

Lincoln Chambers

July 3rd, 1979

Minutes of a meeting of the Council of the Corporation of the Town of Lincoln held in the Lincoln Council Chambers on Tuesday, July 3rd, 1979, at 7:30 p.m. All members of Council were present with the exception of Alderman F. Thompson (absent on vacation) and the meeting was chaired by Mayor G. Huffman. Officials present were: J.A. Makey (Treasurer) and Clifford (Deputy-Clerk).

ADOPTION OF MINUTES

Moved by Ald. R. Konkle, Seconded by Ald. J. Hildreth

THAT the minutes of Council's meeting of June 18th, 1979, be adopted as circulated by the Town Clerk.

CARRIED

DELEGATIONS

FIRS. BARBARA TROUP, LINCOLN LIBRARY BOARD, CONCERNING GRANT APPLICATION'S

Mrs. Barbara Troup was in attendance at the meeting to review with the Council the Library Board's request for approval to the designation of the existing Library Building as a property of Architectural and Historical value under the Ontario Heritage Act and to designate a room in the proposed Library addition as a "Community Centre" under the Community Recreation Centres Act. Mrs. Troup commented on the activities of the Library Addition Committee, composed of volunteers who are working to raise funds for the proposed Library addition. She commented on the fact that the building was closely connected with the history of Beamsville and the appropriateness of the designation of same as a building of Historic and Architectural value during this Centennial year.

Moved by Ald. W. Stone, Seconded by Ald. J. Hildreth

THAT this Council authorize the publication of the required Notice of Intention indicating its intention to designate as a property of architectural and historical value, under the provisions of The Ontario Heritage Act, 1974, S.O., Chapter 122, the building located on part of Lot 269, Corporation Plan 3 of the former Town of Beamsville, now in the Town of Lincoln, in the Regional Municipality of Niagara, said building formerly known as the Clinton Township Hall and presently occupied partly by the Central facility of the Lincoln Public Library and partly by the Ivy Lodge, AF & AM, Beamsville.

CARRIED

Moved by Ald. W. Stone, Seconded by Ald. J. Hildreth

THAT this Council support the application of the Lincoln Library Board to the Ministry under the Community Recreation Centres Act and authorize the preparation of the necessary By-law to designate a room in the proposed Library addition as a Community Centre.

CARRIED

MR. ROBERT KELLY, BEAMSVILLE BUSINESSMEN'S ASSOCIATION, BEAMSVILLE CENTENNIAL -- ACTIVITIES

Mr. Bob Kelly reviewed with the Council members proposed activities scheduled for Friday and Saturday, August 3rd and 4th, which included the proposed closing of a portion of King Street, from Mountain to Ontario, in conjunction with the sidewalk sale, various contests and a street dance. It was indicated that the Region of Niagara had approved the closing of a portion of King Street subject to the endorsement of the Town to temporary removal of parking along areas designated to accommodate the detour route, the Town's agreement to absorbing costs which may be involved concerning signing and public notification which were indicated to be in the neighbourhood of \$300.00, and public liability insurance coverage of \$1,000,000.00. In view of the activities which were being proposed, it was also suggested that the streets might be cleaned on either the Thursday evening or Friday morning and this is to be investigated.

Moved by Ald. J. Fretz, Seconded by Ald. W. Stone

THAT Council advise Regional Public Works and the Superintendent of Public Works to work with the Downtown group to make the necessary arrangements for King Street closing-Friday at noon to Saturday-2200 hours for alternate traffic routes and parking control in these areas and to request Regional street sweeping for the occasion, also that the Town

contribute \$300.00 for the occasion. CAI<l<T ED . Also under this order of business, Mr. Kelly indicated to the Council

members that the three young men employed to work on the Downtown Beamsville Business Improvement area were progressing well with their undertaking and invited Council members to visit their working quarters at the former Steele Eouse in order to view the work which has been done to date.

REPORTS

RECREATION & PARKS COMNITTEE

The Council considered the report of the Recreation & Parks Committee, being the minutes of its meeting of June 19th, 1979.

Moved by Ald.B.Culp, Seconded by Ald.J.Hilclreth

THAT the report of the Recreation & Parks Committee, being the minutes of its meeting of June 19th, 1979, be adopted as circulated by the Clerk. CARRIED

PLANNING BOARD

The Council considered the report of the Lincoln Planning Board, being the minutes of its meeting of June 26th, 1979.

A memorandum from the Town Planner on the subject of the Romagnoli help house agreement was reviewed by the Council members.

Moved by Ald.R.Ronkle, Seconded by Ald.J.Hildreth

THAT this Council approve the deletion of Clause 8 from the help house Site Plan Agreement between the Town and the Romagnolis.

FURTHER THAT the fee of \$150.00 for the agreement be specified in the agreement and that this agreement be executed as amended.

NAYS: ALDERMEN: CULP, HILDRETH AND RIEDTGER. CARRIED

AYES: ALDERMEN: KONKLE, FRETZ AND STONE.

Moved by Ald.R.Konkle, Seconded by Ald.J.Hildreth

THAT the report of the Planning Board, being the minutes of its meeting of June 26th, 1979, be adopted as circulated by the Board Secretary, and as amended.

CARRIED

PUBLIC WORKS COMMITTEE

The Council reviewed the report of the Public Works Committee, being the minutes of its meeting of June 28th, 1979.

Subsequent to discussion of various items in the report, the following resolutions were presented and adopted.

Policies With Respect to Assumption of Certain Oversiz&g Costs:

Moved by Ald.W.Stone, Seconded by Ald.J.Riediger

THAT the section of the minutes of Public Works, regarding over-sizing of water mains be referred back to Public Works for further clarification.

CARRIED

C.D.Honsberger Limited, Water S-:

Moved by Ald.J.Fretz, Seconded by Ald.S.Leistner

THAT Council recommend that the water service to C.D.Honsberger remain in temporary status until Public Works water policy comes into effect.

CARRIED

Moved by Ald.J.Riediger, Seconded by Ald.R.Konkle

TINT this Council recommend that the Public Works minutes of June 28th, 1979, be amended to include, re: C.D.Bonsberger, that some objection was voiced concerning the water connection, and that the Public Works Superintendent look into possible ways of a satisfactory solution.

That prior to any further water being supplied in future years to this operation a request be made to the Public Works Committee.

NAYS: ALDERMEN FRETZ AND LEISTNER. CARRIED - Quotations of Various Equipment Purch~e~;

Moved by Ald.R.Konkle, Seconded by Ald.J.Hildreth

THAT the motion moved by Ald.S.Leistner and seconded by Ald.

J.Hildreth regarding quotations on various equipment purchases in the Public Works minutes of June 28th, 1979, be amended to read that one Case Backhoe be purchased at a price of \$41,130.00 plus 7% sales tax. Further that those buckets now in use on the old Case machine be utilized where possible by the Town.

CARRIED

Moved by Ald.J.Riediger, Seconded by Ald.J.Fretz

THAT the report of the Public Works Conunittee, being the minutes

of its meeting of June 28th, 1979, be adopted as circulated by the Town Clerk and as amended.

CARRIED

BY-LAWS

ASSUMPTION OF TURNING CIRCLE AND SHORT STREET
ADJOINING MARGUERITE AND CAMERON AVENUES

Moved by Ald.J.Hildreth, Seconded by Ald.B.Culp

THAT leave be given to introduce " A By-law to adopt specific roads as part of the Town road system (Turning circle and short street adjoining Marguerite and Cameron Avenues)."

CARRIED

Moved by Ald.J.Fretz, Seconded by Ald.J.Hildreth

THAT the By-law read a first time and being "A By-law to adopt specific roads as part of the Town road system (Turning circle and short street adjoining Marguerite and Cameron Avenues) ," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

TOWNE ZONING AMENDMENT -

Moved by Ald.R.Konkle, Seconded by Ald.W.Stone

THAT leave be given to introduce "A By-law to amend Comprehensive Zoning By-law No. 78-85 with respect to part of the lands of Toth, Part Lot 11, Concession 1 (Clinton)."

CARRIED

Moved by Ald.W.Stone, Seconded by Ald.R.Konkle

THAT the By-law read a first time and being "A By-law to amend Comprehensive Zoning By-law No. 78-85 with respect to part of the lands of Toth, Part Lot 11, Concession 1 (Clinton)," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

LEONTIS ZONING AMENDMENT

Moved by Ald.R.Konkle, Seconded by Ald.J.Fretz

THAT the By-law read a first time on June 18th, 1979, and being 1, A By-law to amend Comprehensive Zoning By-law No. 78-85 with respect to a portion of the lands of Leontis, Part Lot 16, Concession 8 (Clinton)," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

PRUDHOMMES GROUP, ZONING AMENDMENT

Moved by Ald.B.Culp, Seconded by Ald.J.Fretz

THAT leave be given to introduce "A By-law to amend the permitted uses under the C3-2 designation of By-law No. 78-85 with respect to part of the Prudhommes Group property, Part of Lot 22, Broken Front Concession, (Louth) ."

NAYS: ALDERMAN LEISTNER. CARRIED Moved by Ald.W.Stone, Seconded by Ald.J.Fretz

THAT the By-law read a first time and being "A By-law to amend the permitted uses under the C3-2 designation of By-law No. 78-85 with respect to part of the Prudhommes Group property, Part of Lot 22, Broken Front Concession (Louth)," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

NAYS: ALDERMAN LETSTNER CARRIED

(opposed to partial rezoning)

TO AUTHORIZE SITE PLAN AGREEMENT BETWEEN
THE TOWN AND PRUDHOMMES GROUP

Moved by Ald.B.Culp, Seconded by Ald.J.Hildreth

THAT leave be given to introduce "A By-law to authorize execution of a Site Plan Agreement between the Town of Lincoln and the Prudhommes Group."

CARRIED

Moved by Ald.B.Culp, Seconded by Ald.J.Riediger

THAT the By-law read a first time and being "A By-law to authorize execution of a Site Plan Agreement between the Town of Lincoln and the

Prudhommes Group," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

APPLICATIONS TO ONTARIO MUNICIPAL BOARD,
CONCERNING ZONING AMENDMENTS

JADEE MEAT PRODUCTS, BY-LAW NO. 79-47

Moved by Ald.S.Leistner, Seconded by Ald.J.Fretz

WHEREAS Town of Lincoln Restricted Area By-law No. 79-47 (JaDee Meat Products) zoning lands in part of Lot 15, Concession 1 (Clinton) as M2- General Industrial, has been circulated as required;

AND WHEREAS no objections to the provisions of the By-law have been received;

AND WHEREAS this Council is of the opinion that the provisions of the By-law comply with the policies of the Official Plan for the Town of Lincoln Planning Area, adopted by Council on December 6th, 1973, and approved (in part) by the Minister of Housing on April 24th, 1978;

THIS COUNCIL authorizes the Town Clerk to proceed with application to the Ontario Municipal Board for final approval to By-law No. 79-47.

CARRIED

UNRUH, BY-LAW NO. 79-53

Moved by Ald.S.Leistner, Seconded by Ald.J.Fretz

THAT WHEREAS Town of Lincoln Restricted Area By-law No. 79-53 (Unruh), zoning lands in part of Lot 21, Plan M-2, (Vineland), as "R2, Residential 2" has been circulated as required;

AND WHEREAS no objections to the provisions of the By-law have been received;

AND WHEREAS this Council is of the opinion that the provisions of the By-law comply with the policies of the Official Plan for the Town of Lincoln Planning area, adopted by Council on December 6th, 1973, and approved (in part) by the Minister of Housing on April 24th, 1978;

THIS COUNCIL authorizes the Town Clerk to proceed with application - - to the Ontario Municipal Board for final approval to By-law No. 79-53.

CARRIED

VANES, BY-LAW NO. 79-35

Moved by Ald.J.Fretz, Seconded by Ald. J.Hildreth

WHEREAS Town of Lincoln Restricted Area By-law No. 79-35 (VanEs), (Part Lot 1.6, Concession 1) was circulated as required on the 14th day of May, 1979, and whereas a further circulation to those persons listed on a petition, objecting to the interpretation of an Official Plan policy, was undertaken on the 5th day of June, 1979;

WHEREAS no objections were received subsequent to these circulations;

AND WHEREAS this Council is of the opinion that the provisions of By-law No. 79-35 comply with the policies of the Official Plan for the Town of Lincoln Planning area adopted by Council on the 6th of December, 1973, and approved (in part) by the Minister of Housing on April 24th, 1978;

NO. \$ THEREFORE, this Council. authorizes the Town Clerk to proceed with application to the Ontario Municipal Board for final approval to By-law No. 79-35. CARRIED

NAY : ALD. Z.EISTNER -5-

CORRESPONDENCE

1. Jordan Lions Club, requesting permission to use Arena and also support of the Club's application for a Special Occasion Permit from the Liquor License Board in conjunction with the Club's annual summer carnival, July 12th, 13th and 14th, 1979.

Moved by Ald.J.Fretz, Seconded by Ald.J.Riediger

THAT this Council approve the use of the Jordan Arena by the Jordan Lions Club for its Summer Carnival activities and support the Club's application to the Liquor License Board for a Special Occasion Permit.

CARRIED

OTHER BUSINESS

1. Alderman Brian Culp introduced a resolution recommending that changes be made to the statutes to require that Municipal Councillors'

taxes be paid to date during their terms in office. Staff was requested to investigate the reasons for changes in legislation on this subject in the past.

Moved by Ald.B.Culp, Seconded by Ald.J.Riediger

THAT this Council request the Minister of Intergovernmental Affairs, The Honourable T.J.Wells, to amend the Municipal Act R.S.O. 1970, so that all Municipal Councillors must have their Municipal taxes paid before seeking nomination and during their term of office.

NAYS: ALDERMAN STONE CARRIED

2. Alderman J.Riediger spoke on a proposal to adopt summer meeting times during July and August.

Moved by Ald.J.Riediger, Seconded by Ald.J.Fretz

THAT this Council recommend that the Town of Lincoln Council and all Committees adopt summer hours for the months of July and August, summer . hours to be one meeting per month, unless a very special emergency arises.

LOST -

3. Alderman W.Stone indicated that, with the concurrence of the Finance & Administration Committee members, the July Committee meeting would be held on July 11th rather than the normal meeting date of July 10th. He invited members of Council to attend this particular meeting at which time the Auditor's report would be reviewed.

4. Alderman R.Konkle inquired about the status of the clean-up of the Cole Construction property west of the community of Beamsville and asked that staff investigate this matter.

ADJOURNMENT

Moved by Ald.J.Fretz, Seconded by Ald.S.Leistner

THAT this July 3rd session of the Council of the Town of Lincoln do now adjourn to meet again as per schedule or as necessary or at the call of Her Eminence.

CARRIED

w DEPUTY-CLERK MAYOR d- U Lincoln Chambers

July 9th, 1979

Minutes of a meeting of the Town of Lincoln Planning Board held in the Lincoln Chambers on Monday, July 9th, 1979, at 7:30 p.m. All members of the Board were present with the exception of Alderman W.Stone and Alderman F.Thompson both, as per prior notice. The meeting was chaired by Alderman R.Konkle. Officials present were: Frank Reiss(Town Planner), Janet Tuford(Deputy-Clerk) and Joe Podres (Chief Building Official).

REPORTS

SITE PLAN AGREEMENT FEES

The Planning Board reviewed a report submitted by Town staff which outlined the average charges made by the Town Solicitor to the Town for Site Plan Agreements. This report was prepared in response to a request by the Planning Board to review the fees paid by applicants at the present time in the Town of Lincoln. The average fees for legal services amounted to approximately \$85.00 per agreement. It was viewed not to be excessive to request \$150.00 for these Site Plan Agreements since staff time is also involved in their preparation.

Moved by Ald.J.Riediger, Seconded by Ald.J.Hildreth

THAT this Board recommend to Council that the present fee of \$150.00 for the preparation of Site Plan Agreements be continued.

CARRIED

COMPOSITION OF THE PLANNING BOARD

A staff report outlining the possibility of reducing the size of the Planning Board from its present status of all of Council to a smaller size was reviewed by the Board. It was indicated that according to the Regional Municipality of Niagara Act, the Planning Board is Council. Because of this it would be possible to create a Committee of Council similar to all the other Committees of Lincoln Council which would recommend to Council.

The only exception would be in the case of an Official

Plan amendment in which case the Planning Board would be required to sit as Council and pass resolutions as Planning Board. Separate meetings however,would not be required and these amendments could be approved simply

through resolutions at a Council meeting at which Planning Board would also sit.

It was also indicated that other local area Municipalities including the Town of Niagara-on-the-Lake, the Town of Pelham and the Town of Grimsby had similar systems to the one proposed by staff.

Moved by Ald.J.Riediger, Seconded by Ald.S.Leistner

THAT this Board recommend to Council to reduce the Planning Board to five members including the Chairman, as outlined in a report by F.D.Reiss, dated July 6th, 1979.

CARRIED

REZONING OF FORMER WILLIAMS GARAGE, JORDAN STATION

Town staff submitted a report which indicated that the proposed new owner of Williams Garage wished to rezone that particular property to permit an auto repair business as had been previously established by the Williams operation. It was indicated to the Board that in 1978, the Town had rezoned this property to permit only an auto body repair business. It was indicated that it would simply be a matter of re-establishing the former General Commercial zone to permit the now proposed auto repair business to be established again.

The Board discussed the question of a Site Plan Agreement which had been entered into with the former applicant and it was indicated that staff would investigate the possibility that a Site Plan Agreement would be made a condition of an Occupancy Permit so that a By-law to rezone the property could be passed prior to the agreement being finalized.

Moved by Ald.J.Fretz, Seconded by Ald.J.Riediger

TEUT Planning Board recommend to Council the rezoning of the Williams Garage at 1.5 William Street, Jordan Station (Bridgeport) to a 1, C2" zoning, the rezoning to be accompanied by a Site Plan Agreement, hours of operation (not late); days of operation (not Sunday); parking facilities (adequate); appropriate storage of cars For parts with fencing; entrance way. CARRIED APPLICATIONS TO THE NIAGARA ESCARPMENT COMMISSION

The Planning Board reviewed the following applications.

New Applications:

1. N/R/79/151, Spencer Moyes, Part Lot 3, Concession 6, (Clinton), on the south side of Moyer Road. This application to construct a single family dwelling on a one acre retirement lot was approved by Town staff.
2. N/A/79/113, Peter Kratzmann, Part Lot 19, Concession 5, on the east side of 19th Street Louth. Staff did not object to this application since the building site is within the area designated as "Rural" or "escarpment" in the Official Plan. It was pointed out that one dwelling unit on one lot would be permitted under either of these designations.

Decisions:

1. N/A/79/158, J.Bartfai, application to construct a 1,440 square foot farm implement shed on a 15.2 acre property on Fly Road in part of Lot 15, Concession 6(Clinton) was approved by the Commission.
2. N/A/79/113, Peter Kratzmann, as described above, this application was approved subject to the proposed dwelling being located a minimum of 150 feet from the brow of the escarpment, that the applicant state the location of the dwelling's septic system and pool to the satisfaction of the Commission and that no trees or vegetation be removed from the property within 150 feet of the brow of the escarpment.
3. Frank Vilim: this application was approved by the Escarpment Commission's Hearing Officer and the Minister of Housing to permit the construction of a single family residence in Part of Lot 20, Concession 4(Louth). Mr. Vilim appeared before the Board in order to request that the third dwelling on the property which is now used as Mr. Vilim's residence be permitted to retain the plumbing facilities in order to permit a temporary residence for the operation of his camping facilities on the property. It was indicated by staff that the Minister of Housing's condition would limit the use of this building since an agreement was to be entered into between the Town and the owner to prohibit the use of this building for human habitation. It was indicated that an agreement as outlined by the Minister would be forwarded to Council at its next meeting.

APPLICATIONS TO THE REGIONAL LAND DIVISION COMMITTEE

The following applications were reviewed by the Planning Board.

New Applications:

1. B-367179, Krikorian, this application in part of Lot 15, Concession 1 and Broken Front Concession on the North Service Road at the Q.E.W., was made for consent to convey 1.6 acres of vacant land and to retain 4.2 acres with an existing dwelling and out-buildings. This application was approved by staff subject to the road allowance dissecting the property being conveyed to Mr. Krikorian and that the applicant pay the usual impost fees.

Decisions:

1. B-250179, John Unruh, this application also made by the Netherlands Reformed Congregation in part of Lot 21, Plan M-2, in the former Township of Louth, on the east side of Victoria Avenue, south of Vineland Public School was approved by the Land Division Committee subject to the applicant entering into an agreement with the Municipality to pay urban service imposts for two new lots, a water surcharge of \$500.00 for one new water connection, a general impost fee of \$800.00 for two new lots and payment of \$500.00 cash-in-lieu of land for park purposes for a total of \$4,000.00. A further condition was added that the By-law governing the property permit the intended uses.

2. E-339179, Leonard & Dorothy Cosx, this application for consent to convey .249 acres of land and to retain .15 acres of land on the south side of Regional Road No. 81 in Vineland, east of Victoria Avenue, being part Lot 23, Concession 4(Lot 1th), was granted subject to the applicant proving that the final lot size would not require a variance from the Lincoln Committee of Adjustment. The following applications were reviewed by the Planning Board.

V. Opresnik, A-12/79, Part Lot 20, Concession 2, south side of Regional 1. Road 881 at Mountainview Road. This application for a minor variance on an existing lot was made to reduce the sideyard setback to four feet from the usual ten foot requirement (3 metres).

Decisions:

1. Opresnik, A-12/79, this application as described above was approved by the Committee. It was indicated by the Committee's Secretary, Mrs. Tufiurd, that the Committee was concerned that the applicant had continued to build this building while the application was pending before the Committee. It was indicated by Mrs. Tufford that a memo to staff would be forthcoming from the Committee to express its concern.

OBJECTIONS AND ALTERATIONS TO BY-LAW NO. 78-85

In a verbal report to the Planning Board, Town staff indicated that the Ministry of Agriculture & Food, the Region, and the Ministry of Housing had been contacted and requested to appear before the Board to explain their position on the agricultural code of practice as it relates to the Town's By-law. It was indicated that along with this item, the Industrial zoning along Bartlett Road and probably the apartment regulations would be included for review at the next regular Planning Board meeting.

The Board continued its review of objections and recommended revisions to various provisions of the Town's Comprehensive Zoning By-law No. 78-85. A number of items detailed in a staff report on this subject were discussed and dealt with by the Board as follows:

Moved by G.Huffman(Mayor), Seconded by Ald.J.Hildreth

THAT this Board recommend to Council the following revisions to Zoning By-law No. 78-85 as discussed this evening:

- a) Corrections to definitions of: "Basement", "Floor Area", "Setback", "Floor Area, Gross", "Water Frontage", as recommended by the Town Planner;
- b) Subsection 3.3(ii), "Uses Not Restricted"; to correct wording error and to provide for appropriate area size requirements;
- c) Subsection 3.7.2(b) "Completion of Residential Buildings"; to add "or as approved by Niagara Regional Health Unit";
- d) Subsections 3.9.6 and 3.10.1- correct errors in wording to clarify as recommended by staff;
- e) Subsection 3.11.3, "General Conditions for Parking areas"; to correct metric unit of vehicle size and wording to clarify intention of this section;
- f) Subsections 3.12(a), 3.14(c) and 3.17.1- correct errors in wording; as recommended;
- g) Subsection 4.4.1- Lot and Site Requirements for Greenhouses; to add a

footnote to clarify intent of regulations and provide for lesser setback where the distance to an existing residence on an abutting lot is a minimum of 40 metres; where discharge fans are not facing said residence;
h) Subsection 4.4.2- to eliminate this clause respecting animals on a greenhouse site;
i) Subsection 4.6.1(d); to provide for a lesser setback where mushroom operations use non-odorous dry compost;
j) amend 6.2(a), "Tobaccoists"; as recommended and 6.2. (d) , "Miscellaneous"; to remove the word "Reports";
k) Subsection 6.3.2.2., "Setbacks, Side or Rear Yard abutting navigable waterway"- amend as recommended and include definition of "navigable waterway in By-law";
l) 6.7. (b) (ii) "Special Provisions for Drive-In Restaurants"; eliminate the word "may" and replace with more definite statement, as recommended;
m) 8.215) and 8.3.2.- correct errors in spelling and numbering according to Report;
n) Subsection 4.1-amend to require Site Plan Agreements for Crechnouse and 11-1- House provisions rather than a broad reference to Section 3.8 . . . to roughen the III-IV Zone Section of the By-law.

CARRIED -4-

CORRESPONDENCE

The Board reviewed the following items of correspondence.

1. Letter from Alan Veale, Planning Director of the Region, regarding the Business Industrial Development Committee and the Town's response to the Region's previous request. Mr. Veale's letter thanked the Town for its interest in this matter.

2. Correspondence from the St. Catharines & District Development Board, George Walker, Chairman, requesting that the Town respond to the possibility of a meeting between representatives of this Board and similar groups from Welland and Niagara Falls to discuss the principle of development in the Niagara Region.

Moved by Ald.J.Riediger, Seconded by G.Huffman(Mayor)

THAT this Board recommend to Council that Alderman Leistner be delegated to attend a meeting of the St. Catharines & District Development Board, and report back to this Board as to the advisability of a delegate from the Town attending these meetings regularly.

CARRIED

3. Correspondence from John Klassen requesting permission to obtain a building permit on the southwest corner of 23rd Street South and 2nd Street in Vineland since the sanitary system for the area was being installed at this time. The Planning Board reviewed this matter and indicated that since a resolution on this particular property had been previously approved that no further action be taken at this time.

ADJOURNMENT

Moved by Ald.B.Culp, Seconded by Ald.J.Hildreth

THAT this Planning Board do now adjourn and meet again July 23rd, 1979, or at the call of the Chairman.

CARRIED

CHAIRMAN SECRETARY Lincoln Chambers

July 11th, 1979

Minutes of a meeting of the Finance & Administration Committee held in the Lincoln Chambers on Wednesday, July 11th, 1979, at 7:30 p.m. Present were: Aldermen: W.Stone(Chairman), J.Fretz, R.Konkle (representing the Mayor), B.Culp and J.Riediger. Also present was: Alderman J. Hildreth. Staff present were: M.Duc(Clerk) and J.Makey(Treasurer).

REVIEW OF 1978 FINANCIAL REPORT

Mr. G.McLean of the Town's Auditing firm was present in order to review with the Committee the Town's 1978 financial report. The financial statement and Auditor's report were reviewed in detail by the Committee with the Town Auditor and staff.

The financial statement and Auditor's report were approved as submitted.

The Committee also reviewed a report prepared by the Regional Municipality of Niagara on the debenture debt position of its local Municipalities and also a Regional report on the tax arrears position of the

Municipalities.

**APPLICATIONS FOR TAX REBATES UNDER
SECTION 636(1) OF THE MUNICIPAL . .
ACT**

The Committee considered various applications for tax rebates under the provisions of Section 636(1) of the Municipal Act.

Moved by Ald.R.Konkle, Seconded by Ald.J.Riediger

THAT this Committee recommend to Council that taxes in the amount of \$12,634.08 as per the list dated July 10th, 1979, and submitted by the Treasurer, be written off under Section 636(1) of the Municipal Act.

CARRIED

REPORTS

POLICY ON TAX ARREARS

The Treasurer submitted a report to the Committee concerning his intentions to develop a policy on tax collection matters and procedures and recommending certain points which should be included in that policy.

Moved by Ald.B.Culp, Seconded by Ald.J.Riediger

THAT this Finance Committee recommend to Council the adoption of the recommendation of the Treasurer of Lincoln, re: Tax Collection Policy, July 9th, 1979, as a policy of the Town of Lincoln:

THAT all Municipal taxes on the said property be paid in full before:

- a) rezoning of the property,
- b) Site Plan Agreements of the property,
- c) severance of the property,
- d) approval of any loan program operated by the Town. ~. . . Further that a copy of this report; be forwarded to Mr. Russell

High, Regional Councillor. **CARRIED**

ADVERTISING IN GRAPE & WINE FESTIVAL BOOKLET

A report was submitted to the Committee concerning a recent request submitted by the Niagara Grape & Wine Festival Committee. that the - Town consider placing an advertisement in its Festival booklet.

Moved by Ald.R.Konkle, Seconded by Ald.J.Fretz

THAT the Town of Lincoln have inserted a half page advertisement in the Grape & Wine Festival booklet at a cost of \$180.00.

Further that the advertisement also include a logo of Beamsville's 100th anniversary.

CARRIED

RESTRUCTURING OF HYDRO SERVICE -

The Clerk submitted a report to the Committee dealing with Bill 29 which reorganizes the administration of the hydro service in the Regional Municipality of Niagara. The report outlined the matters to be considered by the Council and these matters are to be acted upon at the next meeting of the Committee. **NIAGARA DISTRICT HEALTH COUNCIL ANNUAL REPORT**
The Committee received copies of the Annual Report of the Niagara District Health Council.

ACCOUNTS --

Moved by Ald.J.Riediger, Seconded by Ald.R.Konkle

THAT this Committee recommend to Council the payment of the Finance & Administration accounts in the amount of \$846,109.46.

CARRIED

CORRESPONDENCE -

1. Resolution of the Council of the Town of Hawkesbury, recommending that the month of April be included annually in the day-light saving time period in the interests of conserving energy. This letter is to be further considered in the course of the Council discussing the advisability of organizing a local Energy Conservation program in co-operation with the Y.M.C.A.

2. Mr. Ross H.Allen, of the St. Catharines Y.M.C.A., commenting on a recent article in the St. Catharines Standard relating to Committee discussions on the establishment of an Energy Conservation program in the Town of Lincoln. In his letter Mr. Allen stated that the Y.M.C.A. would be interested in exploring the possibility of assuming the responsibility for the Conservation campaign in Lincoln.

Moved by Ald.B.Culp, Seconded by Ald.R.Konkle

THAT this Finance Committee recommend to Council, that Mr. Ross H.Allen of the Y.M.C.A., be invited to speak to the Council on July 16th, 1979, or suitable future Council meeting, to speak on the subject of Energy Conservation.

CARRIED

3. Consumers Gas Company, concerning its intention to apply to the Energy Board for a rate increase of 15C per 1,000 cubic feet of natural gas. R & F.

4. Corporation of the Township of Dover, Flood Relief Committee, requesting financial assistance. R & F.

SUNDRY BUSINESS

STAFF HOLIDAY SCHEDULES

Moved by Ald.R.Konkle, Seconded by Ald.J.Fretz

THAT Senior Staff prepare a report and methods of establishing holiday dates for themselves so that all members of staff will be notified as to when various Senior staff members will be away on holidays.

CARRIED

TAX COLLECTORS CONFERENCE

The Treasurer requested permission for himself and the Tax Collector to attend the Annual Tax Collectors Conference.

Moved by Ald.R.Konkle, Seconded by Ald.B.Culp

THAT Mr. John Malcey be allowed to attend the Tax Collectors Conference on September 8th, 9th, 10th, 11th and 12th, with usual expenses to apply. And further that Mrs. McGhie be allowed to attend the Conference as well with usual expenses to apply.

CARRIED

LAND ACQUISITIONS

The Committee met in closed session to discuss the advisability of purchasing certain parcels of land from the Ministry of Transportation & Communications which had been declared surplus to the Ministry's requirements for road purposes.

The Committee considered the advisability of entertaining the purchase of parcels located on Mountainview Road and the northeast and northwest quadrants of the Ontario Street and Q.E.W. interchange. After discussing the parcel located on Mountainview Road the following resolution was presented and acted upon. -3- -

Moved by Ald.B.Culp, Seconded by Ald.R.Konkle

THAT this Finance Committee recommend to Council that the Ministry of Transportation & Communications lands in Part Lot 20, Broken Front Concession, shown as Part 1 on Plan P-2115-184, located at the northeast corner of Mountainview Road and North Service Road not be purchased.

CARRIED

The Clerk is to obtain additional information concerning the parcel located in the northwest quadrant of the Ontario Street and Q.E.W. interchange.

The Committee considered a memorandum prepared by the Clerk concerning the availability of the 10 acre block of land located in the northeast corner of the interchange.

Moved by Ald.R.Konkle, Seconded by Ald.J.Fretz

THAT this Committee recommend to Council the purchase of the property offered for sale from the Ministry of Transportation & Communications as explained per the Clerk's report of July 11th, 1979, subject to rezoning and other approvals being obtained.

CARRIED

Moved by Ald.J.Fretz, Seconded by Ald.R.Konkle

THAT this Committee do now adjourn to meet again as per schedule or at the call of the Chairman.

CARRIED

CHAIRMAN SECRETARY Lincoln Chambers

July 12th, 1979

Minutes of a meeting of the Town of Lincoln Public Works Committee held in the Lincoln Chambers on Thursday, July 12th, 1979, at 7:30 p.m. Present were: Aldermen: J.Riediger(Chairman), J.Fretz, J.Hildreth and

S.Leistner and G.Huffman(Mayor). Staff present: M.Duc(Clerk) and J. Hodgkins(Public Works Superintendent).

ACCOUNTS

Moved by Ald.S.Leistner, Seconded by G.Huffman(Mayor)

THAT the following general accounts in the amount of \$311,282.37 be approved for payment.

CARRIED

Moved by Ald.S.Leistner, Seconded by Ald.J.Fretz

THAT this Committee recommend to Council that we pay voucher No. 7-1 dated July 13th, 1979, in the amount of \$24,333.00.

CARRIED

DELEGATIONS

R.HIGH AND J.MCKINNEY,RE: ROADWAY PARKING, BEAMSVILLE

Mr. R.High, Regional Representative and Mr. J.McKinney appeared before the Committee and commented on the problems being experienced at the M & M Service Station, as a result of vehicles parking on King Street between the two accesses to the business. Mr. McKinney, the owner of the Service Station explained that the parking of vehicles in the two stalls in the area between the two entrance ways tended to block the line of vision of vehicles exiting from the Service Station onto King Street. Mr. McKinney explained that the situation was dangerous and had resulted in several accidents. He requested that the parking stalls be removed in order to correct the situation. The Committee decided that this request would be considered in the process of studying the matter of on and off street parking in Beamsville to be a subject of a report to the Committee.

TENDERS, JORDAN AND JORDAN STATION

PUMPING STATIONS

Messrs. W.Robinson and G.Strachan of Proctor & Redfern, Consulting Engineers, discussed with the Committee the subject of the tenders received on June 28th, 1979, for the construction of two sewage pumping stations in the East Lincoln Sewage Works area. The low bidder, Penn Mac Construction Limited had subsequent to the tender opening advised the Engineers that the tender price of \$239,388.00 did not include the \$15,000.00 contingency allowance which was to form part of the lump sum contract and a further error of \$9,000.00 had been made in the bidding process. Because of the errors in the tender the Company had requested permission to withdraw its bid. The Engineers explained that a review of Penn Mac Construction's estimate papers on the project revealed that the calculations did not include the \$15,000.00 contingency allowance and supervision costs had been underestimated by \$9,000.00. The Engineers recommended that the bid be increased by \$15,000.00 being the amount of the contingency allowance omitted from the calculations.

An opinion by Bench, Keogh, Rogers & Grass, Town Solicitors, offered advice that the Town would fail in any action intended to force the Company to honour its bid or to collect on the bid bond since the bidder had made a human error. The Solicitors advised that the Town had two options available: adjust the low bidder's price or permit his withdrawal and award the project to the next low bidder.

A representative of Hadovic Construction Ltd, one of the bidders, was present at the meeting, and expressed his objections to the Town allowing any adjustments in favour of the low bidder.

Moved by Ald.S.Leistner, Seconded by Ald.J.Fretz

THAT this Committee recommend to Council that we correct the bid of Penn Mac Construction Limited to \$254,388.00 and award them the contract.

NAYS: MAJOR HUFFMAN, AID. J. HILDKETT. CARRIED

AYES : ALD. J. FRETZ, ALD. S. LEISTNER. POLICY WITH RESPECT TO OVERSIZING OF WATER MAINS

The Committee discussed the recommendation arising from its meeting of June 28th, 1979, at which a resolution had been adopted recommending to Council that the Town not contribute to the cost of sizing water mains, transmission or otherwise of a size less than 8 inches.

In discussing the implementation of this policy, it was agreed that the Municipality would not assume oversizing costs in those situations in which a larger diameter main is considered necessary for the development

or proposal under consideration. Should the Town require oversizing for reasons that are not of direct benefit to the proposal under consideration but for the benefit of the general waterworks operation, consideration will then be given to the assumption of certain oversizing costs.

This policy does not affect the Town Standards Policy which establishes specifications for the installation of water mains.

REPORTS --

ON-STREET PARKING, WILLIAM AND MAIN STREETS, JORDAN STATION - - -

The Committee considered a memorandum prepared by Alderman J. Fretz, concerning on-street parking problems being created in Jordan Station resulting from the operation of the M.K. Rittenhouse Sprayer Plant. The report recommended that the plant operators give consideration to developing off-street parking facilities and that the Municipality adopt parking regulations for the west side of Main Street in Jordan Station.

Moved by Ald. J. Fretz, Seconded by Ald. J. Hildreth

THAT the Public Works Committee recommend to Council that the west side of Main Street, Jordan Station (Bridgeport) from the south limit of the Ivan Fretz property to south limit of the Glen Rittenhouse residence be designated as 15 minute parking in conjunction with the Rittenhouse Sprayer Company providing off-street parking for plant employees.

CARRIED

VINELAND JORDAN SEWER PROJECT, GLEN ROAD

Mr. Strachan commented briefly on discussions with affected property owners concerning the problems which had been experienced in installing a gravity sewer on the southerly section of Glen Road.

DRAFT OF WATER POLICY

The Clerk submitted a second draft of the proposed water policy for the consideration of the Committee. Since a final policy cannot be submitted at this time because of the lack of certain required information it was suggested that the Committee give consideration to adopting the second draft as a general guideline.

Moved by Ald. S. Leistner, Seconded by Ald. J. Hildreth

THAT this Committee recommend to Council that we adopt the water policy as an interim guideline until such time as we have a report back from the Town Solicitor.

NAYS: ALDERMAN J. FRETZ CARRIED

SUNDRY BUSINESS -

PROVINCIAL GRANTS QUARRY ROAD LANDFILL SITE

The Clerk informed the Committee that grants to the Municipality were available from the Ministry of the Environment to help defray part of the costs of improving the Quarry Road landfill disposal site. It is estimated that approximately \$5000.00 in grants would be available on an annual basis.

Moved by Ald. S. Leistner, Seconded by G. Wuffrnnn (~Sayer)

THAT the Clerk prepare the necessary By-laws and forms of agreement with the Ministry of the Environment, which will make certain expenditures at the Quarry Road Landfill Site eligible for Provincial subsidies

CARRIED ROADS AND TRANSPORTATION ASSOCIATION OF CANADA CONFERENCE -

Moved by Ald. J. Fretz, Seconded by Ald. S. Leistner

THAT this Committee recommend to Council that no-one from the Town of Lincoln attend the R.T.A.C. Conference in Regina, September 17th-20th, 1979.

CARRIED

REAMSVILLE CENTENNIAL CELEBRATIONS

Moved by Ald. S. Leistner, Seconded by Ald. J. Hildreth

THAT this Committee recommend to Council that the Centennial Committee be allowed to erect banners across Highway 8, Ontario Street and Mountain Street and permission be obtained by the Town from the Region and Hydro if necessary.

CARRIED REINSTALLATION OF IRRIGATION PIPE, NINTH STREET -

The Committee considered the request of Wayne Houtby for permission to install an irrigation pipe line in the Ninth Street road allowance.

Moved by Ald. S. Leistner, Seconded by G. Huffman (Mayor)

THAT this Committee recommend that the Council apply to the railway for an access permit for a pipeline using flanged fittings across the railway bridge at Ninth Street Louth, and also an access permit to cross Ninth Street Louth, all costs of same and any restoration problems be borne by the applicant.

CARRIED

LAKESHORE - ROAD EROSION AT SANN ROAD

The Superintendent informed the Committee that Mr. & Mrs. Anderson had expressed concern about erosion at the intersection of Lakeshore Road and Sann Road and their suggestion that consideration be given to Lakeshore Protection works. The Committee agreed that it would meet at the site immediately prior to its next regular meeting and give consideration to what action should be taken by the Town.

REGIONAL REPRESENTATIVE

Mr. R. High, Regional Representative, reported to the Committee on recent decision and actions of the Regional Public Works Committee which were of interest to the Town of Lincoln.

D.K. CAMPBELL, APPLICATION FOR WATER MAIN ----- SERVICE

Mr. D.K. Campbell appeared before the Committee and requested that he be allowed to take a watermain connection from the main located on the South Service Road a distance of approximately 2,200 feet to his dwelling located on 21st Street. This request was not approved by the Committee.

ADJOURNMENT

Moved by Ald. S. Leistner, Seconded by Ald. J. Fretz

THAT this Committee now adjourn to reconvene at the call of the Chairman.

CARRIED

--- -. SECRETARY CHIEF BUILDING OFFICIAL &

Moved by Ald. J. Fretz, Seconded by Ald. W. Stone

THAT the Chief Building Official's report for the months of May and June be approved.

CARRIED

The Treasurer submitted a report to the Council on the subject of the recent amendments to the Municipal Act which permitted Councils to raise interest rates on overdue taxes to a maximum of 1% per month.

In his report the Treasurer recommended that the interest rate be increased to 1% per month to take effect January 1st, 1980.

Moved by Ald. B. Culp, Seconded by Ald. W. Stone

THAT this Council authorize the drafting of a suitable By-law that will increase the penalty and interest rates on unpaid tax arrears to their maximum, which will be 1% per month.

Further that this increase in rates shall become effective January 1st, 1980.

CARRIED

BY-LAWS

AGREEMENT WITH C.N.R., RE: BEAMSVILLE DRAIN

Moved by Ald. J. Hildreth, Seconded by Ald. W. Stone

THAT leave be given to introduce "A By-law to approve an agreement with Canadian National Railway Company."

CARRIED

Moved by Ald. J. Fretz, Seconded by Ald. W. Stone

THAT the By-law be read a first time, being "A By-law to approve an agreement with Canadian National Railway Company," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

ENCROACHMENT AGREEMENT, MAIN STREET, JORDAN STATION

Moved by Ald. J. Fretz, Seconded by Ald. S. Leistner

THAT leave be given to introduce "A By-law to authorize the permitting of an encroachment on Main Street, Jordan Station, in the Town of Lincoln and an agreement with respect thereto."

CARRIED

Moved by Ald. J. Hildreth, Seconded by Ald. J. Fretz

THAT the By-law be read a first time and being "A By-law to authorize

the permitting of an encroachment on Main Street, Jordan Station, in the Town of Lincoln and an agreement with respect thereto," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

SITE PLAN AGREEMENT, ANTON VAN ES

Moved by Ald.W.Stone, Seconded by Ald.J.Fretz

THAT leave be given to introduce "A By-law to authorize the execution of a Site Plan Agreement between the Corporation of the Town of Lincoln and Anton Van Es and Roy Cooke & Son Limited."

CARRIED

Moved by Ald.B.Culp, Seconded by Ald.J.Hildreth

THAT the By-law read a first time and being "A By-law to authorize the execution of a Site Plan Agreement between the Corporation of the Town of Lincoln and Anton Van Es and Roy Cooke & Son Limited," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED SITE PLAN AGREEMENT, FRANK VILIM

Moved by Ald.B.Culp, Seconded by Ald.S.Leistner

THAT leave be given to introduce "A By-law to authorize the execution of a Site Plan Agreement between the Corporation of the Town of Lincoln and Frank Vilim."

CARRIED

Moved by Ald.S.Leistner, Seconded by Ald.W.Stone

THAT the By-law read a first time and being "A By-law to authorize the execution of a Site Plan Agreement between the Corporation of the Town of Lincoln and Frank Vilim," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

ZONING OF WILLIAMS GARAGE OPERATION AND EXECUTION OF SITE PLAN AGREEMENT

Moved by Ald.W.Stone, Seconded by Ald.R.Konkle

THAT leave be given to introduce "A By-law to repeal By-law No. 78-94 and By-law No. 78-95 and to establish zoning and land use regulations under Comprehensive Zoning By-law No. 78-85, respecting a designated parcel of land within the Town of Lincoln."

CARRIED

Moved by Ald.R.Konkle, Seconded by Ald.J.Hildreth

THAT the By-law read a first time and being "A By-law to repeal By-law No. 78-94 and By-law No. 78-95 and to establish zoning and land use regulations under Comprehensive Zoning By-law No. 78-85, respecting a designated parcel of land within the Town of Lincoln," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal same, any rule of this Council to the contrary notwithstanding.

CARRIED

Moved by Ald.J.Fretz, Seconded by Ald.B.Culp

THAT leave be given to introduce "A By-law to authorize the execution of a Site Plan Agreement between the Corporation of the Town of Lincoln and William Holt, in Trust, Victoria and Grey Trust Company and Patricia Wyshniowski."

CARRIED

Third reading of the By-law authorizing the execution of a Site Plan Agreement relating to the Williams Garage property is to be withheld pending correction of the agreement. In accordance with the recommendations of the Planning Board, the Site Plan Agreement is to contain a provision that vehicles must be stored in a defined area in the rear of the property and that the perimeter of this area be fenced with some type of a suitable privacy fence.

AMENDMENT TO BY-LAW NO. 70-54

Moved by Ald.W.Stone, Seconded by Ald.B.Culp

THAT leave be given to introduce "A By-law to amend By-law No. 70-54." CARRIED

Moved by Ald.R.Konkle, Seconded by Ald.J.Hildreth
THAT the By-law read a first time and being "A By-law to amend
By-law No. 70-54," be now read a second and third time and finally passed
and that the Mayor and Clerk sign and seal same, any rule of this Council
to the contrary notwithstanding.

CARRIED

SUNDRY BUSTNESS

ATTEHQAI'ICE OF STAFF AT COUNCIL MEETINGS

Moved by Ald.IJ.Stone, Seconded by Ald.R.Konkle

THAT the policy of having the Tom Treasurer at all Council meetings be changed to having the Treasurer present at the Council meeting following any Finance meetings and other Council meetings only on the request of the Mayor or designate.

CARRIED CORRESPONDENCE

The Clerk read a letter from the Lincoln Agricultural Society, requesting permission to organize a parade on Beamsville streets on September 6th, 1979.

Moved by Ald.S.Leistner, Seconded by Ald.B.Culp

THAT this Council approve the parade route and inform the Superintendent of Public Works.

CARRIED

The Mayor requested that the Council resolve itself into Committee of the Whole for the purpose of discussing appointments to the Planning Committee and selecting the Chairman of that Committee.

Moved by Ald.B.Culp, Seconded by Ald.S.Leistner

THAT this Council do now adjourn to Committee of the Whole.

CARRIED

COMMITTEE OF THE WHOLE

The Council convened into Committee of the Whole and Her Worship Mayor G.Huffman acted as Chairman. The Committee entered into discussion on the subject of the composition of the Planning Committee and the selection of a Chairman for the Committee. In the discussions which followed, agreement was reached on the composition and Chairman of the Planning Committee and the Mayor requested that the Committee now resolve itself into Council for the purpose of ratifying this matter.

Moved by Ald.J.Fretz, Seconded by Ald.S.Leistner

THAT the Committee of the Whole resolve into Council.

CARRIED

ESTABLISHMENT OF THE PLANNING COMMITTEE

Moved by Ald.W.Stone, Seconded by Ald.B.Culp

THAT the Council establish a Planning Committee to be composed of the Mayor, Aldermen: R.Konkle, J.Hildreth, J.Fretz and S.Leistner, with Alderman R.Konkle to act as Chairman.

CARRIED

Moved by Ald.B.Culp, Seconded by Ald.J.Hildreth

THAT this meeting of Council do now adjourn and meet again August 7th, 1979, or at the call of the Mayor.

CARRIED T. . . . ,

MAYOR Lincoln Chambers

July 16th, 1979

The Council of the Town of Lincoln met in regular session on Monday, July 16th, 1979, at 7:30 p.m., in the Lincoln Chambers.

All members of Council were present except Alderman F.Thompson and Alderman J.Riediger and the meeting was chaired by Her Worship Mayor Gladys Huffman. Staff members present were: ?l.Duc(Clerk) and J.Makey (Treasurer).

ADOPTION OF MINUTES -

Moved by Ald.W.Stone, Seconded by Ald.J.Hildreth

THAT the minutes of council's meeting of July 3rd, 1979, be adopted as circulated by the Town Clerk.

CARRIED

@ PLANNING BOARD -

REPORTS

The Council considered the report of the Planning Board, being

the minutes of its meeting of July 9th.

Moved by Ald.W.Stone, Seconded by Ald.J.Hildreth

THAT the minutes of the Planning Board of July 9th, 1979, be amended to allow the Planning Board to remain as a nine member Board rather than a five member Committee.

LOST

Moved by Ald.R.Konkle, Seconded by Ald.J.Aldreth

THAT the report of the Planning Board, being the minutes of its meeting of July 9th, 1979, be adopted as circulated by the Board Secretary. CARRIED

FINANCE & ADMINISTRATION COMMITTEE

The Council considered the report of the Finance & Administration Committee, being the minutes of its meeting of July 11th.

Moved by Ald.W.Stone, Seconded by Ald.J.Fretz

THAT the report of the Finance & Administration Committee, being the minutes of its meeting of July 11th, be adopted as circulated by the Town Clerk.

CARRIED

PUBLIC WORKS COMMITTEE

The Council. considered the report of the Public Works Committee, being the minutes of its meeting of July 12th.

The Council entered into discussion on the subject of the tenders originally opened by the Public Works Committee at its meeting of June 28th, 1979, for the construction of 01 sewage pumping stations in the East Lincoln Sewage Works area. Mr. W.Robinson and Mr. G.Strachan of the firm of Proctor & Redfern Ltd, Consulting Engineers, were in attendance and reviewed the circumstances surrounding the tender submitted by Penn Mac Construction. Penn Mac Construction which had submitted low bid in the amount of \$239,388.00 had subsequent to opening requested permission to withdraw its tender for the reason that it had omitted from the total price, a \$15,000.00 contingency allowance and in addition had made other errors in its calculations. Mr. Strachan informed the Council that Penn Mac Construction Ltd would consider proceeding with the project if the tendered amount was increased by the amount of the contingency allowance and if they were allowed to use a different sub-contractor for one aspect of the works than specified in the tender document. Mr. Strachan suggested to the Council that in view of the entire circumstances surrounding the low bid of Penn Mac Construction Ltd that consideration be given to awarding the job to the next low bidder- Hadovic Construction Ltd at a price of \$287,700.00.

Mr. V.Van Noten, a representative of Hadovic Construction addressed the Council under this order of business. Mr. Van Noten, in his comments to the Council, stated that it should not negotiate with the low bidder for any adjustments to the contract price since in his opinion this is not an ethical approach to the solution of this problem. He suggested that the tender of Penn Mac Construction Limited should not be considered because of errors which had been made by the bidder and the other circumstances involved. He recommended that the Council should allow Penn Mac Construction Limited to withdraw its bid and that the work should be awarded to Hadovic Construction.

Moved by Ald.R.Konkle, Seconded by Ald.S.Leistner

THAT this Council do not accept the tenders as submitted on the Jordan and Jordan Station Pumping stations.

Further that as there is a reasonable amount of confusion in the action to be taken by this Council, concerning the Penn Mac Construction Company's bid given in error, and changing recommendations by our Engineering firm, Proctor & Redfern Ltd.

Therefore be it resolved that re-tenders of this work be called for by Proctor & Redfern and that these bids be opened at a specially called Council meeting of an appropriate date.

NAYS: ALDERMEN: STONE, HILDRETH AND PRETZ. -- AYES: ALDERMEN: CULP, LEISTNER AND KONKLE. LOST -

Moved by Ald.J.Hildreth, Seconded by Ald.J.Fretz

THAT the minutes of the Public Works Committee of July 12th,

1979, be amended, re: the Penn Mac bid on the tenders of the Jordan and Jordan Station Pumping stations to the end that the bid of Penn Mac Construction be not corrected in any way and that the Council accept the bid of the second lowest tender-that of Iadovic Construction Ltd, at the price of \$287,700.00, be accepted.

AYES: ALDERMEN: FRETZ AND HILDRETH LOST

Moved by Ald.J.Fretz, Seconded by Ald.S.Leistner

THAT the motion of July 12th, re: the subject tenders for the Jordan and Jordan Station pumping stations, in the East Lincoln Sewage area be referred back to Public Works.

NAYS: ALDERMAN STONE CARRIED

The Council briefly discussed the waterworks policy covered in the report of the Public Works Committee.

Moved by Ald.W.Stone, Seconded by Ald.R.Konkle

THAT approval of draft water policy as recommended in the Public Works minutes of July 12th, be deferred until the next Committee meeting in order to allow members to review the policy.

CARRIED

Moved by Ald.W.Stone, Seconded by Ald.J.Fretz

THAT policy papers presented and adopted at Committee level be circulated to other members of Council with the minutes of that meeting so that they may review said policies before accepting Committee minutes.

CARRIED

The Council expressed its dissatisfaction with the road restoration aspect of the sewer project in the Vineland/Jordan area.

Moved by Ald.J.Fretz, Seconded by Ald.R.Konkle

THAT Council instruct the Superintendent of Works, John Elodgkins, that contractors working in the East Lincoln sewage area be notified through the Supervising Engineers that if all street surfaces are not improved to a more acceptable condition within 24 hours that the Town do this work and the cost be deducted from the contract price.

CARRIED

Moved by Ald.S.Leistner, Seconded by Ald.J.Hildreth

THAT the report of the Public Works Committee, being the minutes of its meeting of July 12th, 1979, be adopted as circulated by the Town - Clerk, and as amended.

CARRIED

BY-LAW ENFORCEMENT OFFICER'S REPORTS

The Council considered a report prepared by the By-law Enforcement Officer on Department activities for the month of June and also a report on his activities with respect to the Cole property on Regional Road #81.

Moved by Ald.S.Leistner, Seconded by Ald .J .Fretz

THAT the By-law Enforcement Officer's reports for June activities and the Cole property be approved.

CARRIED Lincoln Chambers

July 17th, 1979

Minutes of a meeting of the Recreation & Parks Committee held in the Lincoln Chambers on Tuesday, July 17th, 1979, at 7:30 p.m. Present were: Aldermen: B.Culp(Chairman), W.Stone, J.Mildreth and G.Huffman(Mayor) and J.Ripley(Lay Member). Staff members present were: M.Duc(Clerk), J.Makey (Treasurer), B.Klug(Summer Program Co-ordinator) and J.Atter(Arena Supervisor).

ARENA OPERATIONS

The Committee entered into discussion on various subjects relating to Arena operations, including Arena revenues, ice rental schedules, the hours used by Minor sports groups and the subsidized hourly rates given to these groups by the Town. Messrs. P.Proctor, G.McPherson, L.Short and R.Catterall, were present at the meeting as representatives of the Minor group users of the Arenas.

In his opening remarks, the Chairman explained that the Committee was interested in reviewing all aspects of Arena operations with the view of reducing the extent of the annual arena operating deficits and bringing these more closely in line with the results being achieved in other Municipalities. The Treasurer submitted a report to the Committee on the subject of Arena deficits and the report was based on 1978 actual experience and the projected experience for the year 1979.

The Committee reviewed information which provided details on the number of weekly hours used by Minor groups in Grimsby, Niagara-on-the-Lake, Pelham, West Lincoln and Lincoln and the rates charged by the Municipalities for these users. The figures indicated that the rates charged by Lincoln are substantially lower than those charged by the majority of the Municipalities used for comparison purposes.

The Committee also reviewed a detailed analysis of arena revenues for each of the five Municipalities involved in the above noted study. The analysis of revenue comparisons indicated that net arena revenues are lower in Lincoln compared to other operations essentially for the reasons that rates for Minor groups are lower than in other Communities, the two arenas are less extensively used compared to other operations and Lincoln does not directly operate the concessions within the arenas.

In the discussions which followed with the representatives of the Minor group users, it was generally agreed that Lincoln would have to take steps in the immediate future to increase its rates to levels more consistent with those charged by other Communities. It was also indicated that it would be in the best interests of the Town and the users to allow the Minor Hockey groups to continue in operating the food concessions in the arenas. The Committee also expressed the opinion that the Arena Managers and other Town staff should make every effort to promote and sell the use of more hours in the arenas during their seasons of operation.

The Clerk explained that Mr. Bill Brown, the university student, employed with the Town of Lincoln during the summer months, under the Involvement in Municipal Administration program sponsored by the Government of Ontario, had prepared the detailed analysis of revenue and other information relating to arena operations. A detailed analysis of expenditures with comparisons of other arena operations would be prepared for the Committee's next meeting. It was agreed that the Committee would hold a special meeting in order to continue the review of arena operations and also to decide on a request submitted by Mr. Lloyd Short of the Jordan Figure Skating Club that this group be given its allocated time at the subsidized rate.

REPORTS

FINANCIAL, OPERATIONS

The Treasurer submitted a report to the Committee on financial operations to June 30th, 1979, and commented on various aspects of the report.

SUMMER PROGRAMS

Brigitte Klug, Summer Program Co-ordinator, submitted a report to the Committee on summer programs. The report provided details on program revenues and expenditures and general comments relating to the Canada Week program, the Nature Awareness Training program, SumFun 79, and other programs. Moved by J. Ripley, Seconded by Ald. J. Hildreth

THAT the report of the Summer Program Co-ordinator be approved as presented.

CARRIED

LINCOLN MOTORCYCLE CLUB ACTIVITY REPORT

At the request of the Committee, the Lincoln County Motorcycle Club provided a report on the Bike Show held on June 1st, 2nd and 3rd, in the Beamsville Arena, the proceeds of which were to be turned over to the West Lincoln & District Association for the Mentally Retarded. The report indicated that the event had been a success and that \$2,269.00 had been paid over to the Retarded Children's Association.

BEAMSVILLE ARENA FUND DRIVE

Mr. D. MacGregor presented the Committee with a cheque in the amount of \$1,000.00 towards the Beamsville Arena Addition Fund Drive. The Committee thanked Mr. MacGregor for this payment and expressed its appreciation for the personal efforts which he had made towards the Campaign.

Mr. MacGregor commented on the fund raising party being held at the Centennial Arena on Saturday, August 4th. He requested that the Committee give consideration to contributing \$135.00 towards the cost of the major door prize.

Moved by Ald. W. Stone, Seconded by Ald. J. Hildreth

THAT a \$135.00 grant be made towards the fund raising event being organized by Doug MacGregor for the Beamsville Arena fund.

CARRIED

QUOTATIONS-BEAMSVILLE ARENA

The Committee considered quotations received for repairs to the floors in the Beamsville Arena, received from Irelands Decorators and Penn Mac Construction.

Moved by Ald.W.Stone, Seconded by G.Huffman(Mayor)

THAT Irelands Decorators repair floors at Beamsville Arena at a cost of \$523.00 as per quotation.

CARRIED

Quotations received for the repair and purchase of hockey goal frames and nets were referred to the Arena Manager and Public Works Superintendent for their decision.

ACCOUNTS

Moved by Ald.W.Stone. Seconded by Ald.J.Hildreth

THAT Recreation accounts in the amount of \$20,305.95 be approved.

CARRIED

CORRESPONDENCE

1. Ministry of Culture & Recreation, advising that a \$6,000.00 grant would be paid to the Town within the next two months, pursuant to the grant application submitted under regulation 200. R & F.

Moved by G.Huffman(Mayor) , Seconded by Ald. 3.Hildreth

THAT this Committee do now adjourn and agree to meet again at 7:00 p.m., on August 7th, or at the call. of the Chairman.

CARRIED

CHAIRMAN SECRETARY Minutes of a meeting of the Public Works Committee held in the Lincoln Chambers on Tuesday, July 17th, 1979, at 4:30 p.m. Present were:

Aldermen: J.Rirdiger(Chairman), J.Fretz, J.Hildreth and S.Leistner and G.

Huffman(Mayor). Officials present were: M.Duc (Clerk), J.Hodgkins (Public - Works superintendent) and J.Makey (Treasurer). Also present: Mr. G.Strachan,

of the firm of Proctor & Redfern Ltd, the town's Consulting Engineers.

The following tenders for the construction of a watermain from Chestnut Street northerly to the Beacon Motor Hotel were publicly opened.

1. William Groves Limited, Hamilton: \$183,574.50.

2. D.L.Stephens Ltd, St. Catharines: \$192,220.00.

3. Baldasaro & MacGregor Ltd, Hamilton: \$255,989.00.

4. Comer Construction, Toronto: \$183,801.00. 5. Winchester Conduits Ltd, Toronto: \$198,824.30.

..... 6. Hugh Cole Construction, Grimsby: \$198,158.75. 7. Fernview Construction, Bolton: \$189,633.76.

..... 8. Caligiuri Construction Ltd, Niagara Falls: \$187,021.00.

The tenders were referred to the Consulting Engineer for his recommendations and report.

Messrs. Lynn and Lance Jacklin of the Beacon Motor Hotel and Messrs. T.Breithaupt and H.Diebel of Moyer Diebel Ltd, were present at the meeting. They briefly discussed the tender results with the Committee and inquired into the action which would be taken in order to proceed as promptly as possible with the project essentially to provide for the needs of the plant addition under construction by Moyer Diebel Ltd.

The Committee met in closed session to discuss the extent of the Town's participation in the cost of this project.

The Committee gave careful consideration to the amount which could be contributed by the Town towards the cost of the proposed works, and this subject was reviewed with the Consulting Engineer and staff.

On conclusion of discussions, the following resolution was presented and acted upon.

Moved by Ald.J.Hildreth, Seconded by Ald.J.Fretz

THAT the Town enter into an agreement with Moyer Diebel and the Beacon Motor Inn before a tender on the waterline is accepted.

The agreement is to stipulate that the Town's contribution be limited in total to \$50,000.00 which includes engineering estimated at \$20,000.00 and restoration at \$10,000.00. The balance of the project estimated at \$150,000.00 is to be payable by these two companies and be in the Town's account by the date of start of construction.

That it be further stipulated that the Beacon Motor Inn will be unable to connect their establishment until such time as an improved water system is completed for the Vineland/Jordan area.

The commuted frontage levy of \$1,000.00 per dwelling to the limit of 25 homes plus additional assessments against Commercial establishments be paid over to the two companies not to exceed a total of \$42,000.00 over a period of seven years.

That the Ministry of the Environment be requested to provide to the Region, a commitment for an allocation of funds identified for the DeCerv line construction prior to the installation of the line to Moyer Diebel.

That the Tomi make representation to the Region and request a commitment on the construction of the DeCew line to Vineland in the year 1980.

CARRIED

The Committee then met in open session and discussed with the Company representatives its recommendations. The Company representatives advised that they would take the Town's position under consideration and representatives of the Moyer Diebel firm urged the Committee to take prompt action with respect to an early start on this project. Moved by Ald.J.Fretz, Seconded by G.HuEfmanfMayor) TiW this Committee do now adjourn to meet again at the next appointed time or at the call of the Chairman.

CARRIED

SECRETARY Lincoln Chambers

July 23rd, 1979

Minutes of a meeting of the Town of Lincoln Planning Committee held in the Lincoln Chambers on Monday, July 23rd, 1979, at 7:30 p.m.

All members of the Committee were present and the meeting was chaired by Alderman R.Kolke. Officials present were: Frank Reiss(Town Planner) and Janet Tuford(Deputy-Clerk) .

REVIEW OF THE RURAL ZONE PROVISIONS IN

BY-LAW NO. 78-85 (AGRICULTURAL CODE OF PRACTICE)

The Chairman welcomed members of various delegations including Mr. Corwin Cambray, Mr. Tom Whitelaw, and Mrs. Janet Hardy from the Regional Municipality of Niagara Planning Department; Mr. Keith Clarke of the Ministry of Agriculture & Food, Mr. Delby Bucknall representing the Ontario Federation of Agriculture, and Mr. Ken Durham of the North Niagara Federation of Agriculture. The Chairman indicated that the Planning Committee wished to hear their various points of view regarding the use of the Agricultural Code of Practice, the formulas in this Code to determine the minimum distance separation for livestock operations from existing residences and residences from these operations. Mr. Cambray from the Region was requested to present the Region's point of view.

Mr. Cambray indicated that the agricultural policies in the Regional Policy Plan permit only farm related activities in the rural areas. As far as new and existing livestock operations are concerned the policies recognize a reciprocal relationship between these uses and nearby residences as far as the policies for separation of these two land uses. The formulas in the Code of Practice are required to be used in either case. They are not used, however, as a means of justifying non-farm uses. The policies suggest incorporating the formulas within a Municipal By-law. Mr. Cambray indicated that the Ontario Municipal Board had approved by-laws with the Code of Practice formulas as part of the by-law and he also suggested reviewing the Port Colborne building by-law which had included the Agricultural Code of Practice formulas in it.

Mr. Keith Clarke of the Ministry of Agriculture & Food was asked to review the Code with the Committee members. Mr. Clarke indicated that a Certificate of Compliance program was intended to be and it is a voluntary program of the Ministry of Agriculture & Food and the Ministry of the Environment and is not meant to be a regulatory Certificate. The appendices which include formulas for the regulation of livestock operations and nearby residences are attached to the Agricultural Code of Practice and would be for the most part, appropriate for the inclusion in by-laws. Some of these formulas, especially those relating to the distances of severances from livestock operations would best be located in an Official Plan. Mr. Clarke also indicated he could not recommend a fixed distance approach to setbacks for these uses since they would not be flexible enough. He further reiterated that a Certificate of Compliance as required by By-law No. 78-85 cannot

be required since there is no legislative backing to permit the Town to require such a Certificate.

Mr. Delby Bucknall, representing the Ontario Federation of Agriculture, next outlined his concerns regarding the inflexibility of the formulas if they were included in a by-law such as had been suggested. a Mr. Bucknall was concerned with the "right to farm" including livestock operations in an agricultural area. He felt that these operations could be regulated but they should not be curtailed. He also had a concern with the two .\,~ zone approach to rural zoning as is practiced in some areas .rsh:ich would specifically zone certain areas for livestock uses only. He indicated that he would like to see all areas outside of the Urban Area Boundaries, once they are finalized, to be utilized by any agricultural type of use.

Mr. Ken Durham of the North Niagara Federation of Agriculture reported his views on the Code of Practice. He indicated that there would be an administrative problem locally if formulas would be included in the By-law. His concern was that the Municipality might not have the staff to check the management practices and the number of animals housed in a particular operation at any one time, thereby not being able to determine whether an operator complied with the Code or the Certificate program at any particular period of time. He was also concerned with the inflexibility of the Code and felt that perhaps alternate legislation would be the answer.

At The 1:00 members and Town staff asked questions of the various -2-
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representatives and the Chairman thanked the representatives for their attendance at this meeting. It was requested that Mr. Durham, Mr. Bucknall, Mr. Clarke, Mr. Cambray and Mr. Martin who was in attendance in the audience receive reports from Town staff related to this problem in the future.

Moved by Ald. S. Leistner, Seconded by G. Huffman (>layor)

THAT this Committee establish a policy whereby in the future no delegations will be entertained unless the Committee shall have had a report from staff outlining the item for the discussion with staff's recommendations, also that all delegations be restricted to 15 minutes to present their case and 5 minutes per hour per topic.

CARRIED

DELEGATIONS -

MR. NEIL SWITZER AND DR. EMIL ZMENAK, RE:

NIAGARA ESCARPMENT COMMISSION DEVELOPMENT PERMIT

The Board reviewed with Mr. Switzer and Dr. Zmenak, a proposal to permit three single family dwellings to be erected on three separate lots in the Cave Springs area of the Town of Lincoln. It was indicated by Town staff that only one of the lots had frontage on Cave Springs Road and would be able to obtain a building permit under present Town policies. The second lot was separated from Cave Springs Road by an unopened road allowance which would be required to be closed and the two halves of the lot merging in title before a permit could be issued by the Town. The third lot had frontage only on a right-of-way which crossed a third party's property and led to Cave Springs Road. A building permit would only be available on this property if the right-of-way were deeded as a public street and if the Municipality were willing to take over the maintenance of this public street. Mr. Switzer indicated that the Niagara Escarpment Commission was very interested in this proposal since part of the proposal included the conveying of the rear portion (southern portion) of these three properties to the Ministry of Natural Resources for parks purposes. He indicated that this area was a provincially significant area and had been in the purchasing plans of the Province for some time.

Moved by Ald. S. Leistner, Seconded by G. Huffman (Mayor)

THAT this Committee refer the closing of the road allowance of Part Lot 11, Concession 5, re: Mr. Zmenak's property be referred to the Public Works Committee.

REPORTS CARRIED

BY-LAW NO. 78-85, APARTMENT ZONING

The Board reviewed a staff report related to the Residential Multiple zone in By-law No. 78-85. Town staff suggested the inclusion of various standards in By-law No. 78-85 to permit the development of apartments both

at the three storey and at a 4% storey height in the Town of Lincoln. Specific areas in Beamsville were also suggested to be rezoned to permit the development of these types of residential units. The Board discussed this report and requested further information regarding the density of the 415 storey buildings as well as further explanation regarding the sites chosen for these types of units.

APPLICATIONS TO THE REGIONAL LAND DIVISION COMMITTEE

The following applications were reviewed by the Planning Committee. 8

New Applications: -

1. B-349179, Andrewes Farms Limited, Part Lot 19, Concession 1, former Township of Clinton. Application was made for consent to convey 10% acres of land and to retain 8.1 acres of land for continued agricultural use.

Town staff did not object to this application which was viewed as a boundary adjustment and because the lots were previously created.

2. B-379179, St. John's Church, Part Lot 18, Concession 5 (South), application was made for consent to convey .75 acres of land with an existing dwelling for urban residential use and to retain .13 acres of vacant land for residential use as a Church and rectory. Town staff did not object to this application which met all the requirements of the By-law subject to the usual conditions related to the payment of imposts and water charge fees in the Vineland area. 1. B-369179, Krikorian, this application in Part Lot 15, Concession 1,

and Broken Front Concession was approved subject to the applicant acquiring title to the unopened road allowance, payment of impost fees and 5% value of the property instead of dedication of land for parks purposes.

2. B-349179, Andrewes Farms Limited, this application as described above was granted since the parcel is to be joined to a property from which it -- was originally a part and no new parcels are being created.

APPLICATIONS TO THE NIAGARA ESCARPMENT COMMISSION

The following applications were reviewed by the Committee.

New Applications:

1. N/R/79/191, 190, 189, Emil Zmenak, Part Lot 11, Concession 5, adjacent to Cave Springs Road and area. This application was described under the -- item of Delegations in these minutes.

Decisions:

1. N/R/79/151, Spencer Moyer, this application to construct a single family dwelling on a one acre retirement lot was approved in part of Lot 3, Concession 6 (Clinton).

2. N/R/79/146, W.J. Bigger, this application to construct a farm helphouse with a septic system on a 20.3 hectare property was approved subject to the applicant entering into a site plan agreement with the Town regarding the access and future severance provisions.

3. N/R/79/123 and 124, Marie L. Bartsch, to construct two dwellings on two lots not yet legally created. This application was refused because the -- proposals do not conform to the Escarpment Commission's goals and the Niagara Regional Policy Plan.

Appeals

The Escarpment Commission has set aside July 31st, 1979, at 11:00 a.m., in the Municipal Council Chambers to hear the appeal Henry Harms and Suzanna Harms from the Linwood application in Part Lot 16, Concession 6, 17th Street South.

APPLICATIONS TO THE COMMITTEE OF ADJUSTMENT

The Committee reviewed the following applications.

Decisions:

1. Hodges, A-11/79, this application to erect an addition to a single --- family dwelling in a Residential Multiple zone was approved since the addition was a reasonable and acceptable request in this area of generally single family dwellings.

1. Donald M. Rogers, regarding the postponement to September 17th, 1979, of the Urban Area Boundaries hearings which Elr. Rogers also indicated would be likely not to start in actuality until January.

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OTHER BUSINESS --

1. Site Plan Agreement, Williams Garage, Jordan Station, Town staff reviewed with the Planning Committee, the proposed site plan agreement between William Holt, proposed owner of Williams Garage in Jordan Station

which the Council had referred back to Planning Committee. It was agreed that a privacy fence would be built along the east side, the rear and a portion of the west side of the property in order that an area to the rear of the building could be used for the storage of motor vehicles. It was further indicated that a separate clause would be added to clarify the Town's position that no salvaging or wrecking could take place on the property. It was also indicated all privacy fencing or screening must remain on the property and not be removed. 2. Heida site plan, greenhouse operation, Town staff reviewed with the Planning Committee, a proposed greenhouse site plan agreement on the Heida property on 13th Street, between the C.N.R. tracks and Middle Road. Moved by Ald.J.Fretz, Seconded by Ald.J.Hildreth THAT this Committee recommend to Council the approval of the Heida site plan agreement.

CARRIED

3. Prudhommes site plan agreement, restaurant addition, staff reviewed with the Planning Committee, a proposed site plan agreement to permit the establishment of a restaurant addition at Prudhommes. This restaurant addition would serve as a kitchen facility.

Moved by G.Huffman(Mayor), Seconded by Ald.S.Leistner

THAT it be recommended to Council that the site plan agreement re: Prudhommes be authorized for signature.

CARRIED

4. Vilim Site Plan Agreement, staff reviewed with the Planning Committee, a request by Mr. Frank Vilim, that the Town amend its agreement with him in order to enable him to keep the sanitary facilities in the house to be used as an office on his property in the Jordan Valley and that only the kitchen facilities be removed. It was indicated that Mr. Vilim would require that no people live in this building. The Board refused to grant this request as the Minister of Housing had established that the dwelling must be made unfit for human habitation.

5. Industrial zones along Bartlett Road, it was indicated that since the various people involved including the property owners and nearby residents had not been informed of the meeting regarding the industrial areas along Bartlett Road, that this report would be heard at a future Planning Committee meeting when these persons would be in attendance or at least invited to attend.

ADJOURNMENT

Moved by G.Huffman(Mayor), Seconded by Ald.S.Leistner

THAT this Committee do now adjourn and agree to meet again on August 13th or at the call of the Chairman.

CARRIED

SECRETARY CHAIRMAN Lincoln Chambers

July 23rd, 1979

The Council of the Town of Lincoln met in special session at 6:30 p.m., on Monday, July 23rd, 1979, in the Lincoln Chambers.

All members of Council were present with the exception of

Alderman F.Thompson and the meeting was chaired by Her Worship Mayor Gladys M.Huffman.

Staff members present were: M.Duc(Clerk), J.Makey(Treasurer), J.Hodgkins(Public Works Superintendent) and J.Tufford(Deputy-Clerk). Also present at the meeting was: G.Strachan, of the firm of Proctor & Redfern Limited, the Town's Consulting Engineers.

The Mayor called the meeting to order and explained that this special meeting of Council had been called to deal with the report of the Public Works Committee relating to its meeting of July 17th, 1979, at which time the Committee had opened tenders for the construction of a watermain on Jordan Road and developed its recommendations with respect to this project.

The meeting was attended by representatives of the Moyer Diebel Company and the Beacon Motor Hotel. Mr. T.Breithaupt, Comptroller of Moyer Diebel spoke on their behalf and in his presentation commented on the history of the development of the Moyer Diebel plant in Lincoln, its impact over the years on the economy of the area and other factors relating to the existence of the Moyer Diebel operation in the Community. He

stressed the importance of the Municipal Council co-operating with the Beacon Motor Hotel and the Moyer Diebel Company with respect to the provision of a Municipal water supply and the authorization of the works by the Council without delay.

Mr. C.E. Bovaird was in attendance at the meeting together with a number of residents of the Vineland area who had interests in future development proposals. Mr. Bovaird recounted the water problems which had existed for a number of years in the Vineland/Jordan area. He discussed the inadequacy of the system to meet the needs of present users and the affect the inadequate water supply had on development proposals in the area. He recommended that if the Council were to approve the Jordan Road watermain extension which would place new demands on the system, that such an approval should be conditional to the Region and other agencies approving the construction of the proposed DeCew connection in 1980. The subject was discussed in detail by the Council and on conclusion of discussions, the following resolution was presented and acted upon.

>loved by Ald.R.Culp, Seconded by Ald.J.Riediger

THAT the Hildreth-Fretz motion of the Public Works meeting of July 17th, 1979, have the following paragraph --- deleted:

"That the Ministry of the Environment be requested to provide to the Region, a commitment for an allocation of funds identified for the DeCew line construction prior to the installation of the line to Moyer Diebel.

NAYS: ALDERMEN: KONKLE, FRETZ AND HILDRETH CARRIED

Moved by Ald.J.Riediger, Seconded by Ald.K.Konkle

THAT the report of the Public Works Committee, being the minutes of its meeting of July 17th, 1979, be adopted as circulated by the Town Clerk, and as amended.

NAYS : ALD. KONKLE, FRETZ AND HILDRETH -- CARRIED

Moved by Ald.W.Stone, Seconded by Ald.J.Riediger

THAT this Council approach the Ministry of the Environment and the Region of Niagara to obtain a formal commitment to the construction of the DeCew water line in 1980.

CARRIED

Moved by Ald.W.Stone, Seconded by Ald.J.Riediger

THAT leave be given to introduce "A By-law to amend By-law No. 77-28 for the appointment of a Chief Building Official."

CARRIED Moved by Ald.J.Riediger, Seconded by Ald.W.Stone

THAT the By-law read a first time and being "A By-law to amend By-law No. 77-28 for the appointment of a Chief Building Official, be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal the same, any rule of this Council to the contrary notwithstanding.

CARRIED

Moved by Ald.J.Riediger, Seconded by Ald.J.Hildreth

THAT this special Council do now adjourn to meet again at the call of the Mayor.

CARRIED Lincoln Chambers

July 26th, 1979

Minutes of a meeting of the Town of Lincoln Public Works Committee held in the Lincoln Chambers on Thursday, July 26th, 1979, at 7:00 p.m. Present were: Aldermen: J.Riediger (Chairman), S.Leistner, J.Hildreth and J.Fretz, and G.Wuffman (Mayor). Officials present were J.A.Hodgkins (Public Works Superintendent) and J.Tufford (Deputy-Clerk). Also in attendance for a portion of the meeting was Mr. G.Strachan, Proctor & Redfern Ltd, (Town's Consulting Engineers).

SITE VISIT, LAKESHORE - SANN ROADS

At 7:00 p.m., by prior arrangement, the Committee met on site at Lakeshore and Sann Roads further to a request by Mr. & Mrs. Anderson, property owners in the vicinity, for consideration to some shoreline protection being implemented by the Town at this specific location. It was generally agreed that should appropriate material be available, which would not be required for other projects and which would normally be discarded, this could be placed at the site in order to curtail further erosion in the vicinity

of the road allowance and the large trees in the immediate area which are now endangered.

DELEGATIONS

MESSRS. M.HARRIS, V.OPRESNIK AND A.DUECK,
RE: PARKING PROPOSAL, CORE AREA -.

Mr. Harris acted as spokesman for three businessmen who own property in the downtown Beamsville area and reviewed with the Committee, their request that the Town undertake the development of a parking area on lands owned by the three businessmen at the rear of their stores on the south side of King Street, and Mr. Harris presented a plan outlining the subject property and the proposed parking layout. After discussion of this proposal it was agreed that the Public Works Superintendent should investigate the alternatives which were being proposed and report back to the Committee on costs which might be involved and that the businessmen involved contact adjacent property owners to determine their position related to the existing adjacent parking areas. The members of the delegation are to be contacted at such time as the Public Works Superintendent makes his report to the Committee.

MISS MARY GUERRIERO, CONCERNING PROPOSED REVISION TO SIZE -- OF CEMETERY MONUMENTS

Miss Guerriero was in attendance at the meeting concerning a request that the Committee consider revisions to its By-law provisions related to the height of monuments in the Mount Osborne Cemetery. A report prepared by the Deputy-Clerk was reviewed in detail with the Committee members which indicated that, while there was a difference in the height requirements between single and double lots, there was no difference in the height requirement between double and larger lots. After review of this subject the following resolution was presented and adopted.

Moved by Ald.S.Leistner, Seconded by Ald.J.Hildreth

THAT this Committee recommend to Council that we amend the By-law, for monuments in the Town of Lincoln cemeteries by increasing the height requirement for four more grave lots by 12" to a maximum height of 46".

CARRIED

TENDERS, PUMPING STATIONS, VISELAND/ JORDAN SEWERAGE SCHEME

Mr. G.Strachan, Proctor & Redfern, reviewed with the Committee members the background concerning the tenders for the sewage pumping stations in the East Lincoln Sewage Works area and recommended to the Committee that the second lowest bid be approved, specifically Hadovic Construction Ltd, at a price of \$287,700.00.

Moved by Ald.J.Hildreth, Seconded by G.Luffman (Mayor)

THAT this Committee recommend to Council that the bid of Hadovic Construction for the Main Street and Jordan Sewage Pumping Stations in the amount of \$287,700.00 be accepted.

CARRIED MUNICIPAL WATER SUPPLY

PROPOSED AGREEMENT WITH MOYER DIEBEL

AND THE BEACON MOTOR HOTEL, JORDAN ROAD WATERLINE --

The Committee reviewed in detail the proposed agreement intended for execution between the Town, Moyer Diebel and Beacon Motor Hotel, concerning the proposed construction of a waterline to service these two industries. During discussion on this subject, the Committee reviewed the variety of data related to water supply and uses in the East Lincoln area, and recommended changes to the provisions of the agreement related to the responsibility for costs involved, the unsuitability of the subject line for sprinkler systems and use of other sources of water during general restrictions periods. The recommended changes are to be made and the revised agreement circulated prior to the next Council meeting scheduled for August 7th.

REPORT OF ALDERMAN S.LEISTNER ON

SUBJECT OF WATER SUPPLY -.

Copies of a report prepared by Alderman S.Leistner had been previously circulated to the Committee members and this was reviewed at the meeting. It was agreed that a presentation to the Region on the subject of an improved water supply should be prepared and presented as soon as possible under the direction of the Chairman.

REVIEW OF DRAFT WATER POLICY

Detailed discussion concerning all aspects of the Town's Municipal Water supply and administration of same, was discussed under this item of business and those other items pertaining to Municipal water supply during the course of the evening. It was requested that the Public Works Superintendent make available to the members, along with the next draft of the water policy, the application form mentioned in the policy. It was also requested that the policy contain provisions related to monitoring of water levels and the point at which restrictions would be implemented by the Superintendent. Also to be incorporated are procedures which might be used in this event, including the type of restrictions which might be initiated for water delivery truckers during periods of general water restrictions. The Public Works Superintendent is to prepare proposed revisions for the Committee consideration at its next regular meeting.

SITE VISIT TO REGIONAL MUNICIPAL WATER FACILITIES

The Superintendent informed the Committee members that a meeting had been arranged, at which Regional representatives would be present, this site meeting to commence at 7:00 p.m., at the Vineland Water Filtration plant on Tuesday, July 31st, 1979. This is intended as an informational meeting concerning the water system and site visits to the various water facilities throughout the Town.

REQUEST FOR CONNECTION -- TO MUNICIPAL WATER SUPPLY, SCHEFFEL, GREENHOUSES

The Committee reviewed letters received from Mrs. E. Scheffel concerning their request for connection to the Municipal water supply to service their greenhouses and also reviewed the recommendations of the Public Works Superintendent concerning same.

It was agreed that, should this facility be connected to the water-line that the Scheffels must agree in writing that during times of emergency situations or restriction periods, the water supply to these facilities could be shut-off or curtailed by the Town through its Public Works Superintendent.

ACCOUNTS

Moved by Ald. S. Leistner, Seconded by Ald. J. Fretz

THAT this Committee recommend to Council the payment of voucher 7-2 dated July 27th, 1979, in the amount of \$30,252.00.

CARRIED

Moved by Ald. S. Leistner, Seconded by Ald. J. Fretz

THAT the following general accounts in the amount of \$7,603.23 be approved for payment.

CARRIED CONVEYANCE OF CLOSED ROAD ALLOWANCE, PART LOTS 243 AND 244, C.P. 3

The Committee discussed the request of Mr. Om Sachdeva, Solicitor for the owner of a property located on part of Lots 243 and 244, Corporation Plan 3, Beamsville, that a closed road allowance running through this property be conveyed and deeds signed in order to clear the cloud from the title of the subject lands. This road allowance was closed by By-law many years ago and transects an already developed urban area of the Town. The appropriate by-law authorizing the conveyance and signing of the deeds will be prepared for the consideration of Council at its meeting of August 7th, 1979.

Moved by G. Huffman (Mayor), Seconded by Ald. S. Leistner

THAT this Committee recommend to Council that we convey by deed, part Lots 243 and 244, Corporation Plan 3, Beamsville.

CARRIED

REPORTS

ILLEGAL SANITARY SEWER CONNECTIONS -

A report by the Public Works Superintendent, being an up-date on inspections and progress related to illegal sanitary sewer connections was reviewed by the Committee.

VACATION SCHEDULE

A memorandum by the Public Works Superintendent which indicated his vacation period would commence August 6th to August 28th, and that Mr. Glen Mewhinney would be acting on his behalf during that time, was reviewed.

CORRESPONDENCE

1. Ross Hall, M.P.P., Lincoln, indicating that he was investigating

items in a letter of Mr. E.Schlosser, recently discussed by Committee. R & F.

OTHER BUSINESS

HOUSE DRAIN

The Chairman commented on calls which he had received concerning the House Drain and a resolution recently adopted by the Committee on the subject of assessments for this work. Discussion took place on the intent of a previous resolution pertaining to this subject and it was indicated that one of those persons involved in assessment for the subject work had requested an appearance before the Committee at its next regular meeting.

Moved by Ald.S.Leistner, Seconded by Ald.J.Fretz

THAT this Committee recommend to Council that the Superintendent view the properties that have paid for the House Drain, and if they were obligated to pay, then we do not refund any monies, but if they were never obligated to pay then we reimburse them subject to legal approval.

NAYS: MAYOR HUFFMAN, ALD.HILDRETH -- LOST

AYES: ALD.FRIETZ AND ALD.LEISTNER

SUNDRY BUSINESS --

Alderman S.Leistner brought to the committee's attention, a challenge baseball game scheduled for Sunday afternoon, August 5th, and he requested, on behalf of the Centennial Committee and baseball sponsors, that members of Council form a team to meet this challenge.

ADJOURNMENT

Moved by Ald.S.Leistner, Seconded by Ald.J.Fretz

THAT this Committee now adjourn to meet again at the call of the Chairman.

CARRIED

SECRETARY