



# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN



## COUNCIL MINUTES

**MEETING NO. SIXTEEN HELD:** Monday, October 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  
Alderman Mike Rehner

**Staff:** Derrick Thomson, CAO  
Carolyn Langley, Clerk

**Others:** David Bird (CEO), WLMH \*  
Kurt Whitnell, Past Board Chair, WLMH \*  
Nan Brooks, Consultant, Consulting Cadre Intl.\*  
Ken Durham \*  
Tony Mous \*  
Robert Whitenect \*  
Derek Whitlib \*  
Tara Allen \*  
Richard Morley \*  
Kathy Richardson, Ministry of Natural Resources \*  
Cathy Sterling \*  
Five other Members of the Public \*

**Media:** Joanna MacDonald, Grimsby Lincoln News \*  
Dave Chappelle, West Niagara News \*  
William Kelly, Cogeco \*

\* IN ATTENDANCE PART TIME

- 1. INVOCATION:** Alderman Mary Dinga
- 2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

Alderman Merritt declared a conflict of interest relating to the Appointment under Item 6A (West Lincoln Memorial Hospital - Update on Hospital Building Plans) as she was a Niagara Health System employee. Alderman Merritt did not take part in discussion nor voting with respect to this matter.

Mayor Trombetta read the list of items below that outlined previously declared conflicts by Members of Council.

NOTE: Items for which conflicts were recently declared at Committee or past Council:

- (a) Council – September 28, 2009  
Alderman Dinga Re: By-law 2009-100 - Contribution Agreement for the Townline Road Project (Husband owns land on Townline Road)

**3. COMMENTS FROM THE PUBLIC:**

- (a) Ken Durham  
Re: Sunday Gun Hunting

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

- (b) Mr. Derek Witlib  
Re: Sunday Gun Hunting

Mr. Witlib advised that he was a Member of the Port Colborne Conservation Club (Box 444, Port Colborne) as well as a Member of the Federation of Anglers & Hunters and noted that he had a lot of accurate information to add regarding this subject. Mr. Witlib advised that he was a stakeholder and advisor to municipalities such as Port Colborne, Wainfleet and Fort Erie as they had asked for his advice/opinion and he had provided it. Mr. Witlib advised that Fort Erie and Port Colborne had endorsed Sunday hunting as well as Lincoln. Mr. Witlib further stated that the only ones who notice people hunting on Sunday are hunters and wildlife managers and that land owners do not notice any change.

- (c) Mr. Tony Mous  
Re: Sunday Gun Hunting

Mr. Tony Mous stated that he had attended the meeting several weeks ago regarding this issue and noted that the issue of concern raised at the meeting related to trespassing which was a different issue than Sunday gun hunting. Mr. Mous stated that trespassing occurs on weekdays as well as on Sundays and that all hunters should not be blamed for problems created by trespassers. Mr. Mous noted that when a hunter's game is wounded, he may have to travel onto another property (for which he did not obtain permission) to retrieve it, which may be a trespass issue.

- (d) Ms. Tara Allen  
Re: Sunday Gun Hunting

Ms. Allen advised that she was a 14 year resident and would like Council to approve Sunday gun hunting as there were very few days available for workers to hunt. Ms. Allen stated that trespassing was a separate issue and that hunters did not like trespassers either noting that trespassers should be prosecuted. Ms. Allen further stated that the gun club operated on Sunday and that hunters would only shoot 2 or 3 shots.

- (e) Mr. Richard Morley  
Re: Sunday Gun Hunting

Mr. Morley stated that he lived in Caistor Centre, north of the Mohawk Gun Club and that there was Sunday gun noise which was no bother to him. Mr. Morley advised that he was a hunter and trapper who worked from Monday to Friday and noted that Sunday gun hunting would provide an extra day for him to spend having fun hunting with his family.

**4. CONFIRMATION OF MINUTES:**

- (a) Council Minutes – Regular  
September 28, 2009  
NOTE: CONFIDENTIAL MINUTES UNDER SEPARATE COVER

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

That, the minutes relating to the open session portion of the September 28, 2009 regular Council meeting be accepted without errors or omissions.

That the confidential minutes of the closed session portion of the September 28, 2009 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  
October 13, 2009 Minutes

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

That, the minutes of a public meeting held on October 13, 2009, under Section 34 of the Planning Act, with respect to:

- (a) ZONING BY-LAW AMENDMENT - Walter & Hazel Las  
be accepted.

- Carried

**5. COMMUNICATIONS:**

There were no communications.

**6. APPOINTMENTS/PRESENTATIONS:**

Alderman Merritt declared a conflict of interest relating to the Appointment under Item 6A (West Lincoln Memorial Hospital - Update on Hospital Building Plans) as she was a Niagara Health System employee. Alderman Merritt did not take part in discussion nor voting with respect to this matter.

- (a) David Bird (CEO), Kurt Whitnell, Past Board Chair & Nan Brooks, Consultant, Consulting Cadre Intl.  
Re: West Lincoln Memorial Hospital - Update on Hospital Building Plans

Ms. Brooks reviewed a slide presentation relating to her review of the West Lincoln Memorial Hospital's operations, which is attached as Schedule "B" to these minutes.

Mr. Whitnell provided a complete copy of the "Review of West Lincoln Memorial Hospital Operations and Role" report as prepared by Nan Books, and provided an update to Members of Council on the status of the new building. Mr. Whitnell advised that there were three things the Board was focusing on in the fall, being (1) to communicate with the community, and (2) to participate in the LHIN open houses, and (3) to urge the public and Council Members to drop in at the open houses and speak out. Mr. Whitnell then responded to questions from Members of Council regarding LHIN, funding, staffing and level of service.

**7. REPORT OF COMMITTEE:**

- (a) Planning/Building/Environmental Committee  
Re: October 13, 2009 Minutes  
NOTE: CONFIDENTIAL MINUTES UNDER SEPARATE COVER

**SUMMARY OF RECOMMENDATIONS:**

- (a) ITEM P119-09  
The Planning/Building/Environmental Committee hereby approve the following Consent Agenda Items:
1. Items 1 to 5 are hereby received for information,
  2. Item 6 is hereby approved and the recommendations contained therein are adopted.
- (ITEM P119-09)
1. Heritage minutes – April 16, 2009
  2. Correspondence - Ministry of the Environment - West Central Region – Re: Smithville Phase IV Bedrock Remediation Site Operations Summary Report – April 1, 2009 to June 30, 2009
  3. Information Report PD-164-09 – Niagara Workforce Planning Board – Niagara Labour Market Plan: A Vision in Action (2009-2013)
  4. Information Report PD-165-09 – Provincial Green Energy and Green Economy Regulations
  5. Information Report PD-140-09 – Requiring Cisterns in New Residential Development
  6. Recommendation Report PD-160-09 – Repeal of Site Plan Authorizing By-law – Joyani Inc. (Greely Construction) 2953 Thompson Road, Smithville (File No. 2100-139-07))

- (b) ITEM P120-09
- (1) That, Report No. PD-161-09, dated October 13, 2009, relating to a Zoning By-law Amendment in the name of Walter and Hazel Las, be received; and
  - (2) That, Zoning By-law Amendment 1601-015-09 submitted by Walter and Hazel Las, BE APPROVED.
- (c) ITEM P121-09
- (1) That, Report No. PD-145-09, dated October 13, 2009 regarding a Site Plan Authorizing By-law for the Township's Administration Property and the conveyance of lands for a Regional Road allowance widening, BE RECEIVED; and,
  - (2) That Council for the Township of West Lincoln hereby approve and authorize the development of the new Fire Hall in accordance with the site plan prepared by Raimondo & Associates Architects Inc. dated September 23, 2009; and,
  - (3) That, Staff be authorized to survey and process the conveyance of the proposed road allowance widening to the Region of Niagara as shown on the Site Plan and that a by-law be approved to authorize the Mayor and Clerk to sign all necessary documents to complete this conveyance
- (d) ITEM P122-09  
RECOMMENDATION #1:
- (1) That, Report No. PD-162-09, dated October 13, 2009, relating to an application for draft plan of condominium approval by West Niagara Enterprises, BE RECEIVED;
  - (2) That draft plan of Standard Condominium, File 2100-072-08CDM, Crossings on the Twenty (south side), Township of West Lincoln, BE APPROVED as per Attachment 1, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13, and regulations there under, subject to the conditions contained in Attachment No. 2 to PD-162-09;
  - (3) That draft plan of Standard Condominium, File 2100-072-08CDM, Crossings on the Twenty (north side), Township of West Lincoln, BE APPROVED as per Attachment 3, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13, and regulations there under, subject to the conditions contained in Attachment No. 4 to PD-162-09;
  - (4) That all parties be advised of Council's decision on this application in accordance with Provincial regulations;
  - (5) That the Director of Planning, or Clerk, be authorized to endorse the draft plans provided as Attachment 1 and Attachment 3 and that it shall be deemed as approved only if no appeals against the decision are lodged within 20 days of its circulation; and
  - (6) That the applicant be advised that the Township's draft approval of this Plan of Standard Condominium will lapse three years from the date of draft approval unless Township Council grants an

extension of the approval period. If an extension is requested, an updated review will occur and revisions to the conditions of approval may be necessary at that time; and

- (7) That the resolution of Council to approve the Crossings on the Twenty Plan of Condominium, as draft approved with conditions on September 26, 2009, be and hereby is repealed as per Section 51(44) of the Planning Act.

- Carried AS AMENDED (see below).

RECOMMENDATION #2 (AMENDMENT):

That, recommendation 7 of Item P122-09 of the October 13<sup>th</sup>, 2009 Planning/ Building/Environmental Committee agenda (Draft plan of condominium approval by West Niagara Enterprises) be amended to remove the date of "September 26, 2009" and replace it with the date of "August 24, 2009".

(e) ITEM P123-09

- (1) That, Report No. PD-166-09, dated October 13, 2009 regarding an Amending Site Plan Authorizing By-law for Wes-Li Gardens Plan of Condominium Extension (now owned by R.V.L. Contracting Inc.) BE RECEIVED; and,
- (2) That, a By-law authorizing the Mayor and Clerk to enter into an amending site plan agreement between the Township of West Lincoln and R.V.L. Contracting Inc. and Jenny Smit, BE APPROVED.

(f) ITEM P124-09

- (1) That, Report No. PD-167-09 dated October 13, 2009, relating to the Designation of a Sustainable Downtown Smithville Community Improvement Project Area and Adoption of the Sustainable Downtown Smithville Community Improvement Plan , BE RECEIVED; and,
- (2) That, a by-law be passed to designate a sustainable community improvement project area for Downtown Smithville; and,
- (3) That, once the by-law is passed to designate the community improvement project area, that a second by-law be passed to adopt the Downtown Sustainable Smithville Community Improvement Plan (with minor modifications); and,
- (4) That, a subsequent report be prepared by staff on program implementation and public realm improvements in time for 2010 budget deliberations.

(g) ITEM P128-09(iii)

That, the CAO be directed to investigate and prepare a press release protocol for the Township of West Lincoln including associated costs.

(h) ITEM P129-09

- (1) That, Report PD-168-09 dated October 13, 2009 regarding a legal matter BE RECEIVED; and,

- (2) That, Staff be and are hereby authorized to proceed as directed in closed session.
- (i) ITEM P130-09  
That, the Director of Planning & Building be authorized to proceed as directed in closed session.
- (j) ITEM P131-09  
That, the CAO be authorized to proceed as directed in closed session.

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

That, the minutes relating to the open session portion of the Planning/Building/Environmental Committee meeting held on October 13, 2009, be received and that the recommendations contained therein, be approved, with the exception of Item no. P121-09, P128-09(iii).

That the confidential minutes of the closed session portion of the October 13, 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 P121-09 Report No. PD-145-09 - Site Plan Authorizing By-law - Township's Administration Property and conveyance of lands for a Regional Road allowance widening**

Alderman Johnson noted his concern with the requirement to convey a portion of land to the Region for road widening purposes when there was no plan in place to widen the road. There was much discussion regarding this issue and the following motions were put forward:

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

That, Item P121-09 from the October 13, 2009 Planning/Building/Environmental Committee meeting be approved:

(ITEM P121-09

- (1) That, Report No. PD-145-09, dated October 13, 2009 regarding a Site Plan Authorizing By-law for the Township's Administration Property and the conveyance of lands for a Regional Road allowance widening, BE RECEIVED; and,
- (2) That Council for the Township of West Lincoln hereby approve and authorize the development of the new Fire Hall in accordance with the site plan prepared by Raimondo & Associates Architects Inc. dated September 23, 2009; and,
- (3) That, Staff be authorized to survey and process the conveyance of the proposed road allowance widening to the Region of Niagara as shown on the Site Plan and that a by-law be approved to authorize

the Mayor and Clerk to sign all necessary documents to complete this conveyance.)

- REFERRED (see below)

Moved by Alderman Norm Johnson and seconded Alderman John Glazier:

That, the recommendation contained in report PD-145-09 be amended to delete recommendation # 3.

- **LOST**

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

That, Item P121-09 (Report No. PD-145-09, dated October 13, 2009 - Site Plan Authorizing By-law - Township's Administration Property) be referred to back to staff to review options relating to the survey / land conveyance issues.

- Carried

**ITEM P128-09(iii) - Press Release Protocol**

Alderman Johnson stated that he felt the proposed Press Release Protocol would be a waste of time and money.

There was much discussion among Members of Council regarding the proposed policy and getting accurate facts and information out to the public.

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

That, Item P128-09(iii) from the October 13, 2009 Planning/Building/Environmental Committee meeting be approved:

(ITEM P128-09(iii)

That, the CAO be directed to investigate and prepare a press release protocol for the Township of West Lincoln including associated costs.)

- Carried

(b) Administration/Finance/Fire Committee

Re: October 19, 2009 Minutes

NOTE: CONFIDENTIAL MINUTES UNDER SEPARATE COVER

**SUMMARY OF RECOMMENDATIONS:**

a) ITEM A79-09

(1) That, Report RFD-C-12-09, dated October 19, 2009, regarding the "Joint Accessibility Advisory Committee – 2009/2010 Accessibility Plan" be received; and,

(2) That, the 2009/2010 Accessibility Plan, dated September 30, 2009, as prepared by the Joint Accessibility Advisory Committee, attached as Schedule "A" to this report (West Lincoln extract only), be approved; and,

- (3) That, cost estimates relating to the recommendations contained in the current and past Accessibility Plans, be forwarded for consideration during the 2010 Budget deliberations, as required.
- b) ITEM A80-09
- (1) That, the Treasurer Report RFD-T-21-09, regarding "PSAB 3150 Tangible Capital Assets Policy" be received; and,
- (2) That, Council hereby approves and adopts POL-T-01-09 "PSAB 3150 Tangible Capital Asset Policy" attached as Schedule A to this report.
- c) ITEM A83-09
- RECOMMENDATION #1:  
The Administration/Finance/Fire Committee approve the following Consent Agenda Items:
- (1) Items 1, 2 & 3 be hereby received for information, with the exception of Item 1 and 2.  
(ITEM A83-09(3)
3. West Lincoln Public Library Board Meeting – Minutes of September 10, 2009)
- RECOMMENDATION #2 (Item A83-09) (1)  
That, the Treasurer's Report RFI-T-08-09, regarding Financial Update – Operating & Capital (September 2009), dated October 19, 2009, be received.
- RECOMMENDATION #3 (Item A83-09) (2)  
That, the Treasurer Report RFI-T-07-09, regarding the "OMPF Review of Calculation", be received for information.
- d) ITEM A84-09
- AMENDMENT TO BUDGET:
- (1) That, Report No. WLCB 09-01 Reallocation of Capital Budgeted Funds dated October 19, 2009 be accepted, and
- (2) That, the balance of \$6,350.00 in surplus funds in the 2009 Cemetery Capital Budget be reallocated to include driveway upgrades in various locations as prioritized by The West Lincoln Cemetery Board.
- e) ITEM A85-09
- RECOMMENDATION #1:
- (1) That, Report RFD-C-13-09 "Pheasant & Rabbit Hunting License By-law" be received; and,
- (2) That, By-law 2004-31, "being a by-law to provide for the issuing of, and charging fees for licenses to hunt ring-necked pheasants, cottontails, varying hares and European hares within the Township of West Lincoln", be repealed.

RECOMMENDATION #2: (Amendment):

That, recommendation # 2 be amended to delete "be repealed" and add the following in lieu thereof;

"be amended to delete the requirement for a license fee for residents and to properly reflect the reference to "ring-necked pheasants, cottontail, varying hares and European hares".

f) ITEM A86-09

That, the correspondence from the Town of New Tecumseth, dated August 12, 2009, requesting support of their resolution which resolves:

"That the Provincial government be requested to consider that the GST and PST harmonization not include any items, goods or services that are currently subject to only one of the taxes not be subject to the other, so that no new taxation is created",

be received and supported.

g) ITEM A88-09

That, the Deputy Treasurer's Report RFD-T-09, on Section 357 Application #09-13 dated October 19, 2009, be received and that the application be denied.

h) ITEM A89-09

(1) That CAO Report RFD-CAO-06-09, dated October 19, 2009, regarding "Insurance Claim Payment Authorization", be received; and,

(2) That the CAO be and is hereby delegated the authority to administer, approve and finalize insurance claims, as outlined in this report.

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 October 19, 2009, be received and that the recommendations contained therein, be approved, with the exception of Item No. A80-09 and A85-09.

That the confidential minutes of the closed session portion of the October 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

**ITEM A80-09 - Report RFD-T-21-09, regarding “PSAB 3150 Tangible Capital Assets Policy”**

Alderman Johnson noted his concern regarding the significant cost involved as a result of the implementation of PSAB and questioned what the benefit was to the municipality. Alderman Johnson further noted that he was concerned that this type of accounting requirement would be imposed on farmers next.

There was much discussion among Members of Council regarding the role of Chartered Accountants in this issue, funding implications, cost, transparency and practicality.

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

That, Item A80-09 from the October 19, 2009 Administration/Finance/Fire Committee meeting be approved:

(ITEM A80-09

- (1) That, the Treasurer Report RFD-T-21-09, regarding “PSAB 3150 Tangible Capital Assets Policy” be received; and,
- (2) That, Council hereby approves and adopts POL-T-01-09 “PSAB 3150 Tangible Capital Asset Policy” attached as Schedule A to this report.)

- Carried

**ITEM A85-09-Report RFD-C-13-09 “Pheasant & Rabbit Hunting License By-law**

Alderman Glazier stated that he was not in favour of this license by-law as hunters are already charged another license fee and noted that it was not cost effective and, in his opinion, an exercise in futility.

Alderman Joyner stated that he felt it should be either left status quo (with both non-resident and resident hunters being required to pay a license fee) or it should be eliminated in its entirety.

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

That, Item A85-09 (as amended) from the October 19, 2009 Administration/Finance/Fire Committee meeting be approved:

(ITEM A85-09 (as amended)

- (1) That, Report RFD-C-13-09 “Pheasant & Rabbit Hunting License By-law” be received; and,
- (2) That, By-law 2004-31, “being a by-law to provide for the issuing of, and charging fees for licenses to hunt ring-necked pheasants, cottontails, varying hares and European hares within the Township of West Lincoln”, be amended to delete the requirement for a license fee for residents and to properly reflect the reference to “ring-necked pheasants, cottontail, varying hares and European hares”.)

- Carried

**8. RECONSIDERATION:**

- (a) Alderman Douglas Joyner  
Re: Item A71-09 from the September 21, 2009 Administration/Finance/Fire Committee meeting as approved at September 28, 2009 Council Meeting - Sunday Gun Hunting Issue

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

That, Item A71-09 from the September 21, 2009 Administration/Finance/Fire Committee meeting as approved at September 28, 2009 Council Meeting, regarding Sunday Gun Hunting, be reconsidered.

- LOST

**9. NOTICE OF MOTION:**

There were no notices of motion.

**10. OTHER BUSINESS:**

- (a) Director of Planning & Building  
Re: Appointment - By-law Enforcement Officer and Building Inspector/By-law Enforcement Officer  
Received for Information

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

1. Alderman John Glazier  
Re: New Item of Business

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

That, leave be granted to introduce a new item of business, being an invitation to LHIN (Local Health Integration Network) to come to West Lincoln.

- Carried

In response to Alderman Merritt's inquiry regarding whether she should have declared her conflict prior to the introduction of the new item of business, Mayor Trombetta stated that the motion was only to approve whether or not Council would agree to introduce the matter and not a vote on any issue relating to the LHIN itself.

Alderman Merritt declared a conflict of interest relating to the new item of business which related to the LHIN as she was a Niagara Health System employee. Alderman Merritt did not take part in discussion nor voting with respect to this matter.

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

That, staff be directed to invite LHIN to a future Administration/Finance/Fire Committee meeting.

- **LOST**

2. Alderman Sue-Ellen Merritt

Re: Regional Correspondence – Promote Agri-Tourism – Grape & Wine

Alderman Merritt noted her concern regarding a recently received Regional document relating to the promotion of agri-tourism (Notice of Adoption – Regional Policy Plan Amendment 3-2008 - Wine Country Policies”). Alderman Merritt questioned what they were calling sustainable growth and stated that if it is exempt from approval and the decision is final if there is no appeal, she needed to understand what sustainable growth was.

The CAO advised that he had the same question and that was why Council was copied, noting that this issue would be included in the correspondence to the OMB relating to the Township’s appeal.

Alderman Merritt stated that the appeal period had passed and we may have missed a good opportunity.

Mayor Trombetta suggested that the matter be left with the CAO and he would check into it.

3. Alderman Sue-Ellen Merritt

Re: Truck Route Master Plan

In response to Alderman Merritt’s inquiry regarding what the impact to the Township would be with respect to the recently circulated Truck Route Master Plan from the City of Hamilton, the CAO advised that staff would be attending the session.

4. Alderman Norm Johnson

Re: Reconsideration – Sunday Gun Hunting Issue

Alderman Johnson noted his displeasure at not being able to speak to the Sunday gun hunting issue.

Mayor Trombetta explained that Alderman Johnson could have spoken to the Sunday gun hunting matter if the reconsideration motion had been approved. Mayor Trombetta further stated that the reason she did not support the motion to reconsider Sunday gun hunting was because it was one-sided in that only the pro-Sunday gun hunting advocates were lobbied to attend this evening’s meeting.

**11. BY-LAWS:**

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

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

- (a) By-law 2009-109 To confirm proceedings of September 28, 2009 regular Council meeting
- (b) By-law 2009-110 To repeal By-law 2007-32 which authorized a Site Plan Agreement with Joyani Inc. and Royal Bank of Canada on lands described as Part of Lot 6, Concession 8 (Part 3 on Plan 30R-8813), former Township of South Grimsby, Township of West Lincoln
- (c) By-law 2009-111 Zoning By-law Amendment - Walter and Hazel Las
- (d) By-law 2009-112 To authorize an amendment to the existing Site Plan Agreement with Wes-Li Gardens Inc. by signing an amending agreement with R.V.L. Contracting Inc. and Jenny Smit
- (e) By-law 2009-113 To designate a Community Improvement Project Area  
- Carried

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

That, By-laws 2009-109, 2009-110, 2009-111, 2009-112 and 2009-113 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 Mary Dinga and seconded by Alderman Mike Rehner:

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

- (a) By-law 2009-114 To adopt a Sustainable Downtown Smithville Community Improvement Plan
- (b) By-law 2009-115 To appoint Tabitha Talbot as Municipal Law Enforcement Officer for the Corporation of the Township of West Lincoln
- (c) By-law 2009-116 To appoint a Building Inspector and Municipal Law Enforcement Officer for the Corporation of the Township of West Lincoln – John Boerema

- (d) By-law 2009-117 To appoint a Chief Building Official, Municipal Law Enforcement Officer and Property Standards Officer for the Corporation of the Township of West Lincoln (Tom Neufeld)

- Carried

Moved by Alderman Mary Dinga and seconded by Alderman Mike Rehner:

That, By-laws 2009-114, 2009-115, 2009-116 and 2009-117 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. personal matters about an identifiable individual, including municipal or local board employees

- Carried (9:12 p.m.)

Mayor Trombetta declared a brief recess and the meeting resumed at approximately 9:20 p.m.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, this Council meeting does now resume in open session at 9:25 p.m.

- Carried

- (a) CAO  
Re: Personnel Matter – Identifiable Individual – Staff Update

Council rose without reporting.

**13. ADJOURNMENT:**

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

That, this Council meeting does now adjourn at the hour of 9:26 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried