



THE COROPORATION OF THE TOWNSHIP OF WAINFLEET

REGULAR MEETING OF COUNCIL - MINUTES

DECEMBER 7, 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
	S. Ivins	Planner
	M. Jemison	Drainage Superintendent
	M. Luey	Mgr. of Corporate Services/Treasurer
	R. Nan	Manager of Operations

C25/21

1. Call to Order

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

2. Closed Meeting

Resolution No. C-2021-267

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

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

- a) 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 (A matter regarding facility usage)

CARRIED

3. Rise & Report

Council met in open session at 6:30 p.m. and passed a resolution to go into closed session.

Council discussed a personal matter about an identifiable individual and provided confidential direction to staff.

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

Mayor Gibson disclosed an interest on agenda item PSR-012/2021 and By-law No. 043-2021 respecting the abandoned rail corridor and explained he lives adjacent to the one that is listed in the group for sale. Mayor Gibson noted that he would relinquish the chair to Deputy Mayor Cridland during Council deliberations during those items.

7. Mayor's Announcements & Remarks

Mayor Gibson provided the following remarks:

- I'd like to thank Ava Mae McKeens for submitting the winning entry to our Township Christmas card contest this year. Her artwork appears on our Township card that is sent out across the Region and beyond.
- I would like to recognize Len McKuen for putting up this beautiful Christmas tree in our Council Chambers (Point to tree) Thank you Len, we have had many compliments on your hard work!
- Council held a Special Meeting of Council Friday, December 3, 2021 at 9:00 a.m. to receive a Council Training Workshop from Amberley Gavel.
- Niagara Region Council will hold its next regular meeting December 16 at 6:30 p.m. and Wainfleet Council will meet January 4, 2021 at 7:00 p.m.
- The Office will be closed during the Christmas holidays from December 23rd at noon and reopening on January 4 at 8:30 a.m. On behalf of Council, I'd like to wish everyone a safe and happy holiday season!

8. Councillor's Announcements & Remarks

Councillor Cridland noted that the next Niagara Peninsula Conservation Authority Board meeting will be held December 17, 2021 at 9:30 a.m.

9. Adoption of Previous Council Minutes

Resolution No. C-2021-268

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

"THAT the minutes of the regular meeting of Council held November 16, 2021 be adopted as amended and the minutes of the special meeting of Council held December 3, 2021 be adopted as circulated."

CARRIED

10. Delegations

- a) Carolyn Ryall, Director, Transportation Services Division, and Beth Brens, Acting Associate Director, Financial Reporting & Analysis Re: Vision Zero Road Safety Program

Resolution No. C-2021-269

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“THAT the presentation from the Niagara Region respecting Vision Zero Road Safety Program be received as information.”

CARRIED

- i. PWSR-025/2021 Re: Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement – Vision Zero Program

Resolution No. C-2021-270

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“THAT Report PWSR-025/2021 regarding an amending agreement to the Niagara Regional Courts Inter-Municipal Agreement to facilitate the implementation of the Region’s Vision Zero Program be received;

AND THAT the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement as attached as Appendix “G” be approved for purposes of advancing the Vision Zero Program;

AND THAT the Mayor and Clerk be authorized and directed to execute the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement.”

CARRIED

- b) Shen Sivananthan Re: Request for extension to move internet tower on Township road allowance
- c) Tim McAvoy & Elaine McAvoy Re: Concerns request for extension to remove internet tower assembly from Wainfleet Road Allowance adjacent to 10201 Camelot Dr.

Resolution No. C-2021-271

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT the owner of 10187 Lakeshore Road enter into a temporary encroachment agreement in accordance with the Township’s existing Encroachment Policy, formally recognizing the encroachment of an internet tower on the Township’s road allowance; and

THAT permission for the encroachment be granted until April 30, 2022; and

THAT the Mayor and Clerk be directed to prepare and execute the encroachment agreement in accordance with Council deliberations and direction.

CARRIED

- d) Laurie Dayboll Re: Consideration of By-law No. 044-2021 and request that Council respect the Official Plan policy

Resolution No. C-2021-272

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“THAT the delegation presented by Laurie Dayboll requesting that Council respect the Official Plan policy with respect to the closing and conveyance of a public road allowance (By-law No. 044-2021) be received as information.”

CARRIED

11. Staff Reports & Recommendations

a) Administrative Staff Reports

- i. ASR-035/2021 Re: COVID-19 Impact Report

Resolution No. C-2021-273

Moved by Councillor Cridland

Seconded by Councillor MacLellan

“THAT Administrative Staff Report ASR-035/2021 respecting COVID-19 Impact Report be received as information.”

CARRIED

- ii. ASR-036/2021 Re: Write off of Property Tax for the Taxation Years 2010-2021

Resolution No. C-2021-274

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“THAT Administrative Staff Report ASR-036/2021 respecting the write off of property tax be received; and

THAT Council approve the attached application pursuant to Section 354 of the *Municipal Act, 2001*, numbered 2021-01 to write off the balance owing in the amount of \$1092.26.”

CARRIED

- iii. ASR-037/2021 Re: Write off of Property Tax for the Taxation Years 2011-2021

Resolution No. C-2021-275

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“THAT Administrative Staff Report ASR-037/2021 respecting the write off of property tax be received;

AND THAT Council approve the attached application pursuant to Section 354 of the *Municipal Act, 2001*, numbered 2021-02 to write off balance owing in the amount of \$3,416.59.”

CARRIED

b) Drainage Staff Reports

- i. DSR-017/ 2021 Re: Consolidated South Wainfleet Drain #13

Resolution No. C-2021-276

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Drainage Staff Report DSR-017-2021 respecting Consolidated South Wainfleet Drain #13 be received; and

THAT Council appoint Spriet Associates Engineers & Architects under the *Drainage Act* to update and improve the Consolidated South Wainfleet Drain 13.”

CARRIED

- ii. DSR-018/ 2021 Re: Casey Drain and Casey Drain North Extension

Resolution No. C-2021-277

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Drainage Staff Report DSR-018/2021 respecting the Casey Drain and Casey Drain North Extension be received;

AND THAT Council appoint R.J. Burnside & Associates Ltd. under the *Drainage Act* to undertake an improvement project for the Casey Drain and Casey Drain North Extension.”

CARRIED

c) Fire Staff Reports

- i. FSR-014/2021 Re: Request for Proposal for Project Management services for the construction of Wainfleet Fire & Emergency Services Central Station

Resolution No. C-2021-278

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Fire Staff Report FSR-014/2021 respecting the Request for Proposal for Project/Construction Management (RFP-FS-STN-2020-001) be received; and

THAT Council authorize the Mayor and Clerk to enter into an agreement with Urban & Environmental Management Inc. (UEM Consulting) for Project Management Services for the Construction of Wainfleet Fire & Emergency Services Central Station as outlined in the report; and

THAT staff be directed to proceed with the issuance of a Construction Tender following a final review of the tender package by the selected Project Manager, with the Tender results returned to Council for consideration of award; and

THAT the project charter be updated outlining roles and responsibilities and be brought back to Council at the next available meeting.”

CARRIED

d) Planning Staff Reports

- i. PSR-012/2021 Re: Update on the Disposal of the Abandoned Rail Corridor

Resolution No. C-2021-279

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Planning Staff Report PSR-012/2021 respecting update on the disposal of the abandoned rail corridor be received; and

THAT staff continue to process applications for the disposal of the abandoned railway corridor under the current policy and procedure; and

THAT the draft by-law attached to this report as Appendix “D”, be adopted.”

CARRIED

- ii. PSR-013/2021 Re: Condominium Agreement and Final Approval of Draft Plan of Condominium P01/2014W (Lakewood Beach Properties Ltd.)

Resolution No. C-2021-280

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Planning Staff Report PSR-013/2021 respecting Condominium Agreement and Final Approval of Draft Plan of Condominium P01/2014W (Lakewood Beach Properties Ltd,) be **DEFERED** to the next available meeting.”

CARRIED

e) Public Works Staff Reports

- i. PWSR-024/2021 Re: Amendment to Traffic By-law 010-2018

Resolution No. C-2021-281

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT Report PWSR-024/2021 respecting an amendment to the Parking and Traffic By-law be received; and

THAT the draft by-law to amend the Parking and Traffic By-law, attached as Appendix “A”, be presented to Council for consideration.”

CARRIED

12. Review of Correspondence

- a) C-342-2021 – Ted Harvey, SPR Re: Invitation to petition for more truck parking on Ontario Highways to Aid Commerce, Public Safety and Community Well-being

Resolution No. C-2021-282

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“THAT Correspondence item No. 342-2021 from Ted Harvey, SPR Re: Invitation to petition for more truck parking on Ontario Highways to Aid Commerce, Public Safety and Community Well-being be received and supported; and

THAT a copy be circulated to local area municipalities.”

CARRIED

- b) C-348-2021 – Lakeshore B2C, Internet Service Advocacy Group (Request for Council to advocate to SWIFT respecting gaps in internet service)

Resolution No. C-2021-283

Moved by Councillor Cridland

Seconded by Councillor MacLellan

“THAT the Township of Wainfleet call on Southwestern Integrated Fibre Technology (SWIFT) on behalf of all of its residents, including those located in the Lakeshore Road area of the Township between Bessey Road and Cement Road who recently approached Council to express concern regarding the poor internet service levels, for the purpose of:

- Addressing the incorrect Innovation, Science and Economic Development Canada (ISED) National Broadband Internet Service Availability Mapping that shows specific areas of Wainfleet having 25/5 Mbps internet services available, while in reality, internet service providers (ISPs) in the area are only able to deliver average service speeds in the range of less than 2.5/0.2 Mbps upload;
- Encouraging ISPs to bid for, supply and deliver improved internet services to Wainfleet residents in keeping with Canada’s Connectivity Strategy (High-Speed Access for All), particularly in those areas of the Township where even basic 5 Mbps/1 Mbps universal broadband coverage levels are not being adequately provided;

AND THAT copies of this resolution be shared with SWIFT, including the Chief Executive Officer, Board Chair and Regional SWIFT Board Representative Councillor Robert Foster, ISED, the Canadian Radio-television and Telecommunications Commission (CRTC) and the Ontario Ministry of Infrastructure.”

CARRIED

13. By-laws

- a) By-law No.040-2021 being a by-law to provide drainage works in the Township of Wainfleet in the Region of Niagara (Chambers Corner Drain Extension) (Third Reading)

Resolution No. C-2021-284

Moved by Councillor Cridland

Seconded by Councillor MacLellan

“**THAT** By-law No. 040-2021 being a by-law to provide drainage works in the Township of Wainfleet in the Region of Niagara be given a third and final reading this 7th day of December 2021.”

CARRIED

- b) By-law No. 043-2021 being a by-law to authorize the transfer by the Corporation of the township of Wainfleet in favour of applicants for the abandoned rail corridor

Resolution No. C-2021-285

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** By-law No. 043-2021 being a by-law to authorize the transfer by the Corporation of the township of Wainfleet in favour of applicants for the abandoned rail corridor be read and passed this 7th day of December 2021.”

CARRIED

- c) By-law No. 044-2021 being a by-law to close and convey part of a Public Road being the road allowance between the Township of Wainfleet and Township of Moulton, Designated as Part 1 and Part 2, 59R-17110 Township of Wainfleet

Resolution No. C-2021-286

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“**THAT** By-law No. 044-2021 being a by-law to close and convey part of a Public Road being the road allowance between the Township of Wainfleet and Township of Moulton, Designated as Part 1 and Part 2, 59R-17110 Township of Wainfleet be **DEFERED** to the next available meeting.”

CARRIED

- d) By-law No. 045-2021 being a by-law to amend By-law No. 010-2018 being a by-law to regulate traffic and parking on Township roads.

Resolution No. C-2021-287

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** By-law No. 045-2021 being a by-law to amend By-law No. 010-2018 being a by-law to regulate traffic and parking on Township roads be read and passed this 7th day of December, 2021.”

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-2021-288

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** By-law No. 046-2021 being a by-law law to adopt, ratify and confirm the actions of the Council held the 3rd day of December and the 7th day of December, 2021 be read and passed this 7th day of December 2021.

CARRIED

18. Adjournment

There being no further business, the meeting was adjourned at 9:47 p.m.

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council January 4, 2022