



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN COUNCIL MINUTES

MEETING NO. ELEVEN

October 23, 2023, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Cheryl Ganann
Councillor Shelley Bradaric
Councillor Mike Rehner
Councillor William Reilly
Councillor Jason Trombetta
Councillor Terry Bell
Councillor Joann Chechalk

Staff: Bev Hendry, CAO
Jessica Dyson, Director of Legislative Services/Clerk
Tim Hofsink, Acting Fire Chief*
Kevin Geoghegan, IT Help Desk Analyst

Other Members: Regional Councillor Witteveen
WeeStreem

*IN ATTENDANCE PART-TIME

1. SINGING OF "O CANADA" - Smithville Christian High School

Prior to commencing with the Council meeting, Mayor Ganann will provide the following announcements:

1. Comments from the public for a matter that is on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
2. For those individuals that are unable to attend the meeting in person, you may submit comments for matters that are on the agenda by either
 - a. emailing jdyson@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; OR,
 - b. by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.

3. Tonight's Council Meeting will be livestreamed as well as recorded and available on the Township's website by visiting events.westlincoln.com/meetings

2. LAND ACKNOWLEDGEMENT STATEMENT

Mayor Ganann 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-rong), the Haudenosaunee (Hoe-den-no-SHOW-nee), 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 Mike Rehner

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

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

- 5.1 October 16, 2023 - Administration/Finance/Fire Committee Meeting (Confidential Matters) - Item 12.1 Re: Citizen Appointments on Boards and Committees

Councillor Reilly declared a conflict of interest due to a family member applying to sit as a member on the Mayor's Youth Advisory Committee.

6. CONFIDENTIAL MATTERS

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

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:

6.1 Acting Fire Chief (Tim Hofsink) and CAO (Bev Hendry)
Re: Fire Station 2 Building - Deficiency List Request from Council
FOR INFORMATION

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose.

Carried

RECOMMENDATION:

Moved By Councillor Terry Bell

Seconded By Councillor Joann Chechalk

That, this Council meeting now resume in open session at the hour of 7:30 p.m.

Carried

6.1 Acting Fire Chief (Tim Hofsink) and CAO (Bev Hendry)
Re: Fire Station 2 Building - Deficiency List Request from Council
FOR INFORMATION

Council rose without reporting.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

There were no requests to address items that were on the agenda.

8. APPOINTMENTS/PRESENTATIONS

There were no appointments/presentations.

9. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Witteveen read from a prepared statement which is attached as Schedule "A" to the minutes.

In addition to his prepared statement, Regional Councillor Witteveen shared that he has received a few comments with respect to the speed camera in the community safety area. Regional Councillor Witteveen further explained to Members of Council that should they receive any questions that they can forward them onto him.

The CAO inquired to Regional Councillor Witteveen about the agricultural information provided and if it was the same as the Niagara Agriculture profile. In response to the inquiry from CAO, Bev Hendry, Regional Councillor Witteveen indicated that it was the same information.

Councillor Reilly inquired to Regional Councillor Witteveen about the grace period that had originally been communicated by the region regarding the use of the speed cameras for enforcement. In response to Councillor Reilly's inquiry, Regional Councillor Witteveen explained that he will have to follow up with Councillor Reilly regarding the 90-day grace period that had originally been communicated prior to its initial launch, as he was not sure whether it had actually been adopted or not.

Councillor Reilly further inquired to Regional Councillor Witteveen regarding the remuneration of Early Childhood Educators and how close it was to both the living and minimum wage, despite requiring multiple years of schooling. In response to Councillor Reilly's inquiry, Regional Councillor Witteveen explained that low pay and the discrepancy between ECE pay from the Niagara Region compared to the rest of the industry is driving staffing and retention issues.

Mayor Ganann recognized Regional Councillor Witteveen for bringing up the effectiveness and popularity of the West Lincoln Community Care food bank.

10. CONFIRMATION OF MINUTES

- 10.1 Public Meeting Under the Planning Act
Re: Minutes of October 10, 2023

RECOMMENDATION:

Moved By Councillor Terry Bell

Seconded By Councillor Joann Chechalk

That, the minutes of the public meeting held on October 10, 2023 under Section 34 of the Planning Act, with respect to Township of West Lincoln Housekeeping Amendments No. 7, be accepted.

Carried

- 10.2 Council Minutes – Regular
Re: September 25, 2023

RECOMMENDATION:

Moved By Councillor Mike Rehner

Seconded By Councillor Jason Trombetta

That, the minutes of the September 25, 2023 Council meeting be accepted.

Carried

11. COMMUNICATIONS

11.1 Declaration of Intimate Partner Violence as an Epidemic

Re: Niagara Region - Motion Respecting Recommendations from the Renfrew County Inquest and Declaration of Intimate Partner Violence as an Epidemic

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

1. That, the correspondence received from the Regional Municipality of Niagara regarding the Motion Respecting Recommendations from the Renfrew County Inquest and Declaration of Intimate Partner Violence as an Epidemic, as attached as Schedule A, be received and supported; and,
2. That, the Township of West Lincoln recognize the issues of gender-based violence and intimate partner violence in Niagara as serious to the health and wellness of local residents and their families; and,
3. That, the Township of West Lincoln commit to engaging with community partners to educate and support our residents about the seriousness and long-term danger of violence in our communities; and,
4. That, the Township of West Lincoln declare, in accordance with Recommendation #5 of the Niagara Region request, that intimate partner violence and gender-based violence are an epidemic; and,
5. That, a copy of this motion be sent to each of Niagara's 12 Local Area Municipalities; The Honourable Arif Virani, Minister of Justice; The Honourable Doug Ford, Premier of Ontario; The Honourable Charmaine A. Williams, Associate Minister of Women's Social and Economic Opportunity; The Honourable Parm Gill, Minister of Red Tape Reduction; Niagara four MPs; Niagara's four MPPs; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); Mayors and Regional Chairs of Ontario (MARCO); and Ontario's Big City Mayors (OBCM).

Carried

12. MAYOR'S REMARKS

Mayor Ganann read a prepared statement which was attached as Schedule "B" to the minutes.

13. REPORT OF COMMITTEE

- 13.1 Planning/Building/Environmental Committee
Re: Minutes - October 10, 2023

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Terry Bell

That, the minutes of the October 10, 2023
Planning/Building/Environmental Committee meeting, be accepted, and
the recommendations contained therein, be approved;
with the exception of Item#(s) _____.

Carried

- 13.2 Public Works & Recreation Committee
Re: Minutes - October 16, 2023

RECOMMENDATION:

Moved By Councillor Mike Rehner

Seconded By Councillor William Reilly

That, the minutes of the October 16, 2023 Public Works & Recreation
Committee meeting, be accepted, and the recommendations contained
therein, be approved;
with the exception of Item#(s) _____.

Carried

- 13.3 Administration/Finance/Fire Committee
Re: Minutes - October 16, 2023

Councillor William Reilly declared a conflict on this item. (Councillor Reilly
declared a conflict of interest due to a family member applying to sit as a
member on the Mayor's Youth Advisory Committee.)

RECOMMENDATION:

Moved By Councillor Jason Trombetta

Seconded By Councillor Shelley Bradaric

1. That, the minutes of the October 16, 2023
Administration/Finance/Fire Committee meeting, be accepted, and
the recommendations contained therein, be approved;
with the exception of Item#(s) _____; and,

2. That, the confidential minutes relating to the closed session portion of the October 16, 2023 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

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 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)

16.2 Consent Agenda Items

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Terry Bell

That, Council hereby approves the following Consent Agenda Items:

1. Items 1,2, be and are hereby received for information, and;
2. Item 3 be and is hereby received and the recommendations contained therein be adopted.

Carried

SUMMARY OF CONSENT AGENDA ITEMS:

1. Memorandum - Amendment to Noise By-law and Non-Parking AMPA By-law
2. Memorandum - Information regarding warning clause added to real estate purchase and sale agreements
3. Recommendation Report HR-05-2023 - CAO Performance Review Policy

16.3 Members of Council

Re: Council Remarks

Councillor Reilly commented on the West Lincoln Chamber of Commerce's Business Awards and congratulated and recognized all winners, nominees, and other member businesses who contribute to the West Lincoln community and economy.

Councillor Chechalk commented on the upcoming Community Recognition Awards reception and encouraged members of the public to attend the event.

Councillor Rehner commented on the increased tractor and wagon traffic on the roads and implored drivers to be cautious.

17. NEW ITEMS OF BUSINESS

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

18. BY-LAWS

RECOMMENDATION:

Moved By Councillor Terry Bell

Seconded By Councillor Shelley Bradaric

1. That, leave be granted to introduce By-law #s 2023-72, 2023-73, 2023-74, 2023-75, 2023-76, 2023-77, 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

18.1 BY-LAW 2023-72

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 25th day of September, 2023.

18.2 BY-LAW 2023-73

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln.

18.3 BY-LAW 2023-74

A By-law to amend By-law 2013-50, being a By-law to prohibit and regulate noise in the Township of West Lincoln.

18.4 BY-LAW 2023-75

Being a By-law to amend 2021-84, as amended, a system of Administrative Penalties for Non-Parking Offences with the Township of West Lincoln.

18.5 BY-LAW 2023-76

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln, the Corporation of the Town of Grimsby, the Corporation of the Town of Lincoln, the Corporation of the Town of Niagara On-The-Lake, the Corporation of the Town of Pelham, the Corporation of the City of Thorold, and the Corporation of the City of Port Colborne and the Herrington Group LTD.

18.6 BY-LAW 2023-77

A By-law to establish Part 2 on Reference plan No.30R-16151 on Concession 4 Road as Public Highway.

19. ADJOURNMENT

The Mayor declared this meeting adjourned at the hour of 8:08p.m.

**JESSICA DYSON, DIRECTOR OF
LEGISLATIVE SERVICES/CLERK**

MAYOR CHERYL GANANN