

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. ONE HELD: Monday, January 26, 2009 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 7:00 p.m.

PRESENT:

Council: Mayor Katie Trombetta
Alderman Mary Dinga
Alderman John Glazier
Alderman Norm Johnson
Alderman Douglas Joyner
Alderman Sue-Ellen Merritt

Staff: Derrick Thomson, CAO
Carolyn Langley, Clerk
Brian Treble, Director of Planning & Building*

Others: Tom Smart (BLS Planning Associates) *
Mr. Bernie Hermsen (MHBC Planning Ltd.) *
Bob McLaughlin, Philips Engineering Ltd *
Andy Alma *
4 Other Members of the Public *

Media: Marcel VanderWier, Grimsby-Lincoln News*
Stephanie Sisler, West Niagara News*
William Kelly, Cogeco *

ABSENT: Alderman Mike Rehner

* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman John Glazier
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

Alderman Douglas Joyner declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW05-09 – “A Legal Matter”, as it was a matter that pertained to a relative. Alderman Joyner also declared a conflict of interest/disclosure of pecuniary interest with respect to Set 2 of the December 15, 2008 Council “Confidential” minutes as he was not in attendance during discussion relating to a personnel matter which involved a family member. Alderman Joyner did not take part in discussion nor voting relating to these matters.

Alderman Mary Dinga declared a conflict of interest/disclosure of pecuniary interest with respect to the part of the Growth Management Strategy presentation designated as “urban reserve” as her husband owned land in that designated area. Alderman Dinga did not take part in discussion nor voting with respect to this specific area of the Growth Management Strategy.

3. COMMENTS FROM THE PUBLIC:

There were no comments from the public.

4. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
December 15, 2008 (Open Session + Confidential Sets 1 & 2)

December 15, 2008 Regular Council Minutes + Confidential Minutes-Set 1:

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, the minutes of the open session portion of the December 15, 2008 regular Council meeting be accepted without errors or omissions; and,

That the minutes of the closed session portion – Set 1 - of the December 15th, 2008 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

December 15, 2008 Confidential Council Minutes-Set 2:

Alderman Douglas Joyner declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW05-09 – “A Legal Matter”, as it was a matter that pertained to a relative. Alderman Joyner also declared a conflict of interest/disclosure of pecuniary interest with respect to Set 2 of the December 15, 2008 Council “Confidential” minutes as he was not in attendance during discussion relating to a personnel matter which involved a family member. Alderman Joyner did not take part in discussion nor voting relating to these matters.

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That the minutes of the closed session portion – Set 2 - of the December 15th, 2008 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) Council Minutes – Special (Wortel Drain Extension & VanBuuren Drain-Branch A – Municipal Drains)
December 15, 2008

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

That, the minutes of the December 15, 2008 Special Council meeting (Wortel Drain Extension & VanBuuren Drain-Branch A – Municipal Drains - Engineer's Reports), be accepted without errors or omissions.

- Carried

- (c) Public Meetings under the Planning Act
January 12, 2009 Minutes

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

That, the minutes of a public meeting held on January 12, 2009, under Sections 17 and 34 of the Planning Act, with respect to:

- (a) a Zoning By-law Amendment–Wind Energy System (File No. 1601-019-08)
- (b) an Official Plan Amendment (#19) - Township of West Lincoln & Phelps Homes Ltd. (Wade Road Secondary Plan) (File No. 1701-005-08),

be accepted.

- Carried

5. COMMUNICATIONS:

- (a) Kin Club of West Lincoln
Re: Request for donation of Ice Time for Annual Skate-a-thon

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, the correspondence from the Kin Club of West Lincoln received on December 23rd, 2008 requesting donation of four hours of ice time (8 a.m. to 12 p.m.) at a cost of \$196.00 (4 hours X \$49) for the Annual Skate-a-Thon to be held on February 19th, 2009 at the West Lincoln Arena be received and supported, subject to the availability of ice time, and expensed from the Corporate Sponsorship Fund.

- Carried

6. APPOINTMENTS/PRESENTATIONS:

- (a) Mr. Tom Smart (BLS Planning Associates)
& Mr. Bernie Hermsen (MHBC Planning Ltd.)
Re: Growth Management Strategy

The Director of Planning gave a brief synopsis of the issue and noted that this evening's presentation provided for a refined position which would be the basis for the presentation to the Region on January 29th, 2009.

Mr. Tom Smart read from a prepared statement which is attached as Schedule "A" to these minutes.

Mr. Bernie Hermsen reviewed his power point presentation which is attached as Schedule "B" to these minutes.

Mr. Smart summarized that the entire area originally suggested for inclusion in the expansion area may not be approved; therefore, rather than having the entire study area defeated, they had determined what land area needed to be brought into the urban boundary now, which was the bulk of the employment lands, and they were recommending that the remaining proposed expansion area be designated as Urban Reserve. Mr. Smart stated that by designating the lands as "urban reserve", the Region would have to look at these areas as the ultimate boundary for Smithville and have to plan for servicing. Mr. Smart also stated that if the greenbelt were expanded, by putting the urban reserve in place, the area would be preserved as a study area and would not be included in any future greenbelt area expansion.

Mr. Smart stated that the need for the expansion of the bulk of the employment lands could be demonstrated today and the designation of the urban reserve lands would enable the balance of the lands to be looked at in five years.

Much discussion followed regarding:

- the need for land to accommodate an additional elementary school(s)
- the inclusion of the "inadequate supply of employment land" on Page 11
- the inadequate amount of serviced recreation land (ie. Leisureplex)
- the need for servicing to accommodate expansion
- the proposal to bring lands in as Urban Reserve lands for future development
- the need to accommodate for growth in Smithville
- need to persuade politicians that Places to Grow did not suggest putting growth where capacity is and nowhere else
- the Regional Consultant's Report speaking to 4 market areas, West Niagara being one of them, however not stating that anything should be done in the West Niagara area (recommending grow east and leave the rest of Niagara alone)
- "Places to Grow" does not say put growth where capacity is and nowhere else. The Regional Consultant needs to acknowledge that growth opportunity needs to be provided in West Niagara and that there is growth potential in Smithville
- the cost of extension of the pipe to service current urban area
- preservation of the urban reserve area as a study area for future growth so it won't be included in the greenbelt
- previous support by the Region for West Lincoln's expansion and studies initiated due to that support
- potential growth due to expansion of Hamilton airport

Mayor Trombetta provided a history of the issue relating to the options presented at the Region regarding future growth in the Region and stated that she supported this evening's proposal, however, advised that she preferred to have all the lands included in the expansion area but did not want to risk losing it all therefore, was prepared to accept this compromise.

It was noted that a request should be made to the Region of Niagara for reimbursement of cost relating to studies undertaken due to the fact that the Region had always supported West Lincoln in their proposed urban area expansion endeavours.

Mayor Trombetta thanked Mr. Smart and Mr. Hermsen for their presentation.

Recommendation # 1 relating to Urban Expansion Area:

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

1. That, the presentation by Mr. Tom Smart (BLS Planning Associates) and Mr. Bernie Hermsen (MHBC Planning Ltd) regarding the Growth Management Strategy (partial – excluding urban reserve area) be received; and,
 2. That, notwithstanding previous direction relating to this matter, Council hereby approve that:
180 hectares in the study area identified as outlined in red (see attached), be included in the proposed urban expansion area, and
 3. That, Council hereby confirms that it supports the submission of an amendment (as outlined in the presentation by Mr. Tom Smart -BLS Planning Associates, and Mr. Bernie Hermsen -MHBC Planning Ltd, relating to the Growth Management Strategy) to the Regional Policy Plan based on the urban expansion area calculations as contained above; and,
 4. That this recommendation forms part of the basis for the presentation to the Region on Thursday January 29th.
- Carried (NOTE Attachment is Schedule C to these minutes)

Recommendation # 2 relating to Urban Reserve Area:

Alderman Mary Dinga declared a conflict of interest/disclosure of pecuniary interest with respect to the part of the Growth Management Strategy presentation designated as “urban reserve” as her husband owned land in that designated area. Alderman Dinga did not take part in discussion nor voting with respect to this specific area of the Growth Management Strategy.

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

1. That, the presentation by Mr. Tom Smart (BLS Planning Associates) and Mr. Bernie Hermsen (MHBC Planning Ltd) regarding the Growth Management Strategy (partial – excluding proposed urban expansion area) be received; and,

2. That, notwithstanding previous direction relating to this matter, Council hereby approve that:
 - (i) 209 hectares in the study area identified as outlined in blue (see attached), be included in an urban reserve.
3. That, Council hereby confirms that it supports the submission of an amendment (as outlined in the presentation by Mr. Tom Smart -BLS Planning Associates, and Mr. Bernie Hermsen -MHBC Planning Ltd, relating to the Growth Management Strategy) to the Regional Policy Plan based on the urban reserve area calculations as contained above; and,
4. That this recommendation forms part of the basis for the presentation to the Region on Thursday January 29th.
- Carried (NOTE Attachment is Schedule C to these minutes)

In response to an inquiry from Alderman Glazier regarding if another study will be required in five years to deal with the reserve area, Mr. Smart stated that another study would be required if the request for expansion was denied; however, if it was approved, a much smaller study would be required as most of the background work will already be in place.

Mr. Smart and Mr. Hermsen left the meeting at approximately 7:20 p.m.

7. REPORT OF COMMITTEE:

- (a) Planning/Building/Environmental Committee
Re: January 12, 2009 Minutes (Regular and Confidential)

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM P02-09
The Planning/Building/Environmental Committee hereby approve the following Consent Agenda Items:
 1. Items 1 to 5 are hereby received for information; and,
 2. Items 6 and 7 are approved and the recommendations contained therein are adopted.
(ITEM P02-09)
 1. Information Report No. PD-011-09 – Definition of Lot in the Township Zoning By-law and Impact of Orders of the Court under the Beds Navigable Waterways Act
 2. Information Report No. PD-012-09 - Update - Spring Creek Secondary Plan – Air Quality and Environmental Impact Assessment Study
 3. Information Report No. PD-002-09 – Update on the Status of Ontario Superior Court of Justice Documents for Les Van Egmond & Sons Wholesale Florists Ltd. and James Harley Smith
 4. Information Report No. RFI-Bldg-01-09 – Summary of 2008 Building Permits

5. Information Report – Monthly Building Permit Reports – November & December 2008
6. Recommendation Report No. PD-003-09 – Region of Niagara “Tree & Forest Conservation By-law” and Delegation of Implementation & Enforcement to the Niagara Peninsula Conservation Authority (NPCA)
7. Recommendation Report No. PD-010-09 – Proposal for a Wireless Telecommunication Towers – Rogers Wireless Inc. – Town of Pelham)

(b) ITEM P03-09

- (1) That, Report No. PD-007-09, dated January 12, 2009, relating to draft Zoning By-law Wind Energy Regulations, BE RECEIVED for information; and
- (2) That a Recommendation Report be prepared and provided to this committee at a later date.

(c) ITEM P04-09

RECOMMENDATION #1:

- (1) That, Report No. PD-009-09, dated January 12, 2009, relating to an amendment to the Wade Road Secondary Plan, BE ADOPTED;
 - (2) That, a By-law to Adopt Amendment No. 19 to the Official Plan for the Township of West Lincoln, BE APPROVED; and
 - (3) That, Official Plan Amendment No. 19, Amendments to the Wade Road Secondary Plan, be forwarded to the Region of Niagara for approval.
- Carried AS AMENDED (see below).

RECOMMENDATION #2 (AMENDMENT):

That, Official Plan Amendment No. 19 (Wade Road Secondary Plan), as referenced in Sections 2 and 3 of the recommendation contained in Report No. PD-009-09, be amended by deleting Schedule A and replacing it with a new Schedule A to be provided at the January 26th, 2009 Council Meeting, which will reflect a change to the 100 Year Flood Elevation for the Twenty Mile Creek.

(d) ITEM P05-09

- (1) That, Report No. PD-008-09, dated January 12, 2009, relating to a Smithville Parks Master Plan Study, be received; and
- (2) That, the Smithville Parks Master Plan be referred to the CAO for inclusion in the 2009 Township of West Lincoln Service Plan.

(e) ITEM P08-09

- (1) That Report PD-005-09, dated January 12, 2009, regarding a Legal Matter BE RECEIVED; and
- (2) That staff BE AUTHORIZED to proceed as directed in closed session.

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

That, the minutes relating to the open session portion of the Planning/Building/Environmental Committee meeting held on January 12, 2009, be received and that the recommendations contained therein, be approved, with the exception of Item # P04-09.

That the confidential minutes relating to the closed session portion of the January 12, 2009 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 P04-09 (1 & 2) – Official Plan Amendment # 19

The Director of Planning & Building briefly reviewed the memorandum to Members of Council which explained that a textual amendment was required to a specific section of OPA # 19 to properly reflect the area identified on the map attached to the OPA as presented at the public meeting regarding this issue.

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

That, Item P04-09(1&2) from the January 12, 2009 Planning/Building/Environmental Committee minutes be approved.

(ITEM P04-09

RECOMMENDATION #1:

- (4) That, Report No. PD-009-09, dated January 12, 2009, relating to an amendment to the Wade Road Secondary Plan, BE ADOPTED;
- (5) That, a By-law to Adopt Amendment No. 19 to the Official Plan for the Township of West Lincoln, BE APPROVED; and
- (6) That, Official Plan Amendment No. 19, Amendments to the Wade Road Secondary Plan, be forwarded to the Region of Niagara for approval.

(carried as amended-see rec. # 2 below)

RECOMMENDATION #2 (AMENDMENT):

That, Official Plan Amendment No. 19 (Wade Road Secondary Plan), as referenced in Sections 2 and 3 of the recommendation contained in Report No. PD-009-09, be amended by deleting Schedule A and replacing it with a new Schedule A to be provided at the January 26th, 2009 Council Meeting, which will reflect a change to the 100 Year Flood Elevation for the Twenty Mile Creek.

- Carried AS AMENDED (see below)

The CAO left the meeting briefly at 8:35 p.m.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Mary Dinga:

That, Item P04-09 (as amended) be further amended by:

1. Deleting Section 2.2 a) and inserting the following new Section 2.2 a):
 - 2.2 a) The text of the Township of West Lincoln Official Plan as it affects the Wade Road Secondary Plan is amended by adding the following to the end of subsection 5.4(b):

5.4(b)(ii) The lands north of the public parks designation bisecting the Wade Road Secondary Plan shown on Map 6 as medium density residential shall also permit low density residential uses by Zoning By-law Amendment, subject to the provisions of section 5.4 (a) of this plan, as permitted uses.
2. Deleting Section 2.2 b) and inserting the following new Section 2.2 b):
 - 2.2b) The text of the Township of West Lincoln Official Plan is amended by adding the following to the end of subsection 5.4(b):

5.4(b)(iii) The northern most block of land at the terminus of road network shown as medium density on Map 6 shall have a maximum density of thirty four (34) units per hectare.

5.4(b)(iv) Any development adjacent to the 100 year floodplain elevation may be subject to the Generic Regulations of the Niagara Peninsula Conservation Authority and, therefore, may require a permit from the Niagara Peninsula Conservation Authority.
3. Deleting Section 2.2 d) and inserting the following new Section 2.2 d):
 - 2.2d) The text of the Township of West Lincoln Official Plan is amended by deleting subsection 5.4(d)(ii) and replacing it with the following:

5.4(d)(ii) Development adjacent to the Hazard Lands designation shall be designed so as not to adversely impact the Hazard Lands. An environmental impact study may be required by the Region of Niagara, the Niagara Peninsula Conservation Authority, or the Township of West Lincoln as a pre-condition to any development approval.
4. Deleting Section 2.2 g) and inserting the following new Section 2.2 g):
 - 2.2g) The text of the Township of West Lincoln Official Plan is amended by adding the following to the end of subsection 5.4 (e) of the Official Plan:

(iv) Prior to any application to amend the Zoning By-law on any lands north of the public parks designation that bisects the Wade Road Secondary Plan and would permit an increase of the intensity of development shall require the applicant to provide the Township with the necessary information, as determined by the Manager of Public Works, to ensure the adequacy of sufficient water and sanitary sewer capacity.

- Carried

(b) Administration/Finance/Fire Committee
Re: January 19, 2009 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM A02-09
The Administration/Finance/Fire Committee approve the following Consent Agenda Items:
1. Item 1 be hereby received for information; and
 2. Item 2 be hereby approved; and
 3. Items 3 & 4 be hereby approved and the recommendations contained therein be adopted;
- with the exception of Item A02-09(4).
(ITEM A02-09
1. Report No. RFI-F-01-09 – Annual Repayment Limit - ARL
 2. West Lincoln Cemetery Board Minutes of November 26, 2008
 3. Joint Accessibility Advisory Committee (JAAC) Minutes of August 26, 2008 & October 28, 2008
 4. See below)
- (b) ITEM A02-09 (4)
RECOMMENDATION #1
- (1) That, Report WLFD 09-01 dated January 19, 2009 re: West Lincoln Township Early and Safe Return to Work Policy and Program be accepted, and that,
 - (2) The Early and Safe Return to Work Policy and Program attached as schedule “A” be approved and adopted.
- Referred (see below)
- RECOMMENDATION #2 (Referral):
That, Report No. WLFD-09-01(Revised from WLFD 08-04) West Lincoln Township Early and Safe Return to Work Policy and Program – Revised be referred staff for further clarification.
- (c) ITEM A03-09
That, the correspondence from the Township of South Stormont requesting support of their resolution that the Government review and amend as required, the powers granted to Inspectors though Bill 50 (the Provincial Animal Welfare Act, 2008), be received and supported.
- (d) ITEM A06-09
- (1) That, Report PD-014-09, dated January 19, 2009, regarding a Legal Matter BE RECEIVED; and
 - (2) That staff BE AUTHORIZED to proceed as directed in closed session.

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, the minutes of the open session portion of the Administration/Finance/Fire Committee meeting held on January 19, 2009, be received and that the recommendations contained therein, be approved.

That the minutes of the closed session portion of the January 19, 2009 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

- (c) Public Works/Recreation/Arena Committee
Re: January 19, 2009 Minutes (Open Session + Confidential Sets 1 & 2)

SUMMARY OF RECOMMENDATIONS:

(a) ITEM PW01-09

The Public Works/Recreation/Arena Committee approve the following consent agenda items:

1. Item 1 be hereby received for information.
2. Item 2 be hereby approved.
3. Item 3 is approved & the recommendations contained therein be adopted.

(ITEM PW01-09

1. Information Report No. RFI PW-03/2009 – Fall 2008
Recreation Programs
2. West Lincoln Public Library Board Minutes – November 20, 2008
3. Recommendation Report No. RFD PW-04/2009 – Parks Bylaw Set Fines Amendment)

(b) ITEM PW02-09

THAT, Report RFI PW-01/2009, re: Bulk Water Fill Station Leasing, dated January 19, 2009 be received for information.

(c) ITEM PW03-09

THAT, Report RFI PW-02/2009, re: Bulk Water Fill Station Upgrades, dated January 19, 2009 be received for information.

(d) ITEM PW10-09

That, staff be directed to prepare a report to the January 26, 2009 Council Meeting regarding a proposed acquisition of land.

(e) ITEM PW05-09

That, staff be authorized to proceed as directed in closed session regarding a drainage issue.

January 19, 2009 Public Works/Recreation/Arena Committee - Open Session + Confidential Minutes-Set 1:

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, the minutes relating to the open session portion of the Public Works/Recreation/Arena Committee meeting held on January 19, 2009, be received and that the recommendations contained therein, be approved, with the exception of Item # PW05-09.

That Set 1 of the confidential minutes relating to a portion of the closed session portion of the January 19, 2009 Public Works/Recreation/Arena 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 PW05-09 – Confidential Drainage Issue

Alderman Douglas Joyner declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW05-09 – “A Legal Matter”, as it was a matter that pertained to a relative. Alderman Joyner did not take part in discussion nor voting relating to this matter and left the meeting during discussion of this item under “Confidential Matters”.

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, Item PW05-09 from the January 19, 2009 Public Works/Recreation/Arena Committee minutes be approved.

(ITEM PW05-09

That, staff be authorized to proceed as directed in closed session regarding a drainage issue.)

- Carried

Set 2–Confidential Minutes–Jan. 19, 2009 Public Works/Recreation/Arena Committee – Relating to Item PW05-09

Alderman Douglas Joyner declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW05-09 – “A Legal Matter”, as it was a matter that pertained to a relative. Alderman Joyner did not take part in discussion nor voting relating to this matter and left the meeting during discussion of this item under “Confidential Matters”.

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That Set 2 of the confidential minutes relating to a portion of the closed session portion of the January 19, 2009 Public Works/Recreation/Arena 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

8. RECONSIDERATION:

There were no items for reconsideration.

9. NOTICE OF MOTION:

There were no notices of motion.

10. OTHER BUSINESS:

- (a) Chief Building Official
Re: Temporary Residence during Construction (James & Mary Moon)
Received for Information

There was much discussion regarding a time limit for temporary residency and Alderman Merritt requested that the term of the agreement be included in the by-law relating to the agreement.

- (b) Treasurer/Director of Finance
Re: Report RFD-T-01-09 - "2009 Budget Schedule"

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

1. THAT, Report RFD-T-01-09, regarding the "2009 Budget Schedule", dated January 26, 2009 be received; and,
2. THAT, the Budget Committee meeting to review the 2009 Operating and Capital Budgets be set for Tuesday, March 3, 2009 at 6:30pm with an additional date set for further deliberation, if required, for Thursday, March 5, 2009 at 6:30pm, and,
3. THAT, Council set the date for final ratification of the 2009 Budget to be at a Special Council meeting to be scheduled on Monday, March 16, 2009, immediately following the Public Works Committee meeting.

- Carried

- (c) CAO
Re: RFD-CAO-01-09 - "2009 Service Plan"

The CAO responded to questions from Members of Council regarding the 2009 Service Plan and explained that it was a guideline for staff and that the items will be prioritized and brought to the 2009 Budget deliberations.

There was general discussion regarding biosolid regulations, Caistor Centre and Hodgkins Roads, recreation facilities in the urban area, weed inspection,

PSAB requirements, software systems, roads and the proposed Canada Day celebration.

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

1. That CAO Report RFD-CAO-01-09, dated January 26, 2009, regarding the "2009 Service Plan" be received; and,
2. That, the 2009 Service Plan attached as Schedule "A" to this report be approved.

- Carried

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

1. Alderman Mary Dinga
Re: Winter Control Pamphlet from Pelham

Alderman Dinga advised that she had obtained a pamphlet from the Town of Pelham which contained winter control information which she felt was informative and she gave the pamphlet to the CAO for review.

The CAO stated that he hoped, in future, to initiate a communication strategy which may include disseminating similar information.

11. BY-LAWS:

Moved by Alderman Mary Dinga 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 2009-01 To confirm proceedings of December 15, 2008 regular and December 15, 2008 Special (Wortel Drain Extension & VanBuuren Drain-Branch A – Municipal Drains) Council meetings.
- (b) By-law 2009-02 To repeal By-law 2008-78 which appointed Gary Ricker as Deputy Fire chief for the West Lincoln Fire Department
- (c) By-law 2009-03 To authorize an Agreement with James & Mary Moon for Temporary Residency during Construction of a Replacement Dwelling
- (d) By-law 2009-04 To provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest of fifteen percent.
- (e) By-law 2009-05 To amend By-law 2008-34 which regulates parks and facilities in the Township of West Lincoln (amend short form wording)
- (f) By-law 2009-06 To adopt Amendment No. 19 to the Official Plan for the Township of West Lincoln

- Carried

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, By-laws 2009-01, 2009-02, 2009-03, 2009-04, 2009-05 and 2009-06 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:

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

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. a proposed or pending acquisition or disposition of land by the municipality or local board;
2. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- Carried (9:15 p.m.)

Mayor Trombetta called a brief recess at approximately 9:15 p.m.

The meeting reconvened at approximately 9:30 p.m.

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

That, this Council meeting does now resume in open session at 9:48 p.m.

- Carried

- (a) Director of Planning & Building
Re: Legal Matter - OMB Hearing Issue

Council rose without reporting.

- (b) CAO & Director of Planning & Building
Re: Proposed Acquisition of Land

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

- 1) That, Report PD-015-09, dated January 26, 2009, regarding Proposed Acquisition of Land, be received; and,
- 2) That the recommendations contained therein (*as amended by direction to staff in closed session*) be approved; and,
- 3) That, funds be taken from the Contingency Reserve (upon finalization of the agreement) and that they are hereby pre-approved in the 2009 Budget; and,

- 4) That a by-law be passed to authorize the Mayor and Clerk to sign the agreement of Purchase and Sale and any other required documents to effect the transfer of the lands.
- Carried

11. BY-LAWS: (cont'd)

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

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

- (a) By-law 2009-07 A By-law to authorize the Mayor and Clerk to sign an Agreement of Purchase and Sale between Beverley Elaine Van Leeuwen and Kees Van Leeuwen and the Corporation of the Township of West Lincoln.

- Carried

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, By-law 2009-07 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

13. ADJOURNMENT:

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

That, this Council meeting does now adjourn at the hour of 9:51 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried

CAROLYN LANGLEY, CLERK

MAYOR KATIE TROMBETTA