

Municipality of Lakeshore

Minutes of the Special Council Meeting

Thursday, September 16, 2021, 6:30 PM

Electronically hosted from Town Hall, 419 Notre Dame Street, Belle River



Members Present: Mayor Tom Bain, Deputy Mayor Tracey Bailey, Councillor Len Janisse, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Kirk Walstedt, Councillor Linda McKinlay

Members Absent: Councillor Steven Wilder

Staff Present: Chief Administrative Officer Truper McBride, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Roads, Parks & Facilities Jeff Wilson, Division Leader - Community Services Frank Jeney, Division Leader - Financial Analysis & Planning Jessica Gaspard, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Capital Projects Wayne Ormshaw, Team Leader - Civic Engagement Alex Denonville, Interim Division Leader - Information Management & Technology Solutions Mark Donlon

1. Call to Order

Mayor Bain called the meeting to order at 6:32 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

6. Completion of Unfinished Business

1. Delegations

1. Draft Animal Care and Control By-law – Results of Public Consultation

Sarah Aubin and Mackenzie Porter were present electronically and provided concluding remarks from their presentation that began September 14, 2021.

Mayor Bain advised that Councillor Wilder had been called away on a medical emergency and could not be in attendance.

284-09-2021

Moved By Councillor Kerr

Seconded By Deputy Mayor Bailey

Direct Administration to include provisions in the Animal Care and Control By-law for minimum primary enclosure space requirements that exceed the level of the *Provincial Animal Welfare Act*, and include additional resources for education and enforcement in the 2022 Budget, as presented at the September 14, 2021 Council meeting.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

Carried

285-09-2021

Moved By Councillor Santarossa

Seconded By Councillor Janisse

Direct Administration to review the minimum distance requirement for kennels to neighbouring properties and present the draft by-law for review.

Carried Unanimously

2. Consent Agenda

286-09-2021

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

Approve minutes of the previous meetings as amended and receive correspondence as listed on the Consent Agenda.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Kerr

Carried

1. August 10, 2021 Regular Council Meeting Minutes
2. August 12, 2021 Special Council Meeting Minutes
3. City of Brantford Actively Participate in the Year of the Garden
4. Howard Armstrong Request Amendment to By-law 67-2017 Off-Road Vehicles on Rural Roads

3. Reports for Information

1. Police Services Board Meeting Minutes – June 28, 2021
2. Property Standards Committee Hearing Minutes – July 21, 2021
3. Committee of Adjustment Meeting Minutes – August 18, 2021
4. Drainage Board Meeting August 9, 2021
5. Rock Rink Air Conditioning – Option 1 Rooftop or West Exterior Wall HVAC Unit

287-09-2021

Moved By Councillor Santarossa

Seconded By Councillor Kerr

Bring forward the Rock Rink Air Conditioning project in 2022 Budget.

In Favour (5): Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Kerr, and Councillor McKinlay

Opposed (2): Mayor Bain, and Councillor Walstedt

Carried

6. Unbudgeted Funds Approved by Council in 2021

288-09-2021

Moved By Councillor Santarossa

Seconded By Councillor Kerr

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

4. Reports for Direction

1. Support for National Day for Truth and Reconciliation

289-09-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

Whereas the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

And whereas the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

And whereas all Canadians and all orders of government have a role to play in reconciliation;

And whereas Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

And whereas the Federal Government has announced September 30th 2021 as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

Therefore be it resolved that the Council of the Municipality of Lakeshore commits to recognizing September 30th 2021 as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

Recognize September 30th as a paid holiday for all Lakeshore employees.

In Favour (4): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, and Councillor Kerr

Opposed (3): Councillor Janisse, Councillor Walstedt and Councillor McKinlay

Carried

2. Tender Award – Railway Avenue Watermain Replacement

290-09-2021

Moved By Councillor Kerr

Seconded By Councillor Janisse

Award the tender for Railway Avenue Watermain Replacement to SheaRock Construction for a total cost of \$1,144,500.00 plus applicable HST, as presented at the September 14, 2021 Council meeting.

Carried Unanimously

3. Tender Award – Fire Hall Asphalt Replacement

291-09-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Award the tender for the Fire Hall Asphalt Replacement to Quinlan Inc. in the amount of \$89,807.50 plus applicable HST for asphalt replacement, as described in the September 14, 2021 Council Report.

Carried Unanimously

4. Tender Award – Denis St. Pierre Water Pollution Control Plant Expansion

292-09-2021

Moved By Councillor Janisse

Seconded By Councillor Kerr

Defer consideration until the September 28, 2021 meeting.

Carried Unanimously

5. County Wide Active Transportation System (CWATS) 2022 Project, County Rd 2 Lake-9 Segment

293-09-2021

Moved By Councillor Kerr

Seconded By Councillor Janisse

Approve the construction of a paved shoulder (Lake-9) along Tecumseh Road (County Road 2) between the Moison Creek Bridge to Stuart Lane for submission to the CWATS Committee for consideration in 2022; and

Direct Administration to include \$268,857.00 for the construction of the paved shoulder in the 2022 budget, as further described in the September 14, 2021 Council report.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Kerr, and Councillor McKinlay

Opposed (1): Councillor Walstedt

Carried

6. Atlas Tube Recreation Centre South East Exit Door

294-09-2021

Moved By Councillor Kerr

Seconded By Councillor Walstedt

Approve the repurposing of the South East exit door at the Atlas Tube Recreation Centre to an accessible door, the cost of which is to be paid from the Facilities Reserve in 2021.

Carried Unanimously

7. ATRC Splash Pad – Use, Operations, Lifecycle, Infrastructure

295-09-2021

Moved By Councillor Kerr

Seconded By Deputy Mayor Bailey

Receive the report.

In Favour (3): Deputy Mayor Bailey, Councillor Santarossa, and Councillor Kerr

Opposed (4): Mayor Bain, Councillor Janisse, Councillor Walstedt, and Councillor McKinlay

Lost

296-09-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor McKinlay

Bring back a report on the cost to decommission (not remove) the splash pad at the ATRC.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

Carried

8. 2020 Year End Variance Report

Mayor Bain called a recess at 9:05 PM. Council returned to the meeting at 9:14 PM.

297-09-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Walstedt

Receive the report regarding the 2020 Year End Variances for the general (taxation funded), wastewater (sanitary sewer) and water funds;

Approve the taxation supported surplus of \$1,578,084 for the year ended December 31, 2020;

Approve a transfer of \$1,375,407 to the Working Funds Reserve;

Approve a transfer to the Legal reserve of \$129,293 representing the 2020 surplus in the Legal expense account budget;

Approve a transfer to the Insurance reserve of \$73,384 representing the 2020 surplus in the overall insurance claims expense account budget;

Approve a transfer of \$283,375 to the Building Services – Operating reserve fund to transfer the 2020 Accumulated Net Surplus per the draft 2020 Building Services Statement;

Approve a transfer of \$491,562 representing a surplus from Wastewater (sanitary sewer) operations for the year ended December 31, 2020 to the Wastewater (Sanitary Sewer) Reserve Fund; and

Approve a transfer of \$189,600 representing a surplus from Water operations for the year ended December 31, 2020 be transferred to the Water Reserve Fund.

In Favour (5): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Janisse, and Councillor Kerr

Carried

9. 2020 Capital Variance Report

298-09-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Approve the net capital transfer to/from projects of (\$295,531) as identified in Appendix A of the 2020 Capital Variance Report for the year ended December 31, 2020 and approve the transfer of \$14,861,791 to the encumbrance reserve.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

Carried

10. Accessibility Advisory Committee Draft Meeting Minutes, May 4, 2021

299-09-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Walstedt

Direct Administration to prepare a report for the Accessibility Advisory Committee regarding Evacuation Chairs;

Direct Administration to advertise to replace the two vacancies on the Committee; and

Receive the Accessibility Advisory Committee Meeting Minutes of May 4, 2021.

Carried Unanimously

11. Exchange Server Migration

300-09-2021

Moved By Councillor Kerr

Seconded By Councillor Santarossa

Authorize Administration to spend up to \$100,000 from the Working Funds Reserve to undertake the emergency migration of the Exchange Server to Office 365 and the requisite Cloud Strategy to support the work.

Carried Unanimously

5. Consideration of By-laws

301-09-2021

Moved By Councillor Santarossa

Seconded By Deputy Mayor Bailey

By-law 72-2021 be read and passed in open session on September 16, 2021.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Kerr

Carried

302-09-2021

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

By-law 73-2021 be read and passed in open session on September 16, 2021.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

Carried

303-09-2021**Moved By** Councillor Santarossa**Seconded By** Deputy Mayor Bailey

By-law 67-2021 be read a first and second time and provisionally adopted;

By-laws 48-2021, 57-2021 and 58-2021 be read a third and adopted; and

By-laws 68-2021, 71-2021 and 74-2021 be read and passed in open session on September 16, 2021.

Carried Unanimously

1. By-law 48-2021, Being a By-law for the No. 3 Government Drain in the Municipality of Lakeshore
2. By-law 57-2021, Being a By-law for the 3rd Concession Drain - East of little Creek in the Municipality of Lakeshore
3. By-law 58-2021, Being a By-law for the 2nd Concession drain - South Malden Road in the Municipality of Lakeshore
4. By-law 67-2021, Being a By-law for the Brown Drain Enclosure in the Municipality of Lakeshore
5. By-law 68-2021, Being a By-law to Confirm the Proceedings of Council for August 10th and August 12th Meetings
6. By-law 71-2021, Being a By-law to Authorize a Grant to the John Freeman Walls Historic Site & Underground Museum
7. By-law 72-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-24-2021)
8. By-law 73-2021, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-25-2021)
9. By-law 74-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-01-2021)

304-09-2021**Moved By** Councillor Kerr**Seconded By** Councillor McKinlay

Extend the meeting past the 9:30 PM deadline.

In Favour (2): Councillor Kerr, and Councillor McKinlay

Opposed (5): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, and Councillor Walstedt

Lost

7. Adjournment**305-09-2021****Moved By** Councillor Walstedt**Seconded By** Councillor Santarossa

Council adjourn its meeting at 9:30 PM.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Kerr

Carried

Tom Bain
Mayor

Kristen Newman
Clerk