **RECEIVED OCTOBER 19, 26, & NOVEMBER 2, 9, 2017 INFORMATION PACKAGES.**

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 Jim Collard gave notice of motion regarding shovelling of sidewalks.

Councillor Maria Bau-Coote gave notice of motion regarding the Town Age-Friendly Committee.

Councillor Paolo Miele gave notice of motion regarding bicycle rental operators.

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.

There was no new business brought forward at this meeting.

Councillor Jamie King left the Council meeting at 9:39 p.m. and did not go into the closed session or return to the Council chambers..

CLOSED SESSION:

Clerk to read resolution

The Municipal Act 2001, as amended,

- Section 239.(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Tanbark Road
- Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Fire Code violations
- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically a property on Wellington Street
- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and/or Section 239.(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, specifically a property on King Street
- Section 239.(2)(d) Labour Relations or employee negotiations

At 9:40 p.m. the following motion was read in open session:

Moved by Councillor Martin Mazza, seconded by Councillor John Wiens that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Tanbark Road
- Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Fire Code violations
- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically a property on Wellington Street

- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and/or Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, specifically a property on King Street
- Section 239.(2)(d) Labour Relations or employee negotiations

APPROVED (resolution #16).

Councillor Martin Mazza previously declared a conflict of interest with Closed Session Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Fire Code violation properties. Councillor Mazza left the closed session and returned to the Council Chambers at 9:49 p.m. and did not take part in any discussion of this item. Councillor Mazza returned to the closed session at 10:00 p.m.

At 10:29 p.m. the following motion was read in open session:

Moved by Councillor Martin Mazza, seconded by Councillor Jim Collard that the meeting be extended to complete the agenda.

APPROVED.

Councillor Jim Collard previously declared a conflict of interest with the Closed Session Section 239.(2)(d) Labour Relations or employee negotiations, as a family member is employed by the Town. Councillor Collard left the closed session and returned to the Council Chambers and did not take part in any discussion of this item. Councillor Collard left the Council Chambers at 11:04 p.m. and did not return to the Council meeting.

At 11:09 p.m. the following motions were read in open session:

Moved by Councillor Maria Bau-Coote, seconded by Councillor Betty Disero that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; Tanbark Road, with no report.

APPROVED (resolution #17).

Moved by Councillor Maria Bau-Coote, seconded by Councillor Paolo Miele that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local

board, specifically Fire Code violations, with no report.
APPROVED (resolution #18).

Moved by Councillor Maria Bau-Coote, seconded by Councillor Betty Disero that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and/or
- Section 239.(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, specifically a property on King Street, with no report.

APPROVED (resolution #19).

Moved by Councillor Paolo Miele, seconded by Councillor Maria Bau-Coote that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically a property on Wellington Street, with the following:
That a sub-committee be formed to review how to move forward on a public process regarding 176 Wellington Street; and
That the following Council members be appointed to the Committee: Councillors Betty Disero, Maria Bau-Coote, Jim Collard and Lord Mayor Pat Darte;
And further this Committee review any submissions as part of the process.

APPROVED (resolution #20).

Moved by Councillor Paolo Miele, seconded by Councillor Maria Bau-Coote that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(d) Labour Relations or employee negotiations with no report.

APPROVED (resolution #21).

PROCEEDINGS BY-LAW:

Clerk to read resolution for reading of by-law

5018-17- A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on November 13, 2017.

-resolution #22, **BY-LAW RECEIVED THREE READINGS.**

RESOLUTIONS:

1. Moved by Councillor Jamie King, seconded by Councillor Terry Flynn that the minutes of the Council Meeting held October 16, 2017 be adopted.
APPROVED.
2. Moved by Councillor Terry Flynn, seconded by Councillor Martin Mazza that application Nos. 2015-00004, 2016-00003, 2015-00005, 2016-00005, 2017-00009, 2017-00002, 2017-00007, 2017-00008 for cancellation, reduction or refund of taxes under Section 357 of the Municipal Act, 2001 be approved.
APPROVED, AS AMENDED.
3. Moved by Councillor Martin Mazza, seconded by Councillor Jim Collard that the Public Community & Development Advisory Committee minutes dated October 30, 2017 be received.
APPROVED.
4. Moved by Councillor Martin Mazza, seconded by Councillor Betty Disero that the Minutes and Reports of the November 6, 2017 Community & Development Advisory Committee Meeting be adopted.
APPROVED.
5. Moved by Councillor Jim Collard, seconded by Councillor Jamie King that the Minutes and Reports of the November 6, 2017 Operations Advisory Committee Meeting be adopted.
APPROVED.
6. Moved by Councillor Maria Bau-Coote, seconded by Councillor John Wiens that the Minutes and Reports of the November 6, 2017 Corporate Services Advisory Committee Meeting be adopted.
APPROVED.
7. Moved by Councillor Paolo Miele, seconded by Councillor John Wiens that the Minutes and Reports of the November 6, 2017 Finance Advisory Committee Meeting be adopted.
APPROVED.
8. Moved by Councillor Terry Flynn, seconded by Councillor Maria Bau-Coote that leave be given to introduce By-law Nos. 5011-17, 5012-17, 5013-17, 5014-17, 5015-17, 5016-17, and 5017-17 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.

9. Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn
WHEREAS community members and parishioners of St Marks Church express strong opposition to paving on the shoulders and painting lines on Bryon Street.
THEREFORE BE IT RESOLVED that the Director of Operations be directed to include the Corporation of St Marks Church in all correspondence and requests for meetings with respect to Byron Street;
AND FURTHER that no road reconstruction take place on Byron Street until a full review of the Town's policy on installation of curb and gutters be completed.
APPROVED.
10. Moved by Councillor Betty Disero, seconded by Councillor John Wiens
THEREFORE BE IT RESOLVED that staff be directed to submit the attached application on behalf of Council for the nomination of Austin Kirkby for the OMAFRA - Rural Ontario Leaders Award.
APPROVED.
11. Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn
THEREFORE BE IT RESOLVED that Council request Staff for an information report that would set out the process and approvals required should Council wish to sell or lease a portion of the property behind 115, 117 and 119 Paxton.
APPROVED.
12. Moved by Councillor Martin Mazza, seconded by Councillor Terry Flynn
BE IT RESOLVED that Council request Staff to report on the progress to date on removing Ash Trees effected by the Ash Borer Disease;
AND FURTHER that Staff be directed to report on the forecasted timeline for removal of all Ash Trees considering the current budget;
AND FURTHER that the report include recommendations for funding an expedited program for Ash Tree removal.
APPROVED.
13. Moved by Councillor Terry Flynn, seconded by Councillor Maria Bau-Coote
BE IT RESOLVED that the Lord Mayor and Clerk be authorized to execute and agreement between The Corporation of the Town of

Niagara-on-the-Lake and Her Majesty the Queen in Right of Canada as represented by the Minister of Transport for the transfer of lands to the Niagara District Airport.

APPROVED.

14. Moved by Councillor Terry Flynn, seconded by Councillor John Wiens that Council appoint the following individuals to the Niagara-on-the-Lake Indoor Pool Committee:

- Robert Nash
- Richard Wall
- Clare Cameron
- Brianne Hawley

APPROVED.

15. Moved by Councillor John Wiens, seconded by Councillor Paolo Miele that Council received the October 19, October 26, November 2, and November 9, 2017 Information Packages.

APPROVED.

16. Moved by Councillor Martin Mazza, seconded by Councillor John Wiens that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Tanbark Road
- Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Fire Code violations
- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically a property on Wellington Street
- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and/or Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, specifically a property on King Street
- Section 239.(2)(d) Labour Relations or employee negotiations

APPROVED.

17. Moved by Councillor Maria Bau-Coote, seconded by Councillor Betty Disero that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local

board; Tanbark Road, with no report.

APPROVED.

18. Moved by Councillor Maria Bau-Coote, seconded by Councillor Paolo Miele that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, specifically Fire Code violations, with no report.

APPROVED.

19. Moved by Councillor Maria Bau-Coote, seconded by Councillor Betty Disero that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and/or
- Section 239.(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, specifically a property on King Street, with no report.

APPROVED.

20. Moved by Councillor Paolo Miele, seconded by Councillor Maria Bau-Coote that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, specifically a property on Wellington Street, with the following:

That a sub-committee be formed to review how to move forward on a public process regarding 176 Wellington Street; and

That the following Council members be appointed to the Committee: Councillors Betty Disero, Maria Bau-Coote, Jim Collard and Lord Mayor Pat Darte;

And further this Committee review any submissions as part of the process.

APPROVED.

21. Moved by Councillor Paolo Miele, seconded by Councillor Maria Bau-Coote that Council rise from the closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Section 239.(2)(d) Labour Relations or employee negotiations with no report.

APPROVED.

22. Moved by Councillor Betty Disero, seconded by Councillor Paolo

Miele that leave be given to introduce By-law No. 5018-17, 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.

23. Moved by Councillor Betty Disero, seconded by Councillor Maria Bau-Coote that this Council adjourn to the next regular meeting to be held December 11, 2017, 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 Terry Flynn, seconded by Councillor Jamie King that the agenda be adopted as presented and amended by items as noted.

APPROVED.

2. Moved by Councillor Terry Flynn, seconded by Councillor Martin Mazza that 357 Application #2017-00009 49 Kenmir Avenue be referred to staff for follow-up with the property owners, Lord Mayor, CAO, Director of Operations, Treasurer and Revenue Coordinator.

APPROVED.

3. Moved by Councillor Betty Disero, seconded by Councillor Terry Flynn that report FC-17-013, Draft Operating and Capital Budget Updates, that an increase be provided to the line item in the 2018 Operating Budget for the NOTL Historical Society & Museum, by 3%.

DEFEATED.

4. Moved by Councillor Martin Mazza, seconded by Councillor Jim Collard that the meeting be extended to complete the agenda.

APPROVED.

ADJOURNMENT: 11:15 PM

LORD MAYOR Pat Darte

TOWN CLERK HOLLY DOWD