



## Regular Meeting of Council

### Minutes

Date: October 15, 2024  
Time: 9:30 am  
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Angelo Bentivegna (Chair), Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman

Member Regrets: Mayor Marianne Meed Ward, Kelvin Galbraith

Staff Present: David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Blake Hurley, Debbie Hordyk, Samantha Yew (City Clerk)

Note: This City Council meeting was conducted using a hybrid model, allowing members of Council, city staff and delegations the option of participating remotely or in-person.

1. **Call to Order:**
2. **Land Acknowledgement:**
3. **National Anthem:**
4. **Roll Call:**
5. **Approval of the Agenda**

Moved by: Councillor Sharman  
Seconded by: Councillor Stolte

Approve the Council agenda for October 15, 2024, as presented.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

**6. Declarations of Interest:**

None.

**7. Proclamations:**

7.1 Turkish Republic Day: October 29, 2024

7.2 Support the Gift of Giving Back Month: October 2024

7.3 Economic Abuse Awareness Month: November 2024

**8. Recognitions and Achievements:**

8.1 Ontario Municipal Law Enforcement Long Service Medal

Council acknowledged Parking Services Technologist, Kelly Hall, on being awarded the Ontario Municipal Law Enforcement Long Service Medal for her years of service in Ontario Municipal Law Enforcement.

**9. Motion to approve Council Minutes:**

Moved by: Councillor Sharman

Seconded by: Councillor Nisan

Confirm the minutes of the following meeting of Council:

**CARRIED**

9.1 Regular meeting of Council September 17, 2024

**10. Presentations:**

None.

**11. Delegations:**

11.1 Emma Shankey spoke regarding the reconsideration of F-48-23 Art Gallery of Burlington request for Facility Master Plan and Future Needs Feasibility Study (ADM-14-24)

11.2 Jim Thomson spoke regarding Council composition and ward boundary review introductory presentation by consultant (CL-24-24)

11.3 Anne and Dave Marsden spoke regarding Approval of 2025 Meeting Calendar (CL-22-24)

11.4 Anne and Dave Marsden spoke regarding motion to approve Committee of the Whole minutes of October 7, 2024.

**12. Petitions:**

None.

**13. Recommendations from Standing Committees:**

13.1 Committee of the Whole meeting of October 7, 2024

Items a, b, c, d, g, h, k, l and m were vote upon by way of one consent vote.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

a. Quarterly Mayoral Decisions report (CL-21-24) (CCS)

Receive legislative services report CL-21-24 providing the Quarterly Mayoral Decisions report for information.

**CARRIED**

b. Financial status report as at June 30, 2024 (F-17-24) (CCS)

Receive finance department report F-17-24, financial status report as at June 30, 2024.

**CARRIED**

c. Delegated Authority third quarter report (CL-23-24) (CCS)

Approve the requested new delegated authority submissions provided in legislative services report CL-23-24 Delegated Authority third quarter report; and

Enact the by-law substantially attached as Appendix A to legislative services report CL-23-24, being a by-law to amend the By-law 71-2023, a by-law to delegate approvals to staff.

**CARRIED**

- d. Repeal Anti-Chasing By-law 25-2006 (BL-04-24) (GM)

Approve the by-law to repeal By-law 25-2006, a by-law to prohibit accident scene solicitation on all highways in the City of Burlington and to delegate to the Regional Municipality of Halton Police Services Board the power to license, regulate and govern all owners and drivers of tow trucks within the municipality and to establish a registry as the board deems appropriate, otherwise known as the “Anti-Chasing By-law”, as attached as Appendix A to by-law compliance department report BL-04-24, in a form satisfactory to the Commissioner of Legal and Legislative Services/City Solicitor as municipal responsibility to license, inspect and enforce the towing industry is transferred to the Province of Ontario via the *Towing and Storage Safety and Enforcement Act*.

**CARRIED**

- g. Options and recommendations on establishing a Burlington Resiliency Fund to support the community during natural disasters or emergencies (CM-09-24)

Direct the Chief Administrative Officer and Chief Financial Officer to do further analysis to develop a comprehensive Burlington Resiliency Fund and report back to Committee of the Whole in February 2025 on how the fund would be established including the proposed administration framework, the parameters/triggers of use, a financial analysis and proposed eligibility criteria.

**CARRIED**

- h. Automated Speed Enforcement (TS-02-24)

Authorize the Director of Transportation Services and Director of By-law Compliance to execute, on behalf of The Corporation of the City of Burlington, all necessary documents and agreements to implement at least six Automated Speed Enforcement cameras as set out in transportation services report TS-02-24, including, but not limited to, agreements required by the Province of Ontario and its various Ministries, the Toronto Joint Processing Center agreement, and the Automated Speed Enforcement camera vendor agreement, with content satisfactory to the Director of Transportation Services and Director of By-law Compliance, and in form satisfactory to the City Solicitor; and

Direct the Chief Financial Officer to establish a Roadway Safety reserve fund in accordance with the draft reserve fund by-law attached as Appendix D.

**CARRIED**

- k. Confidential status report on the Contingency Reserve - August 31, 2024 (F-32-24)

Receive for information finance department report (F-32-24) regarding confidential status on the Contingency Reserve - August 31, 2024.

**CARRIED**

- l. Confidential legal update on a litigation matter - appeals to the New Official Plan (L-25-24)

Instruct the Commissioner of Legislative Services and City Solicitor, or his designate, to proceed in accordance with the instructions sought in confidential legal department report L-25-24.

**CARRIED**

- m. Confidential real estate matter - property license (L-27-24)

Instruct the Manager of Realty Services to proceed in accordance with the instructions sought in report L-27-24.

**CARRIED**

- e. Council composition and ward boundary review introductory presentation by consultant (CL-24-24)

Receive for information legislative services report CL-24-24 Council Composition and Ward Boundary Review introductory presentation by Watson & Associates Economists Ltd.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

f. Approval of 2025 meeting calendar (CL-22-24) (SD-16-24)

Moved by: Councillor Sharman

Seconded by: Councillor Nisan

Approve the 2025 calendar of meetings for Council and standing committees attached as Appendix A to legislative services report CL-22-24 with the following amendment:

- remove Council Meeting of November 27, 2025; **and**

**Amend the proposed 2025 annual meeting calendar to remove the following meetings:**

- **November 10 and 11 Committee of the Whole**
- **November 11 Budget Committee**
- **November 13 Council Workshop; and**

**Add the following meetings:**

- **November 3rd and 4th Committee of the Whole**
- **November 13th Budget Committee, 1 p.m.**

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

Moved by: Councillor Sharman

Seconded by: Councillor Nisan

**Amend the proposed 2025 annual meeting calendar to remove the following meetings:**

- **November 10 and 11 Committee of the Whole**
- **November 11 Budget Committee**
- **November 13 Council Workshop; and**

**Add the following the following meetings:**

- **November 3rd and 4th Committee of the Whole**
- **November 13th Budget Committee, 1 p.m.**

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

- i. Tender award for Prospect Street area phase one minor reconstruction, watermain and waste watermain installation (ES-22-24)

Award the tender for contract ES-24-45 Prospect Street area phase one minor reconstruction, watermain and waste watermain to KAPP Infrastructure Inc. for \$19,851,956.94 including HST; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated agreements with the bidder named above; and

Authorize the City Clerk to prepare the debenture by-law; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the Commissioner of Legal and Legislative Services and Corporation Counsel; and

Approve the total cost of \$19,750,617 (Net HST) to be charged to Capital Order RD-RR-1748 Prospect Street and Dynes Road - Renewal and funded as outlined in the Financial Matters section of the report.

IN FAVOUR: (4): Councillor Bentivegna, Councillor Kearns, Councillor Stolte, and Councillor Sharman

Absent (3): Mayor Meed Ward, Councillor Galbraith, and Councillor Nisan

**CARRIED (4 to 0)**

- j. Confidential triannual litigation update report (L-26-24)

**Note: This item was discussed in a closed meeting under Item 16. Confidential Items and Closed Meeting, and voted on under Item 17. Rise and Report.**

- n. Confidential human resources department report regarding a personnel matter (HR-07-24)

Moved by: Councillor Sharman  
Seconded by: Councillor Kearns

**Defer Confidential human resources department report regarding a personnel matter (HR-07-24) to the Committee of the Whole meeting of November 4, 2024.**

IN FAVOUR: (4): Councillor Bentivegna, Councillor Kearns, Councillor Stolte, and Councillor Sharman

Absent (3): Mayor Meed Ward, Councillor Galbraith, and Councillor Nisan

**CARRIED (4 to 0)**

13.2 Pipeline to Permit Committee meeting of October 10, 2024

There are no recommendations from this committee.

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

Moved by: Councillor Kearns  
Seconded by: Councillor Sharman

Approve the following minutes as amended;

**Amend the Committee of the Whole minutes of October 15, 2024 to include the recorded vote on the amendment for item 8.2 approval of 2025 meeting calendar, moved by Councillor Kearns.**

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

14.1 Committee of the Whole meeting minutes of October 7, 2024

Moved by: Councillor Kearns  
Seconded by: Councillor Sharman

**Reconsider Item 14. Motion to approve Standing Committee minutes for Committee of the Whole meeting minutes of October 7, 2024.**

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

**Amend the Committee of the Whole minutes of October 15, 2024 to include the recorded vote on the amendment for item 8.2 approval of 2025 meeting calendar, moved by Councillor Kearns.**

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

14.2 Pipeline to Permit Committee meeting minutes of October 10, 2024

**15. Urgent Business:**

None.

**16. Confidential Items and Closed Meeting:**

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

That Council move into closed session at 11:11 a.m. regarding Item 13.1.j. Confidential triannual litigation update report (L-26-24)

Pursuant to Section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

16.1 Motion to approve closed meeting minutes:

Moved by: Councillor Kearns

Seconded by: Councillor Stolte

Confirm the following closed meeting minutes:

**CARRIED**

- a. Confidential closed meeting minutes for Committee of the Whole meeting of October 7, 2024

16.2 Confidential triannual litigation update report (L-26-24)

**17. Rise and Report:**

Council reconvened into open session at 11:30 a.m.

17.1 Confidential triannual litigation update report (L-26-24)

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

Direct the Commissioner of Legal and Legislative Services and City Solicitor or his designate to proceed in accordance with the instructions sought in matters 1, 9, 13, 24, 25, 26, 27, 44, 46, 47, 48, 49, and 50 and that the balance of L-26-24 be received and filed.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

**18. Motions of Members:**

18.1 Motion to reconsider the decision regarding F-48-23 Art Gallery of Burlington request for Facility Master Plan and Future Needs Feasibility Study (ADM-15-24)

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

Reconsider the decision related to Report F-48-23 Art Gallery of Burlington request for Facility Master Plan and Future Needs Feasibility Study that was approved at the November 15, 2023 meeting of Council.

This item was voted on by way of a 2/3 vote.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

Approve one-time funding match to a total maximum of \$100,000 paid incrementally based on matching grant funds from other agencies and/or third-party funding subject to previous confirmation of matching funds from as recommended in finance department report F-48-23 for the Facility Master Plan and Future Needs Feasibility Study for the Art Gallery of Burlington.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

**19. Council Information Package:**

19.1 Council Information Package September 20, 2024

19.2 Council Information Package September 27, 2024

19.3 Council Information Package October 4, 2024

19.4 Council Information Package October 11, 2024

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

Moved by: Councillor Sharman

Seconded by: Councillor Kearns

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

**CARRIED**

20.1 Memorandum from Samantha Yew, City Clerk regarding Alternative dates for 2025 meeting calendar (CL-22-24)

20.2 Delegation notes from Anne and Dave Marsden regarding Approval of 2025 Meeting Calendar (CL-22-24)

**21. Notice of Motion:**

None

**22. Motion to Approve By-laws:**

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

- 22.1 62-2024: A by-law to amend By-law 71-2023, to delegate approvals to staff.
- 22.2 63-2024: A by-law to repeal By-law 25-2006 being a by-law to prohibit accident scene solicitation.
- 22.3 64-2024: A by-law to establish a Reserve Fund and Guidelines for the Utilization of the Road Safety Reserve Fund.
- 22.4 2020.487: A by-law to amend Zoning By-law 2020 for lands located at 460 Cumberland Avenue as it relates to the removal of a Holding ('H') Symbol.
- 22.5 2020.488: A by-law to amend Zoning By-law 2020 for lands located at 1160 Blair Road as it relates to the removal of a Holding ('H') Symbol.
- 22.6 66-2024: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for the Prospect Street Area Phase One Minor Reconstruction, Watermain and Waste Watermain Installation Project.

**23. Confirmatory By-law:**

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

Enact and pass By-law Number 65-2024 being a by-law to confirm the proceedings of Council at its meeting held October 15, 2024, being read a first, second and third time.

IN FAVOUR: (5): Councillor Bentivegna, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Sharman

Absent (2): Mayor Meed Ward, and Councillor Galbraith

**CARRIED (5 to 0)**

**24. Statements by Members and Staff:**

**25. Motion to Adjourn:**

Moved by: Councillor Stolte

Seconded by: Councillor Sharman

10:34 a.m. (recessed), 10:44 a.m. (reconvened) 11:10 a.m. (closed session),  
11:30 a.m. (reconvened).

Adjourn this Council now to meet again at the call of the Mayor: 11:58 a.m.

**CARRIED**

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Samantha Yew

City Clerk

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Angelo Bentivegna

Deputy Mayor