

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COUNCIL (INCLUDES ALL COMMITTEES) MINUTES**

MEETING NO. THIRTEEN

July 15, 2024, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

Staff: Truper McBride, Chief Administrative Officer
Donna DeFilippis, Director of Finance and Treasurer*
Mike DiPaola, Director of Public Works and Recreation*
Brian Treble, Director of Planning and Building*
Dennis Fisher, Fire Chief*
Cindy Weir, Library Chief Executive Officer*
Gerrit Boerema, Manager of Planning*
Katelyn Repovs, Manager of Finance and Deputy Treasurer*
Wendy Beaty, Coordinator of Recreation Services*
Susan Smyth, Senior Planner*
Justin Paylove, Acting Director of Legislative Services and Clerk
Roberta Keith, IT Manager*

Attendee: Regional Councillor Albert Witteveen*
Frank Bulk*
Janna Bulk*
Luciano Di Leonardo*
Enzo Prato*
Sam Sharma*
Ralph Severino*
John Ganann*
Doug Joyner*

*Attended Part-Time

1. SINGING OF "O CANADA" - CAIRN CHRISTIAN SCHOOL

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

1. Comments from the public for a matter that 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
 1. emailing jpaylove@westlincoln.ca before 4:30 p.m. on the day of the meeting. Comments submitted will be considered as public information and be part of the public record; OR,
 2. 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

2. 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 Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit 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 Joann Chechalk

Councillor Chechalk read the opening petition.

4. PUBLIC MEETINGS

- 4.1 Township of West Lincoln - Zoning By-Law 2017-70, Housekeeping Amendment No. 8

Re: To undertake amendments to the Township Zoning By-Law, 2017-70, as amended, to address a number of minor updates that should be addressed through an eighth round of housekeeping amendments.

4.2 4961 Canborough Street (Darren Fousert (Agent) Janna and Frank Bulk) -
Temporary Use By-Law

Re: An application for a Temporary Use By-Law, requesting to temporarily permit a 67 square meter mobile home (garden suite) on the property zoned Rural Residential for a maximum of 20 years to allow family members to reside on the property.

5. CHANGE IN ORDER OF ITEMS ON AGENDA

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

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

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

There were no pecuniary interests and/or conflicts of interest that were disclosed.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

The Chair inquired if there were any members of the public present who wished to address a specific item on the agenda as permitted by Section 6.7 of the Procedural By-Law.

In response to the Chair's inquiry, there were no members of the public present who wished to address a specific item on the agenda.

The Chair inquired to the IT Manager, Roberta Keith, if there were any members of the public present online who wished to address a specific item on the agenda.

In response to the Chair's inquiry, IT Manager, Roberta Keith, explained that there were no members of the public present online who wished to address a specific item on the agenda.

8. APPOINTMENTS/PRESENTATIONS

8.1 Luciano Di Leonardo

Re: Introduction of Smithville East Gateway Developers and Development Plans to Council

9. REGIONAL COUNCILLOR'S REMARKS

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

10. CONFIRMATION OF MINUTES

10.1 Council Minutes

Re: Minutes - June 24, 2024

Confidential Minutes Under Separate Cover

Moved By Councillor Joann Chechalk

Seconded By Councillor William Reilly

1. That the minutes relating to the open session portion of the June 24, 2024 Council Meeting, and the recommendations contained therein, be accepted; and
2. That the confidential minutes relating to the closed session portion of the June 24, 2024 regular Council Meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in Section 239 of the *Municipal Act*.

Carried

11. COMMUNICATIONS

11.1 World Hepatitis Day

Re: Recognition of World Hepatitis Day in the Township of West Lincoln

Moved By Councillor Shelley Bradaric

Seconded By Councillor Jason Trombetta

WHEREAS, approximately 204,000 Canadians are living with hepatitis C and over 250,000 people are living with hepatitis B; and,

WHEREAS, people living with hepatitis B and C have an increased risk of developing cirrhosis, liver failure and related illnesses; and,

WHEREAS, Ontario has over 110,000 people living with hepatitis B or C, both of which are slow and progressive diseases; and,

WHEREAS, there are vaccines available for Hepatitis A and B; effective Hepatitis C treatment therapies can cure over 95% of cases; and

WHEREAS, World Hepatitis Day provides an opportunity to reach out to millions of Canadians and encourage hepatitis testing, provide treatment and care for those affected while paving the way towards elimination of hepatitis as a public health concern in Canada by 2030.

NOW THEREFORE BE IT RESOLVED that the Township of West Lincoln Council acknowledge July 28, 2024 as World Hepatitis Day.

Carried

12. MAYOR’S REMARKS

Mayor Ganann read from a prepared statement, which is attached to the minutes as Schedule “B”.

13. REPORT OF COMMITTEE

13.1 Planning/Building/Environmental Committee

- 1. Senior Planner (Susan Smyth), Manager of Planning (Gerrit Boerema), Director of Planning & Building (Brian Treble)

Re: Technical Report PD-32-2024 - Comprehensive Zoning By-Law 2017-70 Housekeeping Amendment No. 8 (File No. 1601-005-24)

Moved By Councillor William Reilly

Seconded By Councillor Joann Chechalk

- 1. That Technical Report PD-32-2024 titled, “Comprehensive Zoning By-law 2017-70, Housekeeping Amendment No. 8 (File No. 1601-005-24)”, dated July 15, 2024, be received; and
- 2. That Staff present a Recommendation Report to a future Planning/Building/Environmental Committee meeting when all public and agency comments have been received and given full consideration and a full planning review is completed.

Carried

- 2. Senior Planner (Madyson Ettl) and Manager of Planning (Gerrit Boerema)

Re: Technical Report PD-31-2024 - Application for Zoning By-Law Amendment (Temporary Use By-Law) - Frank and Janna Bulk, Garden Suite Application (File No. 1601-006-24)

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

1. That Technical Report PD-31-2024 titled, “Application for Zoning By-Law Amendment (Temporary Use By-Law) – Frank and Janna Bulk, Garden Suite Application (File No. 1601-006-24)” dated July 15, 2024, be received; and
2. That a Recommendation Report be submitted to a future Planning/Building/Environmental Committee meeting once a full staff and agency review has been completed.

Carried

3. Township of West Lincoln Heritage Committee

Re: Minutes of September 28, 2023; January 18, 2024; January 25, 2024

Confidential Minutes Under Separate Cover

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

1. That the minutes relating to the September 28, 2023 West Lincoln Heritage Committee Meeting be received for information; and
2. That the confidential minutes relating to the closed session January 18, 2024 West Lincoln Heritage Committee Meeting be received for information; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in Section 239 of the *Municipal Act*; and
3. That the minutes relating to the January 25, 2024 West Lincoln Heritage Committee Meeting be received for information.

Carried

13.2 Administration/Finance/Fire Committee

1. Acting Director of Legislative Services/Clerk (Justin Paylove)

Re: Report C-02-2024 - Options relating to filling the vacancy of the Office for one (1) Councillor position for Ward Three (3)

Moved By Councillor Jason Trombetta

Seconded By Councillor Shelley Bradaric

1. That Recommendation Report C-02-2024 titled, "Options relating to filling the vacancy of the Office for one (1) Councillor position for Ward Three (3)", dated July 15, 2024, be received; and
2. That the Clerk be given direction that the vacancy of the Office for one (1) Councillor position for Ward Three (3) for the remainder of the 2022-2026 term of Council be filled through option # 2, as detailed herein.

Carried

2. Director of Finance/Treasurer (Donna DeFilippis) & Manager of Finance/Deputy Treasurer (Katelyn Repovs)

Re: Recommendation Report T-14-2024 - Draft Audited Financial Statements and Audit Findings for Year-End 2023

Moved By Councillor Shelley Bradaric

Seconded By Councillor Joann Chechalk

1. That Recommendation Report T-14-2024 titled, "Draft Financial Statements and Audit Findings for Year-End 2023", dated July 15, 2024, be received; and
2. That the 2023 Draft Audited Financial Statements, attached as Appendix A to this report, be approved; and
3. That the 2023 Audit Findings Report, attached as Appendix B to this report, be received.

Carried

3. Deputy Treasurer/Manager of Finance (Katelyn Repovs) and Director of Finance/Treasurer (Donna DeFilippis)

Re: Recommendation Report T-15-2024 - 2023 Accumulated Surplus

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

1. That Recommendation Report T-15-2024, regarding "2023 Accumulated Operating Surplus", dated July 15, 2024, be received; and

2. That Council authorizes that \$150,000 of the 2023 Accumulated Operating Surplus be used as revenue in the 2025 Operating Budget; and
3. That Council authorizes that \$343,980 of the remaining Accumulated Operating Surplus be transferred to the Contingency Reserve.

Carried

4. Fire Chief (Dennis Fisher)

Re: Information Report WLFD-09-2024 - Monthly Update - June 2024

Moved By Councillor Shelley Bradaric

Seconded By Councillor Jason Trombetta

That Information Report WLFD-09-2024 titled, "Monthly Update – June 2024", dated July 15, 2024, be received for information.

Carried

13.3 Public Works/Recreation Committee

1. West Lincoln Public Library Board

Re: Minutes of May 21, 2024

Moved By Councillor Mike Rehner

Seconded By Councillor Jason Trombetta

That the minutes relating to the May 21, 2024 Library Board Meeting be received for information.

Carried

2. Manager of Parks, Recreation & Facilities (Bob Denison) and Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report REC-06-2024 - Wide Area Mower Replacement Tender Authorization

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

1. That Recommendation Report REC-06-2024 titled, "Wide Area Mower Replacement Tender Authorization", dated July 15, 2024, be received; and

2. That Council accept the tender submission by Premier Equipment for the supply and delivery of a John Deere 1600 with an enclosed cab, in the amount of \$110,439.20 (plus HST).

Carried

3. Project Manager (Ray Vachon) and Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report PW-19-2024 - Lincoln St., Welland St., & Niagara St., Reconstruction Detail Design - Budget Amendment BA2024-07

Moved By Councillor Mike Rehner

Seconded By Councillor Joann Chechalk

1. That Recommendation Report PW-19-2024 titled, "Lincoln St., Welland St., & Niagara St., Reconstruction Detail Design - Budget Amendment BA2024-07", dated July 15, 2024, be received; and
2. That Budget Amendment BA2024-07, in the amount of \$80,000.00, funded through a Transfer from the Capital Reserve, be approved.

Carried

14. RECONSIDERATION

There were no motions introduced to reconsider action taken at this Council Meeting or the previous regular Council meeting.

15. NOTICE OF MOTION TO RESCIND

There were no notices of motions to rescind that were introduced.

16. OTHER BUSINESS

16.1 Members of Council

Re: Council Remarks

Councillor Bradaric

Re: West Lincoln Public Library Programming

Councillor Chechalk

Re: Niagara Dinner at the Dairy & International Plowing Match and Rural Expo

Mayor Ganann

Re: Music, Market and Park-It

16.2 Councillor William Reilly

Re: Improving Assessment Growth & prosperity within the Township of West Lincoln

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

1. That staff are hereby authorized to send a letter to the Region of Niagara and the Province of Ontario; and
2. That all Regional Councillors, MPPs, and their appropriate staff be included in the correspondence; and
3. That the letter requests assistance with improving efficiencies with how the Region of Niagara approves it's Capital Cost Allocations for infrastructure to allow for developments happening within the Township of West Lincoln; and
4. That it further be requested that the Region of Niagara and the Province of Ontario look into all possible avenues to provide urgent and immediate financial means to support all costs associated with resolving the infrastructure constraints which is preventing the development of lands intended for housing within the urban boundary areas in the Township of West Lincoln.

Carried

17. NEW ITEMS OF BUSINESS

Moved By Councillor Joann Chechalk

Seconded By Councillor Jason Trombetta

That a new item of business be added to the agenda in regards to remuneration.

Carried

18. CONFIDENTIAL MATTERS

Confidential Item 18.2 was rescinded by Councillor Rehner.

Moved By Councillor William Reilly
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*:

18.1 Director of Public Works & Recreation (Mike DiPaola)
Re: Potential Facility Lease Contract Proposal

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employees; and,

A plan or instruction to be applied to negotiations.

18.2 Councillor Mike Rehner
Re: Vacation Accrual

FOR DISCUSSION

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employees.

18.3 Councillor Joann Chechalk
Re: Remuneration

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employees.

Carried

Moved By Councillor Shelley Bradaric
Seconded By Councillor Joann Chechalk

That Staff proceed as directed in closed session, in regards to Confidential item 18.1 and 18.3.

Carried

18.1 Director of Public Works & Recreation (Mike DiPaola)

18.2 Councillor Mike Rehner

18.3 18.3 Councillor Joann Chechalk

19. BY-LAWS

Moved By Councillor Mike Rehner

Seconded By Councillor Shelley Bradaric

1. That leave be granted to introduce By-Laws 2024-49 and 2024-50, 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

19.1 BY-LAW 2024-49

A By-Law to appoint a Chief Building Official and Inspectors for the Township of West Lincoln.

19.2 BY-LAW 2024-50

A By-Law to adopt, confirm and ratify matters dealt with by Council Resolution.

20. ADJOURNMENT

The Chair declared this meeting adjourned at the hour of 10:27 p.m.

JUSTIN PAYLOVE, CLERK

MAYOR CHERYL GANANN

Regional Councillors Report July 15, 2024

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

I wanted to start by highlighting some information from our Public Health and Social Services Committee meetings. In June we were presented with Public Health Inspections annual report from 2023. There were a total of 13,621 infections in 2023 and the break down goes like General Food 8,711, personal service settings 1526, recreational water 1,151, LTC, group homes, shelters 812, International Ag workers 637, childcare 407, safe water-water haulers 342, Health Hazards-Arenas 26 and infection prevention 9.

Complaints and Investigations totalled 1,499 + 1,266 for rabies.

General food and Health hazards made up 80 % of the case loads.

Public Health Unit continues to improve its web based presence to offer the public better communication. The top web pages are Health Care Facility Outbreaks, Beach Water Testing, Closures, Orders and Convictions and Health Inspection Results. So with the transparency of inspection findings consumers can make informed decisions. The key of Public Health is to keep Niagara residents and visitors safe.

Supporting and educating local businesses so they can promote their own inspection results/ compliance with the regulations.

That same day we were presented with information on the Niagara Poverty Reduction strategy. Highlighting the information goes like this, OW-Ontario Works, ODSP- Ontario Disability Support Program barely covers rent so we rely on a group of 45 social and health agencies to make up for the short fall on helping those living in poverty. To give you an idea of this shortfall we have singles at - \$540.00 a month, single+child at -\$843.00 and a couple with 2 children in a shortfall of \$1,585.00. These numbers are definitely not acceptable for our residents. We as representatives of the public continue to advocate the Province and the Federal Government to raise these rates for those on social assistance. We did pass a resolution directing the chair of the Niagara Region to request action be taken to increase OW and ODSP, to mitigate further hardship that has resulted from frozen rates.

I know we are doing our part supporting West Lincolns Community Care so that our residents can be supported in a kind and caring manner.

In late June I had the opportunity to be the Master of Ceremonies for the 50th anniversary celebration of the Niagara Escarpment Commission. This afternoon event was held at Queenston Heights with local representatives and past chairpersons of the commission sharing experiences of this wonderful bio-sphere that we have in Ontario. We do tend to take this

for granted as we live, work and play in this geographic wonder. It takes dedication from staff and Commissioners to land use plan this geography.

On Canada Day my wife and I with some friends participated in the celebrations at the Leisureplex facilities, enjoying the opening ceremonies and listening to the Practically Hip. And of course enjoying the display of fireworks to end off the evening. I just wanted to express my thanks to all those that made this event possible for our residents to enjoy that evening.

This past thursday I was invited to an announcement at the Vineland Research and Innovation Center, between the Provincial Government and the Federal Government they made a commitment of 23.5 million investment . Vineland is converting applied research, important research to the commercialized and delivery of solutions that will help farmers, processors and ultimately, consumers. Vineland plays a key role not only in Niagara but also across the country. The feds will be contributing \$14.13 and the provinces portion will be \$9.42.

This is my report for July, if any members of council have any questions I will gladly answer therefor you,

Warmest Regards,
Albert Witteveen

July 15/24 All Committees/Council Meeting Mayor's Remarks

On the afternoon of June 24th, Interim CAO DeFilippis and I had the pleasure of taking part in a tour of our Community Centre, as the Director of Public Works and Recreation Mike DiPaola and staff members Bob Denison and Wendy Beaty did an excellent job of providing a welcoming and thorough tour of the West Lincoln Community Centre for two gentleman. One of the two was interested in exploring a potential opportunity to use our facility and the other was supportive of this idea for his longtime friend and business associate.

I had the pleasure on June 25th of welcoming Daisy Wai, Parliamentary Assistant to the Minister for Seniors and Accessibility, to West Lincoln. PA Wai, accompanied by our local MPP Sam Oosterhoff was in town to acknowledge our receipt of a provincial grant to support Seniors programming at our Community Centre. Congratulations to our Recreation staff on this successful grant application.

June 26th, Interim CAO DeFilippis and I attended the Grand Erie Business Centre Board's AGM in Caledonia. Councillor Joann Chechalk and resident Steve Ecker represent West Lincoln on this Board and have been helpful in trying to direct some of the funding opportunities provided by the Board toward West Lincoln start-up businesses. We do have some local business owners who have benefitted from Grand Erie Board initiatives and we are hopeful that our attendance helps to cement the relationship West Lincoln has with the Grand Erie Business Centre Board.

I would like to take this opportunity to publicly thank staff from all departments (Recreation, Public Works and Fire) who were involved in any way with our Canada Day celebrations. The buzz around town and on social media, following Canada Day was that the Band was fantastic and the Fireworks were amazing!

The Mayor's Youth Advisory Committee, rather than taking the Summer off from meetings, has elected to continue to meet at 10:00 am on the first Wednesday of the month. It is their plan to host a contest among school-aged children, to determine this year's corporate Holiday card. To that end they are currently working on the rules and regulations for this contest and are planning for and making posters, to advertise their contest, that will run during the month of September.

As time has permitted during the last 2 months, Executive Assistant Jacquie Thrower and I have been working on the draft documents for our AMO delegations. We have submitted 3 requests for delegation timeslots; one to the Minister of Municipal Affairs and Housing, Paul Calandra, one to the Minister of Infrastructure Kinga Surma and one to the Minister of Tourism, Culture and Gaming, Stan Cho. The first two are somewhat related as they refer strongly to our potential housing capabilities and our definite need for Infrastructure funding to get water and wastewater pipes in the ground so as to allow us to have homes built in West Lincoln. The third is a request to the Ministry to increase funding to libraries, funding that has not changed during the last 25 years. For example, the Public Libraries Operating Grant or PLOG as it is called provides annually to West Lincoln, the amount of - \$ 22,800, an amount that has remained that

same for more than 2 decades, in spite of the changes over time, to overall budgets related to such things as utility costs, print, audio-visual and other material increases, computers and related software increases, wages and benefit package changes, programming expectations etc. Libraries, which operate under the Public Libraries Act, 1990, are mandated to provide equitable services to communities and their residents at little or no out of pocket costs. We also request in our delegation that this Act be reviewed and updated accordingly as it too is close to 35 years old.

Each of our 3 draft delegation documents is now complete, however, as of today, we have not yet heard whether or not we have been granted time before any of the Ministers or their Parliamentary Assistants, at the Association of Municipalities Conference in August. When we do hear, the turnaround time for submitting these documents will be quite short, so we are at least ready for that step, if and when it comes.

Finally, I want to say that on July 12th, it was a great pleasure to welcome our new CAO, Truper McBride, as he began his first day in West Lincoln. We are most definitely happy to have him on board.