



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

C27/2020
November 3, 2020
7:00 p.m.
Electronic Participation

PRESENT:	K. Gibson	Mayor
	D. Cridland	Councillor
	J. MacLellan	Councillor
	T. Gilmore	Councillor
	S. Van Vliet	Councillor
STAFF PRESENT:	W. Kolasa	Chief Administrative Officer/Clerk
	M. Alcock	Fire Chief
	M. Ciuffetelli	Deputy Clerk
	A. Dashwood	Administrative Assistant
	L. Gudgeon	Manager of Human Resources
	S. Ivins	Planner
	M. Jemison	Drainage Superintendent
	M. Luey	Treasurer/Mgr of Corporate Services
	D. Methot	Chief Building Official
	R. Nan	Manager of Operations

- 1. Call to Order**
Mayor Gibson called the meeting to order at 7:00 p.m.
- 2. National Anthem**
- 3. Land Acknowledgement Statement**
Mayor Gibson acknowledged that the land on which we gather is the traditional territory of Anishinaabeg and Haudenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.
- 4. Disclosures of Pecuniary Interest and the General Nature Thereof**
Councillor MacLellan declared an interest on agenda item 9. e) ii. PSWR-011/2020 Re: Ellsworth Road ROW Shoreline Protection Award of Tender as he is employed by a company who has bid on the project.

Councillor Van Vliet declared an interest on agenda item 9. e) ii. PSWR-011/2020 Re: Ellsworth Road ROW Shoreline Protection Award of Tender as she a family member is employed who has bid on the project.

5. **Mayor's Announcements and Remarks**

The mayor announced the following:

- Last week I had the opportunity to meet virtually with Steven Soos of True Politics to discuss a number of issues in Wainfleet. The video replay is available on his Facebook pages for those who missed the live event.
- Regional Council will meet Thursday November 19 at 6:30 p.m. at Regional Headquarters.
- Our next regular meeting of Council is scheduled for Tuesday November 24 at 7:00 p.m.

6. **Councillor's Announcements and Remarks**

None.

7. **Adoption of Previous Council Minutes**

- a) Minutes of the regular meeting of Council held October 13, 2020

Resolution No. C-2020-197

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

"THAT the minutes of the regular meeting of Council held October 13, 2020 be adopted as circulated."

CARRIED

8. **Delegations**

None.

9. **Staff Reports & Recommendations**

- a) Administrative Staff Reports

- i. ASR-036/2020 Re: Tax Reduction

Resolution No. C-2020-198

Moved by Councillor Cridland

Seconded by Councillor MacLellan

"THAT Administrative Staff Report ASR 036/2020 respecting cancellation, reduction and refund of property tax be received;

AND THAT Council approve the attached application pursuant to Section 357 of the Municipal Act, 2001, numbered 2020-01 to write off taxes in the amount of \$541.83."

CARRIED

- ii. ASR-037/2020 Re: COVID-19 Impact Report

Resolution No. C-2020-199

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“THAT Administrative Staff Report ASR-037/2020 respecting COVID-19 Impact Report be received as information;

AND THAT Council adopt a resolution supporting an application by the Township for Phase 2 of the Safe Restart Funding Program.”

CARRIED

Resolution No. C-2020-200

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“THAT the Council of the Township of Wainfleet has assessed and considered the current and projected 2020 financial situation of the municipality and specifically requests Provincial Funding under Phase 2 of the Safe Restart Program (Municipal Operating Funding) on the basis that the funding provided to the Township of Wainfleet under Phase 1 of the program is not sufficient to address the Townships’ 2020 COVID-related operating pressures.

AND THAT Staff be directed to make application to the Province of Ontario for funding assistance in this regard.”

CARRIED

b) Drainage Staff Reports

- i. DSR-006/2020 Re: Agreement on Share of Assessment

Resolution No. C-2020-201

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Drainage Staff Report DSR-006/2020 respecting Apportionment Agreement (Ajodhia) be received;

AND THAT the Agreement on Share of Assessment attached hereto as Appendix “A” be approved.”

CARRIED

- ii. DSR-007/2020 Re: Bridgewater Drain

Resolution No. C-2020-202

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

"THAT Drainage staff report DSR-007-2020 respecting Bridgewater Drain be received;

AND THAT staff be directed to advance the Bridgewater Drain Engineer's Report to that of the Meeting to Consider on November 24, 2020 as per Section 41, Chapter D.17 of the *Drainage Act R.S.O. 1990.*"

CARRIED

c) Fire Staff Reports

- i. FSR-016/2020 Re: RFP Compressed Breathing Air System

Resolution No. C-2020-203

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

"THAT Fire Staff Report FSR-016/2020 respecting Stage 2 of the 2020 Capital Project – Compressed Breathing Air System be received for information.

AND THAT Council approve the supply and installation of a Compressed Breathing Air System, complete with Breathing Air Compressor, Fill Station, Cascade Storage Cylinders, and all required accessories from Vallen at a cost of \$59,917.40 (not including HST).

AND THAT the Fire Chief be delegated the authority to proceed with the completion of the Capital Project, provided it falls within the remaining approved Capital Budget amount."

CARRIED

d) Planning Staff Reports

- i. PSR-010/2020 Re: Removal of Holding Symbol File No. Z02-2020W

Resolution No. C-2020-204

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT Planning Staff Report PSR-010/2020 be received; and

THAT Council enact an amending by-law to remove the Holding (H) Symbol for the development of lands described as Concession 5 Part Lot 10 RP 59R-11370 Part 2 in the Township of Wainfleet, attached as Appendix “B”.

CARRIED

e) Public Works Staff Reports

i. PWSR-010/2020 Re: Facilities Accessibility Audit

Resolution No. C-2020-205

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“THAT Public Works Staff Report PWSR-010/2020 respecting Results of an Accessibility Audit be received for information.”

CARRIED

ii. PWSR-011/2020 Re: Ellsworth Road ROW Shoreline Protection Award of Tender

At this point in the meeting, Councillor MacLellan and Councillor Van Vliet turned their Zoom video off and did not participate in the discussion or vote on the matter.

Resolution No. C-2020-206

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“THAT Report PWSR-011/2020 respecting Results of The Tender for the Ellsworth Road ROW Shoreline Protection be received for information;

AND THAT Council award the project for the repair of the Ellsworth Road ROW Shoreline Protection to Rankin Construction Inc. in the amount of \$192,550.00 excluding HST.”

CARRIED

10. **Review of Correspondence**
None.

11. **By-laws**

Resolution No. C-2020-207

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“THAT the following By-laws be read and passed this 3rd day of November 2020:

- a) By-law No. 041-2020 being a by-law to amend the bylaw to amend the Corporation of the Township of Wainfleet Zoning By-law 034-2014, pursuant to Section 36 of the Planning Act, R.S.O. 1990
- b) By-law No. 042-2020 being a by-law to amend By-law No. 058-2019 being a by-law to govern the proceedings of the Township of Wainfleet Council, the conduct of its Members and the calling of meetings.”

CARRIED

12. **Notices of Motion**

- a) Councillor Van Vliet Re: Notice of a Motion to reconsider (Resolution No. C-2020-161) to reduce the fire hall design by 2,500 feet as provided at the Council Meeting of September 22, 2020

Councillor Van Vliet provided gave direction to defer her motion to the upcoming special meeting of Council to discuss the fire hall design project.

- b) Councillor MacLellan Re: Niagara Facility Accessibility Design Standards

Resolution No. C-2020-208

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT the Township of Wainfleet opt out of the Niagara Facility Accessibility Design Standards Program, which adds approximately 30% extra cost to a building;

AND THAT the Township has no reason to build to a higher standard than the Ontario Building Code for the proposed new Fire Hall.”

CARRIED

c) Councillor MacLellan Re: Project Manager for Fire Hall Project

Resolution No. C-2020-209

Moved by Councillor MacLellan

Seconded by Councillor Cridland

"WHEREAS the second wave of COVID-19 infections is well on its way and staff are needed to ensure the protection of our townspeople and staff with all of their expertise;

NOW THEREFORE BE IT RESOLVED THAT Council hire a project manager to oversee the completion of the design and construction of the new fire hall with the C.A.O. to be the only staff member to remain active on the project."

CARRIED

13. **Closed Meeting**

Resolution No. C-2020-210

Moved by Councillor MacLellan

Seconded by Councillor Cridland

"THAT Council now move into closed session to discuss:

- a) Item under Section 239(2)(b)(e)(f) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (by-law enforcement matter)
- b) Item under Section 239(2)(b)(k) of the Municipal Act, 2001, personal matters about identifiable individual, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – 1 item (an encroachment agreement matter)
- c) Item under Section 239(2)(c) of the Municipal Act, 2001, a proposed or pending acquisition or disposition of land by the municipality or local board – 1 item (a potential disposition of land matter)
- d) Item under Section 239(2)(k) of the Municipal Act, 2001, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or

local board – 2 items (a development agreement negotiation matter and a collective agreement negotiation matter)

e) Minutes of the closed meeting of Council held October 13, 2020.”

CARRIED

Time: 8:20 p.m.

14. Rise & Report

Council resumed in open session at 10:12 p.m.

It was reported that Council met in closed session to

Resolution No. C-2020-211

Moved by Councillor Cridland

Seconded by Councillor MacLellan

“**THAT** By-law No. 043-2020 being a by-law to authorize the execution of an encroachment agreement between the Corporation of the Township of Wainfleet and Alex Csanig be read and passed this 3rd day of November, 2020.”

CARRIED

15. By-law to Confirm the Proceedings of Council

Resolution No. C-2020-212

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** By-law No. 044-2020 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 3rd day of November, 2020 be read and passed this 3rd day of November, 2020.”

CARRIED

16. Adjournment of Meeting

There being no further business, the meeting was adjourned at 10:18 p.m.

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council November 24, 2020