



## Regular Meeting of Council

### Minutes

Date: December 14, 2020  
Time: 1:00 pm  
Location: Council Chambers Level 2, City Hall

Members Present: Mayor Marianne Meed Ward, Kelvin Galbraith, Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna

Staff Present: Tim Commisso, Nick Anastasopoulos, Chris Glenn, Heather MacDonald, Nancy Shea-Nicol, David Thompson (Audio/Video Specialist), Roxanne Gosse, Kevin Arjoon (Clerk)

Note: Due to COVID-19 and public health concerns public attendance was not permitted at this meeting. The Mayor was present in Council Chambers while Councillors participated remotely.

1. **Call to Order:**
2. **National Anthem:**
3. **Regrets:**
4. **Proclamations:**
  - 4.1 Gift of Giving Back Week: December 1-8, 2020
  - 4.2 Be That Guy Day: January 10, 2021

5. **Motion to Approve Council Minutes:**

Moved by: Councillor Sharman  
Seconded by: Councillor Galbraith

Confirm the minutes of the following meetings of Council:

**CARRIED**

- 5.1 Regular meeting of Council November 23, 2020
- 5.2 Special meeting of Council November 26, 2020
- 5.3 Special meeting of Council December 10, 2020

**6. Recognitions and Achievements:**

**7. Presentations:**

**8. Declarations of Interest:**

**9. Delegations:**

- 9.1 Delegation from Michelle McCulloch of Regal Tents regarding tent installations at restaurants during Covid-19.

**10. Recommendations from Standing Committees:**

- 10.1 Council Workshop meeting of November 24, 2020

There were no recommendations from this meeting.

- 10.2 Community Planning, Regulation & Mobility meeting of November 26, 2020

Items from this meeting were approved at the Special meeting of Council on November 26, 2020.

- 10.3 Environment, Infrastructure & Community Services meeting of December 7, 2020

Items a, d, e, and g were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

- a. Concessions and vending services (RS-10-20)

Direct the Director of Recreation Services and the Manager of Procurement Services to issue an RFP for the concession operations at Mountainside outdoor pool and the Beach concession for the summer of 2021, with revised healthy food restrictions as outlined in recreation services department report RS-10-20; and

Direct the Director of Recreation Services to request quotes from healthy vending providers to pilot the provision of vending services

in selected year-round facilities as outlined in recreation services department report RS-10-20.

**CARRIED**

- d. Procedure By-Law amendment staff direction (EICS-C-03-20) (SD-30-20)

Direct the City Clerk to prepare a staff report with recommended updates to the Procedure By-law on the following items:

Add definitions to the Procedure By-law for council memorandums, staff reports, municipal officer reports and resolutions; and

Provide guidance on how members of council's items are submitted to standing committees versus straight to council; and

Review the notice of motion section to refine and include deadlines (time) for motions to committee and council; and

Define an agenda review process for standing committees and council, including the Chair's role; and

Provide clarity on items that are provided to Audit Committee versus Corporate Services, Strategy, Risk and Accountability Committee. (SD-30-20)

**CARRIED**

- e. Designing and evolving our organization (Phase 2) – department functional design and management structures (CM-32-20)

Receive and file the City Manager's Office report CM-32-20 providing the functional design and management structures for City of Burlington future state organization; and

Direct the City Manager to proceed with the Designing and Evolving our Organization implementation plan framework and process including departmental changes as outlined in Appendix A of report CM-32-20.

**CARRIED**

- g. Incident follow up (RS-03-20)

Receive and file confidential recreation services department report RS-03-20 regarding an incident follow up.

**CARRIED**

- b. Halton Equity and Diversity Roundtable Charter endorsement (RS-13-20)

Authorize the Mayor and **Council** to sign the Halton Equity and Diversity Roundtable Charter endorsement attached as appendix A of recreation services department report RS-13-20, on behalf of the Corporation of the City of Burlington in order to partner with others in support of an inclusive Halton Region.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

Moved by: Councillor Nisan

Seconded by: Councillor Sharman

**Delete "City Clerk" and insert "Council".**

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

- c. Proposed Council/Committee Changes – 2021 (MO-09-20) (SD-29-20)

Approve the following Chair and Vice-Chair appointments:

Environment, Infrastructure and Community Services Committee

Chair: Councillor Paul Sharman

Vice Chair: Councillor Kelvin Galbraith

Community Planning, Regulation and Mobility Committee

Chair: Councillor Kelvin Galbraith

Vice Chair: Councillor Shawna Stolte

Corporate Services, Strategy, Risk and Accountability Committee

Chair: Councillor Lisa Kearns

Vice Chair: Councillor Rory Nisan

Council Workshop

Chair: Councillor Angelo Bentivegna

Vice Chair: Councillor Paul Sharman

Budget

Chair: Councillor Rory Nisan

Vice Chair: Councillor Lisa Kearns

Planning Statutory Public Meeting; and

Chair: Councillor Shawna Stolte

Vice Chair: Councillor Angelo Bentivegna; and

Direct the City Manager, Mayor and City Clerk to plan and schedule Council Governance - education and training workshops with council for 2021-2022 as outlined in Mayor's Office report MO-09-20; (SD-29-20) and

Refer the discussion of enhanced roles for the deputy mayor to the governance education and training workshops; and

**Approve the 2021-2022 Deputy Mayor Rotation as outlined in the memorandum dated December 14, 2020 from the Mayor Meed Ward (item 16.2)**

**With the following amendment:**

**April/May/June - 2022- Delete Deputy: Ward 3 Councillor and insert Deputy: Ward 4 Councillor in its place.**

**July/August/September 2022 - Delete Deputy: Ward 4 Councillor and insert Deputy: Ward 3 Councillor in its place.**

Receive and file the related environmental scan in appendix A to Mayor's Office report MO-09-20.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

Moved by: Councillor Nisan

Seconded by: Councillor Sharman

**Amendment:**

**Delete "Direct the Mayor to bring a proposed rotation for 2021-2022 to the December 14, 2020 Council meeting." and replace with the following:**

**Approve the 2021-2022 Deputy Mayor Rotation as outlined in the memorandum dated December 14, 2020 from the Mayor Meed Ward (item 16.2)**

**With the following amendment:**

**April/May/June - 2022- Delete Deputy: Ward 3 Councillor and insert Deputy: Ward 4 Councillor in its place.**

**July/August/September 2022 - Delete Deputy: Ward 4 Councillor and insert Deputy: Ward 3 Councillor in its place.**

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

f. Metrolinx presentation (EICS-C-04-20)

Receive and file Mayor's memo (EICS-C-04-30) sponsoring a delegation from Metrolinx regarding updates on Metrolinx projects in Burlington; and

Direct the Director of Community Planning, Regulation and Mobility to bring comments back to the Council meeting of December 14 on the current Metrolinx proposal for Council endorsement.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

10.4 Community Planning, Regulation & Mobility meeting of December 8, 2020

Items a, b, were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

- a. Sidewalk Warrant and Local Improvement By-law Update (TS-16-20)

Direct staff to amend By-law 4-2010 to remove reference to sidewalks and no longer apply local improvement charges to sidewalk infill projects.

**CARRIED**

- b. Transit Five-Year Business Plan (2020 – 2024) (TR-02-20)

Approve the Transit Five-Year Business Plan (2020-2024), as outlined in Appendix A of transit department report TR-02-20.

**CARRIED**

- c. Update on the Downtown Burlington Urban Growth Centre (UGC) and Major Transit Station Area (MTSA) Supplemental Discussion Paper (PL-59-20)

Direct the Director of Community Planning to provide comments to the Region and state Council's support and endorsement on the Downtown Burlington UGC and MTSA Supplemental Discussion Paper, upon Council approval on December 14, 2020.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

10.5 Audit Committee meeting of December 9, 2020

Items a, b, and c, were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

a. Financial highlights as at September 30, 2020 (F-36-20)

Receive and file finance department report F-36-20 providing financial highlights as at September 30, 2020.

**CARRIED**

b. Financial policies (F-35-20)

Receive and file finance department report F-35-20 providing information on financial policies.

**CARRIED**

c. External audit plan for audit for the fiscal year ended December 31, 2020 (F-34-20)

Approve the external audit plan for the fiscal year ended December 31, 2020 as presented by Deloitte LLP at the Audit Committee meeting of December 9, 2020.

**CARRIED**

10.6 Corporate Services, Strategy, Risk & Accountability meeting of December 10, 2020

Items a, through n, were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna



**CARRIED (7 to 0)**

a. Investment Policy (F-19-20)

Approve the updated Investment Policy as outlined in Appendix A of finance department report F-19-20.

**CARRIED**

b. Expenses excluded from the budget (F-39-20)

Receive and file finance department report F-39-20 regarding expenses excluded from the budget to meet the requirements of Regulation 284/09 of the *Municipal Act, 2001*.

**CARRIED**

c. 2021 Interim Tax Levy By-Law (F-40-20)

Approve by-law 99-2020 attached as Appendix A to finance department report F-40-20 which provides for the levy of the 2021 interim taxes.

**CARRIED**

d. Temporary Borrowing By-Law (F-43-20)

Approve the by-law attached as Appendix A to finance department report F-43-20, to authorize the temporary borrowings of monies from the Royal Bank of Canada to meet the ordinary expenditures of the corporation for the 2021 fiscal year; and

Authorize the Mayor and City Clerk to execute the security agreement attached as Appendix B to finance department report F-43-20, subject to the satisfaction of the Executive Director of Legal Services & Corporation Counsel.

**CARRIED**

e. Write-off of property taxes deemed uncollectible (F-44-20)

Approve the write-off of uncollectible property taxes on the eight properties identified in finance department report F-44-20 in

accordance with the provisions of Section 354 of the Municipal Act, 2001; and

Direct the Treasurer to remove the property tax amounts from the tax roll; and

Direct the Chief Financial Officer to forward finance department report F-44-20 to the Region of Halton and Ministry of Finance.

**CARRIED**

- f. 2020 to 2021 group health benefit renewal (HR-04-20)

Retain Sun Life as the provider of major medical, dental, long term disability and life insurance plans for the benefit year December 1, 2020 to November 30, 2021.

**CARRIED**

- g. Risk governance strategy (CM-34-20)

Approve the risk governance strategy as provided in Appendix A of City Manager's office report CM-34-20; and

Approve the City of Burlington's enterprise risk governance and management policy as provided in Appendix B of City Manager's office report CM-34-20.

**CARRIED**

- h. 2021-2030 capital budget overview (F-42-20)

Receive the proposed 2021 capital budget book; and

Direct staff to present the recommendations in Appendix A of finance department report F-42-20 to the Corporate Services, Strategy, Risk & Accountability meeting of January 12, 2021 for review and approval, taking into consideration committee amendments.

**CARRIED**

- i. Asset management program update (F-49-20)

Receive and file finance department report F-49-20, providing the city's asset management program update.

**CARRIED**

- j. Renewal of Ombudsman agreement (CL-21-20)

Re-appoint ADR Chambers Inc. ("ADR Chambers") as Ombudsman for the City of Burlington and its local boards pursuant to section 223.13(1) of the *Municipal Act, 2001* for a two-year term commencing January 1, 2021 to December 31, 2022; and

Authorize the Mayor and Clerk to execute a service agreement and any ancillary documents between the City of Burlington and ADR Chambers regarding the appointment of ADR Chambers as Ombudsman, subject to the satisfaction of the City Solicitor; and

Enact an appointing by-law to re-appoint ADR Chambers as the Ombudsman for the City of Burlington and its local boards until December 31, 2022.

**CARRIED**

- k. Public appointment process - shortlisting of applicants (CL-24-20)

Waive the rules of the Council, Boards and Committees Appointment to Boards and Recruitment of Citizens for Committees corporate policy to allow for applicants during the fall 2020/winter 2021 recruitment to be shortlisted for interview purposes as described in clerks department report CL-24-20.

**CARRIED**

- l. Low-income seniors property tax rebate program update (F-50-20)

Approve an increase to the low-income seniors property tax rebate from \$525 to \$550 for eligible property owners effective for the 2021 tax year; and

Approve by-law 102-2020 attached as Appendix A to finance department report F-50-20 which provides for an update to the property tax rebate for eligible property owners, and repeal by-law 12-2016, effective January 1, 2021.

**CARRIED**

- m. Confidential legal update on an insurance matter (L-26-20)  
Receive and file confidential legal department report L-26-20 providing an update on an insurance matter.

**CARRIED**

- n. Confidential legal update on a litigation matter (L-37-20)  
Refer confidential legal department report L-37-20 to a standing committee or council meeting in Q1 of 2021.

**CARRIED**

**11. Motion to Approve Standing Committee Minutes:**

Moved by: Councillor Nisan  
Seconded by: Councillor Stolte

Approve the following minutes:

**CARRIED**

- 11.1 Council Workshop meeting minutes of November 24, 2020
- 11.2 Community Planning, Regulation and Mobility Committee meeting minutes of November 26, 2020
- 11.3 Environment, Infrastructure and Community Services meeting minutes of December 7, 2020
- 11.4 Community Planning, Regulation and Mobility meeting minutes of December 8, 2020
- 11.5 Audit Committee meeting minutes of December 8, 2020
- 11.6 Corporate Services, Strategy, Risk and Accountability meeting minutes of December 10, 2020

**12. Reports of Municipal Officers:**

- 12.1 Artificial Ice Opportunity (RS-14-20)  
Moved by: Councillor Galbraith  
Seconded by: Councillor Bentivegna

Authorize the Director of Recreation Services to accept the donation from Patrick J McNally Foundation for one neighbourhood artificial ice surface as outlined in report RS-14-20; and

Authorize the Director of Recreation Services to execute a donation agreement, subject to the satisfaction of the Executive Director of Legal Services, with the Patrick J McNally Foundation for one artificial ice surface as outlined in Report RS-14-20; and

Authorize the Director of Recreation Services to work with the Manager of Procurement Services to procure two artificial ice surfaces through a single source process with GLICE funded from the COVID account, to be purchased this December for installation during the Winter 2021, as outlined in report RS-14-20; and

Authorize the Director of Recreation Services to install the artificial ice surface at two neighbourhood rinks.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

## 12.2 CM-36-20 Funding Opportunities

Moved by: Councillor Sharman

Seconded by: Councillor Stolte

Direct staff to submit an Expression of Interest regarding the Audit and Accountability Fund, Intake 2 to the Province of Ontario by the December 18, 2020 deadline, and;

Direct the Chief Financial Officer to single source a third-party consultant to complete the By-law Consolidation Review should the City of Burlington's request for funding be approved by the Ministry of Municipal Affairs and Housing, and;

Direct staff to submit these four projects: the Elgin Street Promenade, Stage 4, the Palmer Trail, the City Hall customer service window renovations and the Roads, Parks and Forestry operations centre renovation as the City of Burlington's submission to the Investing in Canada Infrastructure (ICIP) – Program COVID-19 Resilience Infrastructure Stream, and;

Authorize the Mayor and City Clerk to execute the necessary Transfer Payment Agreements between the City of Burlington and Province of Ontario in relationship to the Audit and Accountability Fund, Intake 2, should the funding be approved, and the Investing in Canada Infrastructure (ICIP) – Program COVID-19 Resilience Infrastructure Stream, along with any other related documents or by-laws to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

12.3 Verbal update on COVID-19 from City Manager Tim Commisso and Mayor Marianne Meed Ward. (Previously Item 20 on Agenda)

**13. Notices of Motion:**

None.

**14. Motions:**

14.1 Motion to move into closed session regarding the security of the property of the municipality or local board - security matter

Moved by: Councillor Nisan

Seconded by: Councillor Kearns

Move into closed session, in accordance with the Municipal Act to discuss the following items:

Section 239 (2) (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose Winter Patio Tents; and

Section 239 (2) (a) regarding the security of the property of the municipality or local board - security matter.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

**15. Motion to Receive and File Council Information Packages:**

Moved by: Councillor Stolte

Seconded by: Councillor Galbraith

Receive and file the following Information Packages, having been prepared and distributed to Council:

**CARRIED**

15.1 Council Information Package November 26, 2020

15.2 Council Information Package December 3, 2020

**16. Motion to Receive and File Information Items:**

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Receive and file information items, having been considered by Council:

**CARRIED**

16.1 Memorandum from Kaylan Edgcumbe, Manager of Integrated Mobility regarding Metrolinx presentation (EICS-C-04-20)

16.2 Memorandum from Mayor Meed Ward regarding Deputy Mayor Rotation for 2021-2022 (MO-9-20)

**17. Motion to Consider Confidential Items:**

**18. Motion to Approve By-Laws:**

Moved by: Councillor Kearns

Seconded by: Councillor Galbraith

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

18.1 98-2020: A by-law to amend the Local Improvement By-law 4-2010.

18.2 99-2020: A by-law to levy 2021 interim taxes and establish penalty and interest rates.

- 18.3 100-2020: A by-law to authorize the temporary borrowings of monies from the Royal Bank of Canada.
- 18.4 101-2020: A by-law to re-appoint ADR Chambers as the Ombudsman for the City of Burlington and its local boards until December 31, 2022.
- 18.5 102-2020: A by-law to provide a tax rebate for eligible property owners.
- 18.6 103-2020: A by-law to appoint a Fire Chief for the City of Burlington.

**19. Motion to Confirm Proceedings of the Council Meeting:**

Moved by: Councillor Stolte  
Seconded by: Councillor Bentivegna

Enact and pass By-law Number 104-2020 , being a by-law to confirm the proceedings of Council at its meeting held Monday, December 14, 2020 being read a first, second and third time.

**CARRIED**

**20. Statements by Members:**

**21. Motion to Adjourn:**

Moved by: Councillor Nisan  
Seconded by: Councillor Sharman

Adjourn this Council now to meet again at the call of the Mayor.  
Recess 2:58 pm - 3:05 pm, 3:06 pm (closed), 4:09 pm (public)  
Adjourned 4:26 pm

**CARRIED**

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Kevin Arjoon

City Clerk

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Marianne Meed Ward

Mayor