

# THE CORPORATION OF THE CITY OF BELLEVILLE

## AGENDA

**JUNE 25, 2019**

**4:00 P.M.**

**COUNCIL CHAMBER**

It is noted that there will be a City Council In Camera (closed session) Meeting at 1:30 p.m. At 1:30 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. DCS-2019-26 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. DCS-2019-27 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. MHR-2019-16 regarding labour relations or employee negotiations (Pursuant to Section 239(2)(f) of the Municipal Act)
- In Camera Report No. MHR-2019-17 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- Review of the Regular In Camera Minutes of June 10, 2019.”

### **1. CALL TO ORDER**

#### **1.1. ATTENDANCE**

His Worship Mayor Panciuk

Councillor Carr

Councillor Culhane

Councillor Kelly

Councillor Malette

Councillor McCaw

Councillor Sandison

Councillor Thompson

Councillor Williams

**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 Regular Council Meeting of June 10, 2019 and Regular In Camera Meeting of June 10, 2019

**6. DEPUTATIONS**

6.1 Jane Gardner, General Manager and Christina Taylor, Quinte Ballet Board Chair, Quinte Ballet School of Canada will make a deputation to Council

**RESOLUTION**

"THAT the deputation by Jane Gardner, General Manager and Christina Taylor, Quinte Ballet Board Chair, Quinte Ballet School of Canada updating Council on the benefit of the City grants to the community, be received."

- 6.2 Glenn Higgins, Project Manager, Planning and Design, Ontario Ministry of Transportation will make a deputation to Council

**RESOLUTION**

“THAT the deputation by Glenn Higgins, Project Manager, Planning and Design, Ontario Ministry of Transportation providing an update regarding the Ministry of Transportation's preliminary design and environmental assessment study for the replacement of structures and widening of Highway 401 in Belleville, be received.”

- 6.3 Phil Spry of Springale Developments and Bob Cottrell of All-Together Affordable Housing will make a deputation to Council

**RESOLUTION**

“THAT the deputation by Phil Spry of Springale Developments and Bob Cottrell of All-Together Affordable Housing regarding the proposed affordable housing development at 111 Great Saint James Street and requesting fee waiver/deferral, be received.”

**7. CORRESPONDENCE**

- 7.1 Letter dated June 12, 2019 from City's Integrity Commissioner

**RESOLUTION**

“THAT the June 12, 2019 letter from the City's Integrity Commissioner, Cunningham Swan, regarding Code of Conduct Review, be received.”

**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 SANDISON IN THE CHAIR**

**8. a. REPORTS**

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

**8.a.1 POLICE FACILITY – ALLOWANCE REDIRECTION**

Special Projects Manager's Report No. SPM-2019-05

**8.a.-1**

**RESOLUTION**

"THAT pursuant to the Special Projects Manager's Report No.SPM-2019-05, Police Facility – Allowance Redirection, Council approves the redirection of \$105,000 from the Furnishings, Fittings, and Equipment (FF&E) allowance to the General Contractors Tendered Cost Allowances to facilitate the purchase of the preferred communications tower."

**8.a.2 CONTRACT NO. PRKN-2019-01 RE: SUPPLY OF SNOW REMOVAL SERVICES – VARIOUS CITY OF BELLEVILLE LOCATIONS, PARKING LOTS MANAGED BY PARKING SERVICES**

Deputy City Clerk's Report No. DCC-2019-06

**8.a.-8**

**RESOLUTION**

"THAT the tender submission from Madison Excavating be accepted for Contract No. PRKN-2019-01 Supply of Snow Removal Services for Various City of Belleville Locations, for the upcoming 2019/2020 and 2020/2021 winter seasons; this being the most qualified proposal received, and that the Mayor and 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.a.3 PURCHASE OF NEW OR DEMO WACHS HYDRO VAC UTILITY MAINTENANCE TRAILER OR EQUIVALENT**

Capital & Fleet Asset Manager's Report No. CFAM-2019-07

**8.a.-12**

**RESOLUTION**

“THAT the request for proposal submission from Wachs Canada Ltd. be accepted for the supply and delivery of One (1) New or Demo Wachs Hydro Vac Utility Maintenance Trailer or Equivalent in the amount of \$55,850.00 plus \$7,260.50 HST, for a total of \$63,110.50 this being the most qualified proposal received, and that the Mayor and 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.a.4     2017 AND 2018 MPAC LEVY – UNPAID BALANCE**

Director of Finance/Treasurer’s Report No. DF-2019-20

**8.a.-16****RESOLUTION**

“THAT Council approve payment to MPAC of \$24,411.06 representing the unpaid levy for the years 2017 and 2018 plus accrued interest of \$2,551.65 for a total of \$26,962.71; and

THAT funding in the amount of \$26,962.71 be transferred from the Tax Rate Stabilization Reserve Fund.”

**8.a.5     CITY OF BELLEVILLE POLICIES – STRATEGIC ASSET  
MANAGEMENT POLICY**

Director of Finance/Treasurer’s Report No. DF-2019-21

**8.a.-18****RESOLUTION**

“THAT pursuant to the Director of Finance/Treasurer’s Report No. DF-2019-21 Council approve the recommendation of the Audit Committee – City of Belleville Policies – Strategic Asset Management Policy; and

THAT staff be directed to post a copy of the Strategic Asset Management Policy to the City of Belleville website in compliance with Ontario Regulation 588/17.”

8.a.6 **REVISED TERMS OF REFERENCE – FINANCE COMMITTEE**

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Director of Finance/Treasurer's Report No. DF-2019-22

**8.a.-29**

**RESOLUTION**

"THAT pursuant to the Director of Finance's Report No. DF-2019-22 Council approve the re-naming of the Audit Committee to the Finance Committee; and

THAT Council approve the Terms of Reference for the Finance Committee as outlined in the subject report."

8.a.7 **SUPPLY OF TWO (2) FORD F150 XL 2WD SUPERCABS**

Director, Fire & Emergency Services' Report No. FES-2019-02

**8.a.-36**

**RESOLUTION**

"THAT the Request for Proposal submission from Benton Fry Ford Sales Ltd. be accepted for the supply and delivery of two (2) 2019 Ford F150 XL 2WD Supercabs (Red) in the amount of \$66,813.90 plus \$8,685.81 HST for a total of \$75,499.71, and net cost of \$67,989.82 this being the most qualified proposal received, and that 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.a.8 **MUNICIPAL ACCOMMODATION TAX BY-LAW**

Manager of Economic & Strategic Initiatives' Report No. ECDEV-2019-21

**8.a.-40**

**RESOLUTION**

"THAT pursuant to the Manager of Economic and Strategic Initiatives' Report No. ECDEV-2019-21, a by-law to approve the establishment of a tax on the Purchase of Municipal Accommodation in the City of Belleville (Municipal Accommodation Tax – MAT) be prepared for Council's consideration."

8.a.9 **ONTARIO REGULATION 507/18 (PART OF THE GREEN ENERGY ACT, 2009)**

Acting Property Manager's Report No. RCCS-PM-2019-01

**8.a.-60**

**RESOLUTION**

"THAT the 5-Year Energy Conservation and Demand Management Plan for the City of Belleville be approved and be placed on the City web page and made available as per Ontario Regulation 507/18 (Part of the Green Energy Act, 2009)."

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 **QUINTE BAY GYMNASTICS CLUB – LOAN AGREEMENT**

Director, Corporate Services/Clerk's Report No. DCS-2019-28

**8.b.-1**

**RESOLUTION**

"THAT pursuant to the Director of Corporate Services/Clerk's Report No. DCS-2019-28, a by-law to approve and authorize the execution of a Loan Agreement, between The Corporation of the City of Belleville and Quinte Bay Gymnastics Club, be prepared for Council's consideration."

8.b.2 **ENCROACHMENT AGREEMENT FOR 304 FRONT STREET**

Senior Project Manager's Report No. ENG-2019-16

**8.b.-5**

**RESOLUTION**

“THAT a by-law to approve and authorize an Encroachment Agreement (pertaining to 304 Front Street) between The Corporation of the City of Belleville and L’Auberge de France Limited pursuant to Parts II and III of The Municipal Act, 2001, be prepared for Council’s consideration .”

**8.b.3      CONTRACT ENG2019-19, EAST AND WEST FAIRFIELD  
BRIDGES EXPANSION JOINT REPLACEMENT**

Senior Project Manager’s Report No. ENG-2019-15

**8.b.-8****RESOLUTION**

“THAT CONTRACT ENG2019-19 East and West Fairfield Bridges Expansion Joint Replacement be cancelled, as all bid submissions exceed the project budget; and

THAT the issue be referred to the 2020 Capital Budget for additional funding.”

**8.b.4      MINISTRY OF THE ENVIRONMENT 2018-19 DRINKING  
WATER SYSTEM INSPECTION REPORT FOR THE POINT  
ANNE HAMLET DRINKING WATER SYSTEM**

General Manager, Environmental Services’ Report No. GMES-2019-12

**8.b.-13**

Bound copies of the report have been provided for Members of Council. The Report can be viewed in its entirety at [www.belleville.ca](http://www.belleville.ca)

**RESOLUTION**

“THAT the General Manager of Environmental Services’ Report No. GMES-2019-12 regarding the Ministry of Environment 2018-19 Drinking Water System Inspection Report for the Point Anne Hamlet Drinking Water System be received as information.”



8.b.5 **CITY OF BELLEVILLE GRANT COMMITTEE**

Director of Finance/Treasurer's Report No. DF-2019-23

**8.b.-87****RESOLUTION**

"THAT Council approve the recommendations of the Grant Committee for those applications outlined in the Director of Finance/Treasurer's Report No. DF-2019-23, City of Belleville Grant Committee."

8.b.6 **RESERVE FUND ESTABLISHMENT**

Manager of Finance/Deputy Treasurer's Report No. DDF-2019-08

**8.b.-91****RESOLUTION**

"THAT by-laws to establish Reserve Funds be prepared for Council's consideration for the following:

- 1) Municipal Accommodation Tax Reserve Fund
- 2) Accessibility Reserve Fund
- 3) Elexicon Revenue Reserve Fund."

8.b.7 **TEMPORARY NOISE PERMIT APPLICATION UNDER BY-LAW 2011-180, SAFESTART 20<sup>TH</sup> ANNIVERSARY**

Temporary Noise Permit Application from SafeStart (Electrolab Ltd.)

**8.b.-94****RESOLUTION**

"THAT The SafeStart (Electrolab Ltd.) application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 to have live entertainment for their outdoor event SafeStart 20<sup>th</sup> Anniversary Celebration at 631 College Street East on July 23, 2019 from 8:00 p.m. to no later than 11:00 p.m. be approved"

8.b.8 **EMPIRE OKTOBERFEST**

Letter of Request from The Empire Theatre

**8.b.-95****RESOLUTION**

“THAT in order to assist The Empire Theatre in its application for a Special Occasion Permit for the sale and service of alcoholic beverages in connection with Empire Oktoberfest being held at Empire Square on October 5, 2019, Council declare the event of municipal significance for the City of Belleville; and

THAT the provision contained in Schedule I of By-law Number 2006-140 (a by-law to licence, regulate and govern certain businesses) that prohibits refreshment vehicles from operating within the Downtown Business Improvement Area be waived for this event; and

THAT provisions of By-law Number 2006-140 regarding food vendor licence fees for out of town food vendors be waived for this event; and

THAT the Empire Theatre application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 for the Empire Oktoberfest on October 5th, 2019 between the hours of 11:00 a.m. and 7:00 p.m. be approved.”

8. c. **COUNCIL INFORMATION MATTERS**

*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 received save and except Item(s) \_\_\_\_\_.”

8.c.1 **REVOKE INTERNATIONAL JOINT COMMISSION PLAN 2014****RESOLUTION**

“WHEREAS Lake Ontario is a valuable regional, national and international resource;

WHEREAS federal governments of the United States and Canada and the International Joint Commission have, in partnership with the States and Provinces, a joint interest in the management of Lake Ontario;

WHEREAS the management of the lake levels falls within this joint interest;

WHEREAS the flooding experienced by shoreline residents, by shoreline businesses and within public waterfront spaces has threatened life and safety while causing severe property damage, significant environmental damage, substantial economic loss and protracted mental health trauma;

WHEREAS municipalities across Ontario have expended significant staffing and financial resources in flood mitigation, flood protections and emergency response;

WHEREAS the flooding experienced threatens regional and municipal infrastructure;

AND WHEREAS it is conceivable and reasonable to anticipate future flooding as was experienced in the spring of 2017 and is being experienced now in 2019;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Canadian representatives of the International Joint Commission (IJC) and the Federal Government immediately suspend Plan 2014 and establish a plan that better protects the interests of municipalities, emergency responders and riparian's;
2. The Provincial government review and increase the funding provided to municipalities as the first line in flood prevention, preparation, mitigation, response and recovery commensurate to the anticipated increases in flooding, erosion and damages;
3. The Canadian Provincial and Federal governments be requested to strike a committee to review mitigation and safety plans for the communities fronting the Great Lakes and St. Lawrence Seaway, and that our municipality be invited to participate; and
4. The City of Belleville supports all other Ontario municipal as well as any New York State resolutions to repeal/revoke the International Joint Commission Plan 2014."

8.c.2 **BUILDING SERVICES MONTH END REPORT**

Report Period: May 2019

**8.c.-1****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**

2019-124, a by-law to amend By-law Number 12967, being a by-law to regulate traffic within the corporate limits of the Corporation of the City of Belleville, Schedules J2 (Municipal Parking Lots) and J3 (Municipal Parking Lot Rates)

**9.a.-1**

2019-125, a by-law to appoint Rowland Cave-Browne-Cave, Chris Hajda and Ken Hoard as Municipal Weed Inspectors in and for the Corporation of the City of Belleville

**9.a.-3**

2019-126, a by-law to establish the Municipal Accommodation Tax

**9.a.-4**

2019-127, a by-law to approve and authorize an Encroachment Agreement (pertaining to 304 Front Street) between The Corporation of the City of Belleville and L'Auberge de France Limited pursuant to Parts II and III of The Municipal Act, 2001

**9.a.-18**

2019-128, a by-law to establish a Reserve Fund for Municipal Accommodation Tax

**9.a.-23**

2019-129, a by-law to establish a Reserve Fund for Accessibility

**9.a.-24**

2019-130, a by-law to establish a Reserve Fund for Elexicon Revenue

**9.a.-25**

2019-131, a by-law to approve and authorize the execution of the Renewal Naming Rights Agreement for Family Dental Centre Arena and Family Dental Centre Indoor Track, located at the Quinte Sports & Wellness Centre between The Corporation of the City of Belleville and Family Dental Centre

**9.a.-26**

2019-132, a by-law to amend By-law Number 2019-02, being a by-law to appoint members to boards, committees and special committees (Lighting Display & Gateway Signage Committee)

**9.a.-30**

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

2019-124	2019-128
2019-125	2019-129
2019-126	2019-130
2019-127	2019-131
	2019-132

#### **9. c. THIRD READING OF BY-LAWS**

2019-124, a by-law to amend By-law Number 12967, being a by-law to regulate traffic within the corporate limits of the Corporation of the City of Belleville, Schedules J2 (Municipal Parking Lots) and J3 (Municipal Parking Lot Rates)

2019-125, a by-law to appoint Rowland Cave-Browne-Cave, Chris Hajda and Ken Hoard as Municipal Weed Inspectors in and for the Corporation of the City of Belleville

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2019-128, a by-law to establish a Reserve Fund for Municipal Accommodation Tax

2019-129, a by-law to establish a Reserve Fund for Accessibility

2019-130, a by-law to establish a Reserve Fund for Elexicon Revenue

2019-131, a by-law to approve and authorize the execution of the Renewal Naming Rights Agreement for Family Dental Centre Arena and Family Dental Centre Indoor Track, located at the Quinte Sports & Wellness Centre between The Corporation of the City of Belleville and Family Dental Centre

2019-132, a by-law to amend By-law Number 2019-02, being a by-law to appoint members to boards, committees and special committees (Lighting Display & Gateway Signage Committee)

## **10. NEW BUSINESS**

## **11. MOTIONS**

11.1 Moved by Councillor Carr

“THAT By-law 2019-48, the Procedural By-law be amended to add under part 3: Council member attendance at Special events/Business meetings where there is concern for quorum, and business of the City may be materially advanced, shall be determined as follows:

- (i) Mayor
- (ii) Councillor, Acting Mayor of the Month
- (iii) Councillor, Chair of Committee that aligns to meeting purpose
- (iv) Councillor, Member of Committee that aligns to meeting purpose.”

11.2 Moved by Councillor Carr

“THAT Staff develop an Information Flow Protocol between the Executive Management Team and Members of Council.”

## **12. NOTICE OF MOTIONS**

## **13. ANNOUNCEMENTS**

**14. CONFIRMATORY BY-LAW**

“THAT By-law Number 2019-133, a by-law to confirm the proceedings of Council at its meeting held on June 25, 2019, be read a first, second and third time and finally passed this 25<sup>th</sup> day of June, 2019.”

**14-1****15. ADJOURNMENT**