

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. EIGHTEEN HELD: Monday, November 24, 2008 - 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
Brian Treble, Director of Planning
Stephanie Nagel, Treasurer/Director of Finance

Others: Stephen Butz, CEO - YMCA*
Greg Shupe, Chair, YMCA Board of Directors*
Liz Palmieri, Niagara Community Foundation*
John Corlett *
Allard Colyn *
Diane Willis *
Dave Willis *
Jim Green *
Ginny Heyens *
Peter Rhodes *
3 other Members of the Public *

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

* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman Mike Rehner

2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

There were no disclosures of pecuniary interest/conflicts of interest declared by any Members of Council.

3. **COMMENTS FROM THE PUBLIC:**

There were no comments from any Members of the Public.

4. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
October 27, 2008

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

That, the minutes of the October 27, 2008 regular Council meeting be accepted without errors or omissions.

- Carried

- (b) Council Minutes – Special
November 5, 2008

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

That, the minutes of the open session portion of the November 5th, 2008 Special Council meeting be accepted without errors or omissions.

That the minutes of the closed session portion of the November 5th, 2008 special 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

- (c) Public Meetings under the Planning Act
November 10, 2008 Minutes

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

That, the minutes of a public meeting held on November 10, 2008, under Section 34 of the Planning Act, with respect to:

- (a) a Zoning By-law Amendment application – Artistic Iron Works (File No. 1601-017-08)

be accepted.

- Carried

- (d) Consultation Meeting Under the Consultation Process for Wireless Telecommunication Facilities (Barrett Xplornet)
November 10, 2008 Minutes

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

That, the minutes of the Consultation Meeting under the Consultation Process for Wireless Telecommunication Facilities, held on November 10, 2008 with respect to:

1. an application by Barrett Xplornet to Industry Canada to establish a wireless telecommunication tower for wireless internet service on property municipally known as 1607 Abingdon Road (Abingdon Meat Packers) be accepted.
- Carried

5. COMMUNICATIONS:

There were no communications.

6. APPOINTMENTS/PRESENTATIONS:

- (a) Ms. Liz Palmieri, Niagara Community Foundation
Re: Presentation – Proceeds from Mayor’s Golf Tournament

Ms. Palmieri provided an update on activities in West Lincoln and overview of the programs funded by the Niagara Community Foundation and then presented a cheque to Mayor Trombetta in the amount of \$2,900.00 which represented her share of the proceeds from the Mayor’s Charity Golf Tournament.

Mayor Trombetta announced that the funding commitment made by the Mayors of Lincoln, Grimsby and West Lincoln, to the McNally House in Grimsby had been fulfilled as the final donation was made from proceeds from this year’s Mayor’s Golf Tournament. Mayor Trombetta further stated that she would be donating a portion of her proceeds to West Lincoln Community Care and would be donating the balance to undetermined recipients.

Mayor Trombetta thanked Ms. Palmieri for the update and thanked her and the foundation for their dedication and commitment to the community.

- (b) Mr. Stephen Butz, CEO and Greg Shupe, Chair, YMCA Board of Directors
Re: Report and Recommendation – West Niagara Project

Mr. Shupe read from a prepared statement which is attached as Schedule “A” to these minutes.

Mr. Peter Rhodes read from a prepared statement which is attached as Schedule “B” to these minutes.

Mr. Butz reviewed a slide presentation which is attached as Schedule “C” to these minutes and responded to questions from Members of Council.

There was general discussion regarding the cost, current economic conditions, competing priorities, local support, convenience of access for rural residents, operational costs, lack of facilities for specific groups, extension for payment option, etc.

Mayor Trombetta advised that a decision on this matter was not going to be made this evening and suggested that Members of Council contact Mr. Butz and request a tour of the Welland YMCA as it would be beneficial to see the facility prior to dealing with this matter.

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

That, the "YMCA Niagara Report and Recommendation - West Niagara Project", dated October 2008, as presented by Mr. Stephen Butz, CEO and Mr. Greg Shupe, Chair, YMCA Board of Directors; be received and referred to staff for financial analysis.

- Carried

7. REPORT OF COMMITTEE:

- (a) Planning/Building/Environmental Committee
Re: November 10, 2008 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM P174-08
- (1) That, Report PD-133-08 dated November 10, 2008 relating to "Niagara 2031, Preferred Option D" as released on October 23, 2008, BE RECEIVED; and,
 - (2) That, the Township hereby requests that Regional Council agree and support sustained growth in Smithville, Township of West Lincoln, which is good for the Region and good for the Township of West Lincoln, is consistent with the intent of Provincial Planning Policy, Places to Grow and the Regional Policy Plan, is part of a Grow South planning strategy, and assists the Region in implementing a Regional medium growth option; and,
 - (3) That, the Regional Chair, Regional Council, Regional Staff, the Province and our local MPP be notified that the Township of West Lincoln opposes the Preferred Option D report as currently presented; and,
 - (4) That, the Township of West Lincoln recommends that the Preferred Option D is premature since the option notes that further study should be completed which does not provide any certainty to the residents of West Lincoln; and,
 - (5) That, the Township of West Lincoln recommends that a period of public consultation should be completed along with the recommended studies for West Lincoln prior to the Region of Niagara approving a preferred option; and,
 - (6) That, Staff of the Township of West Lincoln and the consulting firm of BLS Planning Associates Inc. be authorized to initiate an amendment to the Regional Policy Plan to include urban boundary expansion in Smithville as outlined in our Consultant's Growth Strategy; and,
 - (7) That, the Township of West Lincoln encourages the Region of Niagara's Public Works Staff to continue to complete the

- “Regional Sewer Servicing Upgrades Study” for Smithville to accommodate the Township’s preferred growth option.
- Carried AS AMENDED (see below).

AMENDMENT:

That, the following new section 8 be added to the recommendation contained in Report No. PD-133-08

- (8) That, staff be authorized to forward this recommendation to the parties contained in Clause 3 above prior to ratification by Council.

(b) ITEM P178-08

- (1) That Report PD-136-08, dated November 10, 2008 regarding an Extension of Draft Plan Approval for Station Meadows North, (Phase IV) Plan of Subdivision BE RECEIVED; and,
- (2) That, the Draft Plan Approval for Station Meadows North (Phase IV) Plan of Subdivision be extended for a period of 2 years to expire on March 7, 2011.

(c) ITEM P175-08

- (1) That, Technical Report No. PD-134-08, dated November 10, 2008, relating to Zoning By-law Amendment application 1601-017-08 in the name of Artistic Iron Works Ltd., BE RECEIVED; and
- (2) That, a Recommendation Report be prepared once the outstanding site plan and Building Code issues have been resolved.

(d) ITEM P176-08

- (1) That, Report No. PD-138-08, dated November 10, 2008, relating to a proposal for a wireless telecommunication tower by Barrett Xplornet, BE RECEIVED; and
- (2) That, Staff be and are hereby authorized to send a letter to Barrett Xplornet advising that the Township of West Lincoln has no objections to their tower proposal subject to the installation of anti climbing shields and requests that Barrett Xplornet obtains a Building Permit prior to constructing the tower; and
- (3) That, Staff be and hereby authorized to take this required action prior to ratification by the Council of the Township of West Lincoln

(e) ITEM P177-08

- (1) That Report No. PD-139-08, dated November 10, 2008 regarding a Site Plan Authorizing By-law to authorize a new Site Plan Agreement for J.W. Sheldrick Ltd. BE RECEIVED; and

- (2) That a By-law be adopted for the purpose of authorizing the Mayor and Clerk to enter into a new Site Plan Agreement between the Township of West Lincoln and J.W. Sheldrick Ltd.; and
 - (3) That the site plan agreement previously registered by By-law No. 97-54 be repealed once the replacement agreement has been registered.
- (f) ITEM P179-08
- (1) That, Report No. PD-117-08, dated November 10, 2008, relating to initiating an Official Plan Amendment for the Wade Road Secondary Plan, BE RECEIVED; and
 - (2) That, Planning Staff be and are hereby authorized to hold a public meeting at the January 12, 2009 Planning/Building/Environmental Committee Meeting, or a subsequent Committee meeting, in accordance with the *Planning Act*.
- (g) ITEM P180-08
- (1) That Report No PD-133-08, dated November 10, 2008, relating to an Authorizing By-law for an Amending Site Plan Agreement between the Township of West Lincoln and Grimsby Classic Homes (1988) Ltd., a Condominium Corporation (to be named) and Morris Wright and the Effort Trust Company, 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 Grimsby Classic Homes (1988) Ltd., a Condominium Corporation (to be named) Morris Wright and the Effort Trust Company, BE APPROVED.
- (h) ITEM P181-08
- (1) That, Report No. PD-132-08, dated November 10, 2008, relating to a public meeting to consider proposed Wind Energy Zoning By-law regulations, be RECEIVED; and
 - (2) That, a Public Meeting regarding the proposed Wind Energy Zoning By-law Regulations be held at the January 12, 2009 meeting of the Planning/Building/Environmental Committee, in accordance with the Planning Act.
- (i) ITEM P182-08
- (1) That, Report No. PD-135-08, dated November 10, 2008, regarding information on the designation of the former Veloris and Theda Moot house and barn, "Brandywine Farm", BE RECEIVED; and

(2) That, a by-law be put forward for approval designating the former Veloris and Theda Moot house and barn on Brandywine Farm, located at 2663 Moot Road as buildings of architectural, historic and contextual value or interest.

(j) ITEM P184-08
That, the Building Permits Report for October 2008, with an estimated cost (value of construction) of \$1,373,500.00 be received.

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

That, the minutes of the Planning/Building/Environmental Committee meeting held on November 10, 2008, be received and that the recommendations contained therein, be approved, with the exception of Item no. P174-08.

- Carried **AS AMENDED (see below)**.

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

That, the November 10, 2008 Planning/Building/Environmental Committee minutes be amended by replacing the words "taxes" in paragraph 2, of Item (a) on page 11 (MPAC Inquiry), with the word "assessment".

- Carried

ITEM P174-08 - Report No. PD-133-08 – Recommendation Report - Niagara 2031, Preferred Option D as released on October 23, 2008

Alderman Rehner requested a recorded vote on this matter and noted his concern that the current economic conditions would impact the growth that was anticipated in West Lincoln thus negate the need for the urban boundary expansion. Alderman Rehner stated that the theory that houses should be built first which would bring commercial/industrial growth would backfire under the current economic conditions.

Alderman Glazier stated that he disagreed with Alderman Rehner and wholeheartedly supported the recommendation put forward by the Director of Planning regarding this matter.

Alderman Merritt stated that it was responsible planning to plan ahead for expansion as it takes a number of years to implement and by proceeding now, the expansion should be in place once the economy changes.

Alderman Johnson noted that the Region's position was upsetting as they knew that the Township's long range plan was to include Leisureplex lands in the urban boundary.

Alderman Rehner stated that he was not against growth in West Lincoln but was only in support of moderate growth under the current economic conditions.

Mayor Trombetta acknowledged that she had made the statement that if homes were built, commercial/industrial development would follow. Mayor Trombetta further stated that she supported the proposed urban boundary expansion in order to include the Leisureplex lands in the urban boundary for the benefit of residents in the future.

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

That, Item P174-08 from the November 10, 2008 Planning/Building/Environmental Committee minutes be approved.

(ITEM P174-08

- (1) That, Report PD-133-08 dated November 10, 2008 relating to "Niagara 2031, Preferred Option D" as released on October 23, 2008, BE RECEIVED; and,
- (2) That, the Township hereby requests that Regional Council agree and support sustained growth in Smithville, Township of West Lincoln, which is good for the Region and good for the Township of West Lincoln, is consistent with the intent of Provincial Planning Policy, Places to Grow and the Regional Policy Plan, is part of a Grow South planning strategy, and assists the Region in implementing a Regional medium growth option; and,
- (3) That, the Regional Chair, Regional Council, Regional Staff, the Province and our local MPP be notified that the Township of West Lincoln opposes the Preferred Option D report as currently presented; and,
- (4) That, the Township of West Lincoln recommends that the Preferred Option D is premature since the option notes that further study should be completed which does not provide any certainty to the residents of West Lincoln; and,
- (5) That, the Township of West Lincoln recommends that a period of public consultation should be completed along with the recommended studies for West Lincoln prior to the Region of Niagara approving a preferred option; and,
- (6) That, Staff of the Township of West Lincoln and the consulting firm of BLS Planning Associates Inc. be authorized to initiate an amendment to the Regional Policy Plan to include urban boundary expansion in Smithville as outlined in our Consultant's Growth Strategy; and,
- (7) That, the Township of West Lincoln encourages the Region of Niagara's Public Works Staff to continue to complete the "Regional Sewer Servicing Upgrades Study" for Smithville to accommodate the Township's preferred growth option.
- (8) That, staff be authorized to forward this recommendation to the parties contained in Clause 3 above prior to ratification by Council.)

A Recorded Vote was requested by Alderman Mike Rehner:

	<u>Yes</u>	<u>No</u>
Alderman Mary Dinga	x	
Alderman John Glazier	X (as amended at the Dec 15/08 Council Mtg.)	
Alderman Norm Johnson	x	
Alderman Douglas Joyner	x	
Alderman Sue-Ellen Merritt	x	
Alderman Mike Rehner		x
Mayor Katie Trombetta	x	
Total	<u>6</u>	<u>1</u>

- Carried.

- (b) Administration/Finance/Fire Committee
Re: November 17, 2008 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM A105-08
That, the "Communication of Audit Results for the Year Ending December 31, 2007" and the "Financial Report 2007" (2007 Audited Financial Statements)", be approved as presented.
- (b) ITEM A108-08
That, the Joint Accessibility Advisory Committee minutes of meetings held on July 22, September 10 & September 23, 2008 be received for information.
- (c) ITEM A109-08
That, the West Lincoln Cemetery Board minutes of a meeting held on June 4, 2008 be accepted.
- (d) ITEM A110-08
That, the West Lincoln Cemetery Board minutes of a meeting held on August 6, 2008 be accepted.
- (e) ITEM A111-08
That, the West Lincoln Cemetery Board minutes of a meeting held on September 3, 2008 be accepted.
- (f) ITEM A112-08
(1) That, Report RFD-C-18-08, dated November 17, 2008, regarding the "Joint Accessibility Advisory Committee – 2008/2009 Accessibility Plan" be received; and,
(2) That, the 2008/2009 Accessibility Plan, dated September 30, 2008, 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 recommendations contained in current and past Accessibility Plans, be forwarded for consideration during the 2009 Budget deliberations, as required.

- (g) ITEM A113-08
 - (1) That, Report No. PD-141-08, dated November 17, 2008, relating to future By-law Enforcement and Property Standards reports be received; and,

 - (2) That, future By-law Enforcement and Property Standards reports be presented to Planning/Building/Environmental Committee by Township staff on a quarterly basis, or more frequently as required.

- (h) ITEM A114-08
 - (1) That, Report RFD-C-19-08 regarding "Amendment to Procedural By-law # 2003-48 relating to the Council Meeting Schedule and Related Notice Provisions", dated November 17, 2008, be received; and,

 - (2) That, Section 2.3 and 3.1(c) of by-law 2008-48 be amended as recommended in report RFD-C-19-08.
 - Carried AS AMENDED (SEE BELOW)

- AMENDMENT:

That, the proposed wording for Section 3.1(c) - Clerk's Notice, as contained in report RFD-C-19-08, be further amended by replacing the words "a majority of" with the word "that all" and adding the words "a majority" before the words "have given their consent to".

- (i) ITEM A121-08

That, a report be prepared detailing the annual cost to have Planning staff in attendance at Planning/Building/Environmental Committee meetings.

- (j) ITEM A117-08

That, the Deputy Treasurer's Report RFD-F-12-08, on Section 357 Application #08-24, dated November 17, 2008, be received and that the application be denied.

- (k) ITEM A119-08
 - (1) That, Treasurer/Director of Finance Report RFD-F-11-08, regarding a "Personnel Matter-Staffing", be received; and,

 - (2) That the recommendations contained therein be approved.

- (l) ITEM A118-08
That, the Deputy Treasurer's Report RFD-F-13-08, on Section 357 Tax Write Offs, dated November 17, 2008 be received and that the attached list of applications be approved.

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 November 17, 2008, be received and that the recommendations contained therein, be approved, with the exception of Item no. A121-08.

That the minutes of the closed session portion of the November 17, 2008 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 AS AMENDED (see below).

Moved by Alderman Mary Dinga and seconded by Alderman John Glazier:

That, the November 17, 2008 Administration/Finance/Fire Committee minutes be amended as follows:

- (1) Remove the word "created" on the 1st line, in the 1st paragraph on page 7 under Item A116-08 (Niagara Regional Police By-law Booklet); and,
- (2) Change Item A118-08 of Other Business Item 8 (d) to A121-08; and,
- (3) Change Item A117-08 of Other Business Item 8 (c) to A122-08; and,
- (4) Change Item A119-08 of Other Business Item 8 (e) to A123-08.

- Carried

ITEM A121-08 - Planning Staff Attendance at Committee Meeting

Mayor Trombetta stepped down from the Chair at approximately 8:20 p.m. in order to address Item A121-08 and Alderman Joyner assumed the position of Chair.

Mayor Trombetta advised that she was not in attendance at the meeting when this matter was discussed and wished to advise Members of Council of her concerns regarding this issue. Mayor Trombetta stated that staff attendance provided exposure, training and succession planning opportunities as well as provided Members of Council proper access to all pertinent information which the staff members had investigated on behalf of the Director of Planning.

There was general discussion regarding the value of a detailed cost analysis and the Director of Planning & Building confirmed that the planners take time off in lieu for attendance at evening meetings.

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

That, Item A121-08 from the November 17, 2008 Administration/Finance/Fire Committee minutes be approved.

(ITEM A121-08

That, a report be prepared detailing the annual cost to have Planning staff in attendance at Planning/Building/Environmental Committee meetings.)

- **LOST**

Alderman Joyner stepped down from the Chair and Mayor Trombetta re-assumed the position of Chair at approximately 8:40 p.m.

- (c) Public Works/Recreation/Arena Committee
Re: November 17, 2008 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM PW130-08
That, the petition received on behalf of residents of the unpaved portion of Tober Road (between Regional Road 14 & Sixteen Road), requesting that Tober Road be considered in the 2009 budget for tar and chipping ; be received and referred to the 2009 budget discussions.
- (b) ITEM PW131-08
That, the West Lincoln Public Library Board Minutes of a meeting held on July 10, 2008 be accepted with the exception of Item # 2.
- Carried AS AMENDED (see below)

AMENDMENT:

That, recommendation #2, be referred to the Library Board with the request to receive the complete policy regarding trespassing:
(Rec. # 2 ""That, the Trespass Policy be accepted as written."")

- (c) ITEM PW132-08
That, the West Lincoln Public Library Board Minutes of a meeting held on September 18, 2008 be accepted.
- (d) ITEM PW133-08
That, the West Lincoln Public Library Board Minutes of a meeting held on October 2, 2008 be referred to the Library Board for further clarification.
- REFERRED (see below)

REFERRAL MOTION:

That the October 2, 2008 West Lincoln Public Library Board Minutes be referred back to the Library Board for clarification on/copies of items 1, 2, 3 and 4.

(e) ITEM PW134-08
THAT, Report RFI-D-03-08 regarding "November 2008 Drainage Program Update-Township of West Lincoln" be received for information.

(f) ITEM PW135-08
RECOMMENDATION # 1:
That, report RFI PW-60/2008, re: Proposed Amendments to the Certificate of Approval for Modern Corporation/J.W. Sheldrick Sanitation Ltd., dated November 17, 2008, be received for information.

RECOMMENDATION # 2:
That, staff be directed to write a letter to Modern Corporation and the Ministry of Environment informing them of the Committee concerns with respect to the proposed amendment to their Certificate of Approval.
- Carried AS AMENDED (see below)

AMENDMENT:
That, the following be added to the recommendation relating to the letter to Modern Corporation and the Ministry of the Environment:
"and that the CAO be directed to contact the Ministry of Environment to advise them that a written response will be forthcoming; and, should it be determined that time is of the essence, that the CAO be authorized to forward the letter prior to ratification of the recommendation by Council and prior to Council's review of the letter."

(g) ITEM PW136-08
1. That, report RFD PW-61/2008, re: Declaration of Public Highway Georgakakos Drive and Harvest Gate, dated November 17, 2008, be accepted, and;
2. That, a bylaw be presented to Council to declare a portion of Georgakakos Drive and Harvest Gate a Public Highway.

(h) ITEM PW137-08
1. That, Report RFD PW-62/2008, re: Smoking Ban at Arena Entrance, dated November 17, 2008, be received; and,
2. That, a bylaw be presented to a future Council meeting to ban smoking within 9 metres of the public entrances to the West Lincoln Arena and Community Centre.

(i) ITEM PW138-08
That, Report RFI PW-63/2008, re: Regional Municipality of Niagara Bylaw to Regulate the Use of the Solid Waste Management System 95-2008, dated November 17, 2008, be received for information.

(j) ITEM PW139-08
1. That, Report RFD PW-64/2008, re: 2008 Streetlight Program dated November 17, 2008 be accepted, and;

2. That, the attached streetlight program for 2008 be accepted as contained in this report.

(k) ITEM PW140-08
That, the Mayor be authorized to advise the City of Hamilton that the Township of West Lincoln strongly opposes the installation of roundabouts on Regional Road 56 due to truck traffic diversion concerns.

(l) ITEM PW142-08
That, staff be authorization to proceed as directed in closed session.

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

That, the minutes of the open session portion of the Public Works/Recreation/Arena Committee meeting of a meeting held on November 17, 2008, be received and that the recommendations contained therein, be approved.

That the minutes of the closed session portion of the November 17, 2008 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) Members of Council
Re: Other Business Items

1. Mayor Trombetta
Re: Coyote Issue Update

Mayor Trombetta advised that the issue of the pilot project relating to coyotes at the landfill site was referred back to regional staff for further review.

(b) CAO
Re: New Item of Business – Personnel Matter – Identifiable Individual – Staffing Issue

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

That, leave be granted to introduce a new item of business being a personnel matter – Identifiable Individual – Staffing Issue.

- Carried

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 2008-138 To confirm proceedings of October 27, 2008 regular and November 5, 2008 Special Council meetings.
- (b) By-law 2008-139 To authorize an Amending Site Plan Agreement with J.W. Sheldrick Ltd. (and repeal 97-54 once the replacement agreement has been registered)
- (c) By-law 2008-140 To authorize an Amending Site Plan Agreement with Grimsby Classic Homes (1988) Ltd., a Condominium Corporation (to be named) , Morris Wright and the Effort Trust Company.
- (d) By-law 2008-141 To designate the property known municipally as 2663 Moote Road, Part Lot 4, Part Road Allowance between Lots 3 & 4, Concession 6, Former Township of Gainsborough Township of West Lincoln (Veloris & Theda Moot Farmhouse and Barn on “Brandywine Farm”)

- Carried.

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

That, By-laws 2008-138, 2008-139, 2008-140 and 2008-141 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 Douglas Joyner 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 2008-142 To amend By-law 2003-48 which adopted rules for procedures of Council and Committees thereof. (Amend Sections 2.3 Meeting Schedule & 3.1(c) Clerk’s Notice)

- (b) By-law 2008-143 To assume Block 69 on Harvest Gate, Township of West Lincoln, as a public road in Anastasio Estates – Phase III, Plan 30M-343, Township of West Lincoln
 - (c) By-law 2008-144 To assume Block 70 on Georgakakos Drive, Township of West Lincoln, as a public road in Anastasio Estates–Phase III, Plan 30M-343, Township of West Lincoln
 - (d) By-law 2008-145 To prohibit the smoking of tobacco at entrances to Township owned facilities
- Carried.

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

That, By-laws 2008-142, 2008-143, 2008-144 and 2008-145 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 AS AMENDED (see below)

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

That, By-law 2008-142 be amended by removing the word “following” under Section 2.3(i); and,
That, By-law 2008-145 be amended by removing the words “of Tobacco” in the preamble.

- Carried

12. CONFIDENTIAL MATTERS:

The Clerk, the CAO and the Director of Planning were in attendance during portions of the closed session deliberations.

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

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 labour relations and/or employee negotiations (including municipal or local board employees);
- Carried (9:00 p.m.)

Council took a brief 10 minute recess at approximately 9:00 p.m. and reconvened at approximately 9:10 p.m.

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

That, this Council meeting does now resume in open session at 9:53 p.m.

- Carried

- (a) CAO
Re: Personnel Matter – IT Services

Council rose without reporting.

- (b) Director of Planning & Building
Re: Identifiable Individual/Personnel – Planning Consulting Services

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

That staff be directed to hire a planning/economic consulting firm to support BLS Planning Consulting and strengthen our growth strategy justification report
- Carried

- (c) CAO
Re: New Item of Business – Personnel Matter – Identifiable Individual – Staffing Issue

Council rose without reporting.

10. OTHER BUSINESS: (cont'd)

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

2. Alderman Norm Johnson
Re: Certificate of Approval – Modern/Sheldrick

Alderman Johnson inquired regarding the letter that was to be drafted by the CAO and sent to the Ministry of the Environment regarding concerns relating to the request for an amendment to the Certificate of Approval for Modern/Sheldrick.

After much discussion, it was the consensus of Council that the CAO invite the representatives from Modern/Sheldrick to the December 1, 2008 Planning/Building/Environmental Committee meeting to further discuss the concerns of Council prior to sending the communication regarding this matter to the Ministry of the Environment.

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 10:30 p.m. and if a special meeting is required it will be at the call of the Mayor.
- Carried