The Municipal Corporation of the Town of Fort Erie

Council-in-Committee Meeting Minutes

Monday, April 16, 2018

1. **Call to Order**

   The meeting was called to order by Mayor Redekop, Chair at 6:00 p.m.

2. **Roll Call**

   Present: Mayor Redekop, Councillors Butler, McDermott, Passero and Zanko

   Absent: Councillors Knutt and Lubberts


3. **Announcements/Addenda**

   There was one Addendum under Infrastructure Services under Presentations and Delegations of Richard Paterak, Beachcomber’s Seniors Club re Report No. IS-31-2018 – Stevensville Memorial Hall Rental Rate.

4. **Disclosures of Pecuniary Interest**

   Mayor Redekop disclosed a pecuniary interest with respect to Report No. IS-12-2018 as his son-in-law is employed with Circle P Paving. He relinquished the Chair and abstained from discussing or voting on the matter.

   Councillor Butler disclosed a pecuniary interest with respect to Report No. IS-12-2018 as she does business with Circle P Paving. She abstained from discussing or voting on the matter.

5. **Notice of Upcoming Public Meetings**

   None.
6. Public Meetings

None.

7. Consent Agenda Items

7.1 Request to Remove Consent Agenda Items for Discussion

Report No. IS-12-2018 was removed from the Consent Agenda and dealt with separately due to Mayor Redekop and Councillor Butler’s pecuniary interest.

7.2 Consent Agenda Items for Approval

PDS-25-2018 Sale of Limited Marketability Land: 0 Chapin Parkway W/S - Lot 177, Plan 458, Bertie; Lot 285, Plan 469, Bertie; Lot 286, Plan 469, Bertie; Fort Erie (Kent Gregory & Luisa Gregory)

That: Council authorizes the sale of Town-owned land on the west side of Chapin Parkway, being Lot 177, Plan 458, Bertie; Lot 285, Plan 469, Bertie; Lot 286, Plan 469, Bertie; Fort Erie as a Limited Marketability parcel to the Applicants, Kent Gregory & Luisa Gregory, for $8,200.00 plus HST, subject to the land legally merging in title with the Applicants’ abutting property, and further

That: Council directs that a by-law be submitted to Council to authorize the entry into an Agreement of Purchase and Sale. (Carried)

Consent Agenda Recommendation

Recommendation No. 1
Moved by: Councillor Passero

That: Council approves the Consent Agenda Items as recommended. (Carried)

Mayor Redekop surrendered the Chair to Councillor Zanko due to his pecuniary interest.
7.3 Items Removed to be Dealt with Separately

**IS-12-2018**

Award of Tender for Hot Mix Asphalt 2018 Contract No. ISE-18T-RSRF(H)18; Surface Treatment 2018 Contract No. ISE-18T-RSRF(ST)18; and Asphalt Road & Patching Repairs 2018 Contract No. ISE-18T-RSRF(BPR)18

Recommendation No. 2
Moved by: Councillor McDermott

**That:** Council accepts and approves the tender submission for the Road Resurfacing – Hot Mix Asphalt 2018 Contract No. ISE-18T-RSRF(H)18 from Brennan Paving Limited in the amount of $666,532.76 (including 13% HST), and further

**That:** Council accepts and approves the tender submission for the Road Resurfacing – Surface Treatment 2018 Contract No. ISE-18T-RSRF(ST)18 from Circle P Paving Incorporated in the amount of $600,872.64 (including 13% HST), and further

**That:** Council accepts and approves the tender submission for the Asphalt Road & Patching Repairs 2018 Contract No. ISE-18T-RSRF(BPR)18 from Circle P Paving Incorporated in the amount of $221,886.80 (including 13% HST). *(Carried)*

Mayor Redekop resumed the Chair.

8. Infrastructure Services

*Chaired by Councillor Zanko.*

8.1 Presentations and Delegations

(a) Kevin Shaw, Manager, Building Science, Cion Coulter

Re: Report No. IS-14-2018 - Facility Condition Assessment Study

Mr. Shaw delivered a power point presentation which is available for viewing on the Town’s website.

Mr. Shaw summarized the Building Condition Assessment (BCA) conducted by Cion Coulter, Engineers and Building Scientists. He stated the
objective of the BCA was to identify life cycle concerns/deficiencies and develop asset management strategy in guiding the Town to operationally and fiscally manage facilities while maintaining them in a good state of repair. He displayed a table of the facilities and their location. He provided an overview of the following components of the assessment:

- Methodology of building components;
- Applicable codes, standards and systems used to assess the facilities;
- Repair priority and costing outlining recommended repair timing based on priority along with preliminary budget estimates;
- Priority rates and Energy ratings for projects; and a 5-Year Cost Summary Table for all sites.

(b) Richard Paterak, Chairman, Beachcomber’s Seniors Club

Re: Report No. IS-31-2018 – Stevensville Memorial Hall Rental Rate

Mr. Paterak explained that Pickleball is played singles or doubles with a maximum of 4 players on a court at one time. He referred to the staff report that quoted Pickleball rates are for facilities with more than one court and are for fully equipped and lined courts. He stated that Beachcomber’s will provide their own equipment and that lines are an undecided issue.

Mr. Paterak stated the Beachcombers do not subsidize any activity. Currently members pay $1 per activity to the Club. Although Beachcombers will be glad to use the Memorial Hall, the long-term solution is multi-courts at the Crystal Ridge Community Centre. Beachcombers propose to charge its members $1 per time slot for Pickleball and remit those funds to the Town. He suggested they would cancel sessions to facilitate Town revenue opportunities. They would like access to the keypad code to open the hall without occupying staff time and to schedule multiple sessions each week. They would maintain the hall and dry mop the floor after use.

Mr. Paterak stated the funds raised through Pickelball would be a small dent in the approximately $60,000 cost to keep Memorial Hall open and he suggested that
Council consider the social budget for such facilities. The Beachcombers use will provide good social value on a weekly basis until they find a more suitable facility.

8.2 Reports

IS-13-2018  Addition of an Hourly Floor Rental Rate at Stevensville Memorial Hall to the Consolidated Schedule of Fees and Charges

Recommendation No. 3
Moved by: Councillor Passero

**That:** Council approves an amendment of the Consolidated Schedule of Fees and Charges to the Fees and Charges By-law No. 40-09, as amended, to include an hourly rate for floor rentals at the Stevensville Memorial Hall of $14.00 per hour (indexed to inflation) with a 2 hour minimum rental.

Recommendation No. 4
Moved by: Councillor Passero

**That:** Report No. IS-13-2018 be postponed to the Council-in-Committee Meeting of May 7, 2018 to permit staff to discuss a pilot project with the Beachcombers and to establish a usage rate for other potential users.  
(Carried)

IS-14-2018  2017 Facility Condition Assessment Study

Recommendation No. 5
Moved by: Councillor Butler

**That:** Council receives the 2017 Facility Condition Assessment Study for information purposes, and further

**That:** Council consider the financial requirements to close the twenty-year infrastructure deficit in future budget deliberations.  
(Carried)

8.3 New Business/Enquiries

(a) Mayor Redekop directed his enquiry to the Director of Infrastructure Services or the CAO and requested they advise of the Town’s protocol when there is a rain event and there are potential drain issues and flooding that comes
up periodically. He is not sure the residents understand the work that is done to monitor that through Public Works and Fire Services. Mr. Walsh responded there are a number of things they undertake directly from the storm water. They continuously monitor the catch basins to make sure they are not plugged and when they do find a flooding issue, three-quarters of the time it is simply a plugged catch basin so they will rake the leaves and debris off of it. He noted on his drive around Town early this morning, the Thunder Bay area was in great condition. The Town has spent a ton of money there on storm water alleviation and it seems to be working. There are still a couple of improvements to undertake but he didn’t see any house flooding in Thunder Bay. The ditches were working and full.

Mr. Walsh advised the other big project they have undertaken recently is the Nigh and Stonemill Municipal Drain. It was up to the top today but he didn’t see any overland flooding so it is working. As Council and the public are aware, they have a very large inflow and infiltration issue with respect to storm sewers. They get direct and timely information from the Region with respect to the condition of the pumping stations and how much inflow is being directed to them. When conditions reach a critical level they undertake pumping to the environment so as not to flood people’s basements with sanitary sewage. There is the opportunity, once in a while, to throw a pump into a ditch if all else fails and try to direct the water elsewhere but when they are at that stage of a storm, the pump won’t do much good but it may help in the long run. He added that monitoring is the biggest key for them.

Councillor Zanko suggested if the Town could put something on Facebook to that effect, especially the clearing of catch basins since residents may not know that. The Mayor added that he spoke to Mr. Kuchyt with respect to the Town getting something on the website and Facebook is excellent since people check that. There are some things that residents can do particularly if they notice there is a plugged culvert or storm sewer drain to contact the Town.

8.4 Business Status Report

No. changes.
9. Planning and Development Services

Chaired by Councillor Passero.

9.1 Presentations and Delegations

None.

9.2 Reports

None.

9.3 New Business/Enquiries

(a) Councillor Zanko directed her question to the Clerk and advised that she recently has been in contact with some students from Garrison Road School and a few teachers who have concerns about animal control. She did bring this to Ms. Dolch’s attention and she suggested that Councillor Zanko speak to the SPCA which she did. One of the concerns was keeping animals outside during the winter in extreme cold temperatures. She thinks there is some confusion that some of the students think there is no by-law in that regard which she confirmed with the SPCA is false. There are by-laws and winter control measures that protect animals. Animals can be kept outside provided there is adequate shelter. One of the things that did come up with Wendy at the SPCA was that we were in the process of creating an additional by-law to protect animals from being kept in vehicles during the summer and to provide some control mechanisms to our local SPCA allowing them to make rescues. She did mention that this was something that was being handled by Ms. Bubanko in the past and she wondered if Ms. Schofield could look into that matter and possibly direct it back to Council so there is something in place for the summer months. Ms. Schofield responded it was her recollection that Ms. Bubanko was involved in some amendments to that by-law in conjunction with Geoff Stephenson, By-law Enforcement. Ms. Schofield advised that her involvement would have been from the point of view of assisting with the language, but she did not believe the former Clerk was necessarily driving it. The Clerk’s Office is prepared to be helpful in that regard. She will look to see what she can find as to what happened with it and where we are going. Councillor Zanko stated that would be great as the summer months are approaching and now is
(b) Councillor Butler advised she has had email correspondence with the Planning Department with respect to some situations that were occurring on Prospect Point Road and Dominion Road with the Mountainview developer and some of the subcontractors regarding heavy trucks travelling in a zone that should not be happening and she wondered if there was any follow-up with respect to that. Ms. Dolch responded they did send an email out to both developers advising they should not use main thoroughfares and there were weight restrictions on Prospect Point Road on the north side, north of Dominion Road and they should be using Dominion Road and Ridge Road as their point of entrance to the construction sites.

Mr. Walsh stated that further to that, they contacted the MTO as it is a weight restriction issue. Without scales present they really can’t do anything. Councillor Butler asked if the Planning Department will be monitoring the situation. Ms. Dolch advised they will follow-up with the developers to make sure they have communicated that to the subcontractors’ site supervisors.

9.4 Business Status Report

No changes.

10. Corporate and Community Services

Chaired by Councillor McDermott

10.1 Presentations and Delegations

None.

10.2 Reports

COS-01-2018 Use of Corporate Resources for Election Purposes Policy (By-law No. 80-10) (Revisions to include Third Party Advertisers)

Recommendation No. 6
Moved by: Councillor Butler

That: Council authorizes and approves a revised Use of
Corporate Resources Policy for Election Purposes and the repeal of By-law No. 80-10, and further

**That:** Council directs staff to submit a new By-law to Council in the form of Appendix “1” to this Report. **(Carried)**

**CS-06-2018** Niagara Regional Housing (NRH) Property Tax Exemption Analysis

Recommendation No. 7
Moved by: Councillor Butler

**That:** Council receives Niagara Region Correspondence Item CSC-C 4-2018 for information purposes, and further

**That:** Council supports Scenario 5 as outlined in Niagara Region Report CSD 36-2016 Re: Niagara Regional Housing Property Tax Exemption Analysis.

Recommendation No. 8
Moved by: Mayor Redekop

**That:** The second recommendation be amended by deleting “Scenario 5” and inserting in lieu thereof “Scenario 1”. **(Carried)**

Following the approval of the amendment, Recommendation No. 6 was voted on as follows:

**That:** Council receives Niagara Region Correspondence Item CSC-C 4-2018 for information purposes, and further

**That:** Council supports Scenario 1 as outlined in Niagara Region Report CSD 36-2016 Re: Niagara Regional Housing Property Tax Exemption Analysis. **(Carried)**

### 10.3 New Business/Enquiries

(a) Councillor Butler directed her question to Mr. Janzen or Mr. Kuchyt with respect to the BIA and how they are currently hosting events at each of their locations and is there a possibility to remove that portion of responsibility, which is not mandated as far as she can tell that they need to have a festival, and is there a possibility of bringing that in-house and having a Festival Coordinator at the Town that would be similar to what the City of Port Colborne does for Canal
Days, and have someone in-house that can coordinate those festivals and events through the Town and take care of it internally. Mr. Kuchyt responded that it has been talked about in the past and it is something they looked at when they did the Organizational Review. The Town has a Community Liaison, Mr. Stouffer, who looks after business licencing and coordinates special events but we are at the stage where that responsibility needs to be expanded. He thinks they should be looking at that moving forward in the 2019 budget and he will bring forward some costs to have a person coordinate special events.

(b) Mayor Redekop stated about 2-3 weeks ago there was an announcement about a large sum of money that was being allocated to public transit in Niagara of $148 million dollars over a certain period of time. There was a listing that he saw where the Region was getting millions of dollars, St. Catharines, etc. and he was wondering if the Director of Finance has any insight into why there would be such discrepancies or if he has information relative to how that program will roll out. Mr. Janzen responded that we are in much the same position with respect to lack of information. He has yet to receive anything formal to announce those programs so we are not in a position to comment specifically on what has been said in the media. He has reached out to a couple of other counterparts to see if there is any other information they might have. He checked with the Director of Infrastructure Services and the CAO but the Town has not received anything. The Mayor asked that when information does come forward would Mr. Janzen circulate that to Members of Council to which he responded in the affirmative.

10.4 Business Status Report

No changes.

11. Scheduling of Meetings

- Fort Erie Active Transportation Committee Meeting on Tuesday, April 17, 2018 at 5:00 p.m. in Conference Room No. 1
- Art Auction for the Fort Erie Public Library on Thursday, April 19, 2018 from 5:00-8:00 p.m. at the Crystal Ridge Community Centre
- Ridgeway Lions Pasta Night on Thursday, April 19, 2018 at the Crystal Ridge Community Centre
- Fort Erie Chamber of Commerce AGM on Thursday, April 19, 2018
12. Adjournment

Recommendation No. 8
Moved by: Councillor Zanko

That: Council-in-Committee adjourns at 7:12 p.m.  
(Carried)

__________________________________
Mayor

__________________________________
Clerk