

CITY OF HAMILTON

MOTION

Council: June 23, 2021

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY MAYOR / COUNCILLOR

Amendment to Item 6 of the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service

WHEREAS, Council at its meeting of March 29, 2017, approved Item 6 of the Audit, Finance & Administration Committee Report 17-004, as amended, which authorized the City of Hamilton to provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park, in an amount not to exceed \$100,000, to be repaid in full over a period of ten years from the date of the loan advance;

WHEREAS, this loan agreement requires annual payments of \$10,000 to be made to the City of Hamilton;

WHEREAS, restrictions designed to prevent the spread of the COVID-19 virus continue to be in place limiting the gathering of large groups in public spaces;

WHEREAS, the Winona Peach Festival has determined that these restrictions will prevent them from holding the annual Winona Peach Festival Event in 2021;

WHEREAS, the Winona Peach Festival relies on the proceeds from the annual Winona Peach Festival Event to make the annual loan payment;

WHEREAS, at its meeting of May 27/28, 2020 a motion was approved (Item 6.3) that authorized and directed the Mayor and City Clerk to execute an amendment to the Loan Agreement, between the City of Hamilton and the Winona Peach Festival, for the funding of electrical upgrades at the City-owned Winona Park, to suspend the 2020 annual payment and extend the term of the Agreement for one year beyond the original date, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor; and,

WHEREAS, Item 6 of the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, needs to be amended to reflect both the 2020 approved resolution; and, the proposed amendment for 2021;

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (a) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by deleting the word “ten” and replacing it with the word “**twelve**”, to read as follows:
 - (a) That the City of Hamilton provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park in an amount not to exceed \$100,000 to be repaid in full over a period of ~~ten~~ **twelve** years from the date of the loan advance;
- (b) That Appendix “C” to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be further amended to reflect the 2020 approved loan agreement extension as well as the 2021 loan agreement extension, as shown in Appendix “A” attached hereto;
- (c) That Sub-section (b) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by adding the word “**further**”, to read as follows:
 - (b) That the loan to the Winona Peach Festival be repaid with annual principal payments on the anniversary dates of the loan advance as reflected in the Loan Repayment Schedule, attached as Appendix “C”, as **further amended**, to Audit, Finance and Administration Report 17-004;
- (d) That Sub-section (e) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by adding the words “**and any ancillary documents**”, to read as follows:
 - (e) That the Mayor and Clerk be authorized to execute the loan agreement **and any ancillary documents** between the City of Hamilton and Winona Peach Festival, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor.

The Main Motion, as amended, to read as follows:

6. Winona Peach Festival Request for a Loan to Upgrade Electrical Service (FCS17037) (Ward 11) (Outstanding Business List) (Item 8.3)

- (a) That the City of Hamilton provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park in an amount not to exceed \$100,000 to be repaid in full over a period of **twelve** years from the date of the loan advance;
- (b) That the loan to the Winona Peach Festival be repaid with annual principal payments on the anniversary dates of the loan advance as reflected in the Loan Repayment Schedule, attached as Appendix "C", as **further amended**, to Audit, Finance and Administration Report 17-004;
- (c) That a Long-term Receivable account be established to record the Loan to Winona Peach Festival on the City's books;
- (d) That any additional project expenses, such as Consulting, Project Management and Archaeological studies, if required, be borne by Winona Peach Festival;
- (e) That the Mayor and Clerk be authorized to execute the loan agreement **and any ancillary documents** between the City of Hamilton and Winona Peach Festival, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor.

Appendix “A”, As Amended

Loan Repayment Schedule

City of Hamilton Loan to Winona Peach Festival Inc. for Electrical Upgrades within Winona Park

Loan Amount \$100,000

Interest Rate 0.0%

Term (Years) **12**

Payment Date	Principal (\$)	Interest (\$)	Total Payment & Interest (\$)	Outstanding Balance
December 1, 2017				\$100,000
April 1, 2018	\$10,000	-	\$10,000	\$90,000
April 1, 2019	\$10,000	-	\$10,000	\$80,000
April 1, 2020	-	-	-	\$80,000
April 1, 2021	-	-	-	\$80,000
April 1, 2022	\$10,000	-	\$10,000	\$70,000
April 1, 2023	\$10,000	-	\$10,000	\$60,000
April 1, 2024	\$10,000	-	\$10,000	\$50,000
April 1, 2025	\$10,000	-	\$10,000	\$40,000
April 1, 2026	\$10,000	-	\$10,000	\$30,000
April 1, 2027	\$10,000	-	\$10,000	\$20,000
April 1, 2028	\$10,000	-	\$10,000	\$10,000
April 1, 2029	\$10,000	-	\$10,000	\$0