



# THE COROPORATION OF THE TOWNSHIP OF WAINFLEET

## REGULAR MEETING OF COUNCIL MINUTES

NOVEMBER 16, 2021 – 6:30 P.M.

### COUNCIL CHAMBERS

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. Ciuffetelli	Deputy Clerk
	M. Alcock	Fire Chief
	L. Earl	Manager of Community & Development
	L. Gudgeon	Manager of Human Resources
	M. Jemison	Drainage Superintendent
	M. Luey	Mgr. of Corporate Services/Treasurer
	R. Nan	Manager of Operations

C23/21

#### 1. Call to Order

Mayor Gibson called the meeting to order at 6:30 p.m.

#### 2. Closed Meeting

##### **Resolution No. C-2021-247**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

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

- 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 (A property acquisition matter)
- Item under Section 239(2)(b) of the *Municipal Act 2001*, personal matters about an identifiable individual, including municipal or local board employees – 1 item (Deputy Mayor)
- Item under Section 239(2)(d) of the *Municipal Act, 2001*, labour relations or employee negotiations – 1 item (A negotiation Matter)
- Minutes of the closed meeting of Council scheduled October 26, 2021

**CARRIED**

**3. Rise & Report**

The Deputy Clerk reported that the meeting was called to order in open session at 6:30 p.m. with a motion passed to enter into closed session.

In closed session Council received information and provided direction to staff with respect to a property acquisition matter and a negotiation matter. Discussion was had with respect to the appointment of a Deputy Mayor for 2022 with direction for a motion to be presented in open session for ratification.

**Resolution No. C-2021-248**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** Council appoint Councillor MacLellan to act as Deputy Mayor for the year 2022.”

**CARRIED**

**4. National Anthem**

**5. 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.

**6. Disclosures of Interest and the General Nature Thereof**

None.

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

Mayor Gibson provided the following remarks:

- Over 800 people, including myself, attended the Wainfleet Christmas Vendor Market this past weekend! The market runs on four consecutive Sundays from November 14- December 5 and features a wider range of vendors and artisans selling their products. The event is also serving double duty being a food drive and toy collection drop-off point.
- Niagara Region Council will hold its next regular meeting on November 18<sup>th</sup> at 6:30 p.m.
- Wainfleet Council will hold a special meeting December 3<sup>rd</sup> at 9:00 a.m. for training purposes and its next regular meeting is scheduled for December 7 at 7:00 p.m.

**8. Councillor's Announcements & Remarks**

Councillor MacLellan corrected information he provided at a previous meeting of Council with respect to short term rentals in Collingwood.

Councillor Cridland provided the following remarks:

- I attended the Niagara Regional Transportation Steering Committee where an update on current projects was provided.
- Niagara Peninsula Conservation Authority (NPCA) Board Highlights are included in the Council Information Package and posted to the Township's website
- The NPCA is seeking applications for its Restoration and Water Well Decommissioning grant programs for projects in 2022.
- The NPCA Board will meet virtually November 19, 2021 at 9:30 a.m.

## 9. Adoption of Previous Council Minutes

### **Resolution No. C-2021-249**

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

"**THAT** the minutes of the regular meeting of Council held October 26, be adopted as circulated."

**CARRIED**

## 10. Delegations

a) Carolyn Ryall & ~~Beth Brens~~, Niagara Region Capital Projects – 5 Year Overview

### **Resolution No. C-2021-250**

Moved by Councillor MacLellan

Seconded by Councillor Cridland

"**THAT** the delegation presentation by the Niagara Region respecting Niagara Region Capital projects be received for information."

**CARRIED**

## 11. Staff Reports & Recommendations

a) Administrative Staff Reports

i. ASR-030/2021 Re: 2022 Borrowing for Current Expenditures

### **Resolution No. C-2021-251**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

"**THAT** Administrative Staff Report ASR-030/2021 regarding 2022 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, 2022, be read and passed.”

**CARRIED**

- ii. ASR-031/2021 Re: 2022 Interim Tax Levy By-law

**Resolution No. C-2021-252**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

**“THAT** Administrative Staff Report ASR-031/2021 regarding an Interim 2022 Tax Levy By-law be received; and

**THAT** the interim tax levy installment due dates be set as February 28, 2022 and April 29, 2022; and

**THAT** the attached by-law, being a by-law to provide for interim tax levies for 2022 in the Township of Wainfleet, be read and passed.”

**CARRIED**

- iii. ASR-032/2021 Re: Enbridge Gas Franchise Agreement

**Resolution No. C-2021-253**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** Administrative Staff Report ASR-032/2021 respecting a Franchise Agreement with Enbridge Gas Inc. be received; and

**THAT** the Council of the Corporation of the Township of Wainfleet approves the form of the draft By-law and Franchise Agreement attached to this report and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the *Municipal Franchises Act*; and

**THAT** the Council of the Corporation of the Township of Wainfleet requests the Ontario Energy Board to make an Order declaring and directing that the assent of the municipal electors of Wainfleet to the attached draft by-law and franchise agreement pertaining to the Corporation of the Township of Wainfleet is not necessary pursuant to the provisions of Section 9(4) of the *Municipal Franchises Act*.”

**CARRIED**

- iv. ASR-033/2021 Re: COVID-19 Impact Report

**Resolution No. C-2021-254**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** Administrative Staff Report ASR-033/2021 respecting COVID-19 Impact Report be received as information.”

**CARRIED**

- v. Memorandum: Council Request for Additional Information – Draft Election Sign By-law

**Resolution No. C-2021-255**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** the memorandum from the Deputy Clerk respecting Council Request for Additional Information – Draft Election Sign By-law be received as information.”

**CARRIED**

- vi. Memorandum: Municipal Grant & Donations

**Resolution No. C-2021-256**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** the memorandum from the Treasurer respecting Municipal Grants and Donations be received; and

**THAT** staff be directed to not open the application process as has been done in previous years

**THAT** staff be directed to update the Grant & Donation Policy to eliminate the soliciting of grant and donation applications for stream two funding; and

**THAT** funds attributable to stream one be submitted as part of the 2022 budget deliberations; and

**THAT** staff be directed to increase the Council Grant and Donation budget line to handle additional grant/donation requests in 2022.”

**CARRIED**

- vii. ASR-034/2021 Re: Update to Fouling of Roads By-law

**Resolution No. C-2021-257**

Moved by Councillor MacLellan  
Seconded by Councillor Cridland

**“THAT** Administrative Staff Report ASR-034/2021 respecting Update on Fouling of Roads By-law be received; and

**THAT** the penalties associated of contravention of 4.2 of the by-law be amended to include an escalating penalty structure commencing with \$500.00 for 1<sup>st</sup> offence and incrementing penalties by \$500.00 for each subsequent offence to a maximum of \$2,500.00.”

**CARRIED**

b) By-law Enforcement Staff Reports

- i. BESR-008/2021 Re: Animal Control Agreement Renewal

**Resolution No. C-2021-258**

Moved by Councillor MacLellan  
Seconded by Councillor Gilmore

**“THAT** By-law Enforcement Staff Report BESR-008/2021 be received for information; and

**THAT** Council authorize the Mayor and the Clerk to renew an agreement between the Corporation of the Township of Wainfleet and the Niagara Society for Prevention of Cruelty to Animals and Humane Society for animal control and humane services.”

**CARRIED**

c) Drainage Staff Reports

- i. DSR-016/ 2021 Re: Chambers Corner Drain Extension – Engineer’s Report

**Resolution No. C-2021-259**

Moved by Councillor MacLellan  
Seconded by Councillor Gilmore

**“THAT** Report DSR-016-2021 regarding consideration of the Chambers Corner Drain Extension Drain be received;

**AND THAT** a By-law be given two readings to provisionally adopt the Chambers Corner Drain Extension Report dated September 23, 2021,

prepared by Spriet Associates Engineer's & Architects, under Section 4, Chapter D. 17 of the *Drainage Act R.S.O. 1990*.

**AND THAT** Staff be directed to advance the Chambers Corner Drain Extension 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, Cridland, and MacLellan be appointed as members to the Chambers Corner Drain Extension Court of Revision and Councillor Gilmore be appointed as an alternative to be tentatively scheduled for December 7, 2021 at 6:00 p.m., prior to the regular Council meeting.

**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**

d) Fire Staff Reports

- i. FSR-012/2021 Re: Fire & Emergency Services Review (Q2 & Q3)

**Resolution No. C-2021-260**

Moved by Councillor Cridland

Seconded by Councillor MacLellan

**"THAT** Fire Staff Report FSR-012/2021 respecting 2021 Second and Third Quarters Fire & Emergency Services Review be received for information."

**CARRIED**

- ii. FSR-013/2021 Re: Automatic Aid Agreement (Port Colborne/Wainfleet)

**Resolution No. C-2021-261**

Moved by Councillor Cridland

Seconded by Councillor MacLellan

**"THAT** Fire Staff Report FSR-013/2021 respecting Automatic Aid Agreement between Port Colborne and Wainfleet be received; and

**THAT** Council authorize the Fire Chief to enter into a two year trial Automatic Aid agreement with the City of Port Colborne Fire & Emergency Services to provide and receive services as laid out in this report; and

**THAT** Council direct the Fire Chief to bring forward a report to the CAO after the term of the agreement has passed with recommendations on ending, extending or making permanent a similar agreement."

**CARRIED**

e) Public Works Staff Reports

i. PWSR-023/2021 Re: Update on Canada Summer Games Event

**Resolution No. C-2021-262**

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

**“THAT** Report PWSR-023/2021 respecting Update on Canada Summer Games Wainfleet Community Event be received; and

**THAT** Council authorize the use of the unexpended funds from previous Canada Day programs, currently held in reserves, to assist with costs associated with the “13 for 13” program to be held in Wainfleet on August 16, 2022.”

**CARRIED**

**12. Review of Correspondence**

a) C-340-2021

**Resolution No. C-2021-263**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

**“THAT** Correspondence item No. C-340-2021 from the Lake of Bays respecting a resolution requesting support for Federal and Provincial funding of rural infrastructure projects be received and supported; and

**THAT** a copy be circulated to Ontario municipalities.”

**CARRIED**

**13. By-laws**

**Resolution No. C-2021-264**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**“THAT** the following by-laws be read and passed this 16<sup>th</sup> day of November, 2021:

- a) By-law No. 034-2021 being a by-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2022



- b) By-law No. 035-2021 being a by-law to provide for interim tax levies for the year 2022 for the Township of Wainfleet
- c) By-law No. 037-2021 being a by-law to close and convey part of a public road being the road allowance between lots 39 & 40, Concession 7, lying north of Regional Road No. 27
- d) By-law No. 038-2021 being a by-law to appoint a Municipal By-law Enforcement Officer
- e) By-law No. 039-2021 being a by-law to regulate the erection of signs for Federal, Provincial, Regional and Municipal elections
- f) By-law No. 041-2021 as amended being a by-law to prohibit the obstruction, encumbering, injuring or fouling of Township Road
- g) By-law No. 042-2021 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**

**Resolution No. C-2021-265**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** the following by-laws be given a first and second reading this 16<sup>th</sup> day of November, 2021:

- a) By-law No. 036-2021 being a by-law to authorize a franchise agreement between the Corporation of the Township of Wainfleet and Enbridge Gas Inc.
- b) By-law No. 040-2021 being a by-law to provide for drainage works in the Township of Wainfleet in the Region of Niagara (Chambers Corner Drain Extension)

**CARRIED**

**14. Notices of Motion**

None.

**15. Closed Meeting**

None.

**16. Rise & Report**

None.

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

**Resolution No. C-2021-266**

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“**THAT** By-law No. 043-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 16<sup>th</sup> day of November, 2021 be read and passed this 16<sup>th</sup> day of November, 2021

**CARRIED**

**2. Adjournment**

There being no further business, the meeting was adjourned at 9:05 p.m.

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K. Gibson, MAYOR

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M. Ciuffetelli, DEPUTY CLERK

**Approved by Council December 7, 2021**