

THE CORPORATION OF THE CITY OF BELLEVILLE

AGENDA

**JUNE 25, 2018
4:00 P.M.
COUNCIL CHAMBER**

It is noted that there will be a City Council In Camera (closed session) Meeting at 2:30 p.m. At 2:30 p.m., City Council will be requested to consider approval of the following resolution. This will take place in a very brief Open session, immediately prior to entering into In Camera session.

“THAT City Council enter into In Camera session to consider the following items, pursuant to Section 239 of the Municipal Act.

- In Camera Report No. MHR-2018-02 regarding labour relations or employee negotiations (Pursuant to Section 239(2)(d) of the Municipal Act)
- In Camera Report No. MHR-2018-03 regarding labour relations or employee negotiations (Pursuant to Section 239(2)(d) of the Municipal Act)
- In Camera Report No. DCS-2018-25 regarding the potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. GMES-2018-07 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- Review of the Special In Camera Meeting Minutes of June 6, 2018 and Regular In Camera Meeting Minutes of June 11, 2018.”

1. CALL TO ORDER

1.1. ATTENDANCE

His Worship Mayor Christopher	
Councillor Boyce	Councillor McCaw
Councillor Carr	Councillor Miller
Councillor Denyes	Councillor Panciuk
Councillor Graham	Councillor Thompson

2. MOMENT OF REFLECTION

2.1 Moment of Reflection

2.2 Singing of "O Canada" in recognition of Canada Day
A video presentation of the National Anthem prepared by Ted and Cathy Ryczko will be played

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**4. PUBLIC MEETINGS****5. READING AND CONFIRMATION OF MINUTES**

Minutes of the Special Council Meeting of June 6, 2018, Special In Camera Meeting of June 6, 2018, Regular Council Meeting of June 11, 2018, and Regular In Camera Meeting of June 11, 2018

6. DEPUTATIONS

6.1 Peter Gabriel, President/Coach of Skyhawks Varsity Football will make a deputation to Council

RESOLUTION

"THAT the deputation of Peter Gabriel, President/Coach of Skyhawks Varsity Football, thanking Council for their support and providing information on the plans for the 2018 Jr. Varsity team, be received."

7. CORRESPONDENCE

- 7.1 June 19, 2018 letter from the Belleville Downtown Improvement Area (BDIA)
Consent Item 8.b.11 refers

7-1**RESOLUTION**

“THAT the June 19, 2018 letter from the Belleville Downtown Improvement Area (BDIA) regarding SummerFest & Markets in the Village on July 28, 2018, be received and referred to Consent Item 8.b.11.”

8. COMMITTEE OF THE WHOLE

MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS WITH COUNCILLOR PANCIUK IN THE CHAIR

8. a. REPORTS

The agenda shall include under Reports items that warrant individual attention from Council

8.a.1 DISPOSAL OF SURPLUS LAND – UNOPENED LANEWAY (BETHEL ROAD)

Director, Corporate Services/Clerk’s Report No. DCS-2018-23

8.a.-1**RESOLUTION**

“THAT Council declare surplus an unopened laneway described as Part 1 of Plan 21R-5413 in the City of Belleville; and

THAT a by-law to stop up, close and convey to the abutting property owner Part 1 of Plan 21R-5413, Township of Thurlow; now City of Belleville, County of Hastings (unopened laneway bisecting 1187 Bethel Road) be prepared for Council’s consideration.”

8.a.2 **DISPOSAL OF SURPLUS LAND – UNOPENED LANEWAY
(AIRPORT PARKWAY)**

Director, Corporate Services/Clerk's Report No. DCS-2018-24

8.a-4

RESOLUTION

“THAT Council declare surplus an unopened laneway described as Parts 1 – 7 of Plan 21R-25106 in the City of Belleville; and

THAT a by-law to stop up, close and convey to the abutting property owner Parts 1 - 7 of Plan 21R-25106, City of Belleville, County of Hastings (unopened laneway abutting 374 Airport Parkway) be prepared for Council's consideration.”

8.a.3 **FAÇADE IMPROVEMENT PROGRAM – REQUEST FOR
ADDITIONAL 2018 FUNDING**

Manager of Approvals' Report No. PP-2018-18

8.a-7

RESOLUTION

1. “THAT pursuant to the Manager of Approvals' Report No. PP-2018-18, the 2018 Façade Improvement Program operating budget be amended with an increase of \$135,000 to be drawn from the Casino reserve Economic Development Allocation as funds are available following the July 2018 payment.”
2. “THAT an application deadline of October 15, 2018 be set as the last day to receive applications for the 2018 Façade Improvement Program year.”
3. “THAT Façade Improvement Program Guidelines be amended to clarify that work on approved projects must begin within one year of Council approval.”

8.a.4 **ELECTRICAL SERVICES CONTRACT FOR VARIOUS CITY
OF BELLEVILLE LOCATIONS**

Special Projects Manager's Report No. SPM-2018-03

8.a-12

RESOLUTION

“THAT the Request for Proposal submission from 1518000 Ontario Inc., o/a Horwood Electric Services be accepted for the supply of electrical services in the amount of \$65.00 per hour regular rate, \$97.50 per hour overtime and stat holiday rate for a licensed electrician and \$42.00 per hour regular rate; \$63.00 per hour overtime and stat holiday rate for electrician’s apprentice, this being the highest scoring submission received and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.”

8. b. CONSENT ITEMS

Council may adopt Consent Items by one motion, but prior to consideration of such motion, Members may request that specific items be removed from consideration under such motion and Council shall consider such items individually.

“THAT the following Agenda items be approved with the exception of Item(s) _____.”

8.b.1 ACTIVE TRANSPORTATION BY-LAW

Director, Engineering & Development Services’ Report No. DEDS-2018-05

8.b.-1

RESOLUTION

“THAT By-law Number 2017-146, a by-law to regulate Active Transportation activities within the corporate limits of the City of Belleville, proceed to second and third readings.”

8.b.2 BUILD BELLEVILLE STATUS REPORT ENG-2018-18

Director, Engineering & Development Services’ Report No. ENG-2018-18

8.b.-14

RESOLUTION

“THAT the Build Belleville Status Report ENG-2018-18 be received.”

8.b.3 **SIDEWALK REPAIRS AND REPLACEMENT CONTRACT
ENG2018-08**

Project Manager's Report No. ENG-2018-19

8.b.-20

RESOLUTION

“THAT the tender submission from Standard Paving Limited be accepted for CONTRACT ENG2018-08 Sidewalk Repairs and Replacement in the amount of \$140,030.00 plus \$18,203.90 HST for a total amount of \$158,233.90, this being the lowest cost tender received, and that the Mayor and City Clerk be authorized to sign the acceptance Agreement on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.”

8.b.4 **FAÇADE IMPROVEMENT PROGRAM – PROPOSED
GRANT ALLOCATION FOR 233 FRONT STREET,
BELLEVILLE, ONTARIO**

Manager of Approvals' Report No. PP-2018-15

8.b.-24

RESOLUTION

“THAT the Grant allocation for 233 Front Street recommended by the Façade Improvement Committee as set out in Manager of Approvals' Report PP-2018-15, Façade Improvement Program – Proposed Grant Allocation for 233 Front Street, Belleville, Ontario be approved, subject to the requirements of the Façade Improvement Committee; and

THAT the Mayor and City Clerk be authorized to sign the Commitment Agreement with the Grant recipient on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.”

8.b.5 **FAÇADE IMPROVEMENT PROGRAM – PROPOSED
GRANT ALLOCATION FOR 38-42 BRIDGE STREET EAST,
BELLEVILLE, ONTARIO**

Manager of Approvals' Report No. PP-2018-16

8.b.-29

RESOLUTION

“THAT the Grant allocation for 38-42 Bridge Street East recommended by the Façade Improvement Committee as set out in Manager of Approvals' Report PP-2018-16, Façade Improvement Program – Proposed Grant Allocation for 38-42 Bridge Street East, Belleville, Ontario be approved, subject to the requirements of the Façade Improvement Committee; and

THAT the Mayor and City Clerk be authorized to sign the Commitment Agreement with the Grant recipient on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.”

8.b.6 **FAÇADE IMPROVEMENT PROGRAM – PROPOSED
GRANT ALLOCATION FOR 52 BRIDGE STREET EAST,
BELLEVILLE, ONTARIO**

Manager of Approvals' Report No. PP-2018-17

8.b.-34

RESOLUTION

“THAT the Grant allocation for 52 Bridge Street East recommended by the Façade Improvement Committee as set out in Manager of Approvals' Report PP-2018-17, Façade Improvement Program – Proposed Grant Allocation for 52 Bridge Street East, Belleville, Ontario be approved, subject to the requirements of the Façade Improvement Committee; and

THAT the Mayor and City Clerk be authorized to sign the Commitment Agreement with the Grant recipient on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.”

8.b.7 **REQUEST FOR EXTENSION TO DRAFT PLAN OF SUBDIVISION APPROVAL, HANLEY PARK SUBDIVISION, PART OF LOT 14, CONCESSION 1, FORMERLY TOWNSHIP OF THURLOW, OWNER: HANLEY PARK DEVELOPMENTS INC.**

Manager of Approvals' Report No. APS-2018-12

8.b.-39

RESOLUTION

“THAT, pursuant to Section 51(33) of the Planning Act, the Council of The Corporation of the City of Belleville hereby approves the extension of draft plan approval for Subdivision 12T-02506 until June 30, 2019.”

8.b.8 **SUPPLY, TREATMENT, AND STOCKPILING OF WINTER SAND FOR THREE (3) YEAR CONTRACT (2018/2019, 2019/2020, 2020/2021)**

General Manager, Transportation & Operations Supervisor's Report No. GMT&OS-2018-02

8.b.-43

RESOLUTION

“THAT the tender submission from Scalleta Sand & Gravel Ltd. be accepted for Supply, Treatment, and Stockpiling of Winter Sand in the amount of \$10.00 plus HST per tonne for 2018/2019, \$10.50 plus HST per tonne for 2019/2020, and \$11.00 plus HST per tonne for 2020/2021, this being the lowest cost tender received, and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.”

8.b.9 **VERIDIAN & WHITBY HYDRO MERGER**

RESOLUTION

“Proposed Amalgamations between (1) Veridian Corporation and Whitby Hydro Energy Corporation, and (2) Veridian Connections Inc. and Whitby Hydro Electric Corporation

WHEREAS The Corporation of the City of Belleville (the 'Municipality') is a shareholder of Veridian Corporation ('Veridian Holdco');

AND WHEREAS Veridian Holdco is the sole shareholder of Veridian Connections Inc. ('Veridian LDC');

AND WHEREAS Veridian Holdco and Whitby Hydro Energy Corporation ('Whitby Holdco') intend to amalgamate (the 'Holdco Amalgamation') pursuant to section 174 of the *Business Corporations Act* (Ontario) (the 'OBCA') to form an amalgamated entity ('Merged Holdco');

AND WHEREAS subsequent to the Holdco Amalgamation, Veridian LDC and Whitby Hydro Electric Corporation ('Whitby LDC') intend to amalgamate pursuant to section 174 of the OBCA (the 'LDC Amalgamation', and together with the Holdco Amalgamation, the 'Amalgamations') to form an amalgamated entity ('LDC Mergeco');

AND WHEREAS in order to facilitate the Amalgamations, Veridian LDC, Whitby Holdco, Veridian Holdco, Whitby LDC, The Corporation of the Town of Ajax, the Municipality, The Corporation of the Municipality of Clarington, The Corporation of the City of Pickering, and The Corporation of the Town of Whitby intend to enter into a merger participation agreement (the 'Merger Participation Agreement'), substantially in the form of a draft merger participation agreement (the 'Draft Merger Participation Agreement') previously presented to the Municipality for review;

AND WHEREAS pursuant to section 2.3(1) of the Merger Participation Agreement, Veridian Holdco is required to enter into an amalgamation agreement with Whitby Holdco substantially in the form of the agreement attached as Schedule 2.3(1) to the Merger Participation Agreement (the 'Holdco Amalgamation Agreement');

AND WHEREAS subsection 176(4) of the OBCA provides that an amalgamation agreement is adopted when the shareholders of each amalgamating corporation have approved of the amalgamation by a special resolution of the holders of the shares of each class or series entitled to vote thereon;

AND WHEREAS pursuant to section 185 of the OBCA, a holder of shares of any class or series entitled to vote on the resolution approving an amalgamation may dissent, in which case such shareholder, in addition to any other right the shareholder may have, is entitled to be paid by the corporation

the fair value of the shares held by the shareholder subject to compliance with the dissent procedure contained in section 185 of the OBCA;

AND WHEREAS the Municipality declares that it is not exercising such right of dissent in connection with the Amalgamations and waives its right to receive notice of a meeting of shareholders pursuant to subsection 176(2) of the OBCA in connection with the Amalgamations;

AND WHEREAS pursuant to section 2.3(2) of the Merger Participation Agreement, Veridian LDC is required to enter into an amalgamation agreement with Whitby LDC substantially in the form of the agreement attached as Schedule 2.3(2) to the Merger Participation Agreement (the 'LDC Amalgamation Agreement');

AND WHEREAS after the Amalgamations have taken place, Merged Holdco, LDC Mergeco, The Corporation of the Town of Ajax, the Municipality, The Corporation of the Municipality of Clarington, The Corporation of the City of Pickering, and The Corporation of the Town of Whitby intend to enter into a unanimous shareholders' agreement governing the affairs of Merged Holdco and LDC Mergeco (the 'Unanimous Shareholders' Agreement'), substantially in the form of a unanimous shareholders' agreement (the 'Draft Unanimous Shareholders' Agreement') previously presented to the Municipality for review;

NOW THEREFORE BE IT RESOLVED THAT:

- (a) The Municipality approves the Amalgamations;
- (b) The terms and conditions of the Merger Participation Agreement, the Unanimous Shareholders' Agreement and the transactions contemplated thereby are reasonable and fair to the Municipality;
- (c) The Municipality, Veridian Holdco and Veridian LDC are authorized to enter into the Merger Participation Agreement, substantially in the form of the Draft Merger Participation Agreement;
- (d) Veridian Holdco is authorized to enter into the Holdco Amalgamation Agreement, substantially in the form set out in Schedule 2.3(1) to the Merger Participation Agreement;
- (e) Veridian LDC is authorized to enter into the LDC Amalgamation Agreement, substantially in the form set out in Schedule 2.3(2) to the Merger Participation Agreement;

(f) The Municipality is authorized to enter into the Unanimous Shareholders' Agreement, substantially in the form of the Draft Unanimous Shareholders' Agreement;

(g) The execution and delivery by the Municipality of the Merger Participation Agreement and the Unanimous Shareholders' Agreement and the performance by it of its obligations thereunder, substantially in the form and on the terms set out in the Draft Merger Participation Agreement and Draft Unanimous Shareholders' Agreement, with such deletions, amendments or additions thereto as the Chief Administrative Officer, or other duly authorized representative, of the Municipality (the 'Authorized Representative') may determine, is authorized and approved, the execution of such agreements in accordance with the provisions of the paragraph immediately below being conclusive evidence of such determination;

(h) The Authorized Representative is authorized and directed, for and in the name of and on behalf of the Municipality, to execute and deliver the Merger Participation Agreement and the Unanimous Shareholders' Agreement, substantially in the form and on the terms set out in the Draft Merger Participation Agreement and the Draft Unanimous Shareholders' Agreement, with such deletions, amendments or additions thereto as the Authorized Representative may in his or her absolute discretion determine, the execution of such agreement in accordance with the provisions of this paragraph being conclusive evidence of such determination; and

(i) The Authorized Representative is authorized and directed, for and in the name of and on behalf of the Municipality, to execute and deliver all such other agreements, amendments, instruments, certificates, resolutions and other documents, including a resolution of the shareholders of Veridian Holdco approving the Amalgamations, and to do all such other acts and things as the Authorized Representative may determine to be necessary or advisable in connection with the Merger Participation Agreement, with the Unanimous Shareholders' Agreement, or to carry out the intention of the foregoing resolution, the execution and delivery of any such agreement, amendment, instrument, certificate, resolution or other document or the doing of any such other act or thing by the Authorized Representative being conclusive evidence of such determination."

8.b.10 **2018 QUINTE EXHIBITION**

June 16, 2018 Temporary Noise Permit Application

8.b.-47

RESOLUTION

THAT the Belleville Agricultural Society application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 for the 2018 Quinte Exhibition from August 30 through to and including September 2, 2018 be approved, and that the application and permit fee be waived.”

8.b.11 **BELLEVILLE DOWNTOWN IMPROVEMENT AREA
SUMMERFEST & MARKETS IN THE VILLAGE**

Correspondence Item 7.1 refers

RESOLUTION

“THAT the requests from Belleville Downtown Improvement Area (BDIA) contained in their letter of June 19, 2018 concerning SummerFest & Markets in the Village, Saturday, July 28, 2018 from 10:00 a.m. to 4:00 p.m., be approved; and,

THAT Council approve the use of City sidewalks and parking spaces within the requested area for SummerFest & Markets in the Village; and,

THAT the section of Bridge Street between Pinnacle Street and Front Street be closed to traffic from 8:00 a.m. to 5:00 p.m. on Saturday, July 28, 2018 for SummerFest & Markets in the Village.”

8. c. COUNCIL INFORMATION MATTERS**8. d. RISE AND REPORT**

9. BY-LAWS

Following the first and second reading of by-laws, Members may debate any by-law under consideration...

9. a. FIRST READING OF BY-LAWS**9. b. SECOND READING OF BY-LAWS AND DISCUSSION**

2017-146, a by-law to regulate bicycles, skateboards, in-line skates, roller skates, e-bikes, segways and other conveyances drawn, propelled or driven by any kind of muscular power in the City of Belleville

9.b.-1**9. c. THIRD READING OF BY-LAWS**

2017-146, a by-law to regulate bicycles, skateboards, in-line skates, roller skates, e-bikes, segways and other conveyances drawn, propelled or driven by any kind of muscular power in the City of Belleville

10. NEW BUSINESS**11. MOTIONS****12. NOTICE OF MOTIONS****13. ANNOUNCEMENTS**

14. CONFIRMATORY BY-LAW

“THAT By-law Number 2018-101, a by-law to confirm the proceedings of Council at its meeting held on June 25, 2018, be read a first, second and third time and finally passed this 25th day of June, 2018.”

14-1**15. ADJOURNMENT**