



The Municipal Corporation of the
Town of Fort Erie

Regular Council Meeting Minutes

Monday, October 25, 2021

Council Chambers via Video Teleconference

Due to the COVID-19 Pandemic all Meetings are being held via a Hybrid Model. All meetings can be viewed at: Town's Website:

<https://www.forterie.ca/pages/CouncilAgendasandMinutes>

Town's YouTube Channel: www.youtube.com/townofforterie

or click on the YouTube icon on the home page of the Town's website (www.forterie.ca) or Cogeco TV

1. Call to Order

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

2. Invocation

The Clerk read the Invocation.

3. Roll Call

Present (In Council Chambers): His Worship Mayor Redekop, Councillors Dubanow, Lubberts, McDermott, and Noyes

Present (Via Zoom Teleconference): Councillors Butler, and Zanko

Staff (In Council Chambers): K. Davis, T. Kuchyt and C. Schofield

Staff (Via Zoom Teleconference): J. Janzen, S. Hansen, E. Melanson, and T. Marotta

This meeting was held in compliance with the electronic participation provisions of Council Rules of Procedure By-law No. 36-2016, as amended.

4. Announcements/Addenda

There was one addendum relating to the following matters:

- The addition of Orma Bleeks as Delegation (f) Re: Funding Proposal for The Village Hall (Fire Station 6)

- The addition of a Closed Session as Item No. 14 Re: Proposal for Disposal of Fire Station 6
- The deletion of Delegation (a) Carolyn Ryall and Beth Brens, Niagara Region Re: Vision Zero Intermunicipal Agreement by the Niagara Region
- The deletion of Correspondence Item (a) Receive – Niagara Region - Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement for the Purposes of Advancing Vision Zero Program - CSD 81-2020 (due to the deletion of Delegation (a))
- Revision to Confirmatory By-law No. 137-2021 to remove reference to the Special Council Meeting of October 25, 2021 which was cancelled.

Mayor Redekop made the following announcements:

Fire Department SAFE Program

The Fire Department has been conducting a Seniors Assistance Fort Erie Program or SAFE Program, where they make arrangements with seniors in our community to inspect their homes to make sure their smoke alarms and carbon monoxide alarms are functioning. They provide advice and direction to property owners who have faulty or no smoke alarms or carbon monoxide alarms, sorry, alarms. If you are a senior and you're contacted by the Fire Department, please take advantage of this opportunity.

2020 Service Awards

The 2020 Service Awards were impacted by COVID-19 in our community. We have some long-time service employees who I would like to formally recognize:

- 15 years - Randi Martins was the Manager of Procurement and retired on October 8, 2021. She provided excellent service procurement and risk management for the municipality.
- 15 years - Al Stoddard who works in the Recreation Department. He's been a steadfast employee throughout his career. He's been solid, dependable, dedicated, and has done a lot of work with his colleagues in addressing our recreation needs in this community.
- 15 years - Carol Schofield, Town Clerk, who has worked progressively through the ranks as the Legal Assistant, Law Clerk, and then to the Clerk for the municipality doing a sterling job.
- 15 years - Derek Teal has been with Facilities operations and maintenance. He is a very effective employee, very well liked by all, and is now the Division Supervisor of the facilities team.

- 15 years - Manfred Sass works in Parks and Cemeteries as a Cemetery for about the last 3 years of that time, switching over from the Roads Department.
- 15 years - Jing Yang is an Accounting Analyst. She is always smiling and is very service oriented, which is exactly what we like.
- 20 years - Blair Morden, who is also a Cemetery employee and knows our cemeteries like the back of his hand. He started as a casual employee with the Recreation department, and is now full-time with the Cemeteries.
- 20 years - Reid Canavan is a Database Administrator, and is the guru of technology - IT.
- 25 years - John Fairgrieve. He's been with the Town as long as the Town Hall has been here.

Congratulations to each and every one. They help add to the vibrant workplace that we have here. And I want to thank the bosses for each of them and none more so than our CAO, who is responsible, not only for these fine employees, but their bosses.

5. Declarations of Pecuniary Interest

Councillor Butler declared a pecuniary interest with respect to Item No. 15, By-law No. 123-2021 Re: 3285 Thunder Bay Road, as her company does business with one of the partners involved with the subject lands. She abstained from discussing and voting on the matter.

6. Notice of Upcoming Public Meetings

(a) 2022 Budget Meeting Schedule

Council-in-Budget Committee Meetings: #1 - Wednesday, November 17, 2021 - Capital Budget and Forecast; #2 - Wednesday, December 8, 2021 - Water and Wastewater Operating Budget and Fees Analysis; #3 - Wednesday, February 2, 2022 - Library, Assessment Analysis and General Levy Operating; #4 - Wednesday, February 9, 2022 (if required). All budget meetings begin at 6:00 p.m. Via Video Teleconference. Budget By-laws: Monday, December 13, 2021 - Preliminary Capital Budget; Monday, January 17, 2022 - Water and Wastewater Budget and Rates; Monday, February 28, 2022 - General Levy Budget and General Capital Budget.

(b) Proposed Zoning By-law Amendment

Re: 57 Idylewylde Street - Owner: David Smith and Charlene Smith - Agent: PLW Planning & Environmental Consulting (Leigh

Whyte) - November 15, 2021 - 6:00 p.m. The information report will be available by 5:00 p.m. on November 10, 2021

(c) Proposed Official Plan & Zoning By-law Amendments

Re: 321 Garrison Road - Owner: 1784550 Ontario Inc. (c/o Peter Wangler) - Applicant: 2186870 Ontario Inc. (c/o Rakib Hassan) - Agent: Rob Russell Planning Consultants (c/o Rob Russell) - November 15, 2021 - 6:00 p.m. The information report will be available on November 10, 2021 at 5:00 p.m.

7. Regional Councillor Report

RC Insinna gave the following Report:

Last week at the Regional Council meeting the budget for the 2022 Canada Summer Games was again a topic of discussion. Due to increased construction costs, an additional request was made for the Region to increase the funding by over \$4 million. In 2017, Regional Council had made an agreement with the Canada Summer Games Committee that the Region would cover any cost overruns putting the Region at risk of coming up with additional funding. Earlier this year Regional Council agreed to the transitioning of responsibilities of construction from the Canada Games Committee to the Region so that costs could be kept under control. The approved increase that was requested brings the Region of Niagara's contribution to the Summer Games to \$24.2 million. The revised construction contract price now sits at \$107.2 million. I believe \$32 million is coming from the Federal government and \$32 million is coming from the Provincial government.

The Region's Incentive Program was brought forward again at Regional Council for discussion. A decision was finally made and the Incentive Programs at the Region will remain status quo.

The legal papers have been signed for the construction of the new Gilmore Lodge, one of the last steps prior to construction. Construction should begin within the next couple of weeks.

The budget season has started at the Region with the Capital Budget that was discussed last week. There are several more workshops and meetings scheduled for the other facets of the Budget and it will be an interesting exercise, judging from the Capital Budget meetings.

You will be receiving a presentation from Ms Ryall, Director of Transportation Services this evening.

I have been a huge proponent of the Vision Zero Program as it will make our neighbourhoods safer for all residents.

Mayor Redekop advised that he believes the Federal and Provincial contributions to the Canada Summer Games are just under \$28 million each and with \$4 million in operating commitment from the Region, so Region's total contribution would be \$28 million, but as Councillor Insinna has pointed out, could go higher if there are further surplus costs. Mr. Redekop also pointed out that he may have been the only councillor at the Region that voted against that in 2017.

Councillor Noyes asked RC Insinna if he had any information on the lagoon. There was a fair amount of work budgeted for the lagoon this past year for the removal of the sludge. She questioned if that did proceed as planned, and also what is the long-term plan for the lagoon considering all the development that's happened in Black Creek in Stevensville?

RC Insinna advised that the work did proceed. He thinks the upgrades to the lagoon were in the neighbourhood of \$4 million, but he will confirm that. He also advised that he has asked repeatedly about the new South Niagara Water Wastewater Treatment Plant, and he has been told it would be too costly to pump anything north. At the next Public Works meeting he will ask again. He advised that he has been told that the lagoon is going to be able to hold infrastructure increases for the next 5 to 10 years. He will keep questioning, especially being so close to Lyons Creek Road and Chippewa, and get answers for Councillor Noyes.

8. Presentations and Delegations

- (b) Carolyn Ryall, Director Transportation Services, Frank Tassone, Associate Director, Transportation Engineering and Pam Miltenburg, Transportation Capital Planning Specialist, Niagara Region

Re: 1-5 Year Transportation Capital Budget Outlook

Ms. Ryall, Mr. Tassone and Ms. Miltenburg delivered a PowerPoint presentation which is available for viewing on the Town's Website.

The following were comments were provided during their presentation:

The following programs contained in the Capital Budget Allocation were defined and broken down into 4 main areas:

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- Network Expansion
- Intersection Improvement Program
- Roads Rehabilitation Program
- Structure Rehabilitation Program

The 1-5 Year Capital Forecast Road Rehabilitation Program were discussed for the following roads:

- Regional Road 1 Dominion Road from Helena Street to Lakeshore with a proposed roundabout at Dominion Road and Lakeshore Road
- Regional Road 21 Bowen Road from Ridgemount Road to the QEW
- Regional Road 116 Stevensville Road from Eagle Street to Bowen Road

The 1-5 Year Capital Forecast Structure Rehabilitation Programs were discussed:

- Stevensville Road Bridge
- Thompson Road Bridges

The 6-10 Year Capital Forecast Road Rehabilitation Program includes:

- Regional Road 21 Bowne Road from QEW to Thompson Road
- Dominion Road Bridge

Also discussed were Safety Initiatives:

- Vision Zero Road Safety Program
- Pavement Line Marking and Crosswalks
- Speed Display Trailer
- Sign Installations

In conclusion, the Region provided their vision for the following:

- Complete Streets
- Regional Wayfinding
- Niagara-Hamilton Trade Corridor

(c) Lynda Goodridge and Deb Sherk, Bert Miller Nature Club

Re: The Bird Friendly City Initiative

Ms. Goodridge and Ms. Sherk delivered a PowerPoint presentation which is available for viewing on the Town's Website.

Ms. Goodridge provided the following comments during her presentation:

- A bird friendly City is a process that leads to certification under guidelines that have been developed by Nature Canada.
- It recognizes the efforts made by cities to save birds and to manage the important role they play in maintaining our ecosystems.
- By protecting the birds, it helps to protect the health and well-being of the community.
- Vancouver, Calgary and Toronto have achieved this status and there are 35 other Canadian town's and cities working towards this goal including Niagara Falls.

The benefits of certification are:

- Obtaining international recognition.
- Ecotourism can be an economic driver being the fastest growing hobby in the world. For example, a rare bird off the shores of Fort Erie called the "Brown Boobie" stayed for close to 2 weeks and hundreds of birders came from both sides of the border to stay and to watch the bird.

Ms. Sherk provided the following comments during her presentation:

- Birding is a hobby that has increased by 30% in Niagara since COVID.
- According to quartz.com businesses that sell bird feed and backyard bird feeders have reported sales increases of approximately 45% since COVID.
- People are moving to our Town to enjoy the natural areas, parks, woods, and trails. Birdwatching is part of this desire to be in nature.
- Over 3 billion birds have disappeared since 1970.
- 90% of the missing birds came from 12 distinct but widespread bird families including warblers, sparrows, blackbirds and finches.
- Not all species declined as the waterfowl has increased to 34 million since 1970 due to wetland conservation efforts.
- Raptors such as bald eagles have increased to approximately 15 billion.
- Wildlife management, habitat restoration, and political action can have a significant impact on saving species in steep decline.
- The Niagara River corridor is an important birding area.

- The past 3 years the 3 local nature clubs on the Canadian side of the border and the Buffalo Ornithological Society have hosted a bi-national event called Birds on the Niagara, and has attracted hundreds of people and many well-known speakers in the area of conservation and bird habitat.
- The Niagara River is an important area for bird migration and is used by many species as a refueling stop on their way South.
- Humans have a huge impact on birds in their habitat.
- The 3 main ways to reverse human impact are: reduce the threats to birds through regulatory and educational measures, protect the habitat where birds live by factoring in the well-being of birds and humans when planning any urban development, and create impactful community outreach and education such as participating in and celebrating World Migratory Bird Day.
- The 3 main threats to birds are: roaming cats, collisions, loss of habitat due to human expansions and urbanization.
- The things that the Town can do to reduce the threats to birds are: Not allowing cats to run free, glass treatments can be provided to residents for collisions and also incorporated into Town-owned buildings, including the use of bird-friendly materials for both residential and commercial new-builds, working to reduce pesticides and tree-management policies to restore the natural habitat by planting new trees and restoring those that we have. Liz Benniean from Biodiversity and Climate Action Niagara Committee has helped to develop a policy for the Municipality of Vineland that is very comprehensive and can be used as a template.
- Chimney swifts are a threatened species that survives on insects so they're important to our ecosystems.
- The Bert Miller Nature Club provides stewardship services locally for Birds Canada by coordinating an annual swift watch in Fort Erie during the summer when the birds migrate.
- We are currently creating a liaison with the Fort Erie Horticultural Society to help promote the planting of bird friendly gardens by local citizens which may also be included in the Town's plantings on public property.
- Proclaiming a World Migratory Bird Day in Fort Erie will help to inform and involve local residents.
- For local businesses, the bird family designation could be a good marketing tool and this might encourage them to embrace some of the suggested changes.
- Ways to attain status are to use a detailed application form that uses items that count towards certification and assesses performance on key issues.

- There are 3 levels of certification starting with the entry status (50%), intermediate status (65%-80%) and, the high status (80% +).

(d) William Keogh, 936 Parkdale Avenue

Re: Town Responsibility - Coyote Problem

Mr. Keogh provided the following comments:

- The Town of Fort Erie By-law dealing with animal welfare protection and control fails in its wording to state that : Anything of coyote or other wildlife situations that occur on municipal property are the legal responsibility of the municipality (as per Province of Ontario Law and Ministry of Natural Resources and Wildlife subsequent policy statements);
- In his discussions with the Town By-law Officer he was provided with the wrong information:
 - (1) First he was told that the coyote problem is handled by the Fort Erie SPCA contract. He noted that he contacted the management at the SPCA and they indicated their contract never has and does not have anything to do with coyote issues;
 - (2) He was told that the coyote problem was not a Town responsibility but the responsibility of the Ontario Ministry of Natural Resources and Wildlife. He noted that he contacted the MNR and was told that the Ministry has absolutely no role or legal jurisdiction with respect to coyotes or other wildlife situations on municipal property;
- Conclusion / Remarks:
 - (1) Have the Fort Erie By-law revised to reflect the Town's responsibility.
 - (2) Have the Animal Control Officer definition and any related contract or job description amended to include dealing with wildlife issues such as coyotes.
 - (3) Have the issue of dealing with coyotes in the Town properly spelled out in related literature and a coyote hot line set up the same as the City of Niagara Falls
 - (4) Have the coyote that is stalking pets at the rear of our property (936 Parkdale Ave) removed by a licensed trapper.

(e) Geoffrey Aldridge, 3765 Rebstock Road

Re: Use of Zoom in Public Presentations

Mr. Aldridge delivered a PowerPoint presentation which is available for viewing on the Town's Website.

Mr. Aldridge provided the following comments during his presentation:

- COVID has made public meetings impossible and we have had to resort to electronic meetings.
- In person meetings are the most effective ways to communicate to and between groups.
- Electronic meetings should strive to provide as much of the features of an in-person meeting as possible.
- Camera and video use are not user friendly.
- At a recent Open House, out of the 7 presenters, only 1 of them used the camera/video.
- In a Zoom meeting only 1 person can be seen.
- The request is to provide instructions on how to able or disable video in the invitation email, at the start of the meeting, and when coming out of the waiting room.
- During in-person meetings only 1 person can speak and everyone in the group can be seen by Council and by the public.
- In a Zoom Meeting, only 1 person can be seen.
- The request is to set Zoom up to show all attendees and allow each person in the delegation to be seen simultaneously allowing only the speaker to talk. Prior to the meeting allowing members to chat between themselves.
- At an in-person meeting, everyone meets in one room at one time and are able to chat between themselves and often the presenters.
- People have been excluded from meetings as they either do not have a computer or are not comfortable using Zoom.
- Once Public Meetings are allowed, a meeting room should be set up with a display and microphone to allow staff to help the public to present to Council.
- COVID is here to stay for the foreseeable future and although in-person meetings may start again, there may be imposed limits put on by the government.
- Once restrictions are lifted, and people are allowed to attend in person, the option should be there to also attend remotely if they wish.

(f) Orma Bleeks, Advancing Crystal Beach

Re: Funding Proposal for The Village Hall (Fire Station 6)

Ms. Bleeks provided a PowerPoint presentation which she did not show on screen; however, it is available on the Town's website for viewing.

Ms. Bleeks provided the following comments during her presentation:

- ACB has been involved with developing a Community Hub for 3 years.
- They have spent a lot of time researching the needs of the community and reaching out to people who wish to be involved with this project.
- She met with the Town in 2018 about Town property to create a Community Hub, and in particular discussing Fire Station 6. At this time the price of the Fire Station was suggested to be \$225,000.
- We appreciate the Feasibility Study about the Community Hub and its possible location.
- The imagined neighborhood center will be utilized by all residents of Fort Erie with its low cost and fee geared to income, activities and services for all ages.
- We are specifically offering activities that were requested by the community and many of which are not offered at all anywhere else.
- According to the Council-in-Committee Report of March 8, 2021, the price of the new Fire Station is \$6,500,000.
- Land sales for Fire Stations 4 and 6 account for \$750,000 of the projected new Fire Station funding.
- ACB has received appraisals for Fire Station 6 for approximately \$750,000 which is significantly higher than what was budgeted by Town Staff.
- The Town of Fort Erie supports other community benefit projects.
- Due to the delay caused by the complaint to the Ombudsman, we have had to create a new fundraising plan.
- We believe it was someone's deliberate attempt to thwart our project.
- The Ombudsman found that Council did not act inappropriately in conducting a closed session about our earlier proposal.
- We could not approach major donors without having a set price for the Fire Station.

- We would like to arrange a 2-year lease for the Fire Station with a \$150,000 deposit in April of 2022 with the remaining amount to be paid over a 2-year period.
- Based on interest expressed in fitness classes, if even half of the number of people who responded to our survey attend, our projected annual revenue will be substantial.
- We have considered the Town's report on maintenance needs over the next 20 years, insurance costs, administrative costs, part-time employee costs, which total less than our projected revenues.
- Over 100 people surveyed left us their contact information as they wish to volunteer at the center, demonstrating the huge community interest in being part of this project.
- We have scheduled a Public Information Rally this coming Saturday at 11 a.m. in front of the Fire Hall.
- It would be great to announce to the public that the Town of Fort Erie is in negotiation with ACB to further this project and bring them a neighborhood center.
- We are asking Council to pass a resolution to negotiate a 2-year lease with ACB for Fire Station 6.

9. Consent Agenda Items

9.1 Request to Remove Consent Agenda Items

Mayor Redekop removed Correspondence Item (d) from the Consent Agenda as Councillor Noyes wished to move an amendment.

9.2 Consent Agenda Items for Approval

1. Minutes

- (a) Approve - Regular Council Meeting - September 20, 2021
- (b) Approve - Special Council - October 4, 2021
- (c) Approve - Council-in-Committee Meeting - October 4, 2021
- (d) Approve - Special Council Meeting - October 18, 2021
- (e) Approve - Special Council-in-Committee Meeting - October 18, 2021
- (f) Approve - Council-in-Committee Meeting - October 18, 2021

2. Correspondence

- (b) Proclamation - Positive Living Niagara - November 22 - December 5, 2021 - AIDS Awareness Week and December 1, 2021 as World AIDS Day and December 1-5, 2021 as Aboriginal AIDS Awareness Week

That: Council proclaims November 22 - December 5, 2021 as "AIDS Awareness Week", December 1, 2021 as "World AIDS Day" and December 1-5, 2021 as "Aboriginal AIDS Awareness Week" and approves their flag be flown at Town Hall. **(Carried)**

- (c) Receive - Ombudsman - Closed Meeting Complaint - July 26, 2021
- (d) Receive - Town of Niagara-on-the-Lake - Request Provincial Government to Address OHIP-Insured Eye Care
- (e) Proclamation - Canadian Council of Muslim Women Niagara-Halton Chapter (CCMW) - October 1-31, 2021 as Islamic History Month

That: Council proclaims October 1-31, 2021 as "Islamic History Month". **(Carried)**

3. Board/Committee Minutes

- (a) Receive - Community Gaming Development Corporation - July 28, 2021
- (b) Receive - Accessibility Advisory Committee - September 28, 2021

4. Other Matters

Consent Agenda Resolution

Resolution No. 1

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council approves the Consent Agenda Items as recommended, save and except Correspondence Item (d). **(Carried)**

9.3 Items Removed to be Dealt with Separately

- (d) Receive - Town of Niagara-on-the-Lake - Request Provincial Government to Address OHIP-Insured Eye Care

Resolution No. 1A

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow:

That: Correspondence Item (d) be changed from “Receive” to “Receive & Support”. **(Carried)**

10. Report

IS-51-2021 2021 Municipal Bridge and Culvert Assessment Report

Resolution No. 2

Moved by: Councillor Lubberts

Seconded by: Councillor McDermott

That: Council receives the 2021 Municipal Bridge and Culvert Assessment Report for information purposes; and further

That: Council consider the Consultant’s recommendations regarding funding levels required to meet a sustainable system of infrastructure when preparing the 2022 budget. **(Carried)**

11. New Business/Enquiries

- (a) Councillor Zanko

Councillor Zanko enquired as to the status of the streetlights on Celebration Drive. A few weeks ago, she was told that the parts were on order, but the residents are again getting very impatient since they've been waiting for 2 years. She asked if there was any update on the parts.

Mr. Marotta advised he checked a couple weeks ago and the parts were on their way in, but he hasn't checked yet to see if they have been received. They had confirmed the parts that were needed and went through the exercise of establishing exactly where the failures were. Celebration Drive was identified as a priority location. Mr. Marotta stated that he will check in to exactly

where the parts are, and if we do have them, when the service crew will be sent out for installation.

Mayor Redekop asked Mr. Marotta to let Councillor Zanko and the other members of Council know when they are scheduled for installation. Mr. Marotta confirmed that he would.

(b) Councillor Lubberts

Councillor Lubberts referred to the earlier delegation by Regional staff and a slide they showed with wayfinding signage. A few weeks ago, Council discussed some signage on Erie Road from Ridgeway Road to Schooley Road. He asked if we need to engage with the Region as well as it is a Regional Road.

Mayor Redekop advised that it is no longer a Regional Road so we would not need to consult the Region on that, but it might not be a bad idea for us to have some dialogue with the Region about their signs so that there's maybe some compatibility with the signs.

(c) Councillor Lubberts

Councillor Lubberts referred to the delegation regarding coyotes, and enquired about the coyote law the delegation referred to.

Mr. Kuchyt advised that he is going to look through the material that this gentleman was referring to. He advised that he doesn't believe that the Town is responsible for looking after coyotes, and questioned some of the statements made. He will look into this further, and advised that perhaps this is something the Town may want to address when moving forward with the future RFP for the animal control contract.

Mayor Redekop advised that perhaps the Town's Solicitor should have a look at it as well.

(d) Mayor Redekop

Mayor Redekop referred to the delegation regarding Zoom meetings, and asked Mr. Davis if he had any comments or suggestions at this point, or anything that he might want to comment on to Council at some future point.

Mr. Davis advised that he thought the delegation made some interesting comments, and especially those that we can act on fairly quickly in terms of generic instructions going out with the Zoom meetings. With respect to some of the other suggestions, he advised he thinks staff would have to look at how they organize people as they come in. He can also talk to Mr. Kuchyt to see if there is another solution moving forward, especially in the hybrid era, as these things may not go away really quickly. Mr. Davis advised he also needs to talk with the Planners about Public Meetings, but he is sure they can come to some kind of resolution to make this better.

12. Motions

None.

13. Notice of Motion

(a) Councillor Butler

Councillor Butler gave notice of a Motion regarding staff investigating and making recommendations on becoming a Bird Friendly municipality.

(Returnable November 22, 2021)

(b) Councillor Dubanow

Councillor Dubanow gave notice of a Motion regarding requesting the Federal government to discontinue pre-arrival testing at the Canada-US land border.

(Returnable November 22, 2021, or sooner if possible)

(c) Councillor Noyes

Councillor Noyes gave notice of a motion regarding A.C. Douglas Park 2 being added to the list of Town parks that allow dogs on leash on the paths.

(Returnable November 22, 2021)

14. Closed Session

Resolution No. 3

Moved by: Councillor Noyes

Seconded by: Councillor McDermott

That: Council does now go into closed session at 7:40 p.m. to discuss the following:

- (a) Pursuant to Subsection 239 (2) (c) of the Municipal Act, 2001 - A proposed or pending acquisition or disposition of land by the municipality or local board

Re: Proposal for Disposal of Fire Station 6 **(Carried)**

Mayor Redekop asked Councillors Butler and Zanko, who were in attendance electronically, to confirm no one else was present with them, and that they were not recording this portion of the meeting. They each confirmed they were alone and not recording the meeting.

Mr. Kuchyt provided a PowerPoint presentation, which was followed by a question and answer period. Council gave direction to staff.

Resolution No. 4

Moved by: Councillor Zanko

Seconded by: Councillor Butler

That: Council does now rise and reconvene from closed session at 8:42 p.m. with report that staff proceed as directed. **(Carried)**

Council recessed at 8:42 p.m. for 5 minutes.

15. Consideration of By-laws

By-law No. 123-2021 was removed from the By-law package due to Councillor Butler's declared conflict of interest.

Resolution No. 5

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: the by-law package containing:

124-2021 To Authorize the Execution of an Amending Subdivision Agreement with Royal Niagara Falls Development Corp. (Linda Jabbaz) - (River Trail Phase 2 – Stage 2)

125-2021 To Enact an Amendment to the Official Plan Adopted by By-law No. 150-06 for the Town of Fort Erie Planning Area - Amendment No. 54 - 4197 Niagara River Parkway - Better Neighbourhoods Inc. (Curtis Thompson) – Agent - Sant Parkash Dhillon, Aman Uppal, Shaminder Dhillon and Kuldip Singh – Owners

126-2021 To Amend Zoning By-law No. 129-90, as amended - 4197 Niagara River Parkway - Better Neighbourhoods Inc. (Curtis Thompson) – Agent - Sant Parkash Dhillon, Aman Uppal, Shaminder Dhillon - and Kuldip Singh – Owners

127-2021 To Amend Zoning By-law No. 129-90, as amended - 4002 Erie Road - Upper Canada Consultants (Matt Kernahan) – Agent - 5017064 Ontario Limited (Chris Hawkswell) – Owner

128-2021 To Deem Part of a Certain Registered Plan of Subdivision Not to be a Registered Plan of Subdivision - 43 Douglas Street - Guy Cote – Owner

129-2021 To Deem Part of a Certain Registered Plan of Subdivision Not to be a Registered Plan of Subdivision - Agent: Upper Canada Consultants (M. Kernahan) - Owners: Bojan Pavlovic & Dragana Rakovac-Pavlovic - 146 Haun Road

130-2021 To Authorize the Entry into an Agreement to Supplement the Right to Re-Conveyance Agreement with Harber Realty Holdings Inc. (Andrew Harber) 1481 Commerce Parkway

131-2021 To Enact an Amendment to the Official Plan adopted by By-law No. 150-06 for the Town of Fort Erie Planning Area Amendment No. 55 – 544 Walden Boulevard - Anthony Infurna Sr. – Owner

132-2021 To Amend Zoning By-law No. 129-90 – 544 Walden Boulevard - Anthony Infurna Sr. – Owner

133-2021 To Amend Zoning By-law No. 129-90, as amended - 3719 Highland Drive - Upper Canada Consultants (Ethan Laman) - Agent - Susan Leslie - Owner

134-2021 To Appoint Bryce Bailey as a Municipal Law Enforcement Officer for The Corporation of the Town of Fort Erie and to Repeal By-law No. 75-2020

135-2021 To Authorize the Entry into a Transfer Payment Agreement with Her Majesty the Queen in right of Ontario, as represented by the Minister of Infrastructure for the Investing in Canada Infrastructure Program (ICIP): COVID-19 Resilience Infrastructure Stream – Local Government Intake Stream Projects

136-2021 To Adopt the Fort Erie Fire & Emergency Services 2021-2031 Master Plan

is given first and second reading.

(Carried)

Resolution No. 6

Moved by: Councillor McDermott

Seconded by: Councillor Lubberts

That: By-laws:

124-2021
125-2021
126-2021
127-2021
128-2021
129-2021
130-2021
131-2021
132-2021
133-2021
134-2021
135-2021
136-2021

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

Resolution No. 6A
Moved by: Councillor Noyes
Seconded by: Councillor Dubanow

That: By-law No. 123-2021 To Authorize the Entry into an Amendment to Memorandum of Understanding with Westwind Niagara Developments Inc. (Alfred Beam) - 3285 Thunder Bay Road is given first and second reading. **(Carried)**

Resolution No. 6B
Moved by: Councillor McDermott
Seconded by: Councillor Lubberts

That: By-law No. 123-2021 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 7
Moved by: Councillor Butler
Seconded by: Councillor Zanko

That: By-law No. 137-2021: To Confirm the Actions of Council at its Special Council-in-Committee and Council-in-Committee Meetings Held on October 18, 2021, and its Council Meeting Held on October 25, 2021 is given first and second reading. **(Carried)**

Resolution No. 8

Moved by: Councillor Zanko

Seconded by: Councillor Butler

That: By-law No. 137-2021 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

16. Scheduling of Meetings

- Accessibility Advisory Committee, Tuesday, October 26, 2021, 4:00 p.m., Conference Rm. 1
- Community Health Care Services Committee, Tuesday, October 26, 2021, 5:00 p.m., Centennial Public Library Board Room
- Traffic Coordinating Committee, Wednesday, October 27, 2021, 12:00 p.m., Conference Rm. 3
- Niagara Circle Rout Committee, Monday, November 1, 2021, 1:00 p.m., via Zoom
- Planning & Development Services Subcommittee, November 3, 2021, 5:00 p.m., Conference Rm. 2

17. Adjournment

Resolution No. 9

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council adjourns at 8:57 p.m. to reconvene into a Regular Meeting of Council on November 22, 2021. **(Carried)**

Mayor

Clerk