



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

C09/17  
May 9, 2017  
7:00 p.m.

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

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

- 1. Call to Order**  
Mayor Jeffs called the meeting to order at 7:00 p.m.
- 2. National Anthem**
- 3. Disclosure of Pecuniary Interest and the General Nature Thereof**  
There were no disclosures noted by members of Council.
- 4. Closed Meeting**

**Resolution No. C117-2017**

**Moved By** Terry Gilmore  
**Seconded By** Betty Konc

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

1. 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 – Legal Matters”

**Carried**

**5. Rise & Report**

Council rose from closed session at 7:18 p.m.

Mayor Jeffs advised that Council went into closed session and received advice from the Townships solicitor and gave staff direction in regards to a legal matter affecting the municipality

**6. Delegations**

- a. Pat Cusack - Re: NPCA Wainfleet Conservation Areas Master Plan

**Resolution No. C118-2017**

**Moved By** Ted Hessels

**Seconded By** Terry Gilmore

"**THAT** the delegation presented by Pat Cusack Re: Niagara Peninsula Conservation Areas Master Plan (concerns) be received and referred to the NPCA for consideration."

**Carried**

**7. Presentations**

Mayor Jeffs presented Rhoda Wills with an appreciation plaque for her years of volunteer service to the Township of Wainfleet.

**8. Public Hearings**

None.

**9. Mayor's Announcements & Remarks**

The Mayor's announcements are enclosed in the May 9, 2017 Council meeting folder.

**10. Adoption of the Minutes**

**Resolution No. C119-2017**

**Moved By** Terry Gilmore  
**Seconded By** Richard Dykstra

"**THAT** the minutes of the regular meeting of council held on April 18, 2017 be adopted as circulated."

**Carried**

**11. Staff Reports and Recommendations**

a. Administrative Staff Reports  
None submitted.

b. Building Staff Reports

1. BSR-004-2017 - Building Permit Report March 2017

**RECOMMENDATION(S):**

**THAT** this report be received.

**Resolution No. C120-2017**

**Moved By** Betty Konc  
**Seconded By** Ted Hessels

"**THAT** Building Staff Report BSR-004-2017 Re: Building Permit Report - March 2017 and the recommendations contained therein be adopted as circulated."

**Carried**

c. Bylaw Enforcement Staff Reports

1. BESR-002-2017 - Monthly Statistical Report

**RECOMMENDATION(S):**

**THAT** this report be received.

**Resolution No. C121-2017**

**Moved By** Ted Hessels  
**Seconded By** Richard Dykstra

"**THAT** Bylaw Enforcement Staff Report BESR-002-2017 Re: Monthly Statistical Report and the recommendations contained therein be adopted as circulated."

**Carried**

- d. Drainage Staff Reports  
None submitted.
- e. Fire Staff Reports  
None submitted.
- f. Planning Staff Reports
  - 1. PSR-004-2017 - Proposed Lakewood Beach Development

**RECOMMENDATION(S):**

**THAT** PSR-004/2017 be received for information.

**Resolution No. C122-2017**

**Moved By** Betty Konc  
**Seconded By** Ted Hessels

"**THAT** Planning Staff Report PSR-004-2017 Re: Proposed Lakewood Beach Development and the recommendations contained therein be adopted as circulated."

**Carried**

- 2. PSR-005-2017 - Zoning Bylaw Amendment Z01-2017

**RECOMMENDATION(S):**

**THAT** this report be received;

**THAT** Council approve the Zoning Bylaw Amendment attached as Appendix "B";

**THAT** pursuant to the provisions of Section 34 of the Planning Act, Council determines that no further notice of the proposed bylaw is required;

**AND THAT** the Clerk notify the owner (Estate of Anita Jasmine Kitchen), the Region of Niagara, the Niagara Peninsula Conservation Authority and the Secretary-Treasurer of the Committee of Adjustment.

**Resolution No. C123-2017**

**Moved By** Richard Dykstra  
**Seconded By** Terry Gilmore

"**THAT** Planning Staff Report PSR-005-2017 Re: Application for Zoning Bylaw Amendment Z01-2017 and the recommendations contained therein be adopted as circulated."

**Carried**

g. Public Works Staff Reports

1. PWSR-004-2017 - Canada 150 Update

**RECOMMENDATION(S):**

**THAT** this report be received.

**Resolution No. C124-2017**

**Moved By** Betty Konc  
**Seconded By** Ted Hessels

"**THAT** Public Works Staff Report PWSR-004-2017 Re: Canada 150 Celebration Update and the recommendations contained therein be adopted as circulated."

**Carried**

2. PWSR-005-2017 - LED Sign

**RECOMMENDATION(S):**

**THAT** this report be received;

**AND THAT** Council award the tender for the installation of a Digital Sign to Signature Signs.

**Resolution No. C125-2017**

**Moved By** Richard Dykstra  
**Seconded By** Terry Gilmore

"**THAT** Public Works Staff Report PWSR-005-2017 Re: LED Sign and the recommendations contained therein be adopted as circulated."

**Carried**

3. **PWSR-006-2017 - Purchase of Tandem Truck**

**RECOMMENDATION(S):**

**THAT** this report be received;

**AND THAT** Council award the tender for purchase of the Tandem Truck Plow/ Sander to Archer Truck Services.

**Resolution No. C126-2017**

**Moved By** Ted Hessels  
**Seconded By** Richard Dykstra

"**THAT** Public Works Staff Report PWSR-006-2017 Re: Purchase of Tandem Truck and the recommendations contained therein be adopted as circulated."

**Carried**

4. **PWSR-007-2017 - Townline Road**

**RECOMMENDATION(S):**

**THAT** this report be received for information.

**Resolution No. C127-2017**

**Moved By** Richard Dykstra  
**Seconded By** Betty Konc

"**THAT** Public Works Staff Report PWSR-007-2017 Re: Wainfleet, Port Colborne, Welland, Townline Road Upgrade and the recommendations contained therein be adopted as circulated."

**Carried**

5. PWSR-008-2017 - Roads Needs Study

**RECOMMENDATION(S):**

**THAT** this report be received;

**AND THAT** Council approve the hiring of Associated Engineering Ltd. to complete the Roads Needs Study for the Township of Wainfleet in 2017.

**Resolution No. C128-2017**

**Moved By** Terry Gilmore

**Seconded By** Betty Konc

"**THAT** Public Works Staff Report PWSR-008-2017 Re: Award of RFP for Roads Needs Study and the recommendations contained therein be adopted as circulated."

**Carried**

6. PWSR-009-2017 - Award for Asbestos Management

**RECOMMENDATION(S):**

**THAT** this report be received;

**AND THAT** Council approve the hiring of Ontario Environmental and Safety Network Ltd to complete the Asbestos Management Plan for the Township of Wainfleet.

**Resolution No. C129-2017**

**Moved By** Terry Gilmore

**Seconded By** Betty Konc

"**THAT** Public Works Staff Report PWSR-009-2017 Re: Award of RFP for Asbestos Management Plan to Ontario Environmental and Safety

Network Ltd. and the recommendations contained therein be adopted as circulated."

**Carried**

- h. Septic Department Staff Reports  
None submitted.

**12. Review of Correspondence**

**Resolution No. C130-2017**

**Moved By** Ted Hessels  
**Seconded By** Betty Konc

"**THAT** the report of the correspondence to Council dated May 9, 2017 and the recommendations contained therein be adopted as circulated."

**Carried**

**Resolution No. C131-2017**

**Moved By** Ted Hessels  
**Seconded By** Betty Konc

"**THAT** correspondence item No. C075-2017 Re: Niagara Region's Transit Service Delivery and Governance Strategy be deferred to the regular meeting of Council May 30, 2017 for consideration;

**AND THAT** a representative of the project appear before Council with additional information regarding the project May 30, 2017."

**Carried**

**Resolution No. C132-2017**

**Moved By** Betty Konc  
**Seconded By** Terry Gilmore

"**THAT** Council endorse correspondence item No. C104-2017 Re: City of Welland resolution regarding City Council's ability to appoint and submit a preferred candidate to the NPCA Board."

**Carried**



**Resolution No. C133-2017**

**Moved By** Betty Konc  
**Seconded By** Richard Dykstra

"**THAT** correspondence item No. C107-2017 Re: Town of Fort Erie's resolution respecting the Niagara South Hospital be received for information."

**Carried**

**Resolution No. C134-2017**

**Moved By** Betty Konc  
**Seconded By** Terry Gilmore

"**THAT** Council endorse correspondence item No. C112-2017 Re: Town of Fort Erie's resolution with respect to the Great Lakes and St. Lawrence Cities Initiative."

**Carried**

**Resolution No. C135-2017**

**Moved By** Ted Hessels  
**Seconded By** Richard Dykstra

"**THAT** Council endorse correspondence item No. C103-2017 Re: Kawartha Lakes resolution respecting Supporting Certified Crop Advisors."

**Carried**

**13. Bylaws**

**Resolution No. C136-2017**

**Moved By** Betty Konc  
**Seconded By** Terry Gilmore

"**THAT** the following bylaws be now read a first, second and third time and finally passed this 9th day of May 2017:

1. Bylaw No. 018-2017 being a bylaw to authorize the Mayor and Clerk to execute a Mutual Release and Settlement Agreement between The Corporation of the Township of Wainfleet and NR Capital General Partnership.

2. Bylaw No. 019-2017 being a bylaw pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning Bylaw No. 034-2014 of the Corporation of the Township of Wainfleet with respect to those lands forming Part of Lot 23, Concession 4 in the Township of Wainfleet, known municipally as 42369 Highway #3.
3. Bylaw No. 020-2017 being a bylaw to close and convey part of a Road Allowance between Lots 41 and 42, Concession 4, Township of Wainfleet being all of PIN 64010-0182 (LT).

**Carried**

**14. Notices of Motion**

None.

**15. Proclamations**

None.

**16. Other Business**

Niagara Dinner at the Dairy

Alderman Hessels noted that there is a local event "Dinner at the Dairy" taking place on July 14, 2017 at Marr Bros. Farms (43484 Case Road), Wainfleet.

Monthly Reports

Alderman Konc requested monthly information/update reports from staff regarding the status of staff directions given by members of Council.

**17. Closed Meeting**

**Resolution No. C137-2017**

**Moved By** Betty Konc

**Seconded By** Terry Gilmore

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

1. Item under Section 239 (2) (b) (d) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations – Personnel matter

**Carried**

**18. Rise & Report**

Council rose from closed session at 8:40 p.m.

Mayor Jeffs advised that Council went into closed session and gave staff direction with respect to a personnel matter.

**19. Bylaw to Confirm the Proceeding of Council**

**Resolution No. C138-2017**

**Moved By** Betty Konc

**Seconded By** Terry Gilmore

"**THAT** Bylaw No. 021-2017 being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 9th day of May, 2017 be read a first, second and third time and finally passed this 9th day of May, 2017."

**Carried**

**20. Adjournment of Meeting**

**Resolution No. C139-2017**

**Moved By** Terry Gilmore

**Seconded By** Ted Hessels

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

**Carried**

Council adjourned at 8:41 p.m.

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A. Jeffs, MAYOR

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M. Kirkham, DEPUTY CLERK

**Approved by Council May 30, 2017**