



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

C07/17

March 28, 2017

6:00 p.m.

COUNCIL CHAMBERS

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

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

1. Call to Order

Mayor Jeff's called the meeting to order at 6:00 p.m.

2. National Anthem

3. Disclosure of Pecuniary Interest and the General Nature Thereof

Alderman Hessels declared a conflict of interest on Planning Staff Report PSR-002-2017 Re: Official Plan Designations for Identified Lands.

4. Presentations

a. Suzanne Craig, Integrity Commissioner

Suzanne Craig made a presentation to Council & Staff on changes to the Municipal Act and Conflict of Interest guidelines. A copy of the presentation is filed in the March 28, 2017 Council folder.

5. Delegations

- a. Alfred Kiers Re: Township of Wainfleet Land Use Policy

Resolution No. C-079-2017

Moved By Ted Hessels
Seconded By Richard Dykstra

"**THAT** the delegation presented by Alfred Kiers Re: Township of Wainfleet Land Use Policy be received;

AND THAT the Township Planner, S. Ivins be directed to report back to Council with a recommendation on land use policies in neighbouring municipalities."

Carried

- b. John Fairlie Re: Proposed Amendment to Excessive Noise Bylaw

Resolution No. C-080-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"**THAT** the delegation presentation by John Fairlie Re: Proposed Amendment to Excessive Noise Bylaw be received;

AND THAT the Bylaw Officer be hereby directed to do a site visit and investigate options for handling noise violations for the affected properties."

Carried

6. Mayor's Announcements & Remarks

The Mayor's announcements are enclosed in the March 28, 2017 Council meeting folder.

7. Adoption of the Minutes

- a. Minutes from the Regular meeting of Council held March 7, 2017

Resolution No. C-081-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** the Minutes of the regular meeting of Council held March 7, 2017 be adopted as circulated."

Carried

8. Staff Reports and Recommendations

a. Administrative Staff Reports

1. ASR-015-2017 Re: Municipal Act, 2016 Remuneration Reporting

RECOMMENDATION(S):

THAT this report be received for information.

Resolution No. C-082-2017

Moved By Ted Hessels

Seconded By Terry Gilmore

"**THAT** Administrative Staff Report ASR-015-2017 Re: Municipal Act, 2016 Remuneration Reporting and the recommendations contained therein be adopted as circulated."

Carried

2. ASR-016-2017 Re: 2016 Development Charge Reserve Fund Statement

RECOMMENDATION(S):

THAT the attached Appendix "A" – Development Charge Reserve Fund Activity be received for information;

AND THAT a copy of the report be forwarded to the Ministry of Municipal Affairs and Housing, in accordance with Development Charges Act, 1997.

Resolution No. C-083-2017

Moved By Richard Dykstra

Seconded By Terry Gilmore

"**THAT** Administrative Staff Report ASR-016-2017 Re: 2016 Development Charge Reserve Fund Statement and the recommendations contained therein be adopted as circulated."

Carried

3. ASR-017-2017 Re: Heart & Stroke Foundation - Rental Fees

RECOMMENDATION(S):

THAT Council receive correspondence item attached to this report as Appendix "A" from Janet Hodgkins, requesting that the rental fee for the Heart and Stroke Foundation Moore Room rental fee be waived during their Volunteer Appreciation Night, March 29, 2017.

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

Resolution No. C-084-2017

Moved By Betty Konc

Seconded By Terry Gilmore

"**THAT** Administrative Staff Report ASR-017-2017 Re: Heart & Stroke Foundation Rental Fees and the recommendations contained therein be adopted as circulated."

Carried

- b. Building Staff Reports
None submitted.
- c. Bylaw Enforcement Staff Reports
None submitted.
- d. Drainage Staff Reports
None submitted.
- e. Fire Staff Reports
None submitted.
- f. Planning Staff Reports

Alderman Hessels left the dais at 7:15 p.m.

1. PSR-002-2017 Re: Official Plan Designations for Identified Lands

RECOMMENDATION(S):

THAT Planning Staff Report PSR-002/2017 be received;

THAT Council direct staff to initiate an Official Plan Amendment to determine the land use designations for the lands identified in Appendix "A", Appendix "B" and Appendix "C" being the lands removed from the Hamlets of Wellandport, Ostryhon Corners and Chambers Corners;

AND THAT Council direct staff to review the designation for the lands identified in Appendix "D" as part of the Official Plan Amendment.

Resolution No. C-085-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** Planning Staff Report PSR-002-2017 Re: Official Plan Designations for Identified Lands and the recommendations contained therein be adopted as circulated."

Carried

Alderman Hessels returned to the dais at 7:17 p.m.

g. Public Works Staff Reports

1. PWSR-002-2017 Re: Award of Project for Arena Addition

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council award the project for the Arena addition and seniors centre expansion to Schiltuis Construction Inc. in the amount of \$550,000 (not inclusive of applicable taxes).

Resolution No. C-086-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"**THAT** Public Works Staff Report PWSR-002-2017 Re: Award of Project for Arena Addition and the recommendations contained therein be adopted as circulated."

Carried

h. Septic Department Staff Reports

None submitted.

9. **Review of Correspondence**

Resolution No. C-087-2017

Moved By Richard Dykstra
Seconded By Betty Konc

"**THAT** the report of correspondence to Council dated March 28, 2017 and the recommendations contained therein be adopted as circulated."

Carried as amended (see below)

Resolution No. C-088-2017

Moved By Betty Konc
Seconded By Terry Gilmore

"**THAT** the recommendation for correspondence item no. 051 be amended to read 'support request'."

Carried

Resolution No. C-089-2017

Moved By Richard Dykstra
Seconded By Betty Konc

"**THAT** the recommendation for correspondence item no. 062 be amended to read 'support request'."

Carried

Resolution No. C-090-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

"**THAT** the recommendation for correspondence item no. 70 be amended to 'refer to Planner for staff report outlining the details and potential implications of the request.'"

Carried

Resolution No. C-091-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"**THAT** the recommendation for correspondence item no. 025 be amended to read 'receive for information'."

Carried

Resolution No. C-092-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"**THAT** the recommendation for correspondence item no. 049 be amended to read 'receive for information.'"

Carried

COUNCIL CORRESPONDENCE SUMMARY

2017 03 28

051. Received from the Regional Municipality of Niagara Police Services Board Re: Burgoyne Bridge Replacement Project Forensic Audit. **REC.** – ~~Refer to Council Support Request~~
052. Received from the Niagara Region, Planning & Development Services Re: Proposed Minor Changes to Greenbelt Mapping, Response to Recent Niagara Escarpment Commission Decisions and Grown Plan Policy Change Request. **REC.** – Receive for Information
053. Received from Rob Houle Re: NPCA purchase of bulk water hauling truck. **REC.** – Receive for Information
054. Received from the Ministry of Infrastructure Re: BUILD ON 2017 Infrastructure Update. **REC.** – Receive for Information
055. Received from the City of Port Colborne Re: Change to Composition of Regional Council – “Double Direct”. **REC.** – Receive for Information
056. Received from the City of Port Colborne Re: Resolution of Support – Financial Support for Families of Missing Persons. **REC.** – Receive for Information
057. Received from the Niagara Region Re: Coordinated Policy Review – Response to the Greenbelt Plan EBR Posting. **REC.** – Receive for Information
058. Received from the Office of the Regional Clerk Re: Initiation Report – Regional Official Plan Amendment 13 (ROPA 13) Transportation Policies. **REC.** – Receive for Information
059. Received from the Office of the Regional Clerk Re: Coordinated Policy Review Growth Plan Prime Employment Areas and Gateway Economic Zone. **REC.** – Receive for Information

060. Received from the Office of the Regional Clerk Re: Coordinated Policy Review Niagara Escarpment Commission Site Specific Recommendations. **REC.** – Receive for Information
061. Received from the Office of the Regional Clerk Re: Foreign Trade Zone – Minute Item 10.2.3, CL 03-2017, March 2, 2017. **REC.** – Receive for Information
062. Received from the Town of Lincoln Re: Region-Wide Strategic Plan for Agricultural Irrigation. **REC.** – ~~Refer to Council~~ *Support Request*
063. Received from Heart and Stroke Wainfleet Zone Leader Re: Request to waive rental fees for its Annual Volunteer Appreciation Night. **REC.** – Receive for Information
064. Received from the City of Hamilton Re: Resolution respecting the Niagara Peninsula Conservation Authority Investigation. **REC.** – Receive for Information
065. Received from the City of Hamilton Re: Resolution respecting the Process for Appointment to the Niagara Peninsula Conservation Authority. **REC.** – Receive for Information
066. Received from Northeastern Manitoulin and the Islands (NEMI) Re: Resolution requesting that the Province of Ontario eliminate delivery fees for all Ontario Hydro customers. **REC.** – Receive for Information
067. Received from the City of Port Colborne Re: Resolution of Support – Foreign Trade Zone. **REC.** – Receive for Information
068. Received from the City of Port Colborne Re: Resolution of Support – Request to Amend Process for Appointments to Niagara Peninsula Conservation Authority Board of Directors. **REC.** – Receive for Information
069. Received from the City of Port Colborne Re: Resolution of Support – Burgoyne Bridge Replacement Project Forensic Audit. **REC.** – Receive for Information
070. Received from OAN Architect Inc. Re: St. Elizabeth Church Addition - Request to waive the Site Plan approval condition and fee. **REC.** – ~~Refer to Council~~ *Refer to Planner, S. Ivins for staff report*
071. Received from the City of St. Catharines Re: Motion of Council – Provincial Auditor General’s Offer to NPCA – Third Party Audit. **REC.** – Receive for Information
025. Received from the Regional Clerk Re: Change to Composition of Regional Council – “Double Direct” – **REC.** ~~Refer to Council~~ *Receive for information*
049. Received from the Town of Pelham Re: Request to amend process for appointments to Niagara Peninsula Conservation Authority Board of Directors. **REC.** – ~~refer to Council~~ *Receive for information*

10. Bylaws

Resolution No. C-093-2017

Moved By Richard Dykstra
Seconded By Ted Hessels

"**THAT** the following bylaws be now read a first, second, and third time and finally passed this 28th day of March, 2017:

- a. Bylaw No. 013-2017 being a bylaw to authorize the use of Vote-by-Mail as an alternative voting method during the 2018 Municipal Election.
- b. Bylaw No. 014-2017 being a bylaw to authorize the use of optical scanning vote tabulators and vote recorders for the purpose of counting votes at the 2018 Municipal Election."

Carried

11. Notices of Motion

Alderman Konc and Alderman Hessels gave notice that a motion will be brought forward at the next regular meeting of Council regarding:

- a. Removal of two-thirds of the whole of Council vote requirement from Council's Procedural Bylaw No. 067-2016 - Alderman Hessels
- b. Niagara Peninsula Conservation Authority Governance - Alderman Konc

12. Proclamations

There were no proclamations.

13. Other Business

Lions Club Event

Alderman Hessels announced that the Lions Club would be hosting their annual Monte Carlo Event March 29, 2017.

Committee Vacancies

Alderman Konc noted that there were 2 vacancies on the Fire Master Plan Advisory Committee and inquired if the vacancies would be filled. M. Kirkham advised all of Council that there would be an upcoming report to Council to appoint members to the committee.

Special Meeting of Council

Alderman Konc advised that the Wainfleet Fire Fighters Association would like to address Council and suggested a special meeting of Council be held to accommodate this request on April 12, 2017 at 7:30 p.m. in Council Chambers.

Resolution No. C-094-2017

Moved By Betty Konc
Seconded By Terry Gilmore

"**THAT** a Special Meeting of Council be held April 12, 2017 at 7:30 p.m. with the Fire Fighters Association to discuss the Fire Department."

Carried

Drainage Open House

Alderman Dykstra announced that there will be a drainage open house at the Wainfleet Fire Hall, Thursday, March 30, 2017 and encouraged the community to attend.

Alderman Dykstra thanked the Fire Fighters Association for allowing the usage of their sign for advertising purposes on Highway #3.

14. Closed Meeting

Resolution No. C-095-2017

Moved By Richard Dykstra
Seconded By Terry Gilmore

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

- a) Item under Section 239 (2) (b) (c) of the *Municipal Act, 2001*, personal matters about an identifiable individual; acquisition or disposition of land (2 items) Previous Staff Advice -Potential Disposition of Land
- 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) (f) (e) of the *Municipal Act, 2001*, advice subject to solicitor-client privilege - Exotic Animal Bylaw - Agreement with Long Beach Water Works -EXP
- d) Item under Section 239 (2) (b) (f) of the *Municipal Act, 2001*, personal matters about an identifiable individual; advice subject to solicitor-client privilege - Personnel Matter

e) Minutes of the Closed Meeting of Council held March 7, 2017"

Carried

15. Rise & Report

Council rose from closed session at 9:35 p.m.

Mayor Jeffs advised that Council went into closed session to give staff direction on two planning matters, received an update on the Christian Labour Association of Canada and received legal advice on the proposed exotic animal bylaw and personnel matter.

16. Bylaw to Confirm the Proceeding of Council

Resolution No. C-096-2017

Moved By Betty Konc

Seconded By Terry Gilmore

"**THAT** Bylaw No. 015-2017 being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 28th day of March, 2017 be read a first, second and third time and finally passed this 28th day of March, 2017."

Carried

17. Adjournment of Meeting

Resolution No. C-097-2017

Moved By Terry Gilmore

Seconded By Ted Hessels

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

Carried

Council adjourned at 9:40 p.m.

A. Jeffs, MAYOR

M. Kirkham, DEPUTY CLERK

Approved by Council – April 18, 2017