



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

C10/2022
May 10, 2022
7:00 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. Alcock	Fire Chief
	M. Ciuffetelli	Deputy Clerk
	A. Chrastina	Administrative Assistant
	L. Earl	Mngr. of Community & Development Services
	L. Gudgeon	Manager of Human Resources
	M. Jemison	Drainage Superintendent
	M. Luey	Mngr. of Corporate Services/Treasurer
	R. Nan	Manager of Operations
	M. Tardif	By-law Enforcement Officer
OTHER:	J. Stirton	Township Solicitor

- 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 Haudonenoosaunee 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**
Mayor Gibson provided the following remarks:
 - I was recently appointed to the Board of Directors of the Ontario Association of Police Services Boards, representing Zone 4, Halton Region.

- The Historical Society held a plaque unveiling last Friday at the Wainfleet Bog to commemorate the World War II, Prisoner of War camp.
- The next vaccination clinic will be held at the Firefighters' Community Hall on May 14 from 10 a.m. – 6:30 p.m.
- The Police Services Board will meet Thursday May 19 at 8:30 a.m. Regional Council meets virtually later that day at 6:30 p.m.
- Our next regular meeting of Council will be held Tuesday May 31 at 7:00 p.m.

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

Councillor Cridland noted that the next Niagara Peninsula Conservation Authority Board meeting will be held May 20 at 9:30 a.m.

7. **Adoption of Previous Council Minutes**

Resolution No. C-2022-077

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** the minutes of the regular meeting of Council held April 5, 2022 and the minutes of the special meeting of Council held April 8, 2022 be adopted as circulated.”

CARRIED

8. **Public Meeting**

None.

9. **Delegations**

- a) Yar Diduch, Board Member, FACS Niagara Foundation Re: Request to proclaim Sunday, June 12, 2022, Mountainview LemonAID Day

Resolution No. C-2022-078

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

“**THAT** the delegation presentation from Yar Diduch, Board Member, FACS Niagara Foundation, be received and supported; and

THAT Council hereby proclaim Sunday, June 12, 2022, Mountainview LemonAID Day in the Township of Wainfleet.”

CARRIED

10. **Staff Reports & Recommendations**

a) Administrative Staff Reports

- i. ASR-012/2022 Re: 2022 Property Tax Rates

Resolution No. C-2022-079

Moved by Councillor MacLellan
Seconded by Councillor Cridland

“THAT ASR-012/2022 be received; and

“THAT Council consider the by-law attached to this report as Appendix “A”, to provide for Final Property Tax Rates for the 2022 taxation year at the May 10, 2022 Regular Meeting of Council.

CARRIED

b) By-law Enforcement Staff Reports

- i. Memorandum Re: Summer Municipal By-law Enforcement Officer

Resolution No. C-2022-080

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

“THAT the Memorandum from the By-law Enforcement Officer respecting Summer Municipal By-law Enforcement Officer be received as information.”

CARRIED

c) Community & Development Services

- i. CDS-002/2022 Re: Draft Short-Term Rental By-law

Resolution No. C-2022-081

Moved by Councillor Van Vliet
Seconded by Councillor MacLellan

“THAT Council now move into closed session to discuss:

- a) “Item under Section 234 (2)(f) of the Municipal Act, 2001, advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 1 item (Advice respecting draft Short Term Rental By-law)

CARRIED

Council made a motion to go into closed session at 7:25 p.m. and resumed in open session at 8:30 p.m.

The Deputy Clerk reported that Council received advice that is subject to solicitor-client privilege respecting a draft short term rental by-law.

Resolution No. C-2022-082

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

“**THAT** Community & Development Services Staff Report CDS-002/2022 be **DEFERED** to the next available meeting.”

CARRIED

d) Drainage Staff Reports

- i. DSR-003/2022 Re: Request for a drain improvement, Chambers Corner Drain Extension

Resolution No. C-2022-083

Moved by Councillor Gilmore
Seconded by Councillor MacLellan

“**THAT** Drainage Staff Report DSR-003/2022 regarding a request for a drain improvement, Chambers Corner Drain Extension, be received as information; and

THAT Council accept the Request for Drain Improvement and authorize staff to prepare and distribute the necessary notices in accordance with Section 78(1) *Drainage Act*; and

THAT Council appoint Spriet Associates Engineering under the *Drainage Act* to improve the Chambers Corner Drain Extension.”

CARRIED

- ii. DSR-004/2022 Re: Petition for Drainage Works, Newhouse Drain

Resolution No. C-2022-084

Moved by Councillor MacLellan
Seconded by Councillor Gilmore

“**THAT** Drainage Staff Report DSR-004/2022 regarding a Petition for Drainage Works, Newhouse Drain, be received as information; and

THAT Council accept the Petition for Drainage Works and authorize staff to prepare and distribute the necessary notices in accordance with Section 5(1) *Drainage Act*; and

THAT Council appoint Spriet Associates Engineering under the *Drainage Act* to facilitate the Newhouse Drain.”

CARRIED

e) Fire Staff Reports

- i. FSR-005/2022 Re: 2022 First Quarter Review

Resolution No. C-2022-085

Moved by Councillor MacLellan
Seconded by Councillor Gilmore

“**THAT** Fire Staff Report FSR-005/2022 respecting 2022 First Quarter Fire & Emergency Services Review be received for information.”

CARRIED

f) Public Works Staff Reports

- i. PWSR-008/2022 Re: Award of Tender for 2 Hybrid SUV's

Resolution No. C-2022-086

Moved by Councillor MacLellan
Seconded by Councillor Gilmore

“**THAT** Public Works Staff Report PWSR-008/2022 respecting Award of Tender for 2 Hybrid SUVs be received; and

THAT Council authorize the Manager of Operations to purchase 2 Hybrid SUVs from Mike Knapp Ford, being the only bid submitted.”

CARRIED

- ii. PWSR-009/2022 Re: Award of Tender for Recreation Tractor

Resolution No. C-2022-087

Moved by Councillor Van Vliet
Seconded by Councillor Gilmore

“**THAT** Public Works Staff Report PWSR-009/2022 respecting Award of Tender for Recreation Tractor be received; and

THAT Council authorize the Manager of Operations to purchase a new Compact Utility Tractor with Loader and grooming Mower from Ben Berg Farm and Industrial Equipment being the only bid submitted.”

CARRIED

- iii. PWSR-009/2022 Re: Award of Tender for Recreation Tractor

Resolution No. C-2022-088

Moved by Councillor Van Vliet
Seconded by Councillor MacLellan

“**THAT** Report PWSR-010/2022 respecting Award for Engineering Services for Belleview Beach Road, Beach Road East and Hill Avenue be received; and

THAT Council direct the Manager of Operations to engage the services of Urban and Environmental Management to perform engineering services for the design for Belleview Beach Road, Beach Road East and Hill Avenue Reconstruction.”

CARRIED

- iv. Memorandum Re: Canada Summer Games Bicycle Trials

Resolution No. C-2022-089

Moved by Councillor Cridland
Seconded by Councillor MacLellan

“**THAT** the Memorandum submitted by the Manager of Operations respecting Canada Summer Games Bicycle Time Trials be received; and

THAT Council support the Bicycle Time Trial Race on August 16, 2022, being organized by the Niagara 2022 Canada Summer Games and the City of Port Colborne; and

THAT staff be directed to support and cooperate in the issuance of the appropriate permits and execute the appropriate plans/agreements necessary for the event.”

CARRIED

11. **Review of Correspondence**

None.

12. **By-laws**

Resolution No. C-2022-090

Moved by Councillor MacLellan
Seconded by Councillor Cridland

“**THAT** the following by-laws be read and passed this 10th day of May, 2022:

- a) By-law No. 020-2022 being a by-law to establish estimates and tax rates for the year 2022
- b) By-law No. 021-2022 being a by-law to protect, prohibit, regulate and control municipally-owned properties providing lakeshore access in the Township of Wainfleet
- c) By-law No. 022-2022 being a by-law to appoint a Municipal By-law Enforcement Officer for the Township of Wainfleet.

CARRIED

13. **Notices of Motion**

- a) Councillor MacLellan provided notice that he would be introducing a motion at the next regular meeting respecting the Township’s Animals at Large by-law.
- b) Councillor MacLellan introduced the following motion:

Resolution No. C-2022-091

Moved by Councillor MacLellan
Seconded by Councillor Cridland

“**THAT** section 14.10 (c) of Procedural By-law No. 058-2019 be waived to allow Council to consider a motion regarding new business not listed on the agenda, respecting proposed amendments to the penalties in Schedule “B” of the Township’s Noise By-law.”

CARRIED

Resolution No. C-2022-092

Moved by Councillor MacLellan
Seconded by Councillor Gilmore

“**THAT** Council consider an amendment to the Township’s Noise By-law No. 042-2018 to increase the penalties of the following sections:

- Section 3.1 f) from \$250.00 to \$1,000
- Section 4.1 a) from \$75.00 to \$1,000
- Section 4.1 b) from \$75.00 to \$1,000
- Section 4.1 c) from \$75.00 to \$1,000

CARRIED

Resolution No. C-2022-093

Moved by Councillor Cridland
Seconded by Councillor Gilmore

“**THAT** By-law No. 023-2022 being a by-law to amend By-law No. 042-2018 being a by-law to regulate noise in the Township of Wainfleet be read and passed this 10th day of May, 2022.

CARRIED

Direction was provided to staff to do a fulsome review of the noise by-law and come back with revisions for consideration at the next available meeting.

14. **Closed Meeting**

Resolution No. C-2022-094

Moved by Councillor Gilmore
Seconded by Councillor Cridland

- a) Item under Section 234 (2)(e) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – 1 item (An update on a litigation matter)
- b) Item under Section 234 (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. 1 item - (A negotiation matter)
- c) Item under Section 234 (2)(c) of the Municipal Act, 2001, a proposed or pending acquisition or disposition of land by the municipality or local board – 1 item (An acquisition of land matter)

d) Minutes of the closed meetings of Council held March 29, 2022 and April 5, 2022

CARRIED

15. **Rise & Report**

Council met in closed session to receive information respecting a litigation matter and an acquisition of land matter. Confidential direction was provided to staff on two negotiation matters.

A procedural vote was taken to adopt previous closed meeting minutes.

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

Resolution No. C-2022-095

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** By-law No. 024-2022 being a by-law to adopt, ratify and confirm the actions of the Council at its meetings held April 8, 2022 and May 10, 2022 be read and passed this 10th day of May, 2022.”

CARRIED

17. **Adjournment of Meeting**

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

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council May 31, 2022