



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN



COUNCIL MINUTES

MEETING NO. SIX HELD: Tuesday, May 25, 2010 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 7:02 p.m.

<u>PRESENT:</u>	Council:	Mayor Katie Trombetta Alderman Mary Dinga Alderman John Glazier Alderman Norm Johnson Alderman Douglas Joyner * (refer to page 17) Alderman Sue-Ellen Merritt Alderman Mike Rehner
	Staff:	Derrick Thomson, CAO Carolyn Langley, Clerk Brian Treble, Director of Planning & Building * Donna DeFilippis, Deputy Treasurer *
	Others:	Lynn Bradt * Tom Bradt * Stewart Inglis * Jacquie McPherson, Niagara West Employment * Karen Wilcox * Cathy Sterling * Walter Hawkins, Niagara Temporary Employment * Margaret Maynard, Niagara West Employment * Catharine Vaughan *
	Media:	Joanne McDonald, Grimsby Lincoln News* William Kelly, Cogeco *

* IN ATTENDANCE PART TIME

- 1. INVOCATION:** Alderman Douglas Joyner
- 2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**
 - Alderman Douglas Joyner declared a conflict of interest with respect to the Item 12 (b) under Confidential Matters as the matter related to a family member. Alderman Joyner did not take part in discussion nor voting with respect to this matter and left the meeting during closed session portion of the meeting.
 - Planning/Building/Environmental Committee – May 10, 2010
Alderman Mary Dinga – Item P70-10 (Legal Matter – OMB Hearing – Growth Strategy) - Husband owned property in area for possible urban boundary expansion (Smithville)
 - Confidential Council Minutes – April 26, 2010
Alderman Douglas - Confidential Council Minutes – April 26, 2010
Legal Matter – Drainage Issue – Relates to parent's drainage issue.

3. COMMENTS FROM THE PUBLIC:

- (a) Ms. Hannah Itner, Student Representative – South Lincoln High School
Re: Relay for Life Event – June 4-5, 2010

Ms. Hannah Itner, Student Representative from South Lincoln High School, stated that she was in attendance regarding the Relay for Life Event (Other Business Item (b)) and was requesting that the noise by-law be waived for the event on the evening of June 4th to June 5th at 6:30 a.m. Ms. Itner advised that she hoped council would consider this request and if there were any questions, they could be directed to the school.

Mayor Trombetta thanked Ms. Itner for her presentation and noted that the matter would be dealt with at a later point in the meeting under Other Business.

4. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
April 26, 2010

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, the minutes relating to the open session portion of the April 26, 2010 regular Council meeting be accepted without errors or omissions.

- Carried

Moved by Alderman Norm Johnson and seconded by Alderman Mike Rehner:

That, the confidential minutes of the closed session portion of the April 26, 2010 Council meeting be accepted without errors or omissions; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

- (b) Public Meetings under the Planning Act
May 10, 2010 Minutes

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That, the minutes of a public meeting held on May 10, 2010 under Sections 34 and 51 of the Planning Act, with respect to:

- (a) ZONING BY-LAW AMENDMENT– Riverview Poultry Limited (File No. 1601-021-09)

- (b) OFFICIAL PLAN AMENDMENT– Township of West Lincoln – As Part of the 5 Year Review (OPA #15)

be accepted.

- Carried

- (c) Public Meeting – Naming of Penny Lane in Abingdon Place Plan of Subdivision
May 10, 2010 Minutes

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, the minutes of a public meeting held on May 10, 2010 under Section 48 of the Municipal Act, with respect to:

- (a) Naming of Penny Lane in Abingdon Place Plan of Subdivision
be accepted.
- Carried

5. COMMUNICATIONS:

There were no communications.

6. APPOINTMENTS/PRESENTATIONS:

- (a) Margaret Maynard, Niagara West Employment & Learning AND Walter Hawkins, Rural Development Officer AND Jacquie McPherson, Lunch & Learn Program
Re: Under One Roof Partnership Initiative

Ms. Margaret Maynard addressed Council and provided a recap on the Under One Roof initiative. Ms. Maynard noted that this was a grass-roots effort by a number of Human Services agencies who serve the residents of West Lincoln to get under one roof and to provide much needed services in a cost efficient way with improved accessibility for all. Ms. Maynard further noted that the group has been meeting regularly for two years and is following the Strategic Plan which was developed to set guidelines and activities towards raising community funds to support Council in its plans to build a multi-resource and banquet centre preferably on the Leisureplex lands once the boundary extension issue is resolved. Ms. Maynard noted that year three will be devoted to fundraising and advised that the program was fortunate to have a new Rural Development Officer as a staff person provided to the group through a partnership with the Foundation for Rural Living. Ms. Maynard introduced Mr. Walter Hawkins as the new Rural Development Officer.

Mr. Walter Hawkins introduced himself to Members of Council and outlined his extensive background which was in sales and marketing of systems and software in Toronto. Mr. Hawkins noted that he was a resident of St. Catharines and wishes to move into the non-profit arena to work closer to home and was meeting with various agencies and entities to raise interest in the project and was also sourcing funding. Mr. Hawkins noted that he plans to meet individually with all members of the Council.

Ms. Maynard then introduced Ms. Jacquie McPherson, one of her staff members, who was delivering a four part series of workshops, "Lunch and Learn", around Niagara West for participants of Ontario Works or Ontario Disability Support Program.

Ms. McPherson explained that this Enhanced Employment Support Program is funded by Regional Social Services and the first module of the workshops was delivered very successfully in Beamsville at Community Care and in Grimsby with the Grimsby Benevolent Fund. Ms. McPherson noted that participants get the opportunity to meet employers at the Lunch and hear about how managers go about hiring staff as well as tips about interviews etc. and that a workshop was planned with Community Care of West Lincoln and will be held in the near future. Ms. McPherson invited Members of Council to join the workshop.

Mayor Trombetta thanked Ms. Maynard, Mr. Hawkins and Ms. McPherson for their presentation and the excellent job they were doing for the community.

- (b) Mary Lynn Bradt
Re: Appealed Severance - Application B5/2010WL (Planning Report PD-067-10)

Ms. Bradt read from a prepared statement which is attached as Schedule "A" to these minutes and submitted three letters from neighbours in support of her comments which are attached as Schedule "B" (from Mildred & Alan Atkinson), "C" (from John Morrison) and "D" (from Ron Groulx) respectively.

Mayor Trombetta advised Ms. Bradt that Council would be deciding on her issue as part of approval process for the Planning/Building/Environmental Committee minutes and that she appreciated that Ms. Bradt had come in to speak to Council regarding this matter.

7. REPORT OF COMMITTEE:

- (a) Planning/Building/Environmental Committee
Re: May 10, 2010 Minutes
NOTE: CONFIDENTIAL MINUTES UNDER SEPARATE COVER

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM P58-10
The Planning/Building/Environmental Committee hereby approve the following Consent Agenda Items:
1. Item 1 be hereby received for information, and;
 2. Items 2 to 5 are hereby received and the recommendations contained therein be adopted.
- (ITEM P58-10)
- (1) Heritage Minutes – January 14, 2010
 - (2) Recommendation Report PD-064-10 – Abingdon Place Plan of Subdivision and the Naming of Penny Lane
 - (3) Recommendation Report PD-066-10 – Phelps Homes Ltd. – Smithville on the Twenty – South Community Phase 2 Subdivision – Exemption from Part Lot Control – Block 17, Plan 30M-390

- (4) Recommendation Report PD-068-10 – Olde Town Gateway Estates Plan of Subdivision – Request for Extension of Draft Plan Approval
 - (5) Recommendation Report PD-065-10 – Fulton Stone Church – Intention to Designate under Section 29 of the Ontario Heritage Act as a building of cultural heritage, value or interest)
- (b) ITEM P59-10
 - (1) That, Report No. PD-073-10, dated May 10, 2010, relating to a Zoning By-law Amendment for Riverview Poultry Limited, BE RECEIVED; and
 - (2) That, a recommendation report be prepared and presented to the Planning/Building/Environmental Committee once all concerns have been addressed.
- (c) ITEM P60-10
 - (1) That, Report No. PD-069-10, dated May 10, 2010, relating to the Proposed Draft Official Plan Amendment for the 5 Year Review (OPA #15) & Review of Public and Agency Comments received to date, BE RECEIVED; and,
 - (2) That, a Recommendation Report be provided to this Committee following the second Public Meeting proposed for the June 2010 Meeting of the Planning/Building/Environmental Committee.
- (d) ITEM P61-10
 - (1) That Report No. PD-070-10, dated May 10, 2010, relating to Additional Policy Sections to add or amend in the Township Official Plan as part of the Township of West Lincoln Official Plan 5 Year Review BE RECEIVED; and,
 - (2) That the attached draft policies be added to the Township of West Lincoln 5 Year Review document prior to providing notice of a second public meeting.
- (e) ITEM P62-10
 - (1) That, Report No. PD-063-10, dated May 10, 2010, relating to the Open House comments for proposed compliance policies and mapping of draft OPA #21 (new Sections 5 & 6) BE RECEIVED; and,
 - (2) That, the participants each be sent a letter outlining the actions and future directions as noted in this report.
- (f) ITEM P63-10
 - (1) That Report No. PD-062-10, dated May 10, 2010, relating to the required Public Meeting to consider Model Policies (OPA #21) for Local Compliance with Places to Grow and Regional Policy Plan 2-2009, BE RECEIVED; and,

- (2) That a formal Public Meeting under the Planning Act be held on June 14, 2010 at the Planning/Building/Environmental Committee meeting; and,
 - (3) That Staff be authorized to circulate notice of Public Meeting and the draft policies and mapping in accordance with the Planning Act, prior to ratification of this report by Township Council; and,
 - (4) That Staff be authorized to send a letter to the Provincial Growth Secretariat which advises that draft policies are in process, but that more time will be required in light of the Provincial appeal of the Regional Policy Plan Amendment.
- (g) ITEM P64-10
That, Report No. PD-074-10, dated May 10, 2010, relating to a New Township Sign By-law, BE RECEIVED FOR INFORMATION.
- (h) ITEM P65-10
- (1) That, Report No. PD-072-10, dated May 10, 2010 relating to an Environmental Bill of Rights (EBR) Posting for an Incinerator/Crematorium in the Industrial Park, BE RECEIVED; and
 - (2) That, Planning staff be directed to advise the Ministry of the Environment that a condition should be placed in the Certificate of Approval stipulating that the proposed incinerator can only be used for pets; and
 - (3) That, Staff be authorized to take the above noted action prior to Council ratification.
- (i) ITEM P66-10
- (1) That, Report No. PD-071-10, dated May 10, 2010, relating to the Proposal to review and amend the Township of West Lincoln Noise By-law, BE RECEIVED; and,
 - (2) That, Township Staff complete a thorough review of the Township of West Lincoln Noise By-law and report back to Planning/Building/Environmental Committee no later than September 2010 with a proposed new by-law fee schedule.
- (j) ITEM P67-10
RECOMMENDATION #1:
That, Report No. PD-067-10, dated May 10, 2010, relating to the update on Committee of Adjustment Decision on B5/2010WL – Bradt/Inglis application for consent, BE RECEIVED for information.
- Carried AS AMENDED (see below).

RECOMMENDATION #2 (AMENDMENT):

- (1) That, staff be directed to appeal the decision of the Committee of Adjustment relating to Consent Application B5/2010WL in the name of Thomas and Mary Lynn Bradt and Stewart and Gale Inglis to the Ontario Municipal Board (OMB); and,
- (2) That, staff be directed to advise the Ontario Municipal Board (OMB) that the appeal is based on Staff Report No. PD-059-10, more specifically being that the approval of a farm help house as a surplus dwelling severance which does not meet Township Policy, Regional Policy or Provincial Policy; and
- (3) That, staff be directed to appeal the decision to the OMB prior to ratification by Township Council.

(k) ITEM P70-10

RECOMMENDATION #1:

That, Mayor Trombetta be authorized to proceed as directed in closed session (prior to ratification by Township Council) with respect to the OMB Hearing for Regional Policy Amendment No. 2-2009 (directive # 1).

RECOMMENDATION #2:

That, Mayor Trombetta and Township Staff be authorized to proceed as directed in closed session prior to ratification of Township Council with respect to Regional Policy Plan # 2 (directive # 2).

(l) ITEM P72-10

That, the CAO be authorized to proceed as directed in closed session (with respect to the former Gainsborough Public Works building/property).

Moved by Alderman Norm Johnson and seconded by Alderman Mike Rehner:

That, the minutes relating to the open session portion of the Planning/Building/Environmental Committee meeting held on May 10, 2010, be received and that the recommendations contained therein, be approved, with the exception of Items no. P67-10.

That the confidential minutes of the closed session portion – SET 2 - of the May 10, 2010 Planning/Building/Environmental Committee meeting be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

Item P67-10 – PD-067-10 – Committee of Adjustment Decision on B5/2010WL – Bradt/Inglis application for consent

There was much discussion regarding this matter and Ms. Bradt and the Director of Planning & Building both responded to several questions from Members of Council regarding this issue.

Moved by Alderman Norm Johnson and seconded by Alderman Mike Rehner:

That, Item P67-10 (as amended) from the May 10, 2010 Planning/Building/Environmental Committee meeting be approved:

(ITEM P67-10

- (1) That, Report No. PD-067-10, dated May 10, 2010, relating to the update on Committee of Adjustment Decision on B5/2010WL – Bradt/Inglis application for consent, BE RECEIVED for information.
- (2) That, staff be directed to appeal the decision of the Committee of Adjustment relating to Consent Application B5/2010WL in the name of Thomas and Mary Lynn Bradt and Stewart and Gale Inglis to the Ontario Municipal Board (OMB); and,
- (3) That, staff be directed to advise the Ontario Municipal Board (OMB) that the appeal is based on Staff Report No. PD-059-10, more specifically being that the approval of a farm help house as a surplus dwelling severance which does not meet Township Policy, Regional Policy or Provincial Policy; and
- (4) That, staff be directed to appeal the decision to the OMB prior to ratification by Township Council.)

- Carried

Alderman Dinga Conflict Item - Closed Session – SET 1 - May 10, 2010 Planning/Building/Environmental Committee Minutes:

Alderman Mary Dinga declared a conflict of interest and/or disclosure of pecuniary interest with respect to Item P70-10 (Legal Matter – OMB Hearing – Growth Strategy), due to the fact that her husband owned property in the area for possible urban boundary expansion (Smithville). Alderman Dinga advised she would not take part in any discussion nor voting with respect to this issue and that she would be leaving the Council Chambers during discussion of this issue.

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That the confidential minutes of the closed session portion – SET 1 - of the May 10, 2010 Planning/Building/Environmental Committee meeting be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

- (b) Administration/Finance/Fire Committee
Re: May 17, 2010 Minutes
NOTE: CONFIDENTIAL MINUTES UNDER SEPARATE COVER

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM A47-10
RECOMMENDATION #1:
The Administration/Finance/Fire Committee approve the following Consent Agenda Items:
1. Item 1 be hereby received for information.
 2. Items 2, 3, 4, and 5 be hereby approved and the recommendations contained therein are adopted.
 3. Item 6 be hereby accepted.
(ITEM A47-10
 1. Recommendation Report–RFI-T-02-10 – Launch of new Township web site
 2. Recommendation Report–RFD-T-06-2010–POL-IT-01-10–“Software Use Policy”
 3. Recommendation Report–RFD-T-05-2010 – GABE Budgeting System
 4. Recommendation Report–RFD-CAO-06-10 – Corporate Sponsorship - 2010
 5. Recommendation Report–RFD-C-10-10 - Amendment to Christmas Parade Committee
 6. West Lincoln Cemetery Board - Minutes of March 23, 2010)
- (b) ITEM A48-10
That, the correspondence from the Town of Fort Erie, requesting support of Mayor Martin’s initiative to advance a proposed restructuring plan for Regional Council representation (including the submission of one restructuring option to be considered), dated April 15, 2010, be received and supported.
- (c) ITEM A49-10
AMENDMENT TO 2010 BUDGET
- (1) That, Report RFD-T-07-10, regarding the “Insurance Renewal 2010/2011” be received; and,
 - (2) That, West Lincoln Council contract with Jardine Lloyd Thompson Canada Inc., through our broker Pearson-Dunn Insurance and Financial Services Inc., for insurance coverage for the 2010-2011 year, and,
 - (3) That, a by-law be presented to Council authorizing the Mayor and Clerk to sign the necessary agreements with Jardine Lloyd Thompson Canada Inc. and Pearson-Dunn Insurance and Financial Services Inc. and,

- (4) That a transfer to the insurance reserve of \$31,500 be approved.
- (d) ITEM A50-10
 - 1. That, Clerk Report RFD-C-09-2010, dated April 19, 2010, regarding "New - Revised Election Sign By-law", be received; and,
 - 2. That the attached new Election Sign By-law be approved and forwarded to Council for adoption.
- (e) ITEM A53-10

That, the correspondence dated March 10, 2010 from Township of Muskoka Lakes requesting support of their resolution to:

 - 1. have the Ontario Provincial Government consider the provision of financial support to both public and private sectors to reduce the impact of meeting the requirements of the mandatory Accessibility Standards; and'
 - 2. to provide increased education and awareness to the private sector regarding the requirements that they must meet to comply with the accessibility Standards,

be received and supported.
- (f) ITEM A56-10
 - 1. That, recommendation report PD-077-10, dated May 17, 2010, regarding –Agreement for Temporary Easement across PCB lands for Avertex Holdings Limited, BE RECEIVED; and,
 - 2. That, Township Staff prepare an easement agreement between the Township, the Ministry of the Environment (if required) and Avertex Holdings Limited which would allow a temporary easement for not more than 1 year to permit Avertex Holdings Limited to establish a driveway across the Township property
 - 3. That, a by-law be passed to authorize the Mayor and Clerk to sign a temporary easement agreement.

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, the minutes of the open session portion of the Administration/Finance/Fire Committee meeting held on May 17, 2010, be received and that the recommendations contained therein, be approved, with the exception of Item no(s). A55-10.

That the confidential minutes of the closed session portion of the May 17, 2010 Administration/Finance/Fire Committee meeting be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

Item A55-10 – Code of Conduct for Members of Council

There was much discussion regarding this issue among Members of Council and several Members outlined their concerns regarding how the matter was introduced in the first place and their concern regarding lack of information relating to this issue. The Clerk and the CAO provided clarification for Alderman Joyner on the difference between the role of an Integrity Commissioner and the role of an Ombudsman.

The Clerk explained that the process with respect to reversing the status of the motion (Item A55-10) that was “lost” at committee.

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That, Item A55-10 from the May 17, 2010 Administration/Finance/Fire Committee meeting be approved:

(ITEM A55-10

That, the CAO be directed to develop a code of conduct for Members of Council to be presented at the next Administration/Finance/Fire Committee meeting and that the issue of hiring an Integrity Commissioner also be addressed. **LOST**)

A Recorded Vote was requested by Alderman Mary Dinga:

	<u>Yes</u>	<u>No</u>
Alderman Mary Dinga		x
Alderman John Glazier		
Alderman Norm Johnson		x
Alderman Douglas Joyner		x
Alderman Sue-Ellen Merritt		x
Alderman Mike Rehner		x
Mayor Katie Trombetta		x
Total	<u>0</u>	<u>7</u>

- **LOST**

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That, the CAO be directed to develop a code of conduct for Members of Council to be presented at the next Administration/Finance/Fire Committee meeting and that the issue of hiring an Integrity Commissioner also be addressed.

A Recorded Vote was requested by Alderman Mary Dinga:

	<u>Yes</u>	<u>No</u>
Alderman Mary Dinga	x	
Alderman John Glazier		
Alderman Norm Johnson	x	
Alderman Douglas Joyner	x	
Alderman Sue-Ellen Merritt	x	

Alderman Mike Rehner	x	
Mayor Katie Trombetta	x	
Total	<u>7</u>	<u>0</u>

- Carried

- (c) Public Works/Recreation/Arena Committee
Re: May 17, 2010 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM PW35-10

The Public Works/Recreation/Arena Committee approve the following consent Agenda Items:

1. Item 1 be hereby received for information; and,
2. Item 2 and 3 be hereby approved and the recommendations contained therein adopted,
with the exception of Item 2.

(ITEM PW35-10

1. West Lincoln Public Library Board – Minutes of April 13, 2010
2. Recommendation Report - RFD PW-24/2010 – Request for Proposals Results Food Services Concession at the Leisureplex Park
3. Recommendation Report – RFD PW-25/2010 - Request for Proposal Results – Haws Drain)

RECOMMENDATION #2: (Item 2):

1. THAT, Report RFD PW-24/2010, re: Request for Proposals Results Food Services Concession at the Leisureplex Park, dated May 17th, 2010, be received for information.
2. THAT, the Food Services Concession at the Leisureplex Park not be awarded at this time.
3. THAT, Council directs staff to evaluate the need for renovations to the food Concession at the Leisureplex and any associated costs be considered during 2011 capital budget deliberations.

- (b) ITEM PW36-10

That, the correspondence from Mrs. Paquette, received April 19, 2010, requesting repairs to South Grimsby Road 7 to fix the flooding problem, stone and grade the road; be received and referred to staff.

- Carried AS AMENDED (see below)

RECOMMENDATION #1 (AMENDMENT):

That, the recommendation relating to the request from Ms. Paquette for repairs to South Grimsby Road 7 be amended by deleting the words “to staff” and adding the words “to the 2011 capital roads budget for consideration”.

- (c) ITEM PW37-10
That, the correspondence from the Children's Rights Interest Group of Niagara dated April 22nd 2010 regarding their annual request for donation of one hour of ice time at a cost of \$169.00 in recognition of National Child Day, to be held on or about November 21, 2010 (date to be confirmed) from 1:00 p.m. – 2:00 p.m. at the West Lincoln Arena, be approved and expensed to the Corporate Sponsorship Account.
- (d) ITEM PW38-10
That, Report No. RFI PW-26/2010, re: Recreation & Culture Survey for Older Adults and Seniors Results, dated May 17th, 2010, be received for information.
- (e) ITEM PW39-10
1. THAT, Report RFD PW-23/2010, Silverdale Hall Board Agreement, dated May 17, 2010, be received for information, and
2. THAT, a By-law be adopted to authorize the Mayor and Clerk to enter into a two year agreement with the Silverdale Hall Board.
- (f) ITEM PW42-10
1. THAT, Report RFD PW-27/2010, re: 2010 Dust Control Tender for Supply and Application of Material, dated May 17th, 2010 be accepted; and,
2. THAT, the tender from 513125 Ontario Limited o/a Da-Lee Dust Control to complete the 2010 Dust Control Treatment Program be accepted at a cost of \$323.14 per flake equivalent tone.

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, the minutes of the Public Works/Recreation/Arena Committee meeting held on May 17, 2010, be received and that the recommendations contained therein, be approved.

- Carried

8. RECONSIDERATION:

There were no items for reconsideration.

9. NOTICE OF MOTION:

There were no notices of motion.

10. OTHER BUSINESS:

- (a) Deputy Treasurer
Re: RFI-T-08-10 – 2010 Tax Rate By-law

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That the Coordinator of Revenue Services' Report RFI-T-08-10, regarding the 2010 Tax Rate By-Law, dated May 25, 2010, be received.

- Carried

- (b) South Lincoln High School
Re: Relay for Life Event – June 4 to June 5
(Refer to attached copy of approval letter for same event in 2008)

There was much discussion regarding the noise that might be generated from this event and several Members of Council advised that the noise level at the last event had not become an issue.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, the correspondence received from "The Relay for Life Committee" for South Lincoln High School, dated May 20, 2008, requesting permission for the Township's Noise By-law to be waived on June 4th, 2010 from 11:00 p.m. to 12:00 a.m. (midnight) and from 12:01 a.m. to 7:00 a.m. on June 5th, 2010 in recognition of hosting a Relay for Life to raise money for the Canadian Cancer Society; be received and supported.

- Carried

- (c) Members of Council
Re: Other Business Items

1. Clerk
Re: New Item of Business – By-law 2010-48

The Clerk explained that authorization to present a By-law to authorize the use of voting machines was approved at committee in April; however, the by-law was erroneously excluded from the agenda and needed to be passed before June 1st.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, leave be granted to introduce a new item of business, being By-law 2010-48 (To provide for the use of voting machines, voting recorders, optical scanning vote tabulators or other voting devices at elections).

- Carried

2. Alderman Joyner
Re: Nine Day Family Fishing Event – July 3 to July 11, 2010

Alderman Joyner advised that there was free fishing from July 3 to July 11, 2010 in promotion of Family Fishing (no fishing permit required).

3. Alderman Sue-Ellen Merritt
Re: Environmental Spills

In response to Alderman Merritt's statement that another letter was received in response to the Township's request for support regarding environmental spills and she hoped staff was keeping track of the responses received, the CAO confirmed that staff was keeping track of the letters.

11. BY-LAWS:

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, leave be granted to introduce the following by-laws and the same be now read a first time:

- (a) By-law 2010-38 To confirm proceedings of April 26, 2010 regular Council Meeting
- (b) By-law 2010-39 To close part of Brock Street, Smithville, to vehicular traffic on a temporary basis. (Friday June 25 to Saturday June 26 for PoultryFest)
- (c) By-law 2010-40 To adopt the estimates for the year 2010 and to set the rates of taxation for the year 2010.
- (d) By-law 2010-41 To name roads within the Abingdon Place Development - "Penny Lane", Township of West Lincoln
- (e) By-law 2010-42 To exempt certain land from Part Lot Control pursuant to Section 50 of the Planning Act, R.S.O. 1990 (Phelps Homes - Smithville on the Twenty – South Community Phase 2 Subdivision).

- Carried

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, By-laws 2010-38, 2010-39, 2010-40, 2010-41 and 2010-42 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, leave be granted to introduce the following by-laws and the same be now read a first time:

- (a) By-law 2010-43 To amend Schedule "A" of By-law 2006-157 which confirms various appointments to boards, committees and municipal positions of the Township of West Lincoln (Schedule A – Appointments to the West Lincoln Christmas Parade Committee)

- (b) By-law 2010-44 To authorize an agreement between the Corporation of the Township of West Lincoln and Jardine Lloyd Thompson Canada Inc. and Pearson-Dunn Insurance & Financial Services Inc. for the provision of municipal insurance coverage.
- (c) By-law 2010-45 To regulate the erection of signs for Federal, Provincial and Municipal Elections (and repeal By-law 2007-119)
- (d) By-law 2010-46 To authorize the Mayor and Clerk to sign an agreement between the Silverdale Community Centre Board and the Corporation of the Township of West Lincoln
- (e) By-law 2010-47 To authorize a Temporary Easement Agreement between the Corporation of the Township of West Lincoln, Her Majesty the Queen in right of Ontario as represented by the Minister of the Environment (if required) and Avertex holdings Limited

- Carried

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, By-laws 2010-43, 2010-44, 2010-45, 2010-46 and 2010-47 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, leave be granted to introduce the following by-law and the same be now read a first time:

- (a) By-law 2010-48 To provide for the use of voting machines, voting recorders, optical scanning vote tabulators or other voting devices at elections.

- Carried

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, By-law 2010-48 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

12. CONFIDENTIAL MATTERS:

Alderman Douglas Joyner declared a conflict of interest with respect to the Item 12 (b) under Confidential Matters as the matter related to a family member. Alderman Joyner did not take part in discussion nor voting with respect to this Item 12(b) and left the meeting immediately after Item 12(a) of Confidential Matters was dealt with in closed session.

Moved by Alderman Norm Johnson and seconded by Alderman Mike Rehner:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

1. personal matters about an identifiable individual, including municipal or local board employees;
2. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- Carried (8:42 p.m.)

Mayor Trombetta declared a brief recess and the meeting resumed at approximately 8:50 p.m.

The CAO and Clerk were in attendance during closed session deliberations.

Alderman Joyner and the Director of Planning & Building were in attendance during discussion of Item 12(a) only. Alderman Joyner did not return after Council rose from Closed Session.

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That, this Council meeting does now resume in open session at 9:20 p.m.

- Carried

- (a) Director of Planning & Building
Re: Recommendation Report–PD-081-10-Legal Matter – Minor Variance Issue

See conflict of interest notation by Alderman Joyner above.

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That, Report PD-081-10 dated May 25, 2010, regarding a Legal Matter BE RECEIVED; and,

That, staff be and are hereby authorized to proceed as directed in closed session.

- Carried

- (b) Mayor Katie Trombetta
Re: Legal Matter – Drainage Issue

Council rose without reporting.

13. ADJOURNMENT:

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman John Glazier:

That, this Council meeting does now adjourn at the hour of 9:22 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried