



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

C11/2021

Date: May 11, 2021

6:00 p.m.

Electronic Participation

PRESENT:	K. Gibson	Mayor
	D. Cridland	Councillor
	T. Gilmore	Councillor
	J. MacLellan	Councillor
	S. Van Vliet	Councillor
STAFF PRESENT:	W. Kolasa	Chief Administrative Officer
	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
	R. Nan	Manager of Operations
	M. Tardif	By-law Enforcement Officer

C11/21

1. Call to Order

Mayor Gibson called the meeting to order at 6:00 p.m.

2. Closed Meeting

Resolution No. C-2021-108

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“THAT Council now move into closed session to discuss:

- a) Item under Section 239(2)(f) of the *Municipal Act, 2001*, advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item – (A matter pertaining to a notice of motion pertaining to regional governance)
- b) Item under Section 239(2)(b)(f)(k) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, 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 (A matter pertaining to an identifiable individual)

- c) Items under Section 239(2)(b)(c) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board – 2 items (Tax Sale Matters)
- d) Item under Section 239(2)(c) of the *Municipal Act, 2001*, a proposed of pending acquisition or disposition of land by the municipality or local board – 3 items (2 Disposition of Land Matters and 1 Acquisition of Land Matter)
- e) Item under Section 239(2)(b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees – 2 items (Building Department Matters)

CARRIED

3. Rise & Report

The meeting was called to order at 6:00 p.m. with a motion to go into closed session where Council received information and provided direction to staff respecting a municipal governance matter. Council provided direction to staff respecting a matter pertaining to an identifiable individual and received information respecting a tax sale matter.

Closed session items c) d) and e) will be taken considered under the Closed Meeting section at the end of the agenda.

4. Land Acknowledgement Statement

5. Disclosures of Interest and the General Nature Thereof

Councillor MacLellan declared an interest on the following agenda items:

- 11. c) ii. DSR-010/2021 Re: Award of Tender for Bridgewater Drain
- 11. c) iii. DSR-011/2021 Re: Award of Tender for Indian Creek Drain

6. Mayor's Announcements & Remarks

Mayor Gibson provided the following remarks:

- I'd like to extend my thanks to everyone involved in facilitating another successful vaccination clinic in Wainfleet on Sunday May 9.
- Regional Council will meet virtually on Thursday May 20 at 6:30 p.m.
- We will be raising the flag for Pride Niagara on Tuesday June 1 at 11:45 a.m. Members of Council who wish to attend in compliance with COVID-19 protocols are invited to attend.
- Our next regular meeting of Council will be held Tuesday June 1 at 7:00 p.m.

7. Councillor's Announcements & Remarks

Councillor Cridland advised that the Niagara Peninsula Conservation Authority has recently acquired land in Wainfleet and their next Board meeting is May 21 at 9:30 a.m.

8. Adoption of Previous Council Minutes

- a) Minutes of the regular meeting of Council held April 20, 2021

Resolution No. C-2021-109

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“THAT the minutes of the regular meeting of Council held April 20 2021 be adopted as circulated.”

CARRIED

9. Public Meeting

- a) P01/2021W & Z04/2021W – Vacant Lot Wills Road

Proposed Draft Plan of Condominium (Vacant Land) & Zoning By-law Amendment

The Planner provided an overview of the applications, which was then followed by a presentation from LandPro Planning Solutions Inc. respecting the applications.

Council discussed the information presented and inquired about the need for entrance lighting and ensuring road access for emergency vehicles.

The Planner noted that there is still a lot of details that need to get sorted out and if the applications are approved, conditions of approval that will guide site-alteration and construction activities. Further information will be forthcoming at a subsequent meeting.

10. Delegations

None.

11. Staff Reports & Recommendations

- a) Fire Staff Reports

- i. FSR-007/2021 Re: Central Station Fire Station Architectural Schematic Design & Preliminary Cost Consultant Report

Resolution No. C-2021-110

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

THAT Fire Staff Report FSR-007/2021 respecting the Central Station Fire Station Architectural Schematic Design and Preliminary Cost Consultant Report, be received;

AND THAT Council direct staff to proceed with the preparation of full Construction Drawings and all required Engineering for the Fire Station based on the Concept Design as attached to this report;

AND THAT staff be directed to undertake a Contractor Prequalification to predetermine eligible contractors prior to the issuance of the Tender;

AND THAT staff be directed to return to Council with the final Construction Drawings, Engineering and an updated Cost Estimate prior to the issuance of the Construction Tender.”

CARRIED

b) Administrative Staff Reports

i. ASR-012/2021 Re: Community Flag Raisings and Flag Protocol Policy

Resolution No. C-2021-111

Moved by Councillor Gilmore

Seconded by Councillor Cridland

THAT Administrative Staff Report ASR-012/2021 respecting Corporate Flag Policy be received; and

THAT Council delegate the authority for approving or denying requests for Community Flag Raising(s) that haven't been previously approved by Council within 5 years of the request date to the Clerk; and

THAT the list of approved Community Flag Raisings be brought forward to Council annually for information and review purposes; and

THAT a Community Flag Raising & Corporate Flag Protocol Policy be brought to a subsequent meeting for consideration; and

THAT staff proceed with the purchase of hardware for a wall mounted flag pole to be placed on the front of the Municipal building.”

CARRIED

ii. ASR-013/2021 Re: COVID-19 Impact Report

Resolution No. C-2021-112

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“THAT Administrative Staff Report ASR-013/2021 respecting COVID-19 Impact Report be received as information.”

CARRIED

- iii. ASR-014/2021 Re: 2021 Summer Lakeshore Area Management Strategy

Resolution No. C-2021-113

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“THAT Administrative Staff Report ASR-014/2021 respecting an update on the strategy for the management of issues along the lakeshore areas of the Township for the summer of 2021 be received as information; and

THAT staff be authorized to relocate the Township’s accessible public washroom facility at Long Beach to the Augustine Road Lake Access as outlined in the report; and

THAT the \$10.00 fee for a parking permit for Wainfleet residents be waived during the launch of the new permit system.”

CARRIED

c) By-law Enforcement Staff Reports

- i. BESR-006/2021 Re: Clean yards By-law Review

Resolution No. C-2021-114

Moved by Councillor Gilmore

Seconded by Councillor Cridland

THAT By-law Enforcement Staff Report BESR-006/2021 respecting a review of the Clean Yards By-law be received; and

THAT housekeeping revisions and a revision to inoperative vehicles to the new Township of Wainfleet Clean Yards By-law No. 016-2021 be presented to Council for ratification.”

CARRIED

d) Drainage Staff Reports

- i. DSR-009/2021 Re: Agreement on Share of Assessment (2709998 Ont. Inc.)

Resolution No. C-2021-115

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“THAT Drainage Staff Report DSR-009/2020 respecting Apportionment Agreement (2709998 Ontario Inc.) be received;

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

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

CARRIED

- ii. DSR-010/2021 Re: Award of Tender for Bridgewater Drain

Resolution No. C-2021-116

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“THAT Drainage Staff Report DSR-010/2021 respecting the award of a tender for the Bridgewater Drain Construction be received;

THAT Council direct the Drainage Superintendent to award the tender for the construction of the Bridgewater Drain to CRL Campbell Construction & Drainage Ltd. in the amount of \$176,460.00 excluding HST.

CARRIED

- iii. DSR-011/2021 Re: Award of Tender for Indian Creek Drain

Resolution No. C-2021-117

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“THAT Drainage Staff Report DSR-011/2021 respecting the award of a tender for the Indian Creek Municipal Drain 2020 Construction be received;

THAT Council direct the Drainage Superintendent to award the tender for the construction of the Indian Creek Municipal Drain 2020 to Anthony’s Excavating Central Inc. in the amount of \$103,443.50 plus HST.”

CARRIED

e) Fire Staff Reports

- i. FSR-006/2021 Re: 2021 First Quarter Fire & Emergency Services Review

Resolution No. C-2021-118

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

“THAT Fire Staff Report FSR-006/2021 respecting 2021 First Quarter Fire & Emergency Services Review be received for information.”

CARRIED

f) Planning Staff Reports

- i. PSR-007/2021 Re: Required Municipal Improvement associated with the DSBN and NCDSB Joint Elementary School Project

Resolution No. C-2021-119

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

THAT Planning Staff Report PSR-007/2021 be received; and

THAT Council support, in principle, the use of the Township’s laneway for construction and bus access to the new District School Board of Niagara and Niagara Catholic District School Board joint elementary school located at 31950 Sugarloaf Street; and

THAT Council appoint Spriet Associates Engineering under the Drainage Act to facilitate improvements to the Consolidated South Wainfleet Drain #10 and Side Road 20.”

CARRIED

g) Public Works Staff Reports

- i. PWSR-008/2021 Re: Contracting Out Services (Postponed from April 20 meeting of Council)

Resolution No. C-2021-120

Moved by Councillor Van Vliet
Seconded by Councillor MacLellan

“THAT Public Works Staff Report PWSR-008/2021 respecting Contracting out Services within the Township of Wainfleet be received for information.”

CARRIED

- ii. PWSR-009/2021 Re: Site Alteration By-law (Postponed from April 20 meeting of Council)

Resolution No. C-2021-121

Moved by Councillor Gilmore
Seconded by Councillor Cridland

“THAT Public Works Staff Report PWSR-009/2021 respecting Site-Alteration By-law be received; and

THAT staff be directed to form a sub-committee comprised of Councillor MacLellan, Councillor Cridland, staff and a member of the Drainage Advisory Committee to assist in finalizing the attached Site Alteration By-law in the Township of Wainfleet for the next available meeting.”

CARRIED

iii. PWSR-010/2021 Re: Award of Tender for Town Hall Roof Replacement

Resolution No. C-2021-122

Moved by Councillor Gilmore
Seconded by Councillor Cridland

“THAT Public Works Staff Report PWSR-010/2021 respecting Award for the replacement of the Town Hall/ Council Chambers Roof be received; and

THAT Council direct staff to prepare a second RFQ package to seek alternate style roofing that can include rubberized roofing that provides a 50 year warranty.”

CARRIED

12. Review of Correspondence

a) C-115-2021

Lakewood Beach Development – Municipal Responsibility Agreement for On-Site Water & Wastewater Communal Systems

Resolution No. C-2021-123

Moved by Councillor Gilmore
Seconded by Councillor Cridland

“THAT Correspondence item No. C-115-2021 from the Office of the Regional Clerk respecting Lakewood Beach Development – Municipal Responsibility Agreement for On-Site Water & Wastewater Communal Systems be received; and

THAT staff be directed to prepare correspondence to the Niagara Region to recognize our mutual understanding that any eventual remedies for on-site water and wastewater communal system for the Lakewood Beach Development

will be limited to on-site remedies and that any costs associated with such remedies will not negatively impact Wainfleet taxpayers.”

CARRIED

- b) C-135-2021
Cannabis Licensing and Enforcement

Resolution No. C-2021-124

Moved by Councillor Gilmore
Seconded by Councillor Van Vliet

“**THAT** Correspondence item No. C-135-2021 received from the City of Port Colborne respecting Cannabis Licensing and Enforcement be received and supported.”

CARRIED

- c) C-136-2021
Niagara Central Dorothy Rungeling Airport Governance and Ownership

Resolution No. C-2021-125

Moved by Councillor Gilmore
Seconded by Councillor Cridland

“**THAT** correspondence item No. C-136-2021 received from the City of Welland respecting uptake of governance for the transfer and operating authority of the NCDRA and NDA to the Niagara Region be received; and

THAT Council direct staff to assemble additional information on the matter to be presented to Council at the next available meeting.”

CARRIED

- d) C-146-2021
NrCan Growing Canada’s Forests 2 Billion Trees Funding Initiative - Request for Information

Resolution No. C-2021-126

Moved by Councillor Cridland
Seconded by Councillor MacLellan

“**THAT** Correspondence item No. C-146-2021 received from the Niagara Peninsula Conservation Authority respecting NrCan Growing Canada’s Forests 2 Billion Trees Funding Initiative – Request for Information be received; and

THAT Council support, in principle, the Niagara Peninsula Conservation Authority (NPCA) application to the Growing Canada's Forests program under the 2 Billion Trees Initiative."

CARRIED

13. By-laws

Resolution No. C-2021-127

Moved by Councillor Cridland

Seconded by Councillor MacLellan

"THAT the following By-laws be read and passed this 11th day of May, 2021:

- a) By-law No. 016-2021 being a by-law to amend by-law No. 073-2019 being a by-law for maintenance of yards in the Township of Wainfleet
- b) By-law No. 017-2021 being a by-law to amend by-law NO. 027-2019, being a By-law to establish an administrative monetary penalty system for non-parking related offences

CARRIED

14. Notices of Motion

15. Closed Meeting

Resolution No. C-2021-128

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

"THAT Council now move into closed session to discuss:

- a) Items under Section 239(2)(b)(c) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board – 1 item (Tax Sale Matter)
- b) Item under Section 239(2)(c) of the *Municipal Act, 2001*, a proposed of pending acquisition or disposition of land by the municipality or local board – 3 items (2 Disposition of Land Matters and 1 Acquisition of Land Matter)
- c) Item under Section 239(2)(b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees – 2 items (Building Department Matters)

CARRIED

16. Rise & Report

Council met in closed session to receive information on a tax sale matter received information and provided direction to staff on 2 disposition of land matters. Council received information respecting 2 Building Department matters.

17. By-law to Confirm the Proceedings of Council

Resolution No. C-2021-129

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** By-law No. 018-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 11th day of May, 2021 be read and passed this 11th day of May, 2021.”

CARRIED

18. Adjournment

There being no further business, the meeting was adjourned at 10:40 p.m.

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council June 1, 2021