

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

MAY 11, 2020

The Regular Meeting of the Council of the Corporation of the City of Belleville was held on the above date in the City Hall Council Chamber at the hour of 2:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 2:00 p.m. At 2:00 p.m., City Council was requested to consider approval of the following resolution. This took place in a very brief Open session, immediately prior to entering into In Camera session.

Moved by Councillor McCaw
Seconded by Councillor Kelly

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-2020-20 regarding personal matters about identifiable individuals (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. DCS-2020-21 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. DEDS-2020-06 regarding advice that is subject to solicitor-client privilege (Pursuant to Section 239(2)(f) of the Municipal Act)
- Review of the Regular In Camera Minutes of April 20, 2020.

- CARRIED -

1. CALL TO ORDER

1.1. ATTENDANCE

| | |
|--------------------|---------------------------|
| PRESENT | His Worship Mayor Panciuk |
| Councillor Carr | Councillor McCaw |
| Councillor Culhane | Councillor Sandison |
| Councillor Kelly | Councillor Thompson |
| Councillor Malette | Councillor Williams |

(Matt MacDonald, City Clerk)

2. MOMENT OF REFLECTION

2.1 City Clerk, Matt MacDonald, opened this session of Council with a Moment of Reflection.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

His Worship Mayor Panciuk noted, but did not declare a formal conflict of interest with respect to item 8.b.10 (Temporary Noise Permit – Meyer’s Pier Patio & BBQ Inc.) as he owns a similar business.

4. PUBLIC MEETINGS

None.

5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Culhane
Seconded by Councillor Williams

THAT the Regular Council Meeting Minutes of April 20, 2020 and Regular In Camera Meeting Minutes of April 20, 2020 be approved.

- CARRIED -

6. DEPUTATIONS

There were no deputations.

7. CORRESPONDENCE

7.1 Letter from Quinte Health Care regarding parking spaces

Moved by Councillor Thompson
Seconded by Councillor Carr

THAT the February 21, 2020 letter from Quinte Health Care requesting the implementation of paid street parking along the north side of North street be received and referred to the Transportation Committee.

- CARRIED -

7.2 April 15, 2020 letter from Hastings Prince Edward Public Health

Moved by Councillor Sandison
Seconded by Councillor McCaw

THAT the April 15, 2020 letter from Hastings Prince Edward Public Health in connection with the carrying out of mosquito larviciding activities to prevent or control West Nile Virus in our area if deemed necessary, be supported and approved.

- CARRIED -

7.3 May 4, 2020 letter from Victorian Order of Nurses

Moved by Councillor Thompson
Seconded by Councillor Sandison

THAT the May 4, 2020 letter from the Victorian Order of Nurses requesting to light the Belleville Sign and the Bridge Street bridge blue for VON week May 18 to 23, 2020 be received.

- CARRIED -

8. COMMITTEE OF THE WHOLE

MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS

Moved by Councillor Culhane
Seconded by Councillor Carr

THAT Council rise and go into Committee of the Whole to hear and consider reports, passing of recommendations and resolutions with His Worship Mayor Panciuk in the Chair.

- CARRIED -

8. a. REPORTS

8.a.1 SUSPENSION OF FIREWORKS BY-LAWS DURING COVID-19 GATHERING RESTRICTIONS

The following motion was **not approved**.

Moved by Councillor McCaw
Seconded by Councillor Sandison

REC. NO. 186/20 THAT Council suspend section 3.2.2. of By-law 9106, that being a bylaw for preventing of fires, spread of fire and preservation of life and property; and Item #3 of Schedule "A" of By-law 2011-180, that being a bylaw to regulate noise within the city of Belleville: and

THAT this suspension remains in effect until such time as the Province of Ontario rescinds public gathering restrictions related to the Covid-19 Pandemic.

- FAILED -

8.a.2 **SINGLE SOURCE REQUEST – PURCHASE 4 SETS OF E-DRAULIC EXTRICATION COMBINATION TOOLS AND RAMS**

Moved by Councillor Carr
Seconded by Councillor McCaw

REC. NO. 187/20 THAT in accordance with Section 30.3 “Sole and Single Sourcing – Approval and Reporting” of the City’s Purchasing By-law Number 2020-09, the quotation from CODE4 Fire & Rescue be accepted for the supply of four (4) E-Draulic Extrication Combination Tools and four (4) E-Draulic Rams in the amount of \$125,960.00, plus \$16,374.80 HST for a total amount of \$142,334.80, 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.

- CARRIED -

8. b. **CONSENT ITEMS**

Moved by Councillor Carr
Seconded by Councillor Kelly

188/20 THAT the following Agenda items be approved.

- CARRIED -

8.b.1 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES, POTTERS CREEK SUBDIVISION – PHASE 3, OWNER: POTTERS CREEK DEVELOPMENTS INC.**

189/20 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 3 of the Potters Creek Subdivision be prepared for Council’s consideration.

- CARRIED -

8.b.2 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES,
POTTERS CREEK SUBDIVISION – PHASE 4, OWNER:
POTTERS CREEK DEVELOPMENTS INC.**

REC. NO. 190/20 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 4 of the Potters Creek Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.3 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES,
POTTERS CREEK SUBDIVISION – PHASE 5, OWNER:
POTTERS CREEK DEVELOPMENTS INC.**

191/20 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 5 of the Potters Creek Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.4 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES,
POTTERS CREEK SUBDIVISION – PHASE 6, OWNER:
POTTERS CREEK DEVELOPMENTS INC.**

192/20 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 6 of the Potters Creek Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.5 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES,
POTTERS CREEK SUBDIVISION – PHASE WEST, OWNER:
POTTERS CREEK DEVELOPMENTS INC.**

193/20 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase West of the Potters Creek Subdivision be prepared for Council's consideration.”

- CARRIED -

8.b.6 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES, HERITAGE PARK SUBDIVISION – PHASE 6, OWNER: GCL DEVELOPMENTS LTD. AND HASTINGS ENTERPRISES INC..**

REC. NO. 194/20 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 6 of the Heritage Park Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.7 **LIMITING DISTANCE (NO-BUILD) AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF BELLEVILLE, INTEGRATED REAL ESTATE PLATFORM INC. AND INVESTMENT MANAGEMENT SYNDICATE LTD. (2 DUNDAS STREET WEST, 8 & 12 KING STREET)**

195/20 THAT a by-law to approve and authorize the execution of a Limiting Distance Agreement between The Corporation of the City of Belleville, Integrated Real Estate Platform Inc., and Investment Management Syndicate Ltd. be prepared for Council's consideration.

- CARRIED -

8.b.8 **PARKS AND OPEN SPACES BY-LAW**

196/20 THAT By-law Number 2020-28, a by-law to regulate Parks and Open Spaces within the corporate limits of the City of Belleville, proceed to second and third readings.

- CARRIED -

8.b.9 **INFORMATION REPORT 2019-2020 OVERNIGHT WARMING CENTER**

REC. NO. 197/20 THAT Council receives this information report regarding the activities as relating to the operation of the Overnight Warming Center for the operational period of December 1, 2019 to April 15, 2020.

- CARRIED -

8.b.10 **TEMPORARY NOISE PERMIT APPLICATION UNDER BY-LAW 2011-180, MEYER'S PIER PATIO & BBQ INC.**

198/20 THAT the Meyer's Pier Patio & BBQ Inc. application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 to have live entertainment between 7:00 pm and 11:00 pm for their outdoor events on all Friday and Saturday evenings and occasional Sunday evenings beginning July 1st to September 27th, 2020, be approved.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

Moved by Councillor Kelly
Seconded by Councillor Culhane

199/20 THAT the following Agenda items be received save and except Items 8.c.2.a and 8.c.2.b.

8.c.1 **BUILDING SECTION MONTH END REPORT**

Report Period: April 2020

8.c.2 **REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS**

a) Request Provincial Government Extend Authority to Municipalities to Enforce Odor and Lighting Complaints Stemming from Licensed and Unlicensed

Cannabis Cultivations Within Its Jurisdiction

Resolution from the City of Hamilton

b) Request Province Make Substantial Investments in High-Speed Internet Connectivity in Rural Areas

April 28, 2020 Resolution from the Township of Armour

- CARRIED -

With respect to Council Information Matters Item 8.c.2.a, the following resolution was approved.

Moved by Councillor Malette
Seconded Councillor Culhane

REC. NO. 200/20 THAT Belleville City Council supports the following resolution of the City of Hamilton:

“5.4 (d) Repeal and Replace Public Nuisance By-law 09-110 and Amend Administrative Penalty By-law 17-225 (PED20076) (City Wide)

(a) That the draft by-law, attached as Appendix "A" to Report PED20076, which repeals and replaces By-law 09-110, being a By-law to Prohibit and Regulate Certain Public Nuisances within the City of Hamilton, and amends the Administrative Penalties By-law 17-225 which has been prepared in a form satisfactory to the City Solicitor, be approved and enacted by Council;

(b) That the Mayor be directed, on behalf of the City of Hamilton, to write to the relevant federal and provincial governments to regulate and enforce odour and lighting nuisances related to the cultivation of cannabis plants;

(c) That the Mayor contact the Premier of Ontario, Minister of the Attorney General, and local Members of Parliament to request that the Province extend authority to Municipalities to enforce odor and lighting nuisance complaints stemming from licensed and unlicensed cannabis cultivations within the its jurisdiction; and,

(d) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.”

- CARRIED -

With respect to Council Information Matters Item 8.c.2.b, the following resolution was approved.

Moved by Councillor Malette
Seconded by Councillor Culhane

REC. NO. 201/20 THAT Belleville City Council supports the following resolution of the Township of Armour:

“At its meeting held on April 28, 2020, the Council of the Township of Armour passed Resolution #6 supporting our Councillor Rod Ward's letter regarding the need to make substantial investments in high-speed internet connectivity in the rural areas of Ontario.”

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Culhane
Seconded by Councillor Carr

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Sandison
Seconded by Councillor Thompson

202/20 THAT the following by-laws be read a first time:

2020-88, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 3 of the Potters Creek Subdivision

2020-89, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 4 of the Potters Creek Subdivision

2020-90, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 5 of the Potters Creek Subdivision

2020-91, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 6 of the Potters Creek Subdivision

2020-92, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase West of the Potters Creek Subdivision

2020-93, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 6 of the Heritage Park Subdivision

2020-94, a by-law to approve and authorize the execution of a Limiting Distance Agreement between The Corporation of the City of Belleville, Integrated Real Estate Investment Platform Inc., and Investment Management Syndicate Ltd.

2020-95, a by-law to appoint the Chief Building Official, Deputy Chief Building Official and certain Inspectors of The Corporation of the City of Belleville as Inspectors and Municipal Law Enforcement Officers for the purpose of enforcing the Ontario Building Code and certain by-laws of the City of Belleville and appointment of Property Standards Officers

2020-96, a by-law to authorize the purchase of certain lands by The Corporation of the City of Belleville from Wayne Albert Brown and Mary Rose Nobile

2020-97, a by-law to provide that Subsection 50(5) of the Planning Act, R.S.O. 1990, does not apply to the lands identified as Block 45, Registered Plan 21M-299, City of Belleville, County of Hastings

2020-98, a by-law to provide that Subsection 50(5) of the Planning Act, R.S.O. 1990, does not apply to the lands identified as Block 40, Registered Plan 21M-286, City of Belleville, County of Hastings

- CARRIED -

9. b. SECOND READING OF BY-LAWS AND DISCUSSION & 9. c. THIRD READING OF BY-LAWS

Moved by Councillor Culhane
Seconded by Councillor McCaw

REC. NO. 203/20 THAT the following by-laws be read a second and third time:

2020-28, a by-law for the use, regulation and government of parks and public places under the authority of the City of Belleville (as amended)

| | |
|---------|---------|
| 2020-88 | 2020-94 |
| 2020-89 | 2020-95 |
| 2020-90 | 2020-96 |
| 2020-91 | 2020-97 |
| 2020-92 | 2020-98 |
| 2020-93 | |

2020-28, a by-law for the use, regulation and government of parks and public places under the authority of the City of Belleville (as amended)

2020-88, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 3 of the Potters Creek Subdivision

2020-89, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 4 of the Potters Creek Subdivision

2020-90, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 5 of the Potters Creek Subdivision

2020-91, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 6 of the Potters Creek Subdivision

2020-92, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase West of the Potters Creek Subdivision

2020-93, a by-law to approve and authorize the acceptance of certain underground city services and water services in Phase 6 of the Heritage Park Subdivision

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- CARRIED -

10. **NEW BUSINESS**

His Worship Mayor Panciuk spoke about the cancellation of all City events in May which has now been extended until the end of June. The situation will continue to be monitored into the summer months. Mayor Panciuk advised that he has been personally informed of other cancellations such as the remainder of the Belleville Senators' A.H.L. season and the Belleville Agricultural Society has cancelled the 2020 Quinte Exhibition Fall Fair. The Belleville Chamber of Commerce is contracted by the City to host various events and this also will continue to be monitored.

Mayor Panciuk also spoke about City of Belleville bag tags and garbage pick-up during the Covid-19 crisis. Since April 20, a limit of 2 bags (without bag tags) is permitted per property. Effective June 1st, residents will be permitted just one bag without a bag tag and starting July 1st, bag tags will be required as they may now be purchased on-line.

Mayor Panciuk stated that the Covid-19 crisis has mostly shown the best in people however unfortunately, not all are stepping up during this most difficult situation. Many tenants at the Bell Front plaza have been issued landlords distress warrants by Dav Part Inc. Mayor Panciuk expressed his disappointment in the matter as the City has given landlords some relief in the form of tax deferrals which it was expected would assist the tenants as well.

Councillor Williams spoke about the Pop-up Shop program which has received 11 applicants – mostly food and water-based businesses. He also spoke about the current fiscal situation and is concerned with tax rates and the impact on residents and businesses. Councillor Williams requested a 2020 revised budget by the end of the week to all Council members with Council to consider by the end of the month.

Councillor Carr noted the Planning Advisory Committee is resuming next week and questioned whether Council should consider rescinding the delegated approval authority. The Chief Administrative Officer and City Clerk provided some clarification on the mechanics and process to rescind.

Councillor Thompson sought information on the 2020 Operating Budget with costs regarding Covid-19 and the resumption of the Finance Committee.

His Worship Mayor Panciuk identified many of the steps taken since the on-set of this crisis and why now is not the time to proceed with the budget.

Councillor Sandison spoke on behalf of the Finance Committee and encouraged members of Council to send issues or questions related to the budget to him as the Chair of the committee. He noted a number of variables are unknown and the Director of Finance is working towards a budget.

Councillor Malette noted a disconnect in information regarding the full picture in relation to the budget stating the need for bi-weekly briefing notes on the City of Belleville's financial position. Councillor Carr also requested a confidential briefing note similar to the last one of April 18 and every 30 days.

11. MOTIONS

There were no items brought forward under this section on today's Agenda.

12. NOTICE OF MOTIONS

Moved by Councillor Williams

“THAT staff present a ‘Draft’ Budget no later than June 30th to Council for consideration.”

13. ANNOUNCEMENTS

Councillor Kelly announced “Nurses Week” and thanked all the nursing staff at QHC- Belleville General Hospital, nurses in the area and all Health Care workers. Councillor Kelly is on the Hastings County Committee as well as the Hastings Prince Edward Public Health Committee and noted Hastings County Health Unit is one of the best in the province

His Worship Mayor Panciuk made the following proclamations in the City of Belleville:

- May 11-17, 2020 as “Powerline Safety Week”
- May 11, 2020 as “Nurse’s Appreciation Day”
- May 16, 2020 as “Do something good for your neighbor day.”
- The week of May 18 – 23, 2020 as “VON Week in the City of Belleville (the Bridge Street Bridge and Belleville Sign will be lit up Blue in support)
- May as “Huntington Disease Awareness Month” (Bridge Street Bridge and Belleville sign in Blue also to support this)

Mayor Panciuk took a few moments to speak about former Belleville Councillor Mike Graham who is currently receiving palliative care at home after fighting a long battle for the last 5 years. He served for over 30 years with Belleville Police and also a term on Belleville City Council. Mayor Panciuk asked that everyone keep him and his family in thoughts and prayers today.

Mayor Panciuk also reminded everyone of the importance of checking in on friends and neighbours and helping during this stressful time. He also thanked staff and especially the I.T. department for technical support of the new Council meeting format. He also thanked all residents who are still out working in the City of Belleville.

14. CONFIRMATORY BY-LAW

REC. NO. 204/20 THAT By-law Number 2020-99, a by-law to confirm the proceedings of Council at its meeting held on May 11, 2020, be read a first, second and third time and finally passed this 11th day of May, 2020.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Carr
Seconded by Councillor McCaw

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK