



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. ELEVEN

September 26, 2022, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

Staff: Joanne Scime, Clerk
Bev Hendry, CAO
Donna DeFilippis, Treasurer/Director of Finance
Tim Hofsink, Deputy Fire Chief
Kevin Geoghegan, IT Help Desk Analyst

Others: Bruce Harris, WeeStreem

1. SINGING OF "O CANADA"

In the absence of Mayor Bylsma, Acting Mayor Trombetta started the meeting until Mayor Bylsma's arrival at approximately 6:42 pm

Acting Mayor Trombetta called the Council meeting to order at approximately 6:32 p.m.

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

- a. 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.
- b. The public had opportunity to submit comments for matters that are on the agenda to jscime@westlincoln.ca before 4:30 pm. today, being on the day of the meeting. Any comments submitted are considered as public information and will

be read into public record later in the agenda.

c. This evening's meeting was being livestreamed as well as recorded and will be available on the Township's website following the meeting.

2. LAND ACKNOWLEDGEMENT STATEMENT

Acting Mayor Trombetta read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hattiwendaronk (Hat-i-wen- DA-runk), the Haudenosaunee (Hoe-den-no- SHOW-ee), and the Anishinaabe (Ah-nish-ih- NAH-bey), including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

3. OPENING PETITION - Councillor Harold Jonker

4. CHANGE IN ORDER OF ITEMS ON AGENDA

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

5. 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.

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

The Acting Mayor inquired if the IT Help Desk Analyst was aware if there were any members of the public in attendance virtually on the Zoom meeting call that wished to address a specific item on tonight's agenda as permitted under Section 6.7 of the Procedural By-law, for which the IT Help Desk Analyst confirmed there were not.

Additionally, the Acting Mayor asked the Director of Legislative Services/Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today to read into the record, for which the Clerk confirmed she had not.

7. APPOINTMENTS/PRESENTATIONS

There were no appointments/presentations.

8. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Witteveen read from a prepared statement which is attached as **Schedule "A"** to the minutes. Regional Councillor Witteveen provided an update on various matters, meeting highlights, and events that were addressed by Niagara Region over the past month.

Following Regional Councillor Witteveen providing his verbal remarks, Mayor Bylsma arrived to the meeting at which time he took the Chair.

The following concerns and questions were raised by Members of Council including but not limited to the following:

- (1) Questions were raised regarding the purchase and installation the automated speed control cameras that had been approved by Regional Council which will move among different designated community safety zones throughout Niagara Region. (Response = the project is to commence in 2023 and there is a process (60 day warning period) that will be followed prior to enforcement of fines.)
- (2) A question was raised regarding concerns raised by residents regarding the need for additional stop lights to be installed along Regional Roads, in particular Regional Road 20 (Fulton) and Regional Road 14 (Smithville Road) and Regional Road 65 (Silver Street), and what was the process to request the Region to undertake a review of intersections where there has been concerns brought forward and/or serious accidents, in order to determine if an intersection warrants the installation of a stoplight or a 4-way stop. (Response = invite and/or advise the Niagara Regional Police regarding resident's concerns regarding speeding and the need for additional police presence and enforcement.)
- (3) A concern was raised regarding the need for additional police officers and a question was asked if the new police officers that were hired has finished their basic training, etc. and were now working in the field. (Response = the Community Members and Council Members needs to be vocal regarding their concerns and/or needs.)
- (4) A question was raised regarding the projected timeline of the installation of the pedestrian crosswalk or stop light along St. Catharines Street near Dennis Drive. (Response = A pedestrian crosswalk should be installed in early 2023 and will be located on St. Catharines Street, approximately 50 feet west of Dennis Drive.)
- (5) A question was raised regarding the number of childcare centres that had opted-in for the Canada wide early learning and childcare program in Niagara Region. (Response = Most childcare centres have opted into the program but there may be a few that had not due to challenges relating to the hiring/retaining of childcare workers.)

(5) A question was raised regarding the Region's Pond located near Alma Acres, at the south-east end of Smithville, and if there has been any determination regarding what the Region will be doing with these lands. (Response = A Request for Proposal has been prepared and there should be work commencing on site this Fall to complete a basic environmental assessment with the report coming sometime in the new year. The Region has been advised of the Township's possible interest in these lands.)

Members of Council stated they were pleased to work with Regional Councillor Witteveen and for his dedication and hard work at the Region by advocating the needs for the Township of West Lincoln.

9. CONFIRMATION OF MINUTES

9.1 Council Minutes – Regular
Re: August 11, 2022

Moved By Councillor Shelley Bradaric

Seconded By Councillor Jason Trombetta

1. That, the minutes of the open session portion of the August 11, 2022 regular Council meeting be accepted; and,

2. That, the confidential minutes relating to the closed session portion of the August 11, 2022 regular Council meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

Carried

9.2 Public Meetings Under the Planning Act
Re: August 11, 2022 - Minutes

Moved By Councillor Cheryl Ganann

Seconded By Councillor William Reilly

That, the minutes of the public meeting held on August 11, 2022 under Section 34 of the Planning Act, with respect to:

a. Zoning By-law Amendment - Leonard & Lynne Snippe - 5444 Concession 4 Road (File No. 1601-010-22)
be accepted.

Carried

9.3 Public Meeting - 2022 Development Charges Background Study –
Township of West Lincoln
Re: Minutes - August 11, 2022

Moved By Councillor William Reilly

Seconded By Councillor Shelley Bradaric

That, the minutes of the public meeting held on August 11, 2022 under Section 12 of the Development Charges Act, 1997, with respect to the 2022 Development Charges Background Study – Township of West Lincoln; be accepted.

Carried

- 9.4 Public Meeting under the Planning Act
Re: September 12, 2022 - Minutes

Moved By Councillor Jason Trombetta

Seconded By Councillor Cheryl Ganann

That, the minutes of the public meeting held on September 12, 2022 under Section 34 of the Planning Act, with respect to:

- a. Zoning By-law Amendment - Fred and Rebecca Vrugteveen, and Niagara Pallets - 4981 Regional Road 20 (File No. 1601-011-22);
be accepted.

Carried

10. COMMUNICATIONS

There were no communications.

11. MAYOR'S REMARKS

Mayor Bylsma provided the following remarks:

(1) West Lincoln Farmers' Market - he encouraged Members of Council and the Public to attend the last couple of farmers' markets before they end. Mayor Bylsma noted that there were concerns raised by a number of the vendors with respect to attendance decreasing each week. Mayor Bylsma advised that Township staff were in attendance at the Farmers' Market this past Friday, selling trees for the public to purchase. Mayor Bylsma asked Members of Council and staff to continue to promote the market and stated that there have been discussions regarding how to make the Farmers' Market better and asked Members of Council and/or the community to bring forth suggestion on how to improve the market for 2023.

(2) Raising of the Truth & Reconciliation Flag - Mayor Bylsma advised that he, Councillor Ganann and Ward 3 Candidate Terry Bell were in attendance at the West Lincoln Community Centre earlier this morning for the raising of the Truth and Reconciliation Flag. Mayor Bylsma advised that each year, September 30 marks the National Day for Truth and Reconciliation and the flag is raised to

honour the children who never returned home and the survivors of residential schools, as well as their families and communities.

(3) Special Council Meeting - October 17, 2022 - Mayor Bylsma advised that there was a Special Council Meeting that had been called for October 17, 2022 to address a couple of time sensitive Planning issues.

12. REPORT OF COMMITTEE

12.1 Planning/Building/Environmental Committee

Re: Minutes - September 12, 2022

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

That, the minutes of the September 12, 2022

Planning/Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved.

Carried

12.2 Administration/Finance/Fire Committee

Re: Minutes - September 19, 2022

Moved By Councillor Jason Trombetta

Seconded By Councillor Harold Jonker

That, the minutes of the September 19, 2022 Administration/Finance/Fire Committee meeting, be accepted, and the recommendations contained therein, be approved.

Carried

12.3 Public Works/Recreation/Arena Committee

Re: Minutes - September 19, 2022

Moved By Councillor Mike Rehner

Seconded By Councillor Shelley Bradaric

That, the minutes of the September 19, 2022 Public Works/Recreation/Arena Committee meeting, be accepted, and the recommendations contained therein, be approved.

Carried

13. RECONSIDERATION

There were no items put forward for reconsideration.

14. NOTICE OF MOTION TO RESCIND

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

15. OTHER BUSINESS

15.1 TABLED ITEM (March 28, 2022 Council Meeting)

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-36-2022 - Smithville Landowners Group request for support of Minister's Zoning Order (MZO)

The Director of Legislative Services/Clerk advised that this tabled item will remain on the agenda until it is lifted by Council as staff were awaiting Niagara Region's approval of the Township's Official Plan Amendment No. 62 and 63 (Smithville Master Community Plan - Expansion of the Urban Area of Smithville) prior to this item being lifted from the table and placed before Council for consideration.

15.2 Director of Finance/Treasurer (Donna DeFilippis)

Re: Recommendation Report T-26-2022 - Adoption of 2022 Development Charges By-Law

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

1. That, Recommendation Report T-26-2022 Adoption of 2022 Development Charges By-Law dated September 26, 2022, be received for information; and
2. That, Council approve the Development Charges Update Study dated July 22, 2022 and attached as Appendix A to this report; and,
3. That, Council approve the capital projects and calculations set out in Chapter 4 of the Development Charges Update Study dated July 22, 2022; and,
4. That, Council has determined that no further public meeting is required; and,
5. That, Council approve the Amending Development Charge By-Law 2022-77, as set out in Appendix B to this report.

Carried

15.3 Mayor Dave Bylsma

Re: Emergency Operations Centre (EOC)

Mayor Bylsma stepped down from the Chair at approximately 7:14 pm and Acting Mayor Trombetta chaired the meeting during discussion of Item 15.3.

Mayor Bylsma asked the following questions with respect to the Emergency Operations Centre and the suspension of the Township's COVID-19 Vaccination Policy:

(1) When was it expected that the Council Chambers will be open for the public to attend Standing Committee and Council Meetings? (Response = The CAO stated that a memo was sent to Council and staff on September 7, 2022 which explained that the Township facilities and processes were slowly opening. The CAO stated that at this time no members of the public can attend Committee and/or Council meetings in person but noted that no member of the public has been prevented from attending a Standing Committee and/or Council meeting due to livestream technology, which has proven to have increased attendance. Additionally, the CAO advised that the public can also request an attendee ZOOM link to attend the meeting through this platform.

(2) Is the Emergency Operation Centre (EOC) still meeting and if so why, since the Emergency has been declared over? (Response = The CAO stated that the EOC was not tied to the Declaration of Emergency and that the EOC had met prior to the declaration of emergency as it relates to the COVID-19 Pandemic. The CAO explained that the EOC was an advisory committee that meets to discuss coordinated operational issues due to extraordinary, unusual and/or unforeseen emergency matters that are outside of normal operations. The CAO advised that she did not know when the EOC and/or Recovery Team will no longer be meeting as the World Health Organization has stated that COVID-19 still continues to exist. The CAO advises that the EOC meets once per month, being the first Monday of the month, and that most meetings at this time are relatively short to ensure there were no concerns and/or questions from an operational standpoint. The CAO explained that the EOC is an administration group who meet with a team of Township staff from all departments, as well as Regional Departments (Public Health, Police, Emergency Services, etc.), as well as Township legal services and other organizations that may be necessary in order to prepare for and respond to emergencies. The CAO advised that the announcement made earlier today by the Government of Canada that they will be removing, effective October 1, 2022, all COVID-19 entry restrictions will be discussed and taken into consideration by the EOC.

(3) Why was the vaccination policy being suspended at this time?

(Response = The CAO that all decisions and actions that have taken by the EOC are based on current data. The CAO advised that in August the COVID-19 counts were extremely high with the theory, as presented by Dr. Hiriji, Niagara Region Acting Medical Officer of Health, was due to the lifting of mask and vaccine mandates, people gathering and being in closer contact. The CAO advised that the Township receives epidemiological data each week from Public Health which showed in August the numbers were high and moving into September the numbers were going down. The CAO stated with the science and recommendations shifting, staff can only rely on the epidemiologically data to make educated decisions to protect our community and staff.)

(4) Will those employees that were compelled to leave and/or put on leave be called back to work and if so, will they be compensated for their time and/or given severance similar to what has happened to staff with the City of Hamilton? (Response = The CAO advised that she was not aware of what has happened in the City of Hamilton and that she would not be addressing this matter; however, she noted that this questions referred to human resource and personal matters relating to identifiable individuals and that this would need to be discussed in closed session. It was suggested that the Township's Solicitor(s) be invited to attend a future Council Meeting to address this matter as well as new hires being required to be vaccinated for COVID-19. The CAO advised that if the Special Council Meeting proceeds on October 17, 2022, she will be unable to attend due to a personal conflict and that staff will need to reach out to the Township's Solicitor(s) as to his availability to attend a future Council and/or Standing Committee meeting.)

Councillor Bradaric requested a recorded vote.

Following the vote of the resolution below, Mayor Bylsma took back the position of Chair from Acting Mayor Trombetta.

Moved By Councillor William Reilly

Seconded By Councillor Mike Rehner

That, the issue of personnel matters relating to the Township's Vaccination Policy and the current hiring policy be referred to the Township's Legal Human Resources Counsel to attend a future Standing Committee or Council Meeting as personnel matters relating to identifiable individuals.

	For	Against	Conflict
Mayor Dave Bylsma	X		
Councillor Shelley Bradaric	X		
Councillor Cheryl Ganann	X		
Councillor Harold Jonker	X		
Councillor Mike Rehner	X		
Councillor William Reilly	X		
Councillor Jason Trombetta	X		
Results	7	0	0
Carried (7 to 0)			

15.4 Members of Council
Re: Council Remarks

(i) Councillor Jason Trombetta

Re: Various issues - West Lincoln Chamber of Commerce Candidates Night & Thank you to Council Members

Councillor Trombetta advised that tomorrow night the West Lincoln Chamber of Commerce will be hosting a Candidates Night at the Smithville Christian High School on Townline Road, with the doors opening at 6:30 p.m.

Councillor Trombetta advised that it was a pleasure to work with all Members of Council over the past four years. Additionally, he thanked Township and WeeStroom staff that had made the Standing Committee and Council meetings flow well and adapt to the times, especially in light of the pandemic.

(ii) Councillor Shelley Bradaric

Re: Various Items - Truth and Reconciliation Day - September 30, 2022 & Thank You to Council Members

Councillor Bradaric encouraged everyone to take time this week to reflect individually or with their family to reflect on the National Day of Truth and Reconciliation Day and to learn and grow with respect to the true understanding on the plight of the indigenous people.

In light of this evening being the final Council Meeting, Councillor Bradaric stated that it has been a pleasure working with all Council Members and appreciate everyone for supporting her when joining part way through this term of Council.

(iii) Councillor Cheryl Ganann

Re: Various Items - Commended the Fire Department, Tim Horton's Smile Cookie Campaign & Tree Sales at Farmers' Market

Councillor Ganann thanked the Fire Department and the Fire Prevention Officer for putting together the Open House at Station 1 Fire Hall, which was well attended and enjoyed by many which included her youngest granddaughter who enjoyed her hands on experience with getting into the fire trucks and trying on the gear. Councillor Ganann thanked Deputy Fire Chief Hofsink and his wife who commending Tamara Clark for doing a great job in organizing this event.

Councillor Ganann advised that, as part of the Smile Cookie campaign, the Smithville Tim Horton had raised approximately \$18,000 for West Lincoln Community Care. Councillor Ganann commended the organizers, the volunteers for this event and well as those that bought smile cookies to support community care.

Councillor Ganann thanked Vanessa Hoffman for putting together the tree sales as part of the "Year of the Garden" project. Councillor Ganann noted that, it was her understanding that the community can order and purchase trees over the next week at a cost of \$45 per tree.

(iv) Councillor William Reilly

Re: Various Issues - Farmers' Market, Online Municipal Election Voting, Niagara Region Transit Commission Meeting & Thank You to Council Members

Councillor Reilly stated that he had visited the Farmers' Market on Friday and saw that the numbers of people coming to the market had decreased but also the number of vendors as well and he hoped this matter will be addressed to try and get attendance up on both sides for the 2023 season.

With respect to the Municipal Election, Councillor Reilly stated that today was the first day for online voting and he wanted to show some leadership and provide true testimonial of the experience of voting online, which he found took him less than 90 seconds to complete. Councillor Reilly stated that he wanted to promote his experience as the online voting was new to our municipality, which he found to be a very easy and convenient process and that some residents had reach out that expressed the same.

Councillor Reilly stated that he will be attending another Niagara Region Transit Commission Meeting tomorrow.

With this being his first term on Council, Councillor Reilly stated that he felt this Council had achieved a lot especially with the circumstances and the challenges and he thanked the CAO and Members of the Clerk's Department for their assistance throughout the term.

(v) Councillor Harold Jonker

Re: Various Issues - Thank You to Council Members & Donations to West Lincoln Community Care

Councillor Jonker thanked all Members of Council as well as Clerk staff that put these meeting together.

Councillor Jonker advised that West Lincoln Community Care had received over 2,000 pounds of fresh meat, 3,200 pounds of food as well as \$500 worth of supplies which included knapsacks for children going back to school, diapers and wipes as well as \$1,490 in cash. Councillor Jonker thanked his sister-in-law and a few other ladies who had organized this food drive, which benefited West Lincoln Community Care and the families they assist.

(vi) Councillor Mike Rehner

Re: Thank You to Council Members - 2018-2022 Term of Council

Councillor Rehner advised that this was his fourth term of Council and that each term has been different but everyone works together for the same cause and he felt that this Council has done a great job in allocating funds to the residents in all the wards with a lot of accomplishments and he was proud to be a part of this Council. Councillor Rehner also commended staff for their hard work and dedication with the many achievements that had been made over the past four years and he wished everyone the best in the upcoming election.

16. NEW ITEMS OF BUSINESS

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

17. BY-LAWS

Moved By Councillor Cheryl Ganann

Seconded By Councillor William Reilly

1. That, leave be granted to introduce By-laws # 2022-75, 2022-76, 2022-77, 2022-78 and 2022-79, 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,
2. 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:

17.1 BY-LAW 2022-75

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 11th day of August, 2022.

17.2 BY-LAW 2022-76

A By-law to amend By-law 2010-57 which established the Joint Niagara Compliance Audit Committee for the Township of West Lincoln

17.3 BY-LAW 2022-77

A By-law to amend By-law 2019-51 respecting Development Charges for the Corporation of the Township of West Lincoln

17.4 BY-LAW 2022-78

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln - Leonard & Lynne Snippe - 5444 Concession 4 Road (File No. 1601-010-22)

17.5 BY-LAW 2022-79

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Circle P Paving Inc. for the 2022 Hot Mix Spot Repair at various locations

18. CONFIDENTIAL MATTERS

There were no confidential matters.

19. ADJOURNMENT

The Mayor declared this meeting adjourned at the hour of 8:12 p.m.



JOANNE SCIME, CLERK



MAYOR DAVE BYLSMA

SCHEDULE A
SEPTEMBER 26, 2022 COUNCIL
MINUTES

Regional Councillors Report September 26, 2022

Good evening Mayor, members of council, staff and members of the public

I would like to start by giving you some updates on a couple of projects that I have been following up on at the Niagara Region for the Township of West Lincoln. First the work of the bridge replacement at Beaver Creek in Wellandport has commenced and will be completed later this fall.

Secondly the Environmental Assessment for the realignment of Thirty Road from Young street going north has been awarded. This will commence in the 3rd quarter of 2022. Notice of commencement will be issued in the 4th quarter of 2022. The first Public information will identify the problems and proposed alternatives is targeted for the 1st quarter of 2023. The 2nd Public information meeting will include the alternative design and construction concepts which is targeted for Q2/Q3 of 2023. Then the Environmental Assessment complete completion is set for the 4th quarter of 2023. Then the design and construction will be part of upcoming budgets and require approvals.

Thirdly some exiting news on a Pedestrian Cross Walk on Hwy 20 in the Dennis dr location. The Niagara Region is in the final process of obtaining the land required to design and install the crosswalk slated for in early 2023. I know many concerns have been brought forward to have

a safe pedestrian crossing in this location for the development but also for those that need to have a safe place to cross to get back and forth from the Mall and residences.

I have had a number of requests from the agriculture community on the challenges of motor vehicles sharing the road with farm equipment as we move into harvest season. In discussion with the Transportation Director I have requested Share the Road signs and speed posting on Regional rd 65 known as Silver St. I asked for this from Bismarck to the Westbrook Rd as this is where I received most of the concerns. I

would like to suggest to the Townships Public Works department to review this also on Township roads. Sharing the road is important for our rural community residences.

A couple of quick updates from our Public Works meeting are that we have extended our contract with Fay Farms at the Niagara Rd # 12 landfill for another year with an option for a second year. The Niagara Region is in the process of obtaining Automated speed enforcement devices to rotate within the Niagara Region. Two locations have been selected in our community, one is on Townline Rd and the second is on Station street. Both of these locations are designated as Community Safety zones which is part of the criteria for such a program. I will follow up on the progress of

this program to keep council informed of the start dates.

The Niagara Region is in the process of developing a 5yr road safety Strategy Strategic Plan starting in 2023. So if councillors and staff have areas of concerns in our community they can be directed through this process. I will keep you updated when this process commences so that you may have discussion and provide comments to the strategic plan.

At the Planning and Economic Development committee meeting we had a presentation discussing a front-end agreement for a trunk waterman for Phase 1 Streamside sewage pumping station in Smithville. 90% will be funded through Developmental Charges. We approved this in principal subject to Regional Councils approval in 2023. 2 projects are included in the budget and this will service a 1,000 homes in the new quadrant of growth in the Township of West Lincoln.

At our Public Health and Social services meeting we discussed the advancing of the Long Term Health funding policy, we will be posting for 95 permanent full-time equivalents starting January 2023 as per the increased hours of care directed by the province. This cost will be covered by the Ministry of Health. The Niagara Region will also be reviewing the Long-Term-Care Act of 2021 for updating governance for our 8 Long-Term Care facilities that we operate.

This is my final report this year, if any councillors have any questions pertaining to my report I will answer them to the best of my abilities.

And lastly I want to thank Council for giving me the opportunity to give you a monthly update on my work for the Township of West Lincoln at ‘ the Niagara Region.

Councillor, Albert Witteveen