



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. FOUR

March 22, 2021, 6:45 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Dave Bylsma
Councillor Cheryl Ganann
Councillor Harold Jonker
Councillor Mike Rehner
Councillor William Reilly
Councillor Jason Trombetta
Councillor Shelley Bradaric

Staff: Joanne Scime, Clerk
Bev Hendry, CAO
Donna DeFilippis, Treasurer/Director of Finance*

Others: Regional Councillor Albert Witteveen*

***IN ATTENDANCE PART-TIME**

1. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST (CLOSED SESSION ONLY)**

There were no Members of Council that declared a pecuniary interest and/or conflict of interest with respect to the closed session item.

2. **CONFIDENTIAL MATTERS**

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

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:

2.1 Treasurer/Director of Finance

Re: Property Matter - Confidential IT Matter

Applicable closed session exemption:

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(a) the security of the property of the municipality or local board.

Carried

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

That, this Council meeting does now resume in open session at the hour of 7:25 p.m.

- 2.1 Treasurer/Director of Finance (Donna DeFilippis)
Re: Property Matter - Confidential IT Matter

Council rose without reporting.

3. SINGING OF "O CANADA"

Prior to commencing with the Council meeting, Mayor Bylsma provided the following announcements:

1. Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to jscime@westlincoln.ca before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record.
3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

4. OPENING PETITION - Councillor Mike Rehner

5. CHANGE IN ORDER OF ITEMS ON AGENDA

There were no changes in order of items on the agenda.

6. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

There were no Members of Council that declared a pecuniary interest and/or conflict of interest.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

Mr. Jamie Wichartz, Deliveries Unlimited, advised that he wished to speak to Other Business Item 16.1 being delivery of flyers in the rural area of West Lincoln. Mr. Wichartz stated that Deliveries Unlimited was a local business that delivers flyers along with the NewsNow Newspaper publication and that although

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there are two different flyer packages; they are painted with the "same brush". Mr. Wichartz advised that Deliveries Unlimited flyer package is directly delivered into the roadside mailboxes in the rural area but noted that there are instances in St. Ann's, Wellandport and Grassie whereby there are no roadside mailboxes as these homes have inside box folders and as such there was no other choice but to throw the flyers onto the driveways in order to reach those residences. Mr. Wichartz advised that they also honour the wishes of residents that do not wish flyer deliveries and that he felt that if the Township were looking to stop the delivery of flyers that this only be done if there was a roadside mailbox and that flyers should not be thrown to avoid these packages from becoming litter in the ditches, etc.

The IT Manager stated that there were no other members of the public present that was requesting to speak to an item on the agenda.

The Clerk stated that she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today that wished to provide comments to any items on the agenda as permitted by Section 6.7 of the Procedural By-law.

8. APPOINTMENTS/PRESENTATIONS

There were no appointments/presentations.

9. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Albert Witteveen read from a prepared statement which is attached as **Schedule "A"** to the minutes. Regional Councillor Witteveen provided an update regarding the following issues:

- (1) provided highlights from the Region's Public Works Committee meeting which included discussion regarding environmental enforcement of sanitary sewers in Niagara as well as a controversial issue that has come forward regarding the procurement process at the Region with respect to waste water treatment technology. It was found that the Region has worked in the best interest of the taxpayer to secure the best product for the best price, which can be challenging as some companies bidding on projects feel they have a better product or price and challenge the process;
- (2) provided highlights from the Public Health and Community Services Committee meeting which noted that Niagara Region has over 6,000 citizens waiting for a rent-geared to income housing, with West Lincoln having 86 housing providers and 15 rent supplements for both the young and elderly population. With respect to Long Term Care, it was noted that there will be upgraded care that our seniors will be receiving and that in the upcoming year homes will provide upwards of a total of 3 hours per day of

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complete care which will be increased over the next 4 years to 4 hours per day of complete care; however, the challenge will be finding staff to meet these targets. With respect to opioids, there were 625 suspected overdose responses by EMS from January to October 2020 with Niagara Region seeing 123 opioid deaths in the same time period;

- (3) provided highlights from the Region's Planning and Economic Development Committee meeting that was held which included proposals to convert industrial lands to developmental lands. Niagara Region will be moving towards an employment type land with residential being a main component to these developments which will include lands near the St. Catharines General Hospital being converted to residential-employment lands with proposals of creating a seniors' village adjacent to the hospital. Additionally, Economic Development had recently completed the Niagara Online Business Directory which will assist local businesses to promote their businesses to customers close to home and abroad and anyone missed from being in the directory will have an opportunity to go on the Economic Development website and populate with their business;
- (4) lastly, Regional Councillor Witteveen advised that he had asked Niagara Region staff to prepare a report with respect to larger lagoons being converted to naturalized areas for the community to enjoy and that Regional staff were working with the Township's Director of Planning & Building on this matter and he believed that a report will be coming shortly to the Township on various options.

In response to Councillor Reilly's inquiry regarding whether Niagara Region would be willing to donate one or two garbage tags to the community in order to clean up the roads, in the Spring and Fall, as he felt this would be an inexpensive way to clean up the community, Regional Councillor Witteveen stated that he would look into this matter with Niagara Region Waste Management to see if there could be a community organized event.

10. CONFIRMATION OF MINUTES

- 10.1 Council Minutes – Regular
Re: Minutes of February 22, 2021

Moved By Councillor Harold Jonker

Seconded By Councillor Cheryl Ganann

That, the minutes of the open session portion of the February 22, 2021 regular Council meeting be accepted; and,

That, the confidential minutes relating to the closed session portion of the February 22, 2021 regular Council meeting be accepted; and that the

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minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

Carried

- 10.2 Council Minutes - Special (Budget)
Re: Minutes of March 1, 2021

Moved By Councillor Mike Rehner

Seconded By Councillor Harold Jonker

That, the minutes of the March 1, 2021 Special Council (Budget) meeting be accepted.

Carried

- 10.3 Public Meetings Under the Planning Act
Re: Minutes of March 8, 2021

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

That, the minutes of the public meetings held on March 8, 2021 under Section 34 of the Planning Act, with respect to:

(a) Zoning By-law Amendment – Foliera Holdings Inc. (File No. 1601-003-21)

(b) Official Plan & Zoning By-law Amendment - Greek Association & Marz Homes (Smithville West) Inc. (File No. 1701-001-21) (File No. 1601-004-21)

be accepted.

Carried

11. COMMUNICATIONS

There were no communications.

12. MAYOR'S REMARKS

Mayor Bylsma stated today was "Meals on Wheels" day which included many elected officials across the Region taking different routes and delivering meals to seniors in the area. Mayor Bylsma stated that this was an annual event; however, last year the event was not held due to the pandemic. Mayor Bylsma stated that he joined Mr. Dick Van Geest, who regularly delivers meals on Mondays and Wednesdays to West Lincoln residents, which are very appreciative of this service. Mayor Bylsma noted that it is not all about receiving the meal but was also an opportunity to brighten someone's day. Mayor Bylsma advised that at 11:00 a.m. this morning, to commemorate "Meals on Wheels"

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week, their community flag was raised which will fly at the West Lincoln Community Centre until the end of the week. Mayor Bylsma wished everyone a Happy Easter and asked for the communities' vigilance in light of the growing number of COVID cases, including the variants, and continue to follow the Provincial and Public Health restrictions that are currently in effect for the "red" category area. Mayor Bylsma stated that one year ago, Easter was the first holiday to be affected by the pandemic, which was much different than what we had experienced in the past and again one year later many restrictions are still in effect.

13. REPORT OF COMMITTEE

- 13.1 Planning/Building/Environmental Committee
Re: Minutes of March 8, 2021

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

That, the minutes of the open session portion of the March 8, 2021 Planning/ Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved; and,

That, the confidential minutes relating to the closed session portion of the March 8, 2021 Planning/Building/Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

Carried

- 13.2 Administration/Finance/Fire Committee
Re: Minutes of March 15, 2021

Moved By Councillor Jason Trombetta

Seconded By Councillor Shelley Bradaric

That, the minutes of the Administration/Finance/Fire Committee meeting held on March 15, 2021 be accepted and that the recommendations contained therein, be approved; and

That, the confidential minutes relating to the closed session portion of the March 15, 2021 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

Carried

- 13.3 Public Works/Recreation/Arena Committee
Re: Minutes of March 15, 2021

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Moved By Councillor Harold Jonker

Seconded By Councillor William Reilly

That, the minutes of the Public Works/Recreation/Arena Committee meeting held on March 15, 2021 be accepted and that the recommendations contained therein, be approved.

Carried

14. RECONSIDERATION

There were no items put forward for reconsideration.

15. NOTICE OF MOTION TO RESCIND

There were no motions to rescind put forward by any Member of Council.

16. OTHER BUSINESS

16.1 Councillor Jason Trombetta

Re: Delivery of Flyers in the Rural Area

Councillor Trombetta stated that he had brought this matter forward for discussion this evening to address ways to mitigate flyers, garbage and recycling from littering the Township (rural and urban) and its ditches.

Councillor Jonker stated the Jamie Wichartz, Deliveries Unlimited, had made some good points when he spoke earlier on this item and suggested that staff reach out to the delivery businesses to get a better understanding of the issues of delivering flyers, etc. Councillor Jonker further noted that he receives his flyers in a plastic bag and suggested that the Township encourage residents to pick up their flyer packages from their driveways and place them in their recycle boxes if they don't want them or advise these business that they don't want the flyers and to stop any further deliveries.

Councillor Reilly stated that he agreed with everything that has been stated and suggested that this matter be referred to staff to bring back recommendations with respect to the best ways to address this issue and/or other ways to deliver the flyers other than using plastic bags and having an eco-friendlier approach. Councillor Reilly reiterated his earlier comments that because Niagara Region was responsible for collection of waste, they should be responsible for all aspects of this issue and suggested that consideration should be given by Niagara Region to provide a couple free garbage tags to be used for collection of waste littered along the roads and ditches and suggested that a letter be sent to

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Niagara Region to provide ways to address this matter including the idea of providing free garbage bag tags.

The CAO stated that she liked Councillor Jonker's suggestion of posting something on the Township's website and on social media as there may be other businesses besides the two specific companies that have been named this evening that are delivering flyers and/or newspapers by throwing them at the end of driveways rather than using the roadside mailboxes. The CAO stated that she also agreed with Councillor Reilly's suggestion to refer this matter to staff to bring back some ideas to address this issue.

Mayor Bylsma stated that TorStar (Niagara This Week, etc.) no longer has an office in the Niagara Region and that if you call their office you are connected with an offshore call centre.

Councillor Rehner stated that he receives The Hamilton Spectator which is thrown on his driveway and he questioned whether the delivery person could place the newspaper in a roadside mailbox or not, which should be considered. Councillor Rehner advised that he was annoyed by the amount of litter that he finds along the rural roads and ditches when he is walking his dog including bottles, cans, cups and packaging and although addressing the issue of flyers would be a great start and could perhaps be controlled, he questioned how littering could be deterred as littering signs and fines don't seem to be working.

Councillor Bradaric stated that another initiative that the Township could do would be to promote residents to opt-out of the receiving flyers and having stickers available for residents to pickup which could be put on mailboxes advising that they do not want flyers delivered. Councillor Bradaric advised that she had heard that municipalities have adopted a by-law that if a property has a sticker on their mailbox and still receives a flyer delivery then this would be breach of the by-law. Councillor Bradaric advised that in her opinion she felt that the number of flyers that she has saw along the road and in ditches was worse this year but she was unsure of the reason; perhaps it was the weather and/or the people who were delivering the flyers and using a different method to do so.

Councillor Ganann stated that she was hesitant to ask that plastic bags not be used but that residents should be encouraged to recycle their plastic correctly by placing it in one plastic bag that is tied and place it in the grey (paper) bin. Councillor Ganann suggested that residents should also be encouraged to do their part and clean up along the roads and

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ditches any debris that they see on a regular basis. Councillor Ganann stated that she too receives The Hamilton Spectator which is thrown out onto her driveway and because of the weight does sometimes get lost in the snow or blown away into the bushes, etc.; however, she noted that over the past couple of weeks she had noticed that the plastic bag that is used to protect the newspaper was a heavier grade plastic which she found to be much better. Councillor Ganann stated that overall there was most likely no easy solution and that there have been some very good suggestions made this evening and that educating the community through the website, social media and with Niagara Region may be best way to get people involved to recycle correctly and clean up along the roads and ditches.

Councillor Trombetta stated that he has also received complaints from residents that putting the flyers in mailboxes has caused them to lose their mail among the flyers. Councillor Trombetta stated that there have been some good suggestions that have been brought forward this evening and suggested that this matter be referred to staff to bring back to a future Committee and/or Council meeting.

The CAO suggested that this matter be referred to the Township's Green Team to discuss strategies to address the issues with flyer littering and distribution, etc. that can be brought back for Council's consideration.

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

1. That, staff be and are hereby directed to contact those businesses that deliver weekly flyers and newspapers to homes in the rural area of West Lincoln; and,
2. That, these businesses and/or their delivery people be requested to immediately stop using plastic bags to deliver flyers and/or newspapers at the end of driveways; and,
3. That, henceforth all flyers and/or newspapers delivered in the rural area of West Lincoln be placed in mailboxes only to reduce litter along rural roads.

Referred

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

That, the Township's Green Team be hereby directed to investigate and

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report back at a future Committee or Council Meeting with respect to strategies and ways to address the flyer littering and distribution throughout the Township.

Carried

16.2 Members of Council
Re: Council Remarks

(a) Councillor Cheryl Ganann
Re: Various Issues

Councillor Ganann stated that the Silverdale Hall Pancake Drive-thru Fundraising Dinner that was held on March 17, 2021 was a great success raising close to \$11,000 for Niagara Christian Gleaners.

Councillor Ganann stated that on April 2nd, 2021 (Good Friday) a Blood Donor Clinic will be held from 9 am to 2 pm and asked that anyone watching this Council Meeting please donate blood.

(b) Councillor Harold Jonker
Re: Niagara Christian Gleaners - New Food Dryer

Councillor Jonker stated that he would be picking up and delivering Niagara Christian Gleaner's new food dryer to their facility in the West Lincoln Industrial Park and that the new dryer should help to increase their food production.

17. NEW ITEMS OF BUSINESS

There were no new business items brought forward by any Member of Council.

18. BY-LAWS

Councillor Reilly requested that By-law 2021-18 be pulled and voted on separately as he opposed it.

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

That, leave be granted to introduce By-laws # ~~2021-18~~ (voted on separately), 2021-19, 2021-20, 2021-21, 2021-22, 2021-23, 2021-24, 2021-25, 2021-26 and 2021-27 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,

That, the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

Carried

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Moved By Councillor Harold Jonker

Seconded By Councillor William Reilly

That, leave be granted to introduce By-law # 2021-18 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,

That, the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

Carried

SUMMARY OF BY-LAWS

18.1 BY-LAW 2021-18

A By-law to confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 22nd of February, 2021 and its Special Meeting on the 1st of March, 2021.

18.2 BY-LAW 2021-19

A By-law to authorize a Site Plan Agreement between the Corporation of the Township of West Lincoln, Melissa Hill Inc. and Farm Credit Canada for lands described as Concession 9, Part Lot 6, Plan M94 Lots 37 43 and 44, & M94 Part Lot 42, Part 1 of 30R1634, in the former Township of South Grimsby, now in the Township of West Lincoln.

18.3 BY-LAW 2021-20

A By-law to name a Public Highway in the Township of West Lincoln in the Regional Municipality of Niagara being Regional Road 14 (from Canborough Street to the intersection of Smithville Road and Twenty Road) as Townline Road

18.4 BY-LAW 2021-21

Being a By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln - William and Cathy Vitucci (5291 Regional Road 20)

18.5 BY-LAW 2021-22

Being a By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln - Kenneth Martin (6800 Elcho Road)

18.6 BY-LAW 2021-23

A By-law to authorize a Site Plan Agreement with Wesley Richard Blokker & Jaclyn Geraldine Blokker. describes as Part LT 40, Concession 8 South Grimsby as in RO428660 S of Hydro Land Except PT 1,

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30R3700; subject to an easement as in SG6893; Township of West Lincoln (9629 Regional Road 20)

18.7 BY-LAW 2021-24

A By-law to authorize an Encroachment Agreement between the Corporation of the Township of West Lincoln and Daaron Ross Joyner (104 McMurchie Lane)

18.8 BY-LAW 2021-25

Being a By-law to amend By-law 89-2000 which regulated Traffic and Parking on Township Roads (Schedule 'C' - parking restrictions on Colver St. and Wade Rd.)

18.9 BY-LAW 2021-26

Being a By-law to Amend By-law 2004-42, as amended, which regulates the supply of water and provides for the Imposition and Collection of Water and Wastewater Rates (Rate increase effective July 1, 2021)

18.10 BY-LAW 2021-27

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and George Lane Landscaping for the provision of Cemetery Grounds Maintenance services for a period of five years effective January 2021 to December 2025

19. ADJOURNMENT

The Mayor declared the meeting adjourned at the hour of 8:19 p.m.

JOANNE SCIME, CLERK

MAYOR DAVE BYLSMA