



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

C28/2020
November 24, 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
	L. Gudgeon	Manager of Human Resources
	M. Jemison	Drainage Superintendent
	M. Luey	Treasurer/Mgr of Corporate Services
	R. Nan	Manager of Operations
	A. Dashwood	Administrative Assistant
OTHER:	B. Widner	Engineer, Spriet Associates

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- 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**
None.
 - 5. Mayor's Announcements and Remarks**
The mayor announced the following:
 - The sign on the side of Town Hall has been restored by our Arena staff and was reinstalled this morning. 2020 marks our 170th birthday as Wainfleet was established in 1850 and, 50 years since retaining our Township status when the Region was formed in 1970.

- The Police Services Board will meet Thursday December 10 at 8:30am at Police Headquarters.
- Council is holding a special meeting on Tuesday December 1 at 7:00pm to discuss a staff report regarding the Fire Station Concept Study.
- Our next regular meeting of Council is scheduled for Tuesday December 15 at 7:00pm.

6. Councillor's Announcements and Remarks

Councillor Cridland noted that there is an NPCA item in correspondence on the agenda.

7. Adoption of Previous Council Minutes

- a) Minutes of the regular meeting of Council held November 3, 2020

Resolution No. C-2020-213

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

"THAT the minutes of the regular meeting of Council held November 3, 2020 be adopted as circulated."

CARRIED

8. Delegations

- a) Pauline Fenech Re: Request to amend Section 5.4 of Clean Yards By-law No. 073-2019

Resolution No. C-2020-214

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

"THAT the delegation request from Pauline Fenech be received and;

THAT the matter be referred to staff to assess and report back to Council."

CARRIED

- b) Carol Nagy, Executive Director, Hospice Niagara Re: Community Funding Grant request for expansion of Hospice Residential and Community Services across the Niagara Region

Resolution No. C-2020-215

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** the delegation request from Carol Nagy be received, and;

THAT the matter be referred to the 2021 Budget under the Grant and Donation Policy.”

CARRIED

9. **Staff Reports & Recommendations**

a) Administrative Staff Reports

i. ASR-038/2020 Re: Interim 2021 Tax Levy By-law

Resolution No. C-2020-216

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** Report ASR-038/2020 regarding an Interim 2021 Tax Levy By-law be received;

THAT the interim tax levy installment due dates be set as February 26, 2021 and April 30, 2021;

AND THAT the attached by-law, being a by-law to provide for interim tax levies for 2021 in the Township of Wainfleet, be read and passed.”

CARRIED

ii. ASR-039/2020 Re: 2021 Borrowing for Current Expenditures

Resolution No. C-2020-217

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“**THAT** Report ASR-039/2020 regarding 2021 borrowing for current expenditures be received;

AND THAT the attached by-law, being a by-law to authorize borrowing from time to time to allow the Township of Wainfleet to meet current expenditures during the fiscal year ending December 31, 2021, be read and passed.”

CARRIED

iii. ASR-040/2020 Re: Progress on 2018-2022 Multi-Year Accessibility Plan

Resolution No. C-2020-218

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT Administrative Staff Report ASR-040/2020 regarding progress on the Township of Wainfleet’s 2018-2022 Multi-Year Accessibility Plan be received and adopted.”

CARRIED

iv. ASR-041/2020 Re: COVID-19 Impact Report

Resolution No. C-2020-219

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“THAT Administrative Staff Report ASR-041/2020 respecting COVID-19 Impact Report be received as information.”

CARRIED

b) Drainage Staff Reports

i. DSR-008/2020 Re: Consideration of Bridgewater Drain Engineer’s Report

Following a presentation by the Township’s Drainage Superintendent and the Township-appointed drainage engineer, Brandon Widner of Spriet Associates?, Members of Council considered the Report and received comments from members of the public in attendance, John Downey and Maryann Visser, being owners of lands assessed within the drainage works.

Resolution No. C-2020-220

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“THAT Report DSR-008-2020 regarding consideration of the Bridgewater Municipal Drain be received;

AND THAT a By-law be given two readings to provisionally adopt the Bridgewater Drain Report dated March, 5 2019, prepared by Spriet Associates Ltd., under Section 78, Chapter D. 17 of the Drainage Act R.S.O. 1990.

AND THAT Staff be directed to advance the Bridgewater Drain Engineer’s Report to that of the Court of Revision, as per Section 46(1) of the Drainage Act Drainage Act R.S.O. 1990.

AND THAT Councillors Van Vliet, MacLellan, and Cridland be appointed as members to the Bridgewater Drain Court of Revision and Councillor Gilmore be appointed as an alternative to be tentatively scheduled for December 15, 2020.

AND THAT upon completion of the appeal process the Drainage Superintendent be authorized to proceed with construction of the drainage works in accordance with the Drainage Act.”

CARRIED

c) Emergency Control Group Reports

i. Presentation Re: November 15 Storm Event

Resolution No. C-2020-221

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“**THAT** the presentation respecting the November 15, 2020 Storm Event be received for information.”

CARRIED

10. **Review of Correspondence**

a) C-259-2020 – Crime Stoppers of Niagara, request for a proclamation and flag raising in January 2021 to promote Crime Stoppers month

Resolution No. C-2020-222

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“**THAT** Correspondence item C-259-2020 from Crime Stoppers of Niagara respecting a request for a proclamation and flag raising in January 2021 to promote Crime Stoppers month be supported, and;

THAT Crime Stoppers be requested to present to Council at a regular meeting to be held in January 2021.”

CARRIED

b) C-280-2020 – Niagara Peninsula Conservation Authority, request for a resolution of support regarding Changes to Conservation Authorities Act and Conservation Authorities’ Role in Land Use Planning

Resolution No. C-2020-223

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“**WHEREAS** the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, and engaging in review and appeal of municipal planning applications:

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act;

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected;

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

THEREFORE, BE IT RESOLVED:

1. **THAT** the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act.
2. **THAT** the Province of Ontario delay enactment of clauses affecting municipal concerns.
3. **THAT** the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes.
4. **THAT** the Province respect the current conservation authority/municipal relationships.
5. **AND THAT** the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role."

CARRIED

11. **By-laws**

Resolution No. C-2020-224

Moved by Councillor MacLellan

Seconded by Councillor Cridland

"THAT the following By-laws be read and passed this 24th day of November 2020:

- a) By-law No. 045-2020 being a by-law to provide for Interim Tax Levies for 2021.
- b) By-law No. 046-2020 being a by-law to authorize borrowing to meet current expenditures during the fiscal year ending December 31, 2021."

CARRIED

Resolution No. C-2020-225

Moved by Councillor MacLellan

Seconded by Councillor Cridland

"THAT the following By-law be read a first and second time and provisionally adopted this 24th day of November 2020:

- a) By-law No. 047-2020 being a by-law to provide for Drainage Works in the Township of Wainfleet (Bridgewater Drain)."

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 withdrew her motion.

13. **Closed Meeting**

Resolution No. C-2020-226

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

"THAT Council now move into closed session to discuss:

- a) Item under Section 239(2)(c) of the Municipal Act, 2001, a proposed or pending acquisition or disposition of land by the municipality; – 1 item (potential acquisition/disposition of land)
- b) Item under Section 239(2)(b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees; – 3 items (personnel/staffing matters)."

CARRIED

Time: 9:38 p.m.

14. **Rise & Report**

Council resumed in open session at 10:27p.m.

Consideration of the subject matter in closed session concluded with confidential direction to staff being provided in closed session regarding the potential acquisition/disposition of land matter and without report regarding the personal matters.

15. **By-law to Confirm the Proceedings of Council**

Resolution No. C-2020-27

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“THAT By-law No. 048-2020 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 24th day of November, 2020 be read and passed this 24th day of November, 2020.”

CARRIED

16. **Adjournment of Meeting**

There being no further business, the meeting was adjourned at 10:28 p.m.

K. Gibson, MAYOR

W. Kolasa, CLERK

Approved by Council December 15, 2020