



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
REGULAR MEETING OF COUNCIL MINUTES**

C05/17
March 7, 2017
6:30 p.m.
COUNCIL CHAMBERS

PRESENT: A. Jeffs, R. Dykstra, T. Gilmore, T. Hessels, B. Konc

STAFF PRESENT: A. Cross, A. Dashwood, R. Deguire, K. Foster, L. Gudgeon,
M. Kirkham, R. Nan, M. Smith, S. Smith

1. **Call to Order**
Mayor Jeffs called the meeting to order at 6:30 p.m.
2. **National Anthem**
3. **Disclosure of Pecuniary Interest and the General Nature Thereof**
There were no disclosures of pecuniary interest noted by members of Council.
4. **Closed Meeting**

Resolution No. C-049-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** Council now move into closed session to discuss:

- a. Item under Section 239 (2) (e) (f) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board; and advice subject to solicitor-client-privilege – Road Use Agreement with the Niagara Region Wind Corporation

- b. Item under Section 239 (2) (d) of the *Municipal Act, 2001*, labour relations or employee negotiations – Christian Labour Association of Canada & Next Steps
- c. Item under Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual – Personnel Matter
- d. Minutes of the closed meetings of Council held on January 31, 2017 & February 14, 2017.

Carried

5. Rise & Report

Council rose from closed session at 7:10 p.m.

Mayor Jeff's advised that Council received legal advice regarding the Road Use Agreement with the Niagara Region Wind Corporation and gave staff direction on a personnel matter.

6. Presentations

There were no presentations scheduled.

7. Public Hearings

There were no public hearings scheduled.

8. Delegations

- a. Doug Willford Re: Funding for Canada 150 Celebrations in Wainfleet

Resolution No. C-050-2017

Moved By Betty Konc

Seconded By Richard Dykstra

"**THAT** the delegation from Doug Willford be received;

AND THAT Council refer the funding request for Canada 150 Celebrations in the amount of \$16,500 to 2017 budget deliberations."

Carried

- b. Mark Drysdale Re: Proposed Exotic Animal Bylaw in Wainfleet

Resolution No. C-051-2017

Moved By Richard Dykstra

Seconded By Ted Hessels

"**THAT** the delegation received from Mark Drysdale be received for information."

Carried

- c. John Kramer, Wainfleet Resident Re: New Street Light - Camelot Drive

Resolution No. C-052-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** the delegation from John Kramer be received for information."

Carried

9. Mayor's Announcements & Remarks

A copy of the Mayors announcements are enclosed in the March 7, 2017 Council meeting folder.

10. Adoption of the Minutes

- a. Minutes of the Regular Meeting of Council held on February 14, 2017

Resolution No. C053-2017

Moved By Terry Gilmore
Seconded By Ted Hessels

"**THAT** the minutes of the regular meeting of Council held February 17, 2017 be adopted as circulated."

Carried

11. Staff Reports and Recommendations

- a. Bylaw Enforcement Staff Reports

1. BESR-001-2017 Re: Exotic Animal Bylaw (DEFERRED)

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council consider the attached "Exotic Animal Bylaw" as Appendix "A" for approval at the March 7, 2017 Council Meeting.

Resolution No. C-054-2017

Moved By Richard Dykstra
Seconded By Betty Konc

"**THAT** Bylaw Enforcement Staff Report BESR-001-2017 Re: Exotic Animal Bylaw and the recommendations contained therein be adopted as circulated."

Carried As Amended (See below)

Resolution No. C-055-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** Bylaw Enforcement Staff Report BESR-001-2017 Re: Exotic Animal Bylaw and the recommendations contained therein be deferred to a subsequent meeting of Council for consideration."

Carried

b. Planning Staff Reports

1. PSR-001-2017 Re: Additional Planning Department User Fees & Charges

RECOMMENDATION(S):

THAT Planning Staff Report PSR-001/2017 be received;

AND THAT Council approve and adopt the proposed amendment to Bylaw 005-2016, being a bylaw to establish and regulate payment of various fees and charges within the Township of Wainfleet, attached as Appendix "A" at a subsequent meeting of Council.

Resolution No. C-056-2017

Moved By Terry Gilmore
Seconded By Betty Konc

"**THAT** Planning Staff Report PSR-001-2017 Re: Additional Planning Department User Fees & Charges and the recommendations contained therein be adopted as circulated."

Recorded vote requested by Alderman Hessels

Recorded	For	Against
April Jeffs	X	
Betty Konc		X
Richard Dykstra	X	
Terry Gilmore		X
Ted Hessels		X
Results	2	3

Defeated

c. Building Staff Reports

1. BSR-002-2017 Re: Building Permit Report - November & December

RECOMMENDATION(S):

THAT this report be received.

Resolution No. C-057-2017

Moved By Ted Hessels
Seconded By Richard Dykstra

"**THAT** Building Staff Report BSR-002-2017 Re: Building Permit Report, November & December and the recommendations contained therein be adopted as circulated."

Carried

Resolution No. C-058-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** the Chief Building Official, Randy Deguire be directed to provide Council a monthly summary report with respect to building activity within the Township of Wainfleet."

Carried

d. Drainage Staff Reports

1. DSR-003-2017 Re: Appointment of Drainage Superintendent

RECOMMENDATION(S):

THAT this report be received.

THAT Council direct staff to present the attached draft bylaw to appoint a new Drainage Superintendent at the March 28, 2017 Council meeting.

Resolution No. C-059-2017

Moved By Terry Gilmore
Seconded By Richard Dykstra

"**THAT** Drainage Staff Report DSR-003-2017 Re: Appointment of Drainage Superintendent and the recommendations contained therein be adopted as circulated."

Carried

e. Fire Staff Reports
None submitted.

f. Public Works Staff Reports

1. PWSR-001-2017 Re: New Street Light - Camelot Drive

RECOMMENDATION(S):

THAT this report be received;

THAT Council direct staff to install 4 street lights on Lakeshore Road near Camelot Drive for public safety and to benefit the residents of the Township.

THAT Council direct staff to install a streetlight in front of DJ'S restaurant for public safety and to benefit the residents and visitors of the township.

AND THAT The cost be applied to the operating budget of the Operations Department pending the 2017 budget approval by council.

Resolution No. C-060-2017

Moved By Betty Konc

Seconded By Richard Dykstra

"**THAT** Public Works Staff Report PWSR-001-2017 Re: New Street Light - Camelot Drive and the recommendations contained therein be adopted as circulated."

Carried

g. Septic Department Staff Reports
None submitted.

h. Administrative Staff Reports

1. ASR-009-2017 Re: Cancellation, Reduction or Refund of Realty Taxes 2014 & 2015

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council approve the attached application pursuant to Section 357 of the Municipal Act, 2001, numbered 2016-05 to write off taxes in the amount of \$9,341.93.

Resolution No. C-061-2017

Moved By Terry Gilmore
Seconded By Betty Konc

"**THAT** Administrative Staff Report ASR-009-2017 Cancellation, Reduction or Refund of Realty Taxes 2014 & 2015 and the recommendations contained therein be adopted as circulated."

Carried

2. ASR-010-2017 Re: Wainfleet Skating Club Advertisement

RECOMMENDATION(S):

THAT Council receive correspondence attached to this report as Appendix "A" from Lynn Bell, inviting the Township of Wainfleet to support the Wainfleet Skating Club by way of purchasing advertising space in their Ice Carnival program.

AND THAT Council support the request by purchasing advertisement space in the Ice Carnival program.

Resolution No. C-062-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"**THAT** Administrative Staff Report ASR-001-2017 Re: Wainfleet Skating Club Advertisement and the recommendations contained therein be adopted as circulated."

Carried

3. ASR-011-2017 Re: Welland River Flood Plain Association Rental Fees

RECOMMENDATION(S):

THAT Council receive correspondence item attached to this report as Appendix "A" from Len Aarts, requesting that the rental fee for the Wainfleet Firefighters Community Hall be waived during their annual general meeting, April 5, 2017.

AND THAT Council support the request by waiving the rental fee.

Resolution No. C-063-2017

Moved By Richard Dykstra
Seconded By Ted Hessels

"**THAT** Administrative Staff Report ASR-011-2017 Re: Welland River Flood Plain Association - Community Hall Rental Fees and the recommendations contained therein be adopted as circulated."

Carried

4. ASR-012-2017 Re: Changes to the Municipal Elections Act

RECOMMENDATION(S):

THAT this report be received for information.

Resolution No. C-064-2017

Moved By Terry Gilmore
Seconded By Betty Konc

"**THAT** Administrative Staff Report ASR-012-2017 Re: Changes to the Municipal Act and the recommendations contained therein be adopted as circulated."

Carried

5. ASR-013-2017 Re: 2018 Municipal Election - Voting Methods & Tabulators

RECOMMENDATION(S):

THAT this report be received;

THAT Council not proceed with the Ranked Ballot voting system for the 2018 Municipal Election;

THAT Council approve the use of Vote-By-Mail as an alternative voting method for the 2018 Municipal Election;

THAT Council approve the use of a Central Count Tabulator;

AND THAT staff prepare the required bylaws to be brought forward for consideration at a subsequent Council meeting.

Resolution No. C-065-2017

Moved By Terry Gilmore
Seconded By Richard Dykstra

"**THAT** Administrative Staff Report ASR-013-2017 Re: 2018 Municipal Election – Voting Methods & Tabulators and the recommendations contained therein be adopted as circulated."

Carried

6. ASR-014-2017 Re: 2017 Draft Budget

Adam Cross, Treasurer, presented the changes to the 2017 draft budget outlining staff directions from January 17, 2017 Council meeting.

RECOMMENDATION(S):

THAT this report be received;

AND THAT the 2017 Draft Budget be finalized and approved by Council

Resolution No. C-066-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** Administrative Staff Report ASR-014-2017 Re: 2017 Draft Budget and the recommendations contained therein be adopted as circulated."

A recorded vote was requested by Alderman Hessels

Recorded	For	Against
April Jeffs	X	
Betty Konc	X	
Richard Dykstra	X	
Terry Gilmore	X	
Ted Hessels		X
Results	4	1

Carried As Amended (see below)

Resolution No. C-067-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** staff be directed to reduce the Canada 150 budget line item from \$30,000 to \$16,500."

Carried

Resolution No. C-068-2017

Moved By Betty Konc
Seconded By Ted Hessels

"**THAT** the Treasurer be directed to remove \$2,000 from Canada 150 celebrations and allocate to Port Colborne Marine Auxiliary Rescue grant for a total budget line of \$3,000."

Carried

12. Review of Correspondence

- a. C-35-2017
Received from the office of the Regional Clerk requesting support of resolution with respect to financial support for families of missing persons.

Resolution No. C-069-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** Council for the Township of Wainfleet hereby endorses the Niagara Region's resolution with respect to financial support for families of missing persons."

Carried

13. Bylaws

Resolution No. C-070-2017

Moved By Terry Gilmore
Seconded By Richard Dykstra

"**THAT** Bylaw No. 010-2017 being a bylaw to appoint a Drainage Superintendent for the Township of Wainfleet pursuant to the provisions of the Drainage Act. RSO 1990 be read a first, second and third time and finally passed this 7th day of March, 2017."

Carried

14. Notices of Motion

- a. Niagara Peninsula Conservation Authority (NPCA) Lakefront Conservation Areas Master Plan

Resolution No. C-071-2017

Moved By Richard Dykstra
Seconded By Betty Konc

WHEREAS the NPCA Lakefront area, and all such areas exist primarily for the purposes of promoting and enhancing conservation and related activities; and,

WHEREAS the protection of such areas, the habitats, and species at risk are vital; and,

WHEREAS residents in the Niagara Region have expressed their desire for passive uses and opportunity in these areas, such as biking, hiking, camping, accessible fishing piers, swimming and bird-watching, as a multi-use area open to all user groups including hunting, where permitted; and,

WHEREAS the Board is considering options involving such non-passive and recreational uses as zip-lining, large meeting venues with paved parking, and other recreational uses;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Wainfleet respectfully reminds the NPCA of its conservation mandate and requests that all consideration be given to the passive uses and educational uses of the Lakefront area in their deliberations.

AND THAT this resolution be forwarded to the Niagara Peninsula Conservation Authority (NPCA) for their information.

Carried

15. Proclamations

- a. World Autism Awareness Day - April 2, 2017

Resolution No. C-072-2017

Moved By Terry Gilmore
Seconded By Betty Konc

WHEREAS World Autism Awareness Day will be recognized on April 2nd, 2017 in Canada thanks to Liberal Senator Jim Munson's Bill S-206, *An Act Respecting World Autism Awareness Day*; and

WHEREAS Autism Spectrum Disorder (ASD) affects more than 135,000 Ontarians. Autism Spectrum Disorder is now recognized as the most common

neurological disorder affecting 1 in every 94 children, as well as their friends, family and community; and

WHEREAS ASD is a spectrum disorder, which means it not only manifests itself differently in every individual in whom it appears, but its characteristics will change over the life of each individual as well. A child with ASD will become an adult with ASD; and

WHEREAS Autism Ontario (formerly Autism Society Ontario) is the leading source of information and referral on autism and one of the largest collective voices representing the autism community. Since 1973, Autism Ontario has been providing support, information and opportunities for thousands of families across the province; and

WHEREAS Autism Ontario is dedicated to increasing public awareness about autism and the day-to-day issues faced by individuals with autism, their families, and the professionals with whom they interact. The association and its chapters share common goals of providing information and education, supporting research, and advocating for programs and services for the autism community;

NOW THEREFORE the Township of Wainfleet does hereby declare April 2nd, 2017 as World Autism Awareness Day.

Carried

16. Other Business

Township Vehicles - Decals

Alderman Hessels inquired about decals being removed from Township vehicles. CAO Mr. Smith had ensured Alderman Hessels that the decals he was referring to have now been permanently placed on the vehicle.

Correspondence

Alderman Hessels noted that there was correspondence received by the Township by a Wainfleet resident and questioned why it hadn't been addressed. Mayor Jeffs advised that the correspondence will be addressed shortly.

Wainfleet Lions Event - March 29, 2017

Alderman Hessels announced that the Wainfleet Lions Club is hosting their annual Monte Carlo Night on March 29, 2017.

Correspondence Policy

Alderman Konc raised concerns surrounding the current correspondence policy and would like to discuss best practices moving forward. Council will discuss further with Deputy Clerk.

Fire Department

Alderman Konc requested a follow up to Fire Staff Report FSR-005-2016. CAO, Mr. Smith advised that staff will get a response back to Council at a subsequent meeting.

Alderman Konc requested a chart, which outlines fire departmental positions.

Alderman Konc inquired if there have been any recruitment attempts for the Fire Department. Fire Chief, Kevin Foster advised that he is working on developing recruitment tools, expected to be in place by spring of 2017.

Alderman Konc requested that a meeting be held with Council, staff and the Fire Fighters Association to try and resolve some outstanding concerns.

Alderman Konc requests Pelham Correspondence on next agenda for consideration.

Resolution No. C-073-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"**THAT** staff be directed to place correspondence No. C-049-2017 Re: Request to amend process for appointments to Niagara Peninsula Conservation Authority Board of Directors on the next available agenda for Council's consideration."

Carried

17. Bylaw to Confirm the Proceeding of Council

Resolution No. C-074-2017

Moved By Richard Dykstra
Seconded By Betty Konc

"**THAT** Bylaw No. 011-2017 being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on March 7th, 2017 be read a first, second and third time and finally passed this 7th day of March, 2017."

Carried

18. Adjournment of Meeting

Resolution No. C-075-2017

Moved By Ted Hessels
Seconded By Terry Gilmore

"**THAT** Council for the Township of Wainfleet do now adjourn."

Carried

Council adjourned at 9:35 p.m.

A. Jeffs
A. Jeffs, MAYOR

M. Kirkham
M. Kirkham, DEPUTY CLERK

Approved by Council - March 28, 2017