



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

C13/23
MAY 16, 2023
7:00 P.M.
COUNCIL CHAMBERS

PRESENT: B. Grant Mayor
J. Anderson Councillor
T. Gilmore Councillor
J. MacLellan Councillor
S. Van Vliet Councillor

STAFF PRESENT: W. Kolasa Chief Administrative Officer
M. Kirkham Deputy Clerk
M. Alcock Fire Chief
L. Earl Manager of Community and Development Services
L. Gudgeon Manager of Human Resources
S. Ivins Planner
M. Jemison Drainage Superintendent
M. Luey Manager of Corporate Services/Treasurer
A. Chrastina Administrative Assistant

C13/23

1. Call to Order

Mayor Grant called the meeting to order at 7:00 p.m.

2. National Anthem

3. Land Acknowledgement Statement

Mayor Grant acknowledged that the land on which we gather is the traditional territory of the Anishinaabeg and Haudenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.

4. Disclosures of Interest and the General Nature Thereof

Councillor Gilmore declared an interest on agenda item 9. e) Public Works Staff Report PWSR-011/2023 Re: Award of Tender – Drainage and Road Improvements as his employer submitted a bid for the project.

5. Mayor's Announcements & Remarks

The mayor provided the following remarks:

- Please note that these meeting proceedings are being broadcast live, recorded and made available through the Township website and youtube.com.

- Today is Test it Tuesday in Niagara! Please join us in making sure that your smoke and your carbon monoxide alarms are working. Push the test button on every alarm in your home to ensure that it is working. Also, check the date, if the alarm is older than May 2013, it needs to be replaced.
- Regional Council meets Thursday May 18 at 6:30 p.m.
- The next NPCA Full Authority Board meeting s Friday May 19 at 9:00 a.m.
- Our offices will be closed Monday May 22 in recognition of Victoria Day, reopening as usual the following morning.
- Our next regular meeting of Council will be held Tuesday June 6 at 7:00 p.m.

6. Councillor's Announcements & Remarks

Councillor Gilmore noted that he will be absent for the regular meeting of Council being held June 6, 2023.

7. Adoption of Previous Council Minutes

a) Minutes of the Regular Meeting of Council held April 25, 2023

Resolution No. C-2023-102

Moved by Councillor MacLellan

Seconded by Councillor Anderson

"THAT the minutes of the Regular Meeting of Council held April 25, 2023 be adopted as circulated."

CARRIED

b) Minutes of the Special Meeting of Council held May 4, 2023

Resolution No. C-2023-103

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

"THAT the minutes of the Special Meeting of Council held May 4, 2023 be adopted as circulated."

CARRIED

c) Minutes of the Special Meeting of Council held May 8, 2023

Resolution No. C-2023-104

Moved by Councillor MacLellan

Seconded by Councillor Anderson

"THAT the minutes of the Special Meeting of Council held May 8, 2023 be adopted as circulated."

CARRIED

8. Delegations

- a) Albert Rumph Re: Permission to construct concrete slabs to place two modular homes on property

Resolution No. C-2023-105

Moved by Councillor MacLellan

Seconded by Councillor Anderson

“THAT the delegation presentation from Albert Rumph respecting a request to construct concrete slabs on his property to place two modular homes be received as information.”

CARRIED

- b) Courtney Smith Re: Short Term Rental By-law

Resolution No. C-2023-106

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT the delegation presentation from Courtney Smith respecting the draft short-term rental by-law be received as information.”

CARRIED

9. Staff Reports & Recommendations

a) Administrative Staff Reports

- i. ASR-007/2023 Re: Delegation of Powers and Duties Policy

Resolution No. C-2023-107

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT Administrative Staff Report ASR-007/2023 respecting the Delegation of Powers and Duties Policy be received; and

THAT Council endorse the revised Delegation of Powers and Duties Policy appended to this report as Appendix “B”

CARRIED

- ii. ASR-008/2023 Re: Review of Council's Procedure By-law

Resolution No. C-2023-108

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Administrative Staff Report ASR-008/2023 respecting a Review of Council’s Procedure By-law be received; and

THAT staff be directed to bring forward the revised Procedure By-law attached to this report as Appendix “A” to the next available meeting for ratification.”

CARRIED

iii. ASR-009/2023 Re: 2023 Property Tax Rates

Resolution No. C-2023-109

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT Administrative Staff Report ASR-009/2023 respecting 2023 Property Tax Rates 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 2023 taxation year at the May 16, 2023 Regular Meeting of Council.”

CARRIED

b) **Community & Development Services Staff Reports**

i. By-law Enforcement Memorandum Re: Summer Student

Resolution No. C-2023-110

Moved by Councillor MacLellan

Seconded by Councillor Anderson

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

CARRIED

ii. PSR-006/2023 Re: Z01-2023W 12196 Augustine Road

Resolution No. C-2023-111

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Planning Staff Report PSR-006/2023 be received; and

THAT Zoning By-law Amendment File No. Z01/2023W for lands described as Plan 8 Lots 55 & 56 NP735, known municipally as 12196 Augustine Road, be approved for the reasons outlined in this report; and

THAT the application be deemed consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest; and

THAT the Zoning By-law Amendment attached as Appendix “C” be adopted.”

CARRIED

c) Drainage Staff Reports

i. DSR-004/2023 Re: Consolidated South Wainfleet Drain

Resolution No. C-2023-112

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT Drainage Staff Report DSR-004/2023 respecting the Consolidated South Wainfleet Drain be received; and

THAT staff be directed to advance the Consolidated South Wainfleet Drain Engineer’s Report to that of the Meeting to Consider on June 6, 2023 as per Section 41, Chapter D. 17 of the *Drainage Act* R.S.O. 1990.”

CARRIED

d) Fire Staff Reports

i. FSR-004/2023 Re: 2023 First Quarter Fire & Emergency Services Review

Resolution No. C-2023-113

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“THAT Fire Staff Report FSR-004/2023 respecting the 2023 First Quarter Fire & Emergency Services Review be received for information.”

CARRIED

e) Public Works Staff Reports

i. PWSR-011/2023 Re: Award of Tender – Drainage and Road Improvements

At this point in the meeting, Councillor MacLellan left the Council Chambers and did not participate in discussion or vote.

Resolution No. C-2023-114

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“THAT Public Works Staff Report PWSR-011/2023 respecting Award of Tender for Belleview Beach Road, Beach Road East and Hill Ave, Drainage and Road Improvements be received; and

THAT Council direct the Manager of Operations to engage the services of Walker Construction Limited to complete the Belleview Beach Road, Beach Road East and Hill Ave Drainage and Road Improvements; and

THAT Council direct the Manager of Operations to engage the services of Urban & Environmental Management to perform Contract Administration and Inspection services for the project.”

CARRIED

Councillor MacLellan returned to the Council Chambers.

ii. PWSR-012/2023 Re: Award of Tender – Engineering Services

Resolution No. C-2023-115

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“THAT Report PWSR-012/2023 respecting Award for Engineering Services for Harbourview Road be received; and

THAT Council direct the Manager of Operations to engage the services of Upper Canada Consultants to perform engineering services for the design for Harbourview Road Drainage Improvements and Road Reconstruction.”

CARRIED

10. Review of Correspondence

a) Emergency Management and Civil Protection Act – Compliance Letter

Resolution No. C-2023-116

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT the correspondence respecting Emergency Management and Civil Protection Act- Compliance Letter be received as information.”

CARRIED

b) Request to Proclaim May as Brain Tumour Awareness Month

Resolution No. C-2023-117

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** the correspondence respecting a request to proclaim May as Brain Tumour Awareness month be received and supported.”

CARRIED

Resolution No. C-2023-118

Moved by Councillor Anderson

Seconded by Councillor MacLellan

“**THAT** Correspondence item No. C-2023-156 respecting the Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales be received and supported.”

CARRIED

11. By-laws

Resolution No. C-2023-119

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** the following by-laws be read and passed this 16th day of May, 2023:

- a) By-law No. 018-2023 being a By-law to appoint a Municipal By-law Enforcement Officer for the Township of Wainfleet
- b) By-law No. 019-2023 being a By-law to amend Zoning By-law No. 034-2014 with respect to those lands forming Plan 8, Lots 55 & 56, NP735 in the Township of Wainfleet and known municipally as 12196 Augustine Road
- c) By-law No. 020-2023 being a By-law to establish estimates and tax rates for the year 2023

CARRIED

12. Notices of Motion

None.

13. Closed Meeting

Resolution No. C-2023-120

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**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 of local board – 1 item (a potential disposition of land matter)

- b) Item under Section 239(2)(b)(d) of the *Municipal Act*, 2001, personal matters about an identifiable individual, including municipal or local board employees, labour relations or employee negotiations – 1 item (a matter pertaining to an identifiable employee)

CARRIED

14. Rise & Report

Council met in closed session to receive information and provide staff direction on a potential disposition of land matter and to receive information pertaining to an identifiable employee.

15. By-law to Confirm the Proceedings of Council

Resolution No. C-2023-121

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** By-law No. 021-2023 being a by-law to adopt, ratify and confirm the actions of the Council at its Special Meetings of Council held May 4, 2023 and May 8, 2023, and its Regular Meeting of Council held May 16, 2023 be read and passed this 16th day of May, 2023.”

CARRIED

16. Adjournment

There being no further business, the meeting was adjourned at 9:45 p.m.

B. Grant, MAYOR

M. Kirkham, DEPUTY CLERK

Approved by Council June 6, 2023