



The Municipal Corporation of the
Town of Fort Erie

Regular Council Meeting Minutes

Monday, April 25, 2022

Council Chambers

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1. Call to Order

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

Mayor Redekop acknowledged the land on which we gather is the traditional territory of the Haudenosaunee, Mississaugas of the New Credit, and Anishinaabe people, many of whom continue to reside in this area.

2. Invocation

The Clerk read the Invocation.

3. Roll Call

Present: His Worship Mayor Redekop and Councillors Butler, Dubanow, Lubberts, McDermott, Noyes, and Zanko

Also Present: Regional Councillor Insinna

Staff: K. Davis, A. Herlovitch, J. Janzen, T. Marotta, J. McCaffrey, and C. Schofield

4. Announcements/Addenda

There was 1 addendum as follows:

Revision to Item No. 14. Consideration of By-laws: By-law No. 42-2022 Revisions have been made to Page 2 and Schedule A; and an addition to Item No. 14 Consideration of By-laws: By-law No. 46-2022.

Mayor Redekop made the following announcements:

Earth Day

Last week, on Friday, Saturday, and even Sunday, and some businesses the week before, took a great deal of time and energy and a lot of pride in our community by doing community clean ups. The ones that registered with the Town of Fort Erie were the Mayor's Youth Advisory Committee, Fort Erie Kinette's, Rotary Club, Canadian Niagara Power, and Airbus. Aside from these organizations, there were young people, and older people picking up garbage on a variety of roads around Town on the weekend. There are quite a few garbage bags lined up along the roads throughout Town and those garbage bags will be picked up. We owe a great debt of gratitude to all the individuals who helped to tidy up our home, because this is our home, and we all like our house to be neat and tidy. If people come to visit, you want to put your best foot forward. I want to thank all the individuals who participated in any of the clean ups over the past several days, and especially on Earth Day.

National Day of Mourning

This Thursday is the National Day of Mourning. There will be a ceremony held, as there is each year, here in Fort Erie, over at the Workers' Monument by the pond. That takes place at Town Hall at 11:45 a.m. and there will be representatives from the Niagara Labour Council and some municipal employees. Everyone is invited to attend to commemorate those who lost their lives or have been seriously injured in job-related activities.

Proclamations for April – May

Parental Alienation Awareness Day is today, and coming up over the next little while we have National Accessibility Week, which is May 29th to June 4th, and National Volunteer Week, which is April 24th to April 30th. Community Living Month is in May, and we'll be hearing from people from Community Living this evening. National Pride Week is May 28th to June 5th and World Migratory Bird Day is on May 14th. Family and Children Services also has a special event taking place and we're going to hear from someone this evening to hear what that's all about.

5. **Declarations of Pecuniary Interest**

(a) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest with respect to Item No.10 Report No. PDS-26-2022 Re: Animal Care and Control Services Award of Contract, as the company he works for provides contracted services to the Fort Erie SPCA. He abstained from discussing and voting on the matter.

(b) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest with respect to Item No. 9. 9.2. 2 (b) Re: SPCA Board of Director Minutes March 24, 2022, as the company he works for provides contracted services to the Fort Erie SPCA. He abstained from discussing and voting on the matter.

(c) Councillor Zanko

Councillor Zanko declared a pecuniary interest with respect to By-law No. 46-2022 Re: To Accept and Dedicate Parkland - 3399 North Shore Drive (Sider Bros. Builders Ltd., Paul Philip & Susana Philip), as her son works for Sider Brothers. She abstained from discussing and voting on the matter.

6. **Notice of Upcoming Public Meetings**

(a) Proposed Official Plan and Zoning By-law Amendment

Re: 97 Gorham Road - Owner: Bomofive Inc. (Ross Bomcore and Kam Mofid) - Agent: Urban Environments (Greg Hynde) - Monday. May 9, 2022 - 6:00 p.m. The information report will be available by 5:00 p.m. on May 4, 2022.

(b) Proposed Zoning By-law Amendment

Re: 3914 Alexandra Road - Owner: Centurion Building Corporation - Monday. May 9, 2022 - 6:00 p.m. The information report will be available by 5:00 p.m. on May 4, 2022.

7. **Regional Councillor Report**

RC Insinna gave the following Report:

Niagara Emergency Medical Services

Last November Regional Council directed the Regional Chair Jim Bradley to send a letter to the Minister of Health, requesting action and intervention to reduce the off-load delay that Niagara Emergency Medical Services was having in the Niagara Health System. At the last Regional Council Meeting, this issue was brought up again as it was never addressed by the Province. Niagara EMS is now in a position that they are in a crisis requiring another 3 ambulances for a 90-day period. The request was made because there has been a dramatic surge in requests for ambulance services, combined with the increased off-load times at the hospitals, putting a critical strain on the service. Paramedics are having to wait for up to 8 hours for hospital staff to take over for them thus tying up an ambulance for that entire period. Niagara EMS requested another \$750,000 for two 24-hour ambulances and one 12-hour ambulance of 90 days to have ambulances available, decreasing the response time. It was pointed out that in 2021, Niagara EMS lost over 21,000 hours of ambulance time to off-loads which equates to over \$2.4 million of taxpayer's dollars. The off-load delays take paramedics off the road, and has major impacts on them as some are being ordered to work extended hours. The funding will come from the Taxpayer Relief Reserve and it is hoped that the wait times for ambulance services will decrease averting critical ambulance shortages. There was a point in time this afternoon where someone had to wait 6 hours for an ambulance to show up. The Regional Chair, Jim Bradley, was directed to have an in-person meeting with the Minister of Health, to request compensation for the money Niagara residents had to pay, and to address the shortcomings at the hospitals.

Niagara Regional Housing

The Niagara Regional Housing Master Plan will be going forward to Regional Council next month. The plan will outline the way forward for the Region and municipalities to address the housing crisis that we find ourselves in. Niagara Region will require at least 450 housing units per year for the next 10 years. Plans are being discussed at Niagara Regional Housing about region-owned property in Fort Erie and will ensure Council is kept up to date as the talks progress regarding the Gilmore property and other property in Town.

Employment and Social Development Canada Grant

The Federal Government, through the Employment and Social Development Canada Grant, has given the Niagara Region a grant of \$1.3 million. The funds will go directly to supporting the efforts in addressing local homelessness needs. It's \$2.4 to \$2.5 million from the

Federal Government to combat homelessness in the Niagara Region.

Niagara Official Plan

The Niagara Official Plan is going before Council again. The statutory Public Meeting will be held this Thursday.

Councillor Noyes advised Regional Councillor Insinna that the residents of Black Creek, Stevensville, and Douglastown would like to have an information meeting with the Niagara Region, regarding the facilities that are taking care of waste management. The latest received from the Region, indicates that the Wastewater Management Plant is at 71% capacity, which is the highest in the entire Region. Councillor Noyes asked Regional Councillor Insinna if he had any luck getting a meeting for the community to interact with the Region and to ask questions.

Councillor Insinna responded that he has talked with them and has been assured that there is not going to be an issue, and will set up a meeting. What they're saying is, they can divert the wastewater to Anger Avenue, so there's never really going to be an issue with the lagoon. They've spent \$4 million out there, and they are not going to increase another pond. Mr. Tripp is away this week, but he will call the Commissioner, and will set something up. If Councillor Noyes would like, he will go through her at Black Creek.

Councillor Noyes responded that she would appreciate it and so would the residents.

8. Presentations and Delegations

(a) Presentation to Jung's Niagara Taekwondo Students

Re: Recognition of Achievements at Taekwondo Canada

Mayor Redekop advised that there are 4 young people who joined the 2022 Canadian National Taekwondo Championship. They are members of Jung's Niagara Taekwondo located here in Fort Erie. They participated in an event recently, and came away with some significant awards. Enza Wybraniak who is a member of the Mayor's Youth Advisory Committee, won a Gold Medal in the Female Cadet Division, and she attends Our Lady of Victory Elementary School. Charlie Grummet won a Gold Medal in the Male Cadet Division, and he attends Stevensville Public Elementary School. Tehya Scott won a Silver Medal in the Female Juniors Division, and she attends Greater Fort Erie Secondary

School. Mason Ryan came in 4th in the Male Youth Division, and he attends John Brant Public School in Ridgeway.

Mayor Redekop advised that Enza and Charlie will be joining Team Canada to represent our Country, which is a fantastic accomplishment. It is a tribute to those who have been training these young athletes over the years. Enza has a second-degree black belt, and has been training with Jung's for 6 years. Charlie has a first-degree black belt, and has been training for 6 years.

Both Enza and Charlie will be attending the PanAm Junior and Cadet Championship held in Costa Rica this year. They have qualified and will be attending the World Taekwondo Championships in Bulgaria.

Mayor Redekop thanked and wished the best of luck to both Enza and Charlie, giving them certificates. Mayor Redekop congratulated them stating that we've got such wonderful athletes and wonderful youth in the community. He further thanked those who have spent the time and energy training them, and to the parents who have committed the time to make sure that their children get to those training sessions, and wherever else they go. It truly is a family commitment, and they are to be commended

- (b) Soraya Marashi-Shooshtair, Self Advocate, o/b Community Living Fort Erie

Re: Update on Services and Support Provided

Soraya Marashi-Shooshtair provided the following comments:

- Community Living Fort Erie (CLFE) is celebrating 65 years of service this June.
- June 30, 1957, the founding meeting was held to develop a support group for parents with children with intellectual disabilities, and was the 1st step made in the journey to inclusion.
- 65 years ago, there were parents and others who felt the lack of educational opportunities available to children with disabilities. In a few areas of Ontario, volunteers and CLFE had managed to establish day schools for children.
- CLFE supports over 250 individuals and their families in the Greater Fort Erie area.
- She is benefitting from support of the organization.

- In 2020, she became a part of the Community Living Passport which is a program that helps young adults to experience different community activities.
- Her favourite things to do are: play basketball, go to paint night and concerts, and socialize at the Crystal Ball Café, which will be displaying 3 of her paintings with the option to purchase next month.
- CLFE has helped her to get through the Pandemic, and to purchase a laptop used to go on to Social Media.
- CLFE supported her to stay active in the community safely when the lockdown was over and made it easier to help her to get through the pandemic.
- She went through bullying and harassment as a teenager and felt depressed and insecure. Teachers and support staff made her feel worthy and helped to increase her self-esteem.
- She transitioned from a teenager to an adult through a “self-discovery path” and has learned with support and a positive attitude.
- Post pandemic, with the help of CLFE, she got involved with the community, learned more about her adult self, and developed more friendships with others her age.
- She would like to express thanks to the Town for declaring May “Community Living Month” in the Town of Fort Erie, and for continuing to promote an inclusive community for people with developmental disabilities.

(c) Rhianon Burkholder, Board Member, FACS Niagara Foundation

Re: Mountainview LemonAID Day - June 12, 2022

Ms. Burkholder delivered a PowerPoint Presentation and the following commentary:

- Sunday June 12th is Mountainview LemonAid Day.
- Family and Children’s Services of Niagara supports children to go to camp.
- A request is for the Town of Fort Erie to get the Peace Bridge lit up in yellow as Niagara Falls and Welland has agreed to do so on that day.
- On Sunday June 12, 100 “teams” of kids will set up lemonade stands across Niagara to ask for donations, and 6 of those hopefully in Fort Erie.
- Generous donations will help send 400 children to camp this summer.
- This is a child initiative program to pay back and to do some community support.

- Support needs are as follows: to proclaim Sunday, June 12 Mountainview LemonAID Day, to put the information on the Town website, and to ask the community for support.

(d) Iain Donnell, Donnell Law Group

Re: 4197 Erie Road - Short-Term Rental Legal Non-Conforming Suitability

Mr. Donnell provided the following comments:

- Email Correspondence between property owners and/or their agent/Counsel and Town staff – (Tab 1):
- Offence Notices dated June 30, 2021 – (Tab 10): 10011 – Operating without a Licence, and 10012 – Operation contrary to any applicable Federal, Provincial, Regulations laws, Regulations or Orders, or Municipal By-laws.
- Media Releases (Tab 3): The Star Article dated: January 26, 2022, The Post Article dated: December 20, 2021, and The Town of Fort Erie Media Release dated: February 9, 2022.
- Report No. PDS-106-2021 (Tab 4): Minutes from January 10, 2022 Council in Committee Meeting.
- Report No. EDTS-04-2021 (Tab 14): dated October 2021 – Short Term Rental Report – 2021 Pilot Program Year Review and Analysis.
- Applications for 2021 and 2022 STR (Tab 7).
- Planning Act, R.S.O. 1990, specifically, section 34 (9), (Tab 2): Pages 57-70.
- Timeline of Events (Tab 9).
- Argument for grandfathering (Tab 11).
- Benefits of this property/business are: Attracting tourism, renewed interest in area, assist local businesses and trades, economic growth; and to build and strengthen relationships within the community.

9. Consent Agenda Items

9.1 Request to Remove Consent Agenda Items

Item No. 9. 9.2. 2(b) being the Fort Erie SPCA Board of Director Minutes of March 24, 2022, was removed and dealt with separately due to Councillor Dubanow's declared pecuniary interest.

9.2 Consent Agenda Items for Approval

1. Minutes

- (a) Approve - Special Council Meeting - March 28, 2022
- (b) Approve - Regular Council Meeting - March 28, 2022
- (c) Approve - Council-in-Committee Meeting - April 4, 2022
- (d) Approve - Council-in-Committee Meeting - April 11, 2022
- (e) Approve - Special Council-in-Committee Meeting - April 19, 2022

2. Correspondence

- (a) Proclamation - Pride Niagara - Niagara Pride Week - May 28 - June 5, 2022

That: Council proclaims May 28 to June 5, 2022 as "Niagara Pride Week" and approves their flag to be flown at Town Hall. **(Carried)**

- (b) Receive - Fort Erie SPCA - Board of Directors Minutes - March 24, 2022

- (c) Proclamation - Bert Miller Nature Club - World Migratory Bird Day - May 14, 2022

That: Council proclaims May 14, 2022 as "World Migratory Bird Day". **(Carried)**

- (d) Proclamation - Community Living Fort Erie - May as Community Living Month

That: Council proclaims May as "Community Living Month" and approves their flag to be flown at Town Hall. **(Carried)**

- (e) Proclamation - National Regional Labour Council - April 28, 2022 as National Day of Mourning

That: Council proclaims April 28, 2022 as "National Day of Mourning" and approves their request for flags to be flown at half-mast.

(Carried)

- (f) Proclamation - FACS - Mountainview LemonAID Day - June 12, 2022

That: Council proclaims June 12, 2022 as "Mountainview LemonAID Day".

(Carried)

3. Board/Committee Minutes

- (a) Receive - Community Gaming Development Corporation - December 1, 2021
- (b) Receive and Approve Recommendations - Environmental Advisory Committee - February 27, 2022 regarding:

- (i) 0-6105 Irene Street: EC Overlay be removed, subject to the submission of a Tree Savings Plan, Tree Planting Plan to the satisfaction of EAC, and removal of vegetation outside of the typical breeding bird season and bat roosting season (May 15 – September 15) and bat roosting season (June).

- (ii) 4106 Garrison Road: EC Overlay be removed from the portion of the property that is occupied by the existing dwelling; and removal of the EC Overlay from the portion currently occupied by the existing shed, and from the lands east of the shed, to accommodate the proposed accessory structure, subject to the submission of plans to EAC detailing the exact location of the structure. **(Carried)**

- (c) Receive - Mayor's Youth Advisory Committee - March 7, 2022
- (d) Receive - Crystal Beach Business Improvement Area Board of Management - March 8, 2022

- (e) Receive - Traffic Coordinating Committee - Notes of Meeting - March 15, 2022
- (f) Receive - Accessibility Advisory Committee - March 29, 2022
- (g) Receive - Ridgeway Business Improvement Area Board of Management - April 6, 2022
- (h) Approve - Senior Citizens Advisory Committee - April 6, 2022
- (i) Receive - Community Health Care Services Committee - March 22, 2022

4. Reports

COS-02-2022 Report on Repair Costs for Caboose CNR 79138 at the Fort Erie Railway Museum

That: Council accepts and approves the proposal from King Contractors of Niagara Ltd. in the amount of \$185,154.17 (including 13% HST) for the repair work needed on Caboose CNR 79138 at the Fort Erie Railway Museum. **(Carried)**

PDS-27-2022 Sale of Town-Owned Lands: 0-6347 Bidwell Parkway - Lot 479, Plan 480, Bertie; 0-6346 Bidwell Parkway - Lot 480, Plan 480, Bertie; 0-6378 Richmond Avenue - Lots 586 & 587, Plan 480, Bertie; 0-6377 Richmond Avenue - Lot 585, Plan 480, Bertie; and 0-6344 Bidwell Parkway - Lots 481-484, 583 & 584, Plan 480, Bertie; All in the Town of Fort Erie (Grant & Sarah Vaillancourt) (Kelly Mancuso & Steven Doucet)

That: Council authorizes and approves the sale of 0-6378 Richmond Avenue, Lots 586 and 587, Plan 480, Bertie; Fort Erie, being all of PIN 64467-0086 (LT), 0-6377 Richmond Avenue, Lot 585, Plan 480, Bertie; Fort Erie, being all of

PIN 64467-0085 (LT), and 0-6344 Bidwell Parkway, Lots 481 to 484, 583 and 584, Plan 480, Bertie, Fort Erie, being all of PIN 64467-0084 (LT) to Applicant 1, Grant and Sarah Vaillancourt, for the amount of \$147,420 plus HST, and further

That: Council authorizes and approves the sale of 0-6346 Bidwell Parkway, Lot 480, Plan 480, Bertie; Fort Erie, being all of PIN 64467-0092 (LT), and 0-6347 Bidwell Parkway, Lot 479, Plan 480, Bertie Fort Erie; being all of PIN 64467-0091 (LT) to Applicant 2, Kelly Mancuso and Steven Doucet, for the amount of \$32,580 plus HST, and further

That: Council directs that the sale of 0-6378 Richmond Avenue, 0-6377 Richmond Avenue and 0-6344 Bidwell Parkway be conditional on the land owned by Applicant 1 (0-6375 Richmond Avenue) legally merging in title with the purchased Town lands, and further

That: Council directs that the sale of 0-6346 Bidwell Parkway and 0-6347 Bidwell Parkway be conditional on the land owned by Applicant 2 (621 Bidwell Parkway) legally merging in title with the purchased Town lands, and further

That: Council directs that By-laws be submitted to Council to authorize the entry into Agreements of Purchase and Sale in a form satisfactory to the Town Solicitor. **(Carried)**

IS-11-2022

Award of Engineering Services, for BRIG23 and BRGB22 Bridge and Culvert Repair and Replacement - Contract No. ISE-22P-BRIG23/BRGB22

That: Council accepts and approves the proposal from ELLIS Engineering Inc. to provide Engineering Services for BRGB22 and BRIG23 Bridge and Culvert Repair and Replacement projects, Contract No. ISE-22P-BRIG23/BRGB22 to the upset limit of \$107,304.80 (including 13% HST).

(Carried)

5. Other Matters

Consent Agenda Resolution

Resolution No. 1

Moved by: Councillor Lubberts

Seconded by: Councillor McDermott

That: Council approves the Consent Agenda Items as recommended, save and except Item No. 9. 9.2. 2(b).

(Carried)

9.3 Items Removed to be Dealt with Separately

Resolution No. 1A

Moved by: Councillor Lubberts

Seconded by: Councillor McDermott

That: Council approves Consent Agenda Item No. 9. 9.2. 2(b) as recommended.

(Carried)

Council recessed at 7:05 p.m. for 10 minutes.

10. Reports

PDS-26-2022 Animal Care and Control Services Award of Contract

Resolution No. 2

Moved by: Councillor Zanko

Seconded by: Councillor McDermott

That: Council accepts and approves the proposal by the Lincoln County Humane Society (LCHS) for Animal Care and Control Services for the Town of Fort Erie for a period of 5 years with an increase of 2.00% per year

for the duration of the contract with an option to extend for an additional two, two-year periods.

Resolution No. 2A
Moved by: Councillor Noyes
Seconded by: Councillor McDermott

That: Report No. PDS-26-2022 be postponed to the May 9, 2022 Council-in-Committee meeting to allow staff to obtain from the Lincoln County Humane Society their governance documents and policies. **(Carried)**

11. New Business/Enquiries

- (a) Council Nomination - Niagara Region - Transit Commission Board

Resolution No. 3
Moved by: Councillor McDermott
Seconded by: Councillor Lubberts

That: Council nominates Mayor Redekop as the Council Representative on the Niagara Region's Transit Commission Board. **(Carried)**

- (b) Appointment - Communities-in-Bloom Committee - Shirley Opie

Resolution No. 4
Moved by: Councillor Butler
Seconded by: Councillor Zanko

That: Council appoints Shirley Opie to the Communities-in-Bloom Committee for the period ending November 14, 2022. **(Carried)**

- (c) Notice of Resignation - Ridgeway Business Improvement Area Board of Management - Tyler Chevalier and Don Irvine

Resolution No. 5
Moved by: Councillor Butler
Seconded by: Councillor Zanko

That: Council accepts the resignations of Tyler Chevalier and Don Irvine from the Ridgeway Business Improvement Area Board of Management, and further

That: Council directs staff to proceed with filling the vacancy in accordance with the Procedural By-law. **(Carried)**

- (d) Notice of Resignation - Senior Citizens Advisory Committee - John Folusewych and Mary Franks

Resolution No. 6

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council accepts the resignations of John Folusewych and Mary Franks from the Senior Citizens Advisory Committee, and further

That: Council directs staff to proceed with filling the vacancy in accordance with the Procedural By-law. **(Carried)**

- (e) Appointment - Senior Citizens Advisory Committee - Jayne Cruikshank

Resolution No. 7

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council appoints Jayne Cruikshank, as the Beachcombers Representative to the Senior Citizens Advisory Committee for the period ending November 14, 2022. **(Carried)**

- (f) Proclamation – National Volunteer Week – April 24-30, 2022

Resolution No. 8

Moved by: Councillor McDermott

Seconded by: Councillor Dubanow

Whereas the National Volunteer Week theme for 2022, Volunteering Is Empathy In Action, affirms the strong connection between volunteerism and empathy, and

Whereas during National Volunteer Week 2022, we celebrate the contributions of Canada's millions of volunteers: their actions, their understanding, and their genuine concern for the world around them, and

Whereas volunteering, putting empathy into action, can build communities where people feel happier, healthier, and more welcome – creating a stronger, more connected Canada;

Now therefore be it resolved,

That: Council proclaims April 24 - 30, 2022 as "National Volunteer Week", and further

That: Council expresses their appreciation and gratitude to all volunteers in the Town of Fort Erie for their empathy, dedication, and commitment to our community. **(Carried)**

- (g) Proclamation - National AccessAbility Week (NAAW) - May 29 - June 4, 2022

Resolution No. 9

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council proclaims May 29 - June 4, 2022 as "National AccessAbility Week." **(Carried)**

- (h) Councillor Butler

Councillor Butler stated that she has never seen a Contract deferred and asked if the CAO could comment.

Mr. Janzen responded that to his recollection, he doesn't recall having deferred a decision on that, and it's Council's prerogative to require or ask for more information. That's something that they can accommodate.

- (i) Councillor Butler

Councillor Butler enquired if there is data that the Town maintains on the number of Contracts that are issued outside of the Fort Erie businesses and how many reside in Fort Erie that are awarded Contracts.

Mr. Janzen responded that they do not but could try and put some of that together. The Purchasing Policy doesn't have any local preference in it, and we do not have that information.

Mayor Redekop stated that this could be deferred to the new CAO.

A Response to Enquiry will be provided at a future meeting.

(j) Councillor Butler

Councillor Butler commented that spring is here, summer is coming and maintaining ponds is problematic. She enquired if she could get information with respect to the maintenance of ponds at an early stage so that residents aren't suffering the way they have in the past.

Mr. Marotta responded that they do look after the maintenance of the ponds as part of the work they do. He does not have information on that right now.

Mayor Redekop asked if during the next week or so, could Mr. Marotta track down the status of the Resolution of Council seeking a new Policy with respect to Stormwater Management Ponds, and the maintenance of those ponds that deals directly with Councillor Butler's enquiry. There is a beautiful pond on Albany Road, and one in Sugarbowl Park that the Town maintains. Mayor Redekop requested a memo as to the status.

(k) Councillor Dubanow

Councillor Dubanow advised that today is his daughter Penelope's 8th birthday, and he promised he would announce it on YouTube.

Moved by: Councillor Dubanow
Seconded by: Councillor Noyes

That: Council wishes Penelope a happy 8th birthday. **(Carried)**

(l) Mayor Redekop

Mayor Redekop advised that a number of street lights are out. Mr. Walsh did provide a response indicating that this is a manufacturer issue. There are about 150 lights out in the Town that we've been struggling with for a couple of years now. Many of these are brand new lights that were installed in 2015 as part of the move to the energy-efficient LEDs. Mayor Redekop enquired if there is any additional information or some indication as to other solutions that can be contemplated or pursued to make sure that this is dealt with more efficiently.

Mr. Marotta responded that it is related to the LED Replacement Program that they have, and that they are trying to repair under warranty, which does limit the way they can get them. Instead of replacing the complete unit, they're just sending the part of the unit.

They are trying to work with the manufacturer to recognize the demand they have right now, and to try to get their hands on stock so that they are ahead of the game going forward.

Councillor Dubanow commented that this has been a difficult challenge and there is a lot of communication with residents explaining the reality. He stated that it's a driver unit that is failing and was enquiring if there is a warranty program in place, and if the manufacturer can't supply parts due to supply chain issues, is there an alternate supplier that can replace the cobra head. This is a problem that a lot of residents have raised with Councillor Dubanow, and he understands this is no fault of the municipality. He enquired if there is some solution they can do to improve the service.

Mr. Marotta responded that they've only ever gone through the warranty and replaced the parts. He understands what Councillor Dubanow is saying and stated that he can look into what alternatives are available. If they can find comparable parts that work, and if they are at cost, they can explore that and look to see if it is available. They have had issues in the past with parts for decorative lights, but this is more the common place light, so perhaps there is an opportunity to see what's available.

Councillor Lubberts commented that he is an Electrician and knows a little bit about the driver that is trying to be purchased and enquired how long the warranty was for.

Mr. Marotta responded that it is a 10-year warranty and would check to verify that.

Councillor Lubberts asked if the problem is that in the warranty, they have to supply the parts that came with the original unit, and that they can't use an alternate part.

Mr. Marotta further responded that that is how the warranty would work. They are to use the branded part that goes with the unit.

Councillor Lubberts enquired if the Town and the provider that installed the lights, would be willing to work on that and forego the manufacture's driver and go with an alternate without voiding the warranty.

Mayor Redekop responded that if they do that it could jeopardize the warranty and that it is something maybe our lawyers could look at. He asked if Mr. Janzen could look into that.

Councillor Lubberts stated that is what he is trying to get at. If they are stuck on the warranty then that is a problem. If the alternate is available, but under contract, you can't do it. Maybe there needs to be a compromise and still maintain the warranty.

Mayor Redekop further responded that they have looked at that before and thought that they should look at it again. If they are at 150, who knows what the number will be as this goes along. He stated it is not acceptable, but if it is a supply chain issue then he doesn't know whether alternatives might be available.

Councillor Lubberts commented that he could look into it too, and can get some numbers from Mr. Marotta, and see if he can track some drivers down.

12. Motions

Mayor Redekop gave the chair to Councillor McDermott in order to bring forward his Motions.

(a) Mayor Redekop

Re: Support of Diversity and Inclusion Coalition Recommendations

Resolution No. 10

Moved by: Mayor Redekop

Seconded by: Councillor Dubanow

Whereas the Fort Erie Diversity and Inclusion Coalition (“the Coalition”) made a presentation to the Town Council on February 28, 2022, outlining the results of a survey that it had conducted and requesting certain actions by Council to address issues relating to racism, prejudice and discrimination; and

Whereas the Town of Fort Erie holds equity, diversity and inclusion as important community values; and

Whereas Council has satisfied one of the Coalition's requests by hiring a new Chief Administrative Office who has skills and experience in equity, diversity and inclusion matters; and

Whereas the current Town Council cannot bind a future Council in certain respects, but can express its desire that the next Town Council adopts equity, diversity and inclusion as key strategic objectives;

Now therefore be it resolved:

That: This Council strongly recommends to the next Town Council that it includes equity, diversity, and inclusion as pillars in the next Town of Fort Erie Strategic Plan for the term 2022-2026, and

That: Council directs the Chief Administrative Officer, when he assumes office on May 2, 2022, to develop and implement an Equity, Diversity and Inclusion work plan for the Town of Fort Erie by the end of 2023, or within a timeframe otherwise acceptable to Council, and

That: The Town of Fort Erie arrange to provide professional development training for members of Town Council and employees, along with the members of the Fort Erie Diversity and Inclusion Coalition, to further their understanding and knowledge of equity, diversity and inclusion issues by the end of 2023, or within a timeframe otherwise acceptable to Council, and in so doing, Town staff seek partners with whom to collaborate to sponsor such training and equity, diversity and inclusion workshops. **(Carried)**

(b) Mayor Redekop

Re: Hybrid Council Meeting Options

Resolution No. 11

Moved by: Mayor Redekop

Seconded by: Councillor Dubanow

Whereas Council's Rules of Procedure were amended on September 21, 2020, following amendments made to the *Municipal Act, 2001*, to provide for Members of Council to participate electronically in open and closed meetings of Council if they are ill, have a disability which makes it difficult to attend in person, need to care for a sick family member, or due to inclement weather, subject to notifying the Clerk at least 48 hours in advance of the meeting and the reason for participating electronically; and

Whereas delegations were permitted to participate electronically in the same instances and under the same rules as members of Council; and

Whereas Ontario moved into Step 3 of the Roadmap to safely ease public health measures effective February 17, 2022; and

Whereas as public health and health system indicators continued to improve, on February 25, 2022, the government amended O.

Reg. 364/20, relative to the “Roadmap Exit Step (Schedule 4), to lift capacity limits in all remaining indoor public settings; and

Whereas as of March 1, 2022, Town Hall and the Council Chambers were fully open to the public, and Council resumed in-person meetings only for Council, staff and the public, with the exception of a Statutory Public Meeting for which a notice under the provisions of the *Planning Act* had already been given advising that the public can participate virtually at the Council-in-Committee meeting to be held on March 21st, 2022, and Members of Council who qualified under the amendment of Council’s Rules of Procedure passed on September 21, 2020; and

Whereas it is desirable to provide hybrid options for those wishing to participate in Council meetings, whether regular, special or committee, when they cannot otherwise attend;

Now therefore be it resolved:

1. **That:** Participation at Town of Fort Erie Council meetings electronically be permitted as follows:

- a) Members of Council in open meetings if they:
 - i) are ill;
 - ii) have a disability which makes it difficult to attend in person;
 - iii) need to care for a sick family member, or
 - iv) due to inclement weather;

subject to advance notice being provided to the Clerk of the need to attend electronically and the reason; and

- b) Members of the public as a delegation, upon providing notice to the Clerk by noon on the Friday prior to the meeting.

2. **That:** Statutory Public Meetings under the *Planning Act* or any other legislative meeting shall be held as hybrid meetings for both in person and electronic participation.

3. **That:** For greater clarity, meetings that are not open to the public may not be held electronically except where an emergency has been declared by the Head of Council.

4. **That:** By-law No. 36-2016, being Council’s Rules of Procedure, be amended to accommodate the above changes and any incidental changes recommended by the Clerk.

Resolution No. 11A
Moved by: Councillor Zanko
Seconded by: Councillor Butler

That: The Resolution be amended to provide that members of Council may attend meetings electronically for any reason.

Councillor Zanko requested a friendly amendment to the Motion that members of Council be permitted to attend meetings electronically if they are required to work out of Town, which was accepted by Mayor Redekop and his seconder, as a new subsection 1 (a) (v).

Councillor Zanko requested a friendly amendment to the Motion that staff be permitted to attend meetings electronically in the discretion of the Chief Administrative Officer, which was accepted by Mayor Redekop and his seconder, as a new subsection 1 (c).

That: The Resolution be amended to provide that members of Council may attend meetings electronically for any reason. **(Lost)**

Following the friendly amendments, Resolution No. 11 was voted on, as amended, as follows:

Now therefore be it resolved:

1. **That:** Participation at Town of Fort Erie Council meetings electronically be permitted as follows:

- a) Members of Council in open meetings if they:
 - i) are ill;
 - ii) have a disability which makes it difficult to attend in person;
 - iii) need to care for a sick family member;
 - iv) due to inclement weather; or
 - v) are required to work out of Town; and

subject to advance notice being provided to the Clerk of the need to attend electronically and the reason; and

- b) Members of the public as a delegation, upon providing notice to the Clerk by noon on the Friday prior to the meeting.
- c) Members of Town Staff, in the discretion of the Chief Administrative Officer.

2. **That:** Statutory Public Meetings under the *Planning Act* or any other legislative meeting shall be held as hybrid meetings for both in person and electronic participation.

3. **That:** For greater clarity, meetings that are not open to the public may not be held electronically except where an emergency has been declared by the Head of Council.

4. **That:** By-law No. 36-2016, being Council's Rules of Procedure, be amended to accommodate the above changes and any incidental changes recommended by the Clerk. **(Carried)**

(c) Councillor Butler

Re: Bidding Wars on Apartment Rentals

(Postponed to May 30, 2022)

13. Notice of Motion

(a) Councillor Dubanow

Councillor Dubanow gave notice of motion with respect to the Federal Government to remove ArriveCan and to begin the process to remove COVID-19 public health measures at border crossings.

(Returnable May 30, 2022)

14. Consideration of By-laws

Mayor Redekop requested that By-law No. 43-2022 be removed and dealt with separately.

By-law No. 46-2022 was removed and dealt with separately due to Councillor Zanko's declared pecuniary interest.

Resolution No. 12

Moved by: Councillor Zanko

Seconded by: Councillor McDermott

That: the by-law package containing:

39-2022 To Appoint Temporary Municipal Law Enforcement Officers for the 2022 Summer Season

40-2022 To Delegate Authority for the Purpose of Approving the Extension of Roadworks, Watermains and Sewers and for the Execution of Development Agreements and Servicing Agreements Related to such Extensions (By-law Nos. 539-75, 68-06 and 66-2016)

41-2022 To Authorize the Execution of an Amending Subdivision Agreement with Crystal Beach Estates Ltd. (José Marques) - (Elizabeth Road Subdivision)

42-2022 To Set The 2022 Tax Rates and to Levy Taxes for the Year 2022

44-2022 To Amend Zoning By-law No. 129-90 – Housekeeping Amendment

45-2022 To Authorize the Entry into a Licence Agreement with the Crystal Beach Business Improvement Area Board of Management (Farmers' Market – Queen's Circle)

is given first and second reading.

(Carried)

Resolution No. 13

Moved by: Councillor Lubberts

Seconded by: Councillor McDermott

That: By-laws:

39-2022

40-2022

41-2022

42-2022

44-2022

45-2022

are given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

(Carried)

Resolution No. 13A

Moved by: Councillor Zanko

Seconded by: Councillor McDermott

That: By-law No.43-2022 To Appoint Chris McQueen as Chief Administrative Officer and Deputy Clerk for the Town of Fort Erie and to Repeal By-law No.21-2022 is given first and second reading. **(Carried)**

Resolution No. 13B

Moved by: Councillor Lubberts

Seconded by: Councillor McDermott

That: By-law No. 43-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 13C
Moved by: Councillor Dubanow
Seconded by: Councillor McDermott

That: By-law No. 46-2022 To Accept and Dedicate Parkland - 3399 North Shore Drive (Sider Bros. Builders Ltd., Paul Philip & Susana Philip) is given first and second reading. **(Carried)**

Resolution No. 13D
Moved by: Councillor Lubberts
Seconded by: Councillor McDermott

That: By-law No. 46-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 14
Moved by: Councillor Dubanow
Seconded by: Councillor Noyes

That: By-law No. 47-2022: To Confirm the Actions of Council at its Council-in-Committee Meetings Held on April 4, 2022 and April 11, 2022, Special Council-in-Committee Meeting Held on April 19, 2022, and Council Meeting Held on April 25, 2022 is given first and second reading. **(Carried)**

Resolution No. 15
Moved by: Councillor Zanko
Seconded by: Councillor McDermott

That: By-law No. 47-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

15. Scheduling of Meetings

- Planning and Development Services Subcommittee, May 4, 2022, 5:00 p.m., Conference Rm. No. 1
- Accessibility Advisory Committee, April 26, 2022, 4:00 p.m., Conference Rm. No. 1
- Fort Erie Not-for-Profit Housing Committee, April 27, 2022, 12:00 p.m., The Barrel
- Affordable Housing Committee, April 27, 2022, 9:30 a.m., Conference Rm. No. 1

16. Adjournment

Resolution No. 16

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council adjourns at 8:59 p.m. to reconvene into a Regular Meeting of Council on May 30, 2022. **(Carried)**

Mayor

Clerk