

Beamsville Room

April 3rd, 1996

Minutes of a meeting of the Town of Lincoln Public Works Committee, held in the Beamsville Room, on Wednesday, April 3rd, 1996, at 5:00 p.m.. Present were: Ald.B.Culp(Chairman), Ald.H.Bald (Vice-chairman), Ald.A.Danyluck and Mayor R.Konkle. Absent was: ~1d.R.Kelly. Staff present: G.Holman(Director of Public Works), ~.MacLeod(Technical Services Manager) and D.Campbell(Operations and Equipment Manager).

ACCOUNTS

Moved by Mayor R.Konkle, Seconded by Ald.A.Danyluck THAT Department payments in the amount of \$308,084.30 incurred in accordance with Council policy A-94-218 having now been audited by Committee be ratified by Council. CARRIED

The Operations and Equipment Manager answered a number of questions pertaining to maintenance and repair work undertaken by Positive Response.

DELEGATIONS

JI DFE -D IA g

Mr. Jim Goodfellow was in attendance to inquire as to the status of the drainage investigation to resolve the flooding near his property. Staff reported that they had made arrangements to meet with MTO staff, who had undertaken to investigate the matter further prior to the OPSEU strike. Staff was directed to follow up this matter with MTO representatives and contact Mr. Goodfellow in due course.

J O E H U I B E R S - S E W E R PROBLEM ON GLEN ROAD

Mr. Joe Huibers was in attendance to request the re-consideration of an issue which occurred in 1992, resulting in additional costs and requirements to extend a municipal sewer to a property that is located within the East Lincoln Sewage Area (see attached letter).

Public Works staff, having received the information, were directed to prepare a report for the consideration of the Public Works Committee at its next meeting.

REPORTS

REQUEST FOR IRRIGATION PERMIT FOR THE INSTALLATION OF AN IRRIGATION PIPE LINE WITHIN THE ROAD ALLOWANCE OF 2ND AVENUE. PW 96-79

Mr. Epp and Mr. Murre were in attendance to explain the proposal to construct irrigation lines within the 2nd Avenue road allowance, and to discuss their intention regarding the water pump that would be installed on the bank of the Twenty Mile Creek.

The Committee inquired as to the impact of noise and disruption that the adjacent neighbours would receive, and requested clarification of the status of the unopened road allowance. Staff advised the Committee that the unopened road allowance would still provide access for the public to the water, and that that right must be maintained. Public Works Committee

BETHESDA IieqP

Staff were advised of the deteriorating condition of Bethesda Road, * which was re-surfaced in 1995.

Staff were directed to investigate and take appropriate action.

CHERRY AVENUE AND MOYER ROAD

The Committee requested an update on the status of a request for four way stops at Cherry Avenue and Moyer Road, and were advised by staff that they had not had an opportunity to discuss the matter with the Niagara Regional Police to date.

The Committee noted a number of problems associated with the collection of recyclables, due to the recent transfer of recycling collection to the new contractor. Staff reported that they would provide the appropriate contact at Philip Environmental and the Region of Niagara, to assist in any inquiries in this regard.

UNSCHEDULED DELEGATIONS

Mr. Fred High was in attendance to discuss his concerns about the deterioration and safety of the High Road bridge. He requested consideration of the total needs of the Town's structures, and requested a re-evaluation of the replacement schedule.

In this regard, the Committee considered the following recommendation.
Moved by Mayor R.Konkle, Seconded by Ald.A.Danyluck THAT repairs regarding the safety aspects on this bridge be

looked at and repaired as needed. THAT the capital budget continue to reflect the eventual construction of this bridge and that all possible means of putting this bridge in the "now" category be reviewed. CARRIED

ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned.

CHAIRMAN SECRETARY

(dictation date: April 9th, 1996) Public Works Committee -2 - Apr.3/96

~t was also noted that use of the public road allowance for any purpose could be allowed, provided there are sufficient agreements in place that would allow the municipality exclusive rights to cease the operation within reasonable notice. Staff advised the Committee that the proposed agreement would be sufficient to protect the municipality in this case.

Moved by Ald.A.Danyluck, Seconded by Mayor R.Konkle THAT the Public Works Committee recommend to Council that

Lincoln Public Works staff be directed to prepare the necessary agreement as per By-law No. 89-50.

FURTHER THAT a by-law be prepared authorizing the Mayor and Clerk to sign and seal this agreement.

CARRIED

The Committee inquired as to the exact location of the proposed lateral replacement, which was determined to be on the east side of Ontario Street between Drake Avenue and Friesen Blvd..

The Committee inquired as to the experience of the low bidder, to which staff advised the Committee that they would be required to comply with all the bonding requirements, and have successfully completed similar projects in other municipalities.

Moved by Ald.H.Bald, Seconded by Ald.A.Danyluck

THAT the Public Works Committee recommend to Council that the contract for the Ontario Street Sanitary Sewer Lateral Replacement contract be awarded to Darrell Ebersole Excavating at their tendered price of \$38,500 plus GST. FURTHER THAT the Clerk be authorized to prepare a by-law governing this contractual agreement.

CARRIED

1996 SEWER FLUSHING PROGRAM. PW 96 - 85

Moved by Ald.H.Bald, Seconded by Ald.A.Danyluck

THAT the Public Works Committee recommend to Council that staff be authorized to engage the services of Thuro Sewer Services (Niagara) Ltd. to complete the 1996 Sewer Flushing Program at their quoted price of \$85 per hour. FURTHER THAT the costs of this program be charged to the Sewer Main Maintenance account in the East Lincoln and Beamsville Sanitary Sewer Operating Budgets. CARRIED

CAVE SPRING CELLARS, REQUEST FOR WATER BILL REFUND, DECEMBER 1992, PW

Mr. Pennachetti was not in attendance to discuss his request

The Director of Public Works provided a brief account of the situation and Public Works staff's response to this inquiry.

Moved by Mayor R.Konkle, Seconded by Ald.H.Bald

THAT the Public Works Committee recommend to Council that the request from Mr. Pennachetti for consideration of the reduction of his water bill be denied. CARRIED

WATER METERS. CONDOMINIUM CONVERSION APPLICATION CD95001, MOUNTAINVIEW c

The Committee discussed the need to have meters installed in each of the individual units, in order to resolve any future disagreements between the unit owners as to their apportionment of the water billing costs. Public Works Committee -3- Apr.3/96

Public Works staff indicated their preference to maintain the master meter and the "one bill" concept.

Moved by Ald.A.Danyluck, Seconded by Mayor R.Konkle

THAT the Public Works Committee recommend to Council that Condition 1b in Appendix "A" of Application CD95001 that requires individual water meters be installed to each unit. AND THAT the 2" meter be retained at the cost of the condominium at the street line. CARRIED

Moved by Mayor R.Konkle, Seconded by Ald.H.Bald

THAT the Public Works Committee recommend to Council that Public Works staff be directed to proceed with the investigation of the roadway improvements on Lakeside Drive between Tufford Road and Merritt Road and that the funding for the signage and guide rail installation as recommended in the 1992 Transportation Planning Review be considered during the 1997 budget deliberations if necessary. CARRIED

OTHER REPORTS

ENCROACHMENT AGREEMENT. WINGUARD INTERNATIONAL LTD., 4958 KING STREET, Moved by Ald.H.Bald, Seconded by Ald.A.Danyluck THAT the Public Works Committee recommend to Council that the

necessary by-law be prepared authorizing an encroachment agreement in the form attached to this report and that all costs associated with this agreement shall be the responsibility of Winguard International Ltd. .

CARRIED

BOARD OF MANAGEMENT/STEERING COMMITTEE - MARCH 6TH. 1996

Moved by Ald.H.Bald, Seconded by Ald.A.Danyluck

THAT the Public Works Committee recommend to Council that the Board of Management/Steering Committee minutes of March 6th, 1996 be accepted as presented.

CARRIED

CORRESPONDENCE

1. Daryl Sider - 21st Street and Culp Road Intersection.

R&F

2. Notice of 1996 Hydrant Flushing.

R&F

NEW BUSINESS

A & D AUTOMOTIVE

The Committee requested staff to investigate a claim by A & D Automotive that they had not been invited to undertake any maintenance works on Public Works vehicles.

Staff had advised the Committee that they had not received any proposals from A & D Automotive, and were unaware of their desire to participate. Wednesday, April 3, 1996

Minutes of the Development Coordinating Committee Meeting. Present were Gary Dal Bianco (Planner I), Carl Held (Director of Planning & Development), Don Bakker (Treasurer), Dave MacLeod (Technical Services Manager), Dennis Wainman (Director of Recreation and Parks), Bram Radix (Chief Building Official), Kyle Kruger (Clerk) and Geoff Holman (Director of Public Works).

DELEGATIONS

None Scheduled.

NEW BUSINESS 11) DEVELOPMENT CO-ORDINATING COMMITTEE REFORM

The Committee had a general discussion regarding the effectiveness of the Committee in its present form. Carl indicated that with the exception of site specific planning applications, very few departments bring issues to the table for review by the Committee. The Committee discussed the original intent of the Committee which was

to meet collectively with members of the development community thereby having an opportunity to consider other departmental perspectives when reviewing development applications. Carl indicated that initially the Development Committee fulfilled its obligation; however, more recently, other than Planning Department applications very few development issues have been brought to the table by other Committee members.

The Committee considered the mandate of the Development Committee in relation to that of the senior staff meetings and reiterated that the Development Co-ordinating Committee should be dealing with the more "technical" aspects of the development proposal. The Committee noted that administrative issues are better dealt with at the senior staff meetings. However because senior staff meetings are so infrequent, it was noted that department heads very seldom meet as a group to discuss ongoing Town projects, and studies. Dennis cautioned that should the Development Committee decide to deal with more administrative and policy issues, then other members such as the administrator, fire chief and perhaps the museum curator should be invited to attend. It was agreed that administrative/policy items should not be on this Committee's agenda.

Carl stated that most departments deal with issues related to development, not just the

Planning Department. It is necessary for all departments to know and discuss the issues being considered by others. Input from the Development Co-ordinating Committee can benefit all departmental reports to their respective committees. The Committee concluded that a conscious effort is needed to bring more development * related issues to the table for the Committee's review by advising Gary, in advance to put the issues on the agenda. A brief sentence or two on the agenda explaining what is to be dealt with will help other departments prepare for the meeting.

(2) REGIONAL NIAGARA PUBLIC WORKS DEPARTMENT PROPOSED RURAL RESIDENTIAL LOT, REGIONAL ROAD 81. JORDAN VALLEY

Gary outlined the details of a request from Mr. Wayne Gilroy of the Regional Public Works Department requesting permission to utilize a portion of the Town's unopened road allowance between Lots 20 and 21, Concession 4, for access purposes into a surplus 5 acre lot, proposed for Rural Residential use. Gary noted that the Region had submitted an application to the Niagara Escarpment Commission requesting a development permit for a single detached dwelling on the lot. Gary noted that his comments to the Niagara Escarpment Commission suggested that -any approval is premature until such time as Council approves the access onto the road allowance.

The Committee agreed that by establishing a one foot reserve along the subject lands frontage on Regional Road 81 would effectively landlock the parcel.

The Committee had a general discussion regarding the proposal and reviewed the previous agreement with Mr. Lloyd Meyers who owned the lands to the north of the subject lands and who entered into an agreement in 1977 to allow him (Mr. Meyers) to develop, use and improve a portion of the unopened road allowance for access purposes. The agreement strictly states that the Town will assume no liability for the future maintenance and repair of the roadway. The Committee reviewed the previous access agreement in relation to the recent Regional Road 81 improvements. Geoff indicated that because of the recent improvements the exclusive right-of-way described Development Coordinating Minutes 96 04 03 Page 213

as Instrument No. 345900 may no longer be applicable as a new entrance to the road allowance was constructed entirely within the Regional property.

None of the Committee members could recall the details Mr. Gilroy mentions in the September 30, 1993 letter whereby the Town indicated it did not have any interest in acquiring the subject lands.

The Committee unanimously agreed that private agreements utilizing unopened road allowances create problems for the municipality with regards to liability and maintenance issues. The Committee noted that any approval could set a precedent and agreed that further arrangements for access on an unopened road allowance should not be encouraged.

Gary indicated that the Committee's comments will be forwarded to the Chief Administrative Officer in order that he may respond to Mr. Wayne Gilroy's letter dated March 7, 1996. Gary noted that Mr. Gilroy has requested an opportunity to discuss this issue with a Committee of Council.

REVIEW OF THE PREVIOUS MINUTES

The Committee approved the minutes of the previous meeting held on February 14, 1996, and briefly discussed the following:

1) DRAFT PARKLAND DEDICATION CASH-IN-LIEU POLICY

Kyle indicated that the Town's solicitor has not yet forwarded a response; however, should a response not be forthcoming, Kyle will review the previous comments and prepare a report for Council's consideration. The Committee had a general discussion regarding the Town's policy to exempt Commercial/Industrial development from contributing to the cash-in-lieu of parkland policy.

1) VAN LEEUWENIBONOMO. OFFICIAL PLAN AND ZONING BY-LAW 'AMENDMENT APPLICATIONS - JOHN ST. - RELOCATION~OFLOCAL CONVENIENCE COMMERCIAL DESIGNATION. PD FILES 9-06/95 &

Carl indicated that the Official Plan Amendment has been approved and has been forwarded to the Region for consideration. No implementing by-law can be passed until such time as Regional approval is received and therefore no building permits can be issued at this time.

OTHER BUSINESS

1) WATER STORAGE TANKS - GREENHOUSE OPERATION. WIS MARITN ROAD

Bram outlined the details of a proposal to incorporate water storage tanks used in the CO2 recovery process within the greenhouse operation currently under construction. Bram indicated that the water storage tanks will have a diameter of 14 feet and because of this size, Bram is requesting that additional landscaping buffers and screening be

incorporated on the site. The Committee had no objections to this additional screening request.

2) FRUIT STANDS

Gary indicated that he had received a call regarding where fruit stands are permitted and is requesting the Committee's confirmation on the interpretation of the Zoning By-law. Gary indicated that in his opinion, seasonal fruit stands/produce stands are only permitted on the lands on which the produce is grown. The Committee agreed with this interpretation. The Committee had a general discussion regarding the issues of establishing a fruit stand on a General Commercial property and whether this would be permitted or considered as an auxiliary use to the primary Commercial use. The Committee discussed the issue of fruit stands, food carts in relation to the Hockers and Peddlers By-law. Carl and Bram will review the By-law in order to determine whether the Zoning By-law and the Hockers and Peddlers By-law are in conflict with one another. Development Coordinating Minutes 96 04 03 Page 313

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at approximately 11 .00 * a.m.

Copies to: All Development Coordinating Committee Members

Members of Council

Prepared by: G. Dal Bianco (-) Dictation Date: 96 04 03

Circulation Date: 96 04 04 Beamsville Room April 3, 1996

Minutes of the meeting of the Museum Committee held in the Beamsville Room. On Wednesday, April 3, 1996 at 7:00 pm. Present were: Ald. A. Danyluck, (chairman), Ald. R. Bilkzsto, Ald. W. MacMillan, J. Brohman, & ~.~ggert. Staff present: H. Booth (Museum Curator).

ACCOUNTS

Concerns raised re: photograph developing, costs of storage boxes. K. Eggert raised questions re: the amount of basic office supplies being purchased and whether this would be reduced as the museum stabilizes. Aid-Bilkszto asked re: insurance policies and coverage. Ald MacMillan raised the issue of the past practices of the museum, and of the status of unfinished or incomplete records.

NEW BUSINESS

Minutes from February 7, 1996. Re: Report A-96-33, Schedule 8.

Wording changed from "...balance owing to the Building Fund." to: "... balance owing to the Town."

REPORTS

Mr. Szakaly's report received as submitted. Ald. Danyluck said he 0 would contact ~r. Szakaly for further clarification

CORRESPONDENCE

The Curator introduced each letter. K. Eggert asked the amount of donation from the Jordan Figure Skating Club. Curator was unsure, but would find out. Discussion concerning the resignation of D. Davies focused on the present status of the Board, and K. Eggert emphasized the use of volunteers. W. MacMillan suggested the Newsletter be made more widely available. Concerns were expressed re: membership priviledges to that effect. Ald. Danyluck suggested contacting the Jordan Fire Dept. regarding the finding of a barn for Kavin Hawley .

NEW BUSINESS

The Curator announced the results of the costume seminar, stating the profit in the amount of \$88. She stressed this was not a fundraising event per se, but a museum service to the community. The Curator presented a concern on the behalf of David Turner, Treasurer of the Jordan Historical Museum Board, that membership cheques should be made out to the Board rather than the Town. It was decided to consult with W. Szakaly on this issue.

The Curator asked permission and direction on the cutting down of the maple tree at the south wall of the School House. K. Eggert suggested using volunteers to cut it down, then have the wood cured and used either to make something for the museum, or to use it in future expansions.

The date and place of the Annual Board meeting was announced as being on Monday, April 22, 7:30 pm, at the Tallman Funeral home, in the Fireside Room. All members of the Committee were invited Cu attrrid.

A day for residents of the Lincoln area was suggested, with free admission to be featured.

The Curator announced the visit of Michael Harrington, from the Canadian Conservation Institute, on Wednesday, April 10, to look at the cider press and other objects in need of conservation.

K. Eggert brought up the issue of Gift Shop revenues, and of how their surplus was spent.

ADJOURNMENT

There being no further business to discuss, the chairman declared the meeting adjourned.

CHAIRMAN SECRETARY Public Mtg. Minutes (96 04 09) Page 1/3
April 9, 1996

Memorandum of Public Meetings regarding amendments to the Regional Policy Plan, the Town of Lincoln Official Plan and the Town of Lincoln Zoning By-law, held in the Council Chambers on Tuesday, April 9, 1996, at 7:00 p.m.

Committee members in attendance were: Ald. R. Kelly (Chairman), Ald. R. Bilkszto, Ald. A. Danyluck and Mayor R. Konkle. Also in attendance: Regional Councillor J. Hildreth, Regional Councillor Larry Dykstra and Regional Councillor Debbie Zimmerman. Staff in attendance: C. Held (Director) and K. Dale (Deputy Director). Also in attendance: Drew Semple (Region of Niagara Planning and Development Department).

PUBLIC MEETING

(A) JOINT PUBLIC MEETING OF THE REGION OF NIAGARA AND TOWN OF LINCOLN
FILES RE: am-108, 9-01/96 & 10-01/96

PROPOSED AMENDMENTS TO THE REGIONAL POLICY PLAN

TOWN OF LINCOLN OFFICIAL PLAN AND ZONING BY-LAW

Immanuel Orthodox Reformed Church, PT LT 18, CON 4 (Louth)

West Side of Nineteenth Street, North of Fourth Avenue

Andre Langendoen and Fred Paul were in attendance in support of the application.

This Public Meeting was chaired by Regional Councillor J. Hildreth. Alderman Hildreth read out the Public Meeting procedure and Planning Act requirements relating to the proposed amendments. She also outlined that the purpose of the Amendment was to permit the establishment of a church on the southeast corner of Fourth Avenue and Nineteenth Street, in the community of Jordan, in the Town of Lincoln.

Drew Semple stated that the subject property is approximately 2.4 hectares and is located on the southeast corner of Fourth Avenue and Nineteenth Street, adjacent to the Jordan Urban Area. He stated that a portion of the subject lands are located inside the Urban Area. He stated that the portion of the lands outside the Urban Area are designated as Good General Agriculture, which would not permit a church and therefore it is necessary to amend the Regional Policy Plan. He stated that any amendment to the Region's Policy Plan is subject to the policies outlined in the Regional Policy Plan and the Provincial Policies. He stated that there are a number of considerations which must be taken into account when reviewing these types of applications and that those criteria are outlined in more detail on page 4 of DPD 9-96.

The Director stated that, in addition to Amendments to the Regional Policy Plan and the Town of Lincoln Official Plan, there is also an Amendment to the Town's Zoning By-law required and that the purpose of that application is to rezone the subject lands from an Agricultural Zone to an Institutional Zone and that the uses of the Institutional Zone would be limited to a place of worship. He stated that the by-law will also zone the lands with a holding provision and that the holding provision would not be removed until the related Official Plan Amendment has been approved by the Region and the applicant has entered into the required site plan agreements and other required agreements to address servicing, drainage, grading, building location, parking location, landscaping, etc.

Regional Councillor J. Hildreth asked if there were any comments or questions from the public. There being no comments or questions from the public, the Chairman declared the Public Meeting closed.

(B) FILES 9-02/96 & 10-03/96

PROPOSED AMENDMENT TO THE TOWN OF LINCOLN OFFICIAL PLAN AND ZONING BY-LAW

Frank & Wenda Romanek, PT LT 16, CON 8 (Louth)

S/E Corner Eiahth Avenue (NR 669) and Seventeenth Street

Frank and Wenda Romanek were in attendance in support of the application.

The Chairman outlined the Public Meeting procedures and the Planning Act requirements for the applications. Public Mtg. Minutes (96 04 09) Page 213

The Director stated that the applicants are proposing to create an estate lot from an existing parcel which currently contains an existing single detachei dwelling. He stated that the applicants are proposing to redesignate the * subject lands to an Estate Residential designation. In addition, the applicants are also requesting an amendment to the Zoning By-law to change the zoning to Estate Residential, and also to permit a smaller house size.

Wenda Romanek stated that Town staff do not support the application, however, the Land Division Committee did grant approval, subject to approval of an Official Plan Amendment. She stated that when they first applied, staff's comments noted that the Town's Official Plan does contain Estate Residential policies and they noted in their comments to the Land Division Committee, that any approval of a severance would be conditional on amendments being received to the Town's Official Plan and Zoning By-law. She stated that she does not understand why these conditions were imposed, when Town staff does not support the application. She stated that it was Town staff who had suggested that they could also apply for a reduction in house size at the same time as the zoning amendment application. She stated that each individual application should be based on its own merits and that they have support from the surrounding farmers. She stated that their lands are a woodlot, and therefore are not prime agricultural lands. She stated that there are no livestock barns in the area, as they were torn down over two years ago. She stated that Town staff concerns are not justified and therefore request that the Town's Planning Committee support the application. 0

The Director stated that, when commenting on applications to the Land Division Committee, Town staff will advise the Land Division Committee if the application does not conform to the Official Plan, that any approval by the Land Division Committee should be subject to an amendment to the Town's Official Plan. He stated that the Official Plan Amendment should have been done first. The Director stated that the Estate Residential policies in the Town's Official Plan require a large home to be built, whereas their request is for a home approximately half the size.

Wenda Romanek stated that their existing home is 3500 square feet

The Director stated that the application does not conform to the Estate Residential policies which require that any proposal should have a minimal impact on surrounding agricultural activity and, in his opinion, additional residential dwelling in an agricultural area will have an impact. each e

Wenda Romanek stated that they have lived there for approximately twenty years and even if the application is not approved, a new family may move into their existing home. She stated that the existing woodlot provides a buffer. She stated that she has support of the surrounding farmers and that they have a letter from Brian Staff supporting their application.

In response to an inquiry from a Committee member, Wenda Romanek stated that Regional staff had requested that they apply for an amendment to the Regional Policy Plan, however, on March 13, 1996, the Regional Planning Committee agreed that it was not necessary to amend the Regional Policy Plan because the Town's Official Plan was being amended. She stated that the March 13, 1996, decision of the Regional Planning Committee was approved by Regional Council on March 20, 1996.

Jill Hildreth stated that the Romaneks has the support of the majority of the members of Regional Planning Committee and Council that it was not necessary to amend the Regional Policy Plan.

The Chairman asked if there were any further comments or questions from the .I - public. There being no further comments or questions from the public, the Chairman declared the Public Meeting closed. Public Mtg. Minutes (96 04 09) Page 3/3
(C) FILE 10-04/96 - ZONING BY-LAW AMENDMENT

867911 Ontario Limited and John Leyenhorst a

PT LT 299, CP3. W/S Oueen Street, south of Albert Street, in Beamsville

Marianne Hand was in attendance in regard to the application. John Leyenhorst and Dick Janssen were in attendance in support of the application.

The Chairman read out the Public Meeting procedures and the Planning Act requirements.

The Deputy Director stated that the subject lands are zoned Residential Multiple 1 which permits a variety of multi-unit type dwellings, including street townhouse dwellings. She stated that the applicants are in the process of constructing five street townhouse units and that those five units are intended to be sold as freehold units. She stated that the purpose of the applications is to permit a minimum lot frontage of 5.79 metres per unit. She stated that the townhouses as currently built do comply with the Zoning By-law requirements, however, it is because the units are intended to be sold individually that it is necessary to permit a lesser lot frontage for the three interior units. a

In response to inquiry from a Committee member, the Deputy Director stated that staff had suggested that the Zoning By-law Amendment route, rather than the minor variance route, because there were three units involved, and because staff didn't think a minor variance would be supported by the Town's Committee of Adjustment.

The Chairman asked if there were any comments or questions from the public. There being no comments or questions from the public, the Chairman declared the Public Meeting closed.

SECRETARY CHAIRMAN

Prepared by: K. Dale, Deputy Director of Planning and Development

Dictation Date: 96 04 10

Circulation Date: 96 04 12 Planning/Development Minutes(96 04 09). Page 1/4 Minutes of a meeting of the Town's Planning and Development Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on Tuesday, April 9, 1996, at 8:00 p.m. Committee members in attendance were: Ald. R. Kelly (Chairman), Ald. R. Bilkszto, Ald. A. Danyluck and Mayor R. Konkle. Staff in attendance: C. Held (Director) and K. Dale (Deputy Director).

ACCOUNTS

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Danyluck

THAT Department payments in the amount of \$1,193.72 incurred in accordance with Council Policy A-94-218 having now been audited by Committee be ratified by Council. CARRIED

SCHEDULED DELEGATIONS

There were no scheduled delegations

REPORTS

(A) PL 96-63 - FILES 9-01/96 & 10-01/96

Proposed Amendments to the Regional Policy Plan

Town of Lincoln Official Plan and Zoning By-law

IMMANUEL ORTHODOX REFORMED CHURCH

PT LT 18. CON 4 (Louth). West Side of Nineteenth Street. North of Fourth Avenue

A Committee member expressed concern regarding the left over land between the school and the church. In response, the Director stated that that parcel has frontage further to the south. He stated that at a later date those lands could be added to the school or the church or the existing lots along Nineteenth Street. Fred Paul stated that at some point in the future, those lands could possibly be developed as there is room for a row of lots and a road.

The Director stated that the resolution in the staff report should also have made note of the fact that the Town supports Regional Policy Plan Amendment No. 108.

In response to inquiry from the Chairman, Fred Paul stated that the parking requirements conform to the Town's Zoning By-law and that in addition, there will be joint use of both parking lots between the school and the church.

In response to inquiry from the Chairman, Fred Paul stated that at some point in the future the applicants may consider putting a retirement home on the property.

Andre Langendoen stated that the church will serve approximately 75 to 100 families and therefore they don't need large banquet rooms or halls because they can use the school gym next door.

After considering PL 96-63, the Committee adopted the following

recommendation:

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Danyluck
RE: PROPOSED AMENDMENTS TO THE REGIONAL POLICY PLAN, TOWN OF LINCOLN OFFICIAL PLAN AND ZONING BY-LAW

APPLICANT: Immanuel Orthodox Reformed Church

AGENT : 'Hynde, Paul Associates Inc., Planning and Development Consultants

"THAT it is hereby recommended that Official Plan Amendment Application 9-01/96 and Zoning By-law Amendment Application 10-01/96 in the name of Immanuel Orthodox Reformed Church, BE APPROVED for the reasons outlined in PL 96-63.

AND THAT the Town of Lincoln recommends that the Regional Municipality of Niagara approve the application to amend the Regional Plan for the same purpose.

CARRIED Planning/Development Minutes(96 04 09) Page 2/4

(B) PL 96-64 - FILES 9-02/96 & 10-02/96

PROPOSED AMENDMENT TO THE TOWN OF LINCOLN OFFICIAL PLAN AND ZONING BY-LAW

Frank & Wenda Romanek

PT LT 16. CON 8 (Louth) S/E Corner Eiahth Avenue (NR 669) and Seventeenth Street e

In response to inquiry from a Committee member, the Director stated that the documents that are required to be submitted for estate residential development are rather onerous for a single estate lot.

A Committee member noted that, unfortunately, approving these types of applications can be precedent setting, as there are a number of other similar areas where lots could be subdivided. A Committee member noted that he agrees with the comment in the staff report that these types of severances could jeopardize the Town's desire to support farm related severances.

A Committee member noted that although he understands where staff is coming from, that the lands have never been farmed. He noted that many agencies have no objections to the application including the Regional Land Division Committee. He noted that any severance application should be considered on its own merits, and that even if permission is granted for a smaller house to be built, it could be expanded at a later date. a

A Committee member noted that the Land Division Coninittee has approved the severance and that the Regional Planning Committee and Council have agreed that no amendment to the Regional Policy Plan is required.

In response to inquiry from a Committee member, the Director stated that he does not have the OMAFRA comments to the Land Division Committee in the Town's file.

A Committee member stated that he does not agree with OMAFRA comments, because those lands are not prime agricultural lands unless all the trees are removed.

After considering PL 96-64, the Committee adopted the following recommendation.

Moved by Mayor R. Konkle, Seconded by Ald. A. Danyluck
RE: PROPOSED AMENDMENT TO THE TOWN OF LINCOLN OFFICIAL PLAN AND ZONING BY-LAW

APPLICANT: Frank and Wenda Romanek

"THAT it is hereby recommended that Official Plan Amendment Application 9-02/96 and Zoning By-law Amendment Application 10-02/96, in the name of Frank and Wenda Romanek, BE APPROVED.

NAYS: Ald. Bilkszto

YEAS: Ald. Danyluck, Kelly, Mayor R. Konkle

CARRIED

(C) PL 96-82 - FILE 10-04/96

Zoning By-law Amendment

867911 Ontario Limited and John Leyenhorst

PT LT 299, CP3, W/S Oueen Street, south of Albert Street, in Beamsville

After considering PL 96-82, the Committee adopted the following recommendation.

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Danyluck

RE: Zoning By-law Amendment Application

APPLICANT: 867911 Ontario Limited & John Leyenhorst

"THAT for the reasons outlined in PL 96-82, it is hereby recommended that

the Zoning By-law Amendment application 10-04/96, in the name of 867911 Ontario Limited and John Leyenhorst BE APPROVED, and the attached By-law be presented to Council for approval."

CARRIED Planning/Development Minutes(96 04 09) Page 3/4

(D) PL 96-84 - FILE 1-12

Attendance at Major Plannina Related Conferences/Conventions in 1996
After considering PL 96-84, the Committee adopted the following recommendation.

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Danyluck

RE: Attendance at Major Planning Related Conferences/Conventions in 1996

"For the reasons outlined in PL 96-84, it is hereby recommended that:

(a) The Deputy Director of Planning and Development be authorized to attend the 1996 OPPI conference in Sudbury.

(b) Secretary to the Planning Department/ Secretary-Treasurer of the Committee of Adjustment be authorized to attend the 1996 OACA conference in Barrie.

(c) The Planner 1 be authorized to attend the 1996 OPPI conference or the OACA conference.

(d) All members of the Planning and Development Committee be authorized to attend the 1996 OPPI and OACA conferences.

(e) The Director of Planning and Development be authorized to attend the 1996 Annual Meetina of the CACPT. -

Usual expenses to apply to each of the forgoing."

CARRIED

(E) PL 96-88 - FILE 29-2

WATERFRONT REGENERATION TRUST/WATERFRONT TRAIL

After considering PL 96-88, the Committee adopted the following recommendation.

Moved by Mayor R. Konkle, Seconded by Ald. A. Danyluck

RE: WATERFRONT REGENERATION TRUST/WATERFRONT TRAIL

"THAT PL 96-88 BE RECEIVED as information and that persons identified by Committee be invited to attend and take part in the tour to be conducted on April 30, 1996."

CARRIED

(F) PL 96-86 - FILE 1-21

STATUS OF ALL ACTIVE DEVELOPMENT APPLICATIONS uw to and includina March 29, 1996

After considering PL 96-86, the Committee adopted the following recommendation:

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Danyluck

RE: STATUS OF ALL ACTIVE DEVELOPMENT APPLICATIONS

"THAT PL 96-86, Status Sheets relating to all Active Official Plan Amendment Applications, Zoning By-law Amendment Applications, Site Plan Approval Applications, Plan of Subdivision and Plan of Condominium Applications in the Town of Lincoln, up to and including March 29, 1996, BE RECEIVED as inf~rmation.~

CARRIED

(G) PL 96-87 - FILE 1-21

STATUS OF ACTIVE LAND DIVISION COMMITTEE AND COMMITTEE OF ADJUSTMENT APPLICATIONS uw to and includina March 28, 1996

After considering PL 96-87, the Committee adopted the following recommendation.

Moved by Ald. R. Bilkszto, Seconded by Mayor R. Konkle

RE: STATUS OF ACTIVE LAND DIVISION COMMITTEE AND COMMITTEE OF ADJUSTMENT APPLICATIONS

"THAT PL 95-87, being the Status of Active Land Division Committee and Committee of Adjustment Applications up to March 28, 1996, BE RECEIVED as information."

CARRIED Planning/Development Minutes(96 04 09) Page 4/4

CORRESPONDENCE

1. Letter dated March 15, 1996, from David J. Farley, Manager, Current Planning, Region of Niagara - 1995 SUBDIVISION ACTIVITY R&F
2. Letter dated March 15, 1996, from Corwin T. Cambray, Manager, Policy

Planning, Region of Niagara - Draft Provincial Policy Statement R & F
3. Letter dated March 22, 1996, from Corwin T. Cambray, Manager, Policy
Planning, Region of Niagara - 1995 Urban Area Land Supply R&F
4. Letter dated March 22, 1996, from Corwin T. Cambray, Manager, Policy
Planning, Region of Niagara - Distribution of Household and Population
Forecasts in Niagara 1994-2016. R&F

NOTICE OF NEW BUSINESS

There was no notice of new business.

UNSCHEDULED DELEGATIONS

There were no unscheduled delegations.

ADJOURNMENT

The Chairman then declared the meeting adjourned.

SECRETARY CHAIRMAN

Prepared by: K. Dale, Deputy Director of Planning and Development

Dictation Date: 96 04 10

Circulation Date: 96 04 12 / , / #

Lincoln Chambers

April 10th, 1996

as a financial record, the 20s .pel 1 in t

Thost "OULc

clues t those

Town.

HE~NDUM of meeting held Wednesday.

April 10th. 1996, 7:00 pm, Lincoln

of Lincoln ~unicipal Offices,

regarding Lakeside Drive

Chambers, roadway improvements. staff present: ~.~olman (Director of public and K.Kruger (Town cler~). ~lso
present: AI~.A.D~Y~UC* and Aid.

D.G00d.

id the approximately 20 members of the ~ublir present. Of the
purpose of the meeting to consider alternatives

and gather public concerns

regarding the Lakeside Drive roadway improvement project-

He further

reviewed a petition received by the Town under the ~ocal Improvement Act to relocate Lakeside Drive to the squth
of its existing 10~ation. reviewed the implications and responsibilities of such an undertaking and updated those
present on how Council has directed staff actions to date.

Mr.Holman suggested there are a couple of issues in the matter of lakeside Drive, including the issue of the safety
due to its narrow width, structural integrity, and proximity to the Lake, and the significant cost of improvements or
relocation of the road. Mr.Holman noted the report in February of 1994, which identified problem areas for all of
the lakeshore

roads estimated at \$8 million to repair. He suggested that it is not ,osaible to fit this amount of capital works into the
Town's capital

He that the study has identified certain deficiencies forecast. h~igwever no implementation plan is yet in place
for corrections. He further

~lq~iqhted toat a p

etition has been received under the Local Improvement b8keside rive to the south of its existing

ket to the e\$lst"q , t& ot the petition is to relocate

oat in, and oathat he unhers'tad~ the in and abandon the existing ~~k~id~ Drlqe,

Mr.Holman further outlined the status of the ownership Of the existing Lakeside Drive as a given road, and the
difficulties involved in maintenance and repair due in part to its status. Mr.Holman further suggested that with the
receipt of the petition, there are a number of implications, in particular, with respect to the distribution of costs. He
explained that basically the requirements of the Local Improvement Act are that the costs of the project are
distributed to the benefitting property owners based on their frontage on the works.

K.Kruger outlined the general process to be followed for works under the Local Improvement Act and the method
which the Act requires for distribution of costs.

Mr.Holman then opened the floor to any questions or comments from residents
present.

Mr.Darryl Bigley noted there are a number of residents of Lakeside Drive who did not sign the petition and
questioned what effects or obligation:

they may now have. K.Kruger highlighted the requirement that all owner: abutting on the works are levied a
proportion of the works if they proceec under the Local Improvement Act.

Judith Hollick stated that the issue is the dangerous situation existing,

and the abutting property owners' liability. She suggested that all thos~ who own property in the area are liable in

case of an accident and this needs to be a consideration. John Hollick further discussed the issue of liability and suggested the land on either side of the given road is property and should any car enter onto private property or the lake, then all property owners will be named in any suits. In response to questions, Mr. Holman noted the position of the Town's insurance company in their response to a letter received from a Town citizen regarding liability on this road. He suggested their response indicated the risk is no greater in this case than on many such roads and further suggested that the Town needs to manage the issue as best it can. Judith Hollick suggested that the dangerous situation is less likely in the proposed location and further stated the road is an accident waiting to happen. Those present generally discussed the frequency of accidents on the road and the number which have occurred due in part to the narrow road surface. Mr. Holman further noted that this is an issue for consideration along with others including cost:

-3 - He further noted that to bring the existing road to usual standard would require acquisition of land from abutting properties, and suggested that if negotiated agreements cannot be reached, this would require expropriation which has not been considered as financially or politically viable. The incident for Proc, South

-Charles owned in 4R Ontario if it is, 'Sider and lined the 'nature way (Lakeside Dr, Apr. 10/96) -4-

Mr. Hollick raised questions regarding the deficiencies identified in roads study and the amounts related to this portion of road. Mr. Holman reviewed the report, noting the varying priorities and noting that the Town would not necessarily complete in full sections at one time, but may do the higher priority works in different areas. Mr. Hollick suggested the people who signed the petition felt the new road could be constructed at less cost than reconstruction at the existing location. He also suggested that they thought there would be the ability for I sharing options with the Town and that the Town should consider this possibility. Mr. Holman suggested that he is unwilling to endorse any of the options without further clarification of the associated costs. Other persons present further discussed the possible study and the costs of the various options to be reviewed. More general comments were made that the residents want the road reconstructed or moved but do not want to be responsible for the full cost themselves and instead may wish to pay the difference in costs between the various options. It was suggested and generally agreed that the Town would proceed with estimates of the various options discussed including minor upgrades and implementation of one way, full reconstruction of the road at the existing location and construction of a relocated road. Mr. Holman advised that the estimates would be done and information circulated to those present at such time as the information is brought forward to Public Works Committee. Mr. Holman thanked all those present (Lakeside Dr, Apr. 10/96) -3-

He suggested that there would be improvement but not necessarily a full 66 foot road allowance. Judith Hollick suggested that the safety issue would remain that they could not support this option. Ms. Sylvia Baron raised questions with respect to erosion and property owners' risk and responsibilities should something happen to the road, and questioned whether she would have to allow vehicles on her property for repair, etc, and who would pay for the correction of the road. Mr. Holman advised that the Town has an obligation to maintain the existing road and the Town would be responsible for the costs of any necessary repairs. Mr. Don Klassen questioned who would cover costs of new driveways and other changes required for any road relocation and further questioned if the Hollicks lived in the area. The Hollicks advised that they do not live in the area but own property. It was confirmed that the affected property owners would be responsible for their own on-site costs for access to the road relocation. Mr. Klassen suggested the effect of the new road would be a number of severances and new building lots for the Hollicks and suggested that although safety may be an issue there are other benefits for the new roadway. Mr. Hollick suggested that there are a number of others who signed the petition also and that residence is not an issue. Mr. Holman stated this is a development issue and has been considered by the Town and will be a consideration for the road issue. Mrs. Mirella Dionis expressed concerns with the use of farm vehicles on Lakeside Drive by the Hollicks and the resultant safety problems. Mr. Holman questioned if the concern is the use of the road by agricultural vehicles and their effect on the road and safety, and suggested this is also an issue for other necessary vehicles such as plows, fire vehicles and so on. Mrs. Dionis questioned who would pay for the road improvement and also suggested that turning

circles at the end of Tufford and Merritt Roads for school buses and so forth could be considered and that the Town then could abandon the road and make it private. Mr.Holman suggested the residents on the road would want and would need those services which require a public road, and in response to further comments, advised that the Town cannot make it a private road with certain conditions to provide for Town services, etc. Mrs.Dionis further stressed that with the proposed relocation, there would be additional residential development, and farming in the area would be negatively effected.

Those present expressed some concerns with the new road and what precedent would be set for the remaining sections of Lakeshore Road. There was also questions with respect to costs and what the cost would actually be to those owners on Lakeside Drive. Mr.Holman advised that this depends on the distribution, length of the property and a significant number of other issues relating to the construction. Mr.Hollick advised that for simple road reconstruction, estimates suggested are \$350 per metre. Mr.Holman suggested this may be a reasonable estimate and advised that those costs would be distributed to the benefitting property owners. Those present raised questions regarding whether there are other substandard roads in the Town. Mr.Holman suggested there are other cases of such given roads.

Mr.Hollick suggested the Town could consider a gravel road instead of pavement to reduce costs. Those present generally expressed opinion against gravel roads but there was discussion of a lower standard than full paving. Members of the public present also questioned if the relocation proceeded under the Local Improvement Act, what length of time would they have to pay. The Clerk advised that this would be an item for discussion and would be considered by Council and that the Local Improvement Act would permit payment over extended periods of time. Ald.Good questioned if the Town proceeded with engineering studies, who would pay for such fees.

Mr.Holman advised that the engineers would be paid by the Town and that depending on what proceeds thereafter, either the Town or the benefitting property owners would be responsible for the costs.

Those present raised more questions with respect to usual road standards and when the type of road and related costs, etc, would be determined. Suggestions were made that the Town should maintain the basic minimum standard at its cost, and not to the specific property owners. (Lakeside Dr, Apr.10/96) -4-

Mr.Hollick raised questions regarding the deficiencies identified in the roads study and the amounts related to this portion of road. Mr.Holman reviewed the report, noting the varying priorities and noting that the Town would not necessarily complete in full sections at one time, but may do the higher priority works in different areas.

Mr.Hollick suggested the people who signed the petition felt the new road could be constructed at less cost than reconstruction at the existing location.

He also suggested that they thought there would be the ability for cost sharing options with the Town and that the Town should consider this possibility.

Mr.Lutraan suggested that he is unwilling to endorse any of the options without further clarification of the associated costs. Other persons present further discussed the possible study and the costs of the various options to be reviewed. More general comments were made that the residents want the road reconstructed or moved but do not want to be responsible for the full cost themselves and instead may wish to pay the difference in costs between the various options. It was suggested and generally agreed that the Town would proceed with estimates of the various options discussed including minor upgrades and implementation of one way, full reconstruction of the road at the existing location and construction of a relocated road. Mr.Holman advised that the estimates would be done and information circulated to those present at such time as the information is brought forward to Public Works Committee.

Mr.Holman thanked all those present for their input and suggestions. P/n t Lincoln Chambers

April 15th, 1996

The Council of the Town of Lincoln met in regular session on Monday, April 15th, 1996, at 7:00 pm., in the Lincoln Chambers. All members of Council were present, except Ald.A.Gretsinger and Ald.D.Good, and the meeting was chaired

by Mayor R.Konkle. Staff present: A.Buist (CAO), K.Kruger (Town Clerk), D.Bakker (Treasurer), H.Booth (Museum Curator), C.Held (Director of Planning) and G.Holman (Director of Public Works) .

ADOPTION OF MINUTES

Moved by Ald.R.Kelly, Seconded by Ald.W.MacMillan

That the minutes of Council's regular meeting of April 1st, 1996, be adopted as circulated. CARRIED

BUSINESS ARISING FROM MINUTES

Members of Council raised questions regarding Market Value Assessment and ramifications if the tax roll is delayed.

In response to questions, staff confirmed that the final levy is not calculated until the Region and School Board budgets are

established and in previous years, this has happened in late May or early June, therefore a short delay in the return of the tax roll would have no effect on billing. Members of Council also raised questions regarding adjustments which will

be made to the final tax roll and effects on the levy.

DELEGATIONS

DARYL SIDER. RE: STOP SIGN. 21ST STREET AND CULP ROAD

Mr.Sider was present and presented a petition from residents surrounding the intersection of 21st Street and Culp Road, asking that the Town reinstate three way stop controls. Mr.Sider reviewed events surrounding this intersection

in which in August of 1995, three-way stop controls were installed which were subsequently removed in February of 1996

in response to one complaint and comments from the, Niagara Regional Police. Mr.Sider presented information regarding the intersection and stated it is an unsafe situation without the three-way stop, especially due to the limited visibility.

Members of Council noted a concern with having the stop sign was the incline and difficulties in the winter, and inquired if this has been a problem. Mr.Sider commented that no neighbours are aware of difficulties this past winter with that situation.

Members of Council suggested that if the Regional Police review the situation and change their recommendation, then Council should consider reinstating the three-way stops.

Mr.Sider suggested that this is an urgent issue and that he does not want it delayed.

Members of Council also raised questions regarding additional signage in the area with respect to hidden entrances. In

response t'o questions from members of Council, the Director of Public Works advised of the usual process in these situations

in which the Niagara Regional Police provide input for the

Town's consideration based on accident history, etc.

Mr.John Williams, also a resident in the area, was present and spoke in support of the information brought forward by

Mr. Sider . (Council, Apr. 15/96) -2-

Moved by Ald.R.Kelly, Seconded by Ald.B.Culp Re: Stop Sign, 21st Street and Culp Road That the Director of Public Works be directed to replace

the stop sign for northbound traffic on 21st Street.

CARRIED

ERIC GILBERT. LINCOLN ASSOCIATES FOR FAIR TAXES. RE: MARKET VALUE ASSESSMENT

Mr. Gilbert was present, representing LAFFT and thanked the Council for its previous support regarding deferral of MVA at the Region of Niagara. Mr.Gilbert distributed further

information on Market Value Assessment and taxation in general for members of Council and advised of the events which occurred at the Regional Council meeting. He advised that their efforts were largely ineffective in achieving a deferral, however there was success in some areas. He suggested that the challenge now is to make the tax distribution as fair as possible and asked Council to pass a resolution directing staff to report on:

1. Monetary and legal implications for the Town withholding Regional and School Board levies, and;
2. Requesting that the Assessment Commissioner come before ~ou'ncil to explain the difference in the effects of the implementation of MVA as compared to the 1992 impact study.

Moved by Ald.R.Kelly, Seconded by Ald.R.Bilkszto Re: MVA commercial/residential assessment Whereas it has been demonstrated that a significant section of our taxpayers are being impacted by the change to MVA .

Whereas it has been demonstrated that this could have an adverse impact on jobs and employment in the community. Be it resolved that the Clerk and Administrator prepare a report on the various options available to this municipality to assist those residents impacted by MVA and to present this report at the next Finance Committee meeting.

Further, that we request the Head of the Assessment Office to attend this Finance meeting to outline the reasons for the difference between the original presentation to the Council and the actual MVA figures. Further, as this is a provincial department, that we ask our MPP Frank Sheehan to provide his comments and possible solutions on this matter, said response to be received for review at the next Finance Committee meeting.

Further, that we direct our Mayor and Regional Councillor to continue their efforts to seek out a solution to this problem

at the Region. Further, that staff present a report on the legal and monetary ramifications of withholding our transfer payments to the Region. CARRIED

Those present agreed that a special Finance Committee meeting would be arranged for Wednesday, May 8th, 1996, at 7:00 pm, for this issue.

REGIONAL-

Councillor Hildreth discussed Market Value Assessment and its impacts and suggested that on the whole, smaller businesses

have had to absorb the decreases for large industries such as General Motors, Atlas Steel, etc. (Council, Apr.15/96) -3-

Councillor Hildreth also advised that the Region has now passed the necessary by-laws for the transfer of waste management. She noted that the issue of tipping fees was a source of disagreement and that they currently vary from \$94 per tonne for Grimsby to \$13 per tonne in Niagara Falls. She

explained that there are reasons for these variations and that

it is expected that they will be generally evened out over the

next five years. Councillor Hildreth also advised of the status of the Plateau Estates, Northgate and Countryview plans

of subdivision and discussed Regional Road No.24 and concerns regarding safety on that road. Members of Council raised questions regarding the increase in the 1996 water and sewer rates from the Region of 6% and 4% and

questioned the purpose. Councillor Hildreth advised that a servicing study completed has identified the works required on the water and sewer systems over the next 10 years and that the rates reflect the attempt of the Region to provide a "pay as you go" system for these required works.

REPORTS

LINCOLN DAY EVENTS

Moved by Ald.A.Danyluck, Seconded by Ald.H.Bald Whereas the Mayor, Ald.Danyluck and the Director of Recreation & Parks, have been dunked in the Dunk Tank on numerous occasions at the Lincoln/Canada Day celebrations in Charles Daley Park on July 1st. Let it be resolved that the Administrator and Clerk with Ald.Culp, Ald.Bilkszto, Ald.Good, Ald.MacMillan, Ald.Kelly and Ald.Gretsinger also have the opportunity to have such enjoyment and further that Ald.Bald have a special exception from the Dunk Tank on that day as her role as Chairman of Recreation & Parks Committee will find her busy with the co-ordination of events on that day.

CARRIED

PUBLIC WORKS COMMITTEE

Moved by Ald.H.Bald, Seconded by Ald.R.Bilkszto

That the Public Works Committee minutes of April 3rd, 1996, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

MUSEUM COMMITTEE

Members of Council raised questions regarding Gift Shop revenues and amounts transferred to the Town. In response to questions, the Curator advised that the Gift Shop realized \$5,000 in revenue this year which was transferred to the Town.

Moved by Ald.A.Danyluck, Seconded by Ald.R.Bilkszto That the Museum Committee minutes of April 3rd, 1996, be

adopted, and the recommendations contained therein be approved and acted upon. CARRIED

PUBLIC MEETING

Members of Council noted that Ald.Good was present for a portion of this public meeting and was also present at the subsequent Planning Committee meeting, and that this was not reflected in those minutes.

Moved by Ald.R.Bilkszto, Seconded by Ald.A.Danyluck That the Public Meeting minutes of April 9th, 1996, be adopted. CARRIED (Council, Apr. 15/96) -4-

PLANNING COMMITTEE

Members of Council raised questions regarding the Waterfront 0

Regeneration Trust and persons invited & attended the scheduled tour. The Committee Chairman advised of the names of those who have been invited and asked for any additional suggestions. Members of Council discussed other potential persons and submitted several additional names.

Members of Council then entered into discussions regarding Report PL 96-64, proposed Official Plan and Zoning By-law amendment. Members of Council raised questions regarding the committee recommendation for approval when it appears that it does not meet the necessary policies. Opinion was expressed that the committee was satisfied that the use and location of the proposal would be appropriate and was an acceptable application. Suggestion was also made that the new Provincial Policies are not in place as of yet and should not be the sole consideration. Concerns were expressed with approving the application for the reasons that it may set precedents, impact on legitimate farm severances and may risk the ability of the Town to get further controls over planning issues. Other opinion was expressed in support of the application and suggested that this land was not viable farmland.

Moved by Ald.H.Bald, Seconded by Ald.R.Bilkszto That the application of Frank & Wendy Romanek not be approved because of: 1. Objections by Planning staff. 2. Precedent setting implications. 3. New provincial policy statements which state estate lot development is no longer permitted. IL2.sx

Moved by Ald.A.Danyluck, Seconded by Ald.R.Kelly That the Planning Committee minutes of April 9th, 1996, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

- TR 96 102. 1996 WATER AND SEWER RATE REPORT

Concerns were raised by some members of Council with increasing the East Lincoln Sewer Area surcharge. Other opinion was expressed that the financing of the sewer system needs to be carried out and questioned what other alternatives are available. Members of Council discussed the number of factors which are used in setting the sewer and water rates.

Moved by Ald.R.Bilkszto, Seconded by Ald.A.Danyluck

(TR 96-102) That the rates used in this report be adopted by Council

and that the Clerk be authorized to include them in the appropriate by-laws, specifically: 1. That the water rate be increased from the 1995 rate of

\$2.226 per 1,000 imperial gallons to \$2.360 per 1,000 imperial gallons and the minimum charge for the supply of 6,000 imperial gallons or less during a 3 month billing period for each residential unit remain at the 1990 rates.

2. That the sewer surcharge in the East Lincoln Sewage Works

Area and the Beamsville Urban Area be increased from the current rate of 138% to 141% of the water rate charges.

3. That the Beamsville Urban Service Area rate included in the taxation estimates for the year 1996 be reduced from 6 mills to 4 mills. (Council, Apr. 15/96) -5-

(Resolution cont'd from previous page)

4. That the East Lincoln Sewage Works Area rate included in the taxation estimates for the year 1996 be reduced to the equivalent MVA mill rate of 11.4 mills.

5. That water supplies at water plants for the purpose of filling tankers be increased by 6% from the '1995 rate of \$3.285 per 1,000 imperial gallons to \$3.482 per 1,000 imperial gallons. CARRIED

Moved by Ald.B.Culp, Seconded by Ald.W.MacMillan (PW 96-101) That staff be authorized to purchase spiral culvert at a savings of \$8,300 from Holt Culvert and Metal Products Ltd, of Peterborough in accordance with tender documents prepared by the Niagara Public Purchasing Committee.

CARRIED

C O N F I R M A T I O N O F C O M P L I A N C E W I T H S E C T I O N 34 O F T H E P L A N N I N G A C T

Moved by Ald.R.Kelly, Seconded by Ald.B.Culp That Council has considered the requirements of Paragraph 17 of Section 34 of the Planning Act, R.S.O.1990, and concludes that no further notice of public meeting is required in the matter of the following proposed amendment to Zoning By-law No.93-14-2 1: (a) No. 96-45-2 131, to amend Zoning By-law No. 93-14-Z 1, as amended, of the Town of Lincoln (Leyenhorst, 867911 Ontario Limited).

CARRIED

Moved by Ald.A.Danyluck, Seconded by Ald.R.Bilkszto That leave be given to introduce the following by-laws: (a) No.96-45-Z 131, to amend Zoning By-law No.93-14-Z I, as amended, of the Town of Lincoln (Leyenhorst, 867911 Ontario Limited) . (b) No.96-46, to authorize execution of an agreement with Royal Orchard Estates Ltd, to permit construction of Model

Homes. (c) No.96-47, to amend By-law No.70-54, with respect to the operation of the Municipal Waterworks system. (d) No.96-48, to amend By-law No.84-2, to provide for an increase in the sewage service rate levied in the East Lincoln Sewer Area. (e) No.96-49, to amend By-law No.81-94, to provide for an increase in the sewage service rate levied in the Beamsville Water Distribution system.

CARRIED

Moved by Ald.H.Bald, Seconded by Ald.A.Danyluck That By-law Nos.86-45-2 131, 96-46, 96-47, 96-48 and 96-49, read a first time, be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal the said by-laws.

CARRIED (Council, Apr. 15/96) -6-

APPLICATIONS FOR LOTTERY LICENCES

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

That the following lottery licence applications be approved :

(a) Beamsville Minor Baseball (raffle), total value of prizes: \$1,000.

(b) Big Brothers/Big Sisters (Nevada), total value of prizes: \$19,200.

(c) Teddy Bears Tymes (raffle), total value of prizes: \$100. (d) Multiple Sclerosis Society (raffle), total value of prizes: \$500. CARRIED

CORRESPONDENCE

1. Beamsville Kinsmen Club

Moved by Ald.B.Culp, Seconded by Ald.W.MacMillan That the Beamsville Kinsmen Club be allowed to use the parking lot on Victoria Avenue (across from the Green Valley Restaurant) for the sale of fireworks May 17th, 18th, 19th and 20th, 1996. CARRIED

NOTICE OF NEW BUSINESS

LAYS PHARMACY. LETTER OF CREDIT

Moved by Ald.H.Bald, Seconded by Ald.R.Bilkszto

That the above issue be brought back for discussion due to confusion regarding the planting of trees by Mr.Gayowski in order to satisfy his site plan conditions.

Further that Mr.Gayowski be notified that the issue will be readdressed and he is invited to address Planning Committee if he so desires. CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned.'

' 7 Jordan Arena April 15th, 1996

Memorandum of Public Meeting regarding the Municipal Alcohol Risk Management Policy held in the Jordan Arena on Monday, April 15th, 1996, at 7:00 pm, Members of the Committee present were Bill Warren (Fire Prevention Officer), Bill Urquhart (Facilities Manager), Brian Danyluck (Clerks Office). and Dennis Wainman (Director of Recreation & Parks).

The Committee introduced the need to have a Municipal Alcohol Risk Management Policy for the Town of Lincoln as instructed by the Town Council and presented the draft version authorized by Council for Community Group input.

It was inquired as to where and when required training would be provided and whether the Town would cover the costs for such training.

The Committee explained that once the Policy was approved by Council, training would be available for all interested and that the cost per each person would be fifteen dollars for the training package and the written test as prepared by the Hospitality Industry and supported by the Addiction Research

Foundation, and the Ministry of Consumer and Commercial Relations.

It was stated by several groups that they strongly disagreed with the number of monitors required under this policy, as many of their groups would not be able to obtain adequate volunteer workers for their functions. And that having all monitors and bartenders "Smart Serve" trained would cost too much money and would discourage members from volunteering.

The Committee explained to the Community groups that only 1 monitor per 100 participants, and 1 monitor per exit and entrance would be required. And that only bar staff would be required to be "Smart Serve" trained. Although it was recommended that all monitors, also be trained but was not required under the policy.

The Committee was questioned on which municipalities have adopted an Alcohol Risk Management Policy and whether any municipalities have decided not to do so.

In response to the inquiry it was stated that several municipalities such as The Town of Fort Erie, City of Port Colborne, City of Brantford, City of Kitchener, and The City of Guelph along with other municipalities all have adopted policies or are in the process of having policies adopted. And that the Committee was not aware of any municipality who was in objection to a municipal alcohol risk management policy.

It was asked what Council's position was on this policy and whether the Town's insurance carrier was threatening the Town to bring forward a policy.

The Committee explained that the Council authorized the Committee to draft up a Municipal Alcohol Risk Management Policy for the Town of Lincoln as advised by the Town's Insurance Carrier Frank Cowan, who has brought to Council's attention the exposure to liability with respect to alcohol-related functions and the damage awards - made in Ontario over the past decade.

A Lion's Club member stated that the club has never had any alcohol related problems or problems with the Liquor Control Board of Ontario, or the Niagara Regional Police, and that they comply with all L.C.B.O. regulations. It was stated therefore that the policy was not required.

In response the Committee pointed out that they commended the efforts of the Lion's Club but that a written policy for all groups, Community Events, Festivals, and private functions was required to protect the municipality against liability. It was noted that the policy would not totally eliminate liability but that it provided every possible attempt to prevent it.

A member of the Optimist Club stated that they currently held liability insurance through their main branch and questioned whether this would satisfy the requirements of the policy. It was also asked how much such insurance would cost, and whether they had to obtain insurance for each event or whether blanket insurance was available for a specific time period.

The Committee suggested that they check with their insurance company on whether they would require additional insurance or whether their current policy was sufficient. It was noted that the Committee was informed by a Service Club member that insurance was available for a single event or for a one year period. It was advised that they check with their insurance companies for prices and further details on liability coverage.

Several community Club's questioned the fifteen dollar training fee and inquired where the money was going and why training was needed. The Lion's Club noted that their club regulations would not pay for the fifteen dollar fee and further that the financial costs involved in training the required number of staff was unacceptable.

In response the Committee noted that the fifteen dollar fee was for the Smart Serve Alcohol Server Intervention Program training package and written test developed by The Hospitality Industry Training Organization of Ontario, and would be provided at cost upon approval of the Policy. It was noted that reducing the risk of litigation required not only the components of the policy but the recruitment of appropriately trained staff. It was again mentioned that only bar staff were required under this policy to be trained although it was recommended that all staff be trained. A couple of club members agreed that it would be a good idea to have such training and stated that these programs have been encouraged for the past several years. It was their opinion that the fifteen dollars was acceptable.

It was noted that private security guards were used at a function of one of the Community Club's and that the fees were several hundred dollars. The question was raised on why this was put in the policy and when it would be required by the Town.

The Committee stated that although the policy reserves the right to require police officers or a private security company for the event that this would only be requested for events where the Town felt there would be problems, such as private functions or proms and that generally this would not be required by the Community Club's.

A question was raised as to why "Last Call" was not allowed, stating that this was when clubs made their most money.

In response the Committee stated the potential of a risky situation of have patrons purchase and consume several drinks before departing the event. The Director of Recreation & Parks asked the Community Club's that if they had any further comments to submit them in writing to his attention and that they would be presented with his report to Council. It was requested that all submissions be received by April 26th 1996. The Committee asked if there were any further questions or comments from the Community Club's. There being no comments or questions, the Chairman declared the Public Meeting closed.

Prepared by : B. Danyluck Dictation Date: 04-16-96 Council Chambers

April 16th, 1996

Memorandum of Public Meeting regarding the Municipal Alcohol Risk Management Policy held in the Council Chambers on Tuesday, April

16th, 1996, at 7:00 pm, Members of the Committee present were Bill

Warren (Fire Prevention Officer), Bill Urquhart (Facilities

Manager) , and Brian Danyluck (Clerk's Office) .

The Committee introduced the need to have a Municipal Alcohol Risk Management Policy for the Town of Lincoln as instructed by the Town Council and presented the draft version authorized by Council for Community Club input.

The Community Clubs inquired when the policy would likely take effect as some were planning on having Alcohol at an upcoming event.

The Committee responded that the policy would first have to be approved by Council, and there would have to be a time period so that all training and administrative procedures could be set up.

It was asked by the Community Clubs on whether training for the "Smart Serve" program could be done independently or by their Clubs, and whether the certificate issued by "Smart Serve" had to be renewed.

The Committee noted that the training program is available from the Town at cost but is also available to the general public through area Colleges, and that the program could also be implemented by interested Community Clubs themselves if they so desired.

It was asked by the Community Clubs on whether the bartender's used would be held responsible for any liability once the policy was in place.

The Committee responded by stating that although responsibility fell on the bartender, with this policy in place there would be a balanced responsibility between the permit holder and the bar staff. It was also noted that in the training package there was a waiver of liability which could be used. The Committee also added *

that once trained, the individuals may choose to be placed on a list to assist other Clubs in need of trained bar staff. Financial consideration would have to be worked out with the individual.

The Community Clubs inquired on who would be liable if a patron attending a function at the Beamsville Arena had to much to drink

and crashed their vehicle into a hydro pole located on the Lincoln Agricultural Society's property. It was noted that the Town of Lincoln has leased part of the Lincoln Agricultural Society's

property for sport's activities and the Clubs inquired who would be legally responsible.

The Committee stated that for a legal response they should check with their lawyer and that the Committee would inquire with the

Town's solicitor. It was noted that the policy would not affect activities conducted in the Heritage Room owned by the Agricultural Society, but would only apply to municipal property.

The Clubs recommended that due to the financial burden of obtaining individual insurance policies, whether an umbrella policy could be *

set up for all Community Clubs. It was also recommended that if

possible the Town could refer all groups requiring insurance to one company in order to get better rates. The

Committee added that if an alcohol infraction occurred at one of the arena's or other Municipal facilities it was

possible that the Town could lose their licenced establishment permit for a one

year period.

The Committee asked the Community Clubs that if they had any further comments to submit them in writing to

Dennis Wainman, Director of Recreation & Parks and that they would be presented with his report to Council. It

was requested that all submissions be received by April 26th, 1996. The Committee asked if there were any further

questions or comments from the Community Clubs. There being no comments or questions, the Chairman declared

the Public Meeting closed.

Prepared by: B. Danyluck Dictation Date: 04-17-96 April 17th, 1996

Beamsville Room

Minutes of a meeting of the Finance & Administration Committee held in the Beamsville Room on Wednesday, April 17th, 1996, at

5:30 pm. Present were: Ald.R.Bilkszto (Chairman), Mayor R.Konkle, Ald.W.MacMillan, Ald.D.Good and

Ald.A.Gretsinger.

Staff present: A.Buist (CAO) , K.Kruger (Town Clerk) and

D.Bakker (Treasurer) .

ACCOUNTS

Moved by Ald.A.Gretsinger, Seconded by Ald.W.MacMillan That Department Payments in the amount of

\$8,579,970.69 incurred in accordance with Council Policy A-94-218 having now been audited by committee be

ratified by Council. CARRIED

REPORTS

TR 96 - 93. 1995 FINANCIAL INFORMATION RETURN (FIR)

Committee members questioned whether all municipalities are required to complete and file these forms with the

Province. The Treasurer confirmed that this is required of every municipality. Committee members further discussed

the data contained in the reports and potential uses by municipalities for comparison purposes, and how the Province

uses it for grant and other program purposes.

Moved by Ald.A.Gretsinger, Seconded by Ald.W.MacMillan (TR-96-93) That Report TR 96-93, on the 1995

Financial Information Return (FIR) be received for information. CARRIED
TR 96-94. DEVELOPMENT CmGE RESER - VE FUND REPORT FOR 1995
Moved by Mayor R.Konkle, Seconded by Ald.W.MacMillan (TR 96-94) 1. That the Development Charge Reserve Fund Report for 1995, prepared in order to satisfy the requirements of the Development Charges Act, be received for information.

2. That only transfers for the completion of the library construction project as budgeted for 1996 and for debenture debt repayment be made until we attain a break-even unit level for 1996 (approximately 49 units).

3. That other projects slated in the forecast for 1996 requiring development charge financing, be provided in the capital budget but on the provision that no tenders be released without alternative financing or until sufficient funds are received which is anticipated to be mid to late 1996. CARRIED

TR 96-95. INVESTMRNTS. RRSERVES. TRUST FUND STATUS REPORT

Moved by Ald.D.Good, Seconded by Ald.A.Gretsinger (TR 96-95) That the Investments, Reserves, Reserve Funds and Trust Fund Status reports as at February 29th, 1996, be received for information. CARRIED

AD 96-96. EMPLOYEE SUGGESTION PROGRAM

Committee members questioned whether similar programs are in place in other municipalities and whether they have been

successful. (Finance, Apr.17/96) -2-

The CAO noted similar programs in other municipalities and throughout the private sector at the various areas of success. He further highlighted that this is mainly an update of the current policy. Committee members questioned and discussed

the differences from the existing policy. Questions were also raised regarding which employees this policy would be applicable to, the reason for the waiting period for review of suggestions implemented and certain concerns were expressed regarding potential clarification for the reward basis.

Moved by Ald.A.Gretsinger, Seconded by Ald.W.MacMillan (AD 96-96)

That the Employee Suggestion Program dated February 12th, 1996, be approved, and replace A-92-274. CARRIED

AD 96-97. 1995 STRAWBERRY FESTIVAL ACCIDENT

Moved by Ald.D.Good, Seconded by Ald.A.Gretsinger (AD 96-97) That with respect to the 1995 Strawberry Festival accident, \$500 be reimbursed to Mr.Gadsby.

CARRIED

Moved by Ald.W.MacMillan, Seconded by Mayor R.Konkle (BU 96-81)

That the Monthly Building report as submitted by the Chief Building Official, be received for the Committee's information.

CARRIED

CL 96-83. FE FS AND SERVICE CHARGES. CLERK'S DWTMENT

Moved by Ald.A.Gretsinger, Seconded by Ald.D.Good (CL 96-83)

That the fees as recommended in Report CL 96-83, be approved and implemented. CARRIED

CL 96-98. SUMMARY OF CORRESPONDENCE: RF:PQBT

Moved by Ald.W.MacMillan, Seconded by Mayor R.Konkle (CL 96-83) That the Clerk's summary of correspondence report be

adopted, and the recommendations contained therein be approved and acted upon. CARRIED

NOTICE OF NEW BUSINESS

Committee members questioned the status of the issue of Lakeshore II Greenhouse and noted the recent letters received.

ADJOURNMENT

There being no further business to discuss, the Chairman declared the meeting adjourned.

CHAIRMAN SECRETARY .I. April 17th, 1996

REPORT TO: The Chairman and Members of the Finance & Administration Committee

RE: Correspondence, Committee's meeting of April 17th, 1996., -

The following are the items of correspondence for the committee's meeting of April 17th, 1996.

1. City of Toronto, letter January 30th, 1996, regarding cutbacks to the Ontario Ministry of the Attorney General.

The

letter advises of a resolution from City Council expressing concern that since the Attorney General is being required to cut 30% from his budget, of which 90% in the criminal prosecution section is for salaries (meaning a 1/3 cut of the existing Crown Attorneys) and since the administration of justice would be seriously impaired as a result of these measures, that the City expressed its concern to Premier Harris with respect to the impact of cutting the Crown Attorney positions and opposing any significant elimination of Crown Attorneys in Toronto.

RECOMMENDATION: Receive and File

2. Association of Municipalities of Ontario, release, regarding municipal GST rebate. The news letter advises that the Federal Government is expected to announce plans to replace or reform the GST and that the FCM and AMO have been advised by the Federal Finance Minister that there is no assurance that the \$500 billion GST rebates paid to municipal governments would be protected. The release advises that AMO further pursue the issue with Ontario Finance Minister Ernie Eves to call for no additional burden on municipalities as a result of changes to the GST.

RECOMMENDATION" "That the Town of Lincoln support the position of AMO and the FCM, encouraging the Finance Minister to ensure that no additional burden is placed on municipalities as a result of changes to the GST

and that the Federal and Provincial Finance Ministers and Lincoln MP and MPP be so advised". 3. Region of Niagara, letter of February 2nd, 1996, regarding OMERS Type 7 Supplementary Benefit Plan. The letter advises that Regional Council, at its meeting of February 1st, 1996, adopted a resolution that in recognition of the needs for municipalities to reduce costs, that the OMERS Board be requested to consider pension plan cost reduction measures for participating members and to extend the OMERS Type 7 supplementary benefit program for 24 months (subject to the availability of surplus pension funds) to encourage municipal government downsizing and early retirement initiatives while not adding pension contribution costs to the employer.

RECOMMENDATION: Receive and File

4. Region of Niagara, Council highlights of its meeting of February 15th, 1996. Note of memorandum respecting the budget impacts of the Provincial grant reductions and overview of the budget impacts. Note of the current considerations and net budget savings currently identified at approximately \$26 million. Note that to gain a zero increase up to 52 positions in the first phase and 45 positions in the second phase are possible for job losses. Note of discussion regarding Market Value Assessment and the difficulties being experienced by residents attempting to gain answers to their questions. Note also of the desire to have the commercial and industrial sector examined to find the means to assist in providing some dialogue between the Assessment Office and the commercial/industrial community. Note of presentation from Mr. David Crombie regarding the Waterfront Regeneration Trust and Waterfront Trail.

RECOMMENDATION: Receive and File

5. Region of Niagara, letter February 16th, 1996, providing the Region's 4th quarter and annual 1995 building permit activities. Note that Regionally, the 4th quarter 1995 figures decreased 32.8% from the same period in 1994, due in large part to a decline in the government and institution sector of 63.3%. Business, commercial and residential sectors

also experienced some decrease while agricultural and industrial sectors increased. A 252.7% increase occurred in the agricultural sector due to the construction of a \$2.7 million greenhouse in Lincoln. The Town of Lincoln itself experienced an increase of 66.3% from the 4th quarter in 1994, again largely due to a 1,035% increase in the agricultural sector. For the year, 1995, the Town of Lincoln experienced a .2% increase over 1994. broken down as follows: agriculture - increase 252%; residential - decrease 39.7%; business/commercial - decrease 17.9%; industrial - increase 6.6%; government/institutional - increase 1,328.9%

RECOMMENDATION: Receive and File

6. Lincoln Public Library Board, minutes of Board meeting, January 30th, 1996. Reference to the second floor meeting room and discussions with Ivy Lodge. Reference to Building Committee report and changes to the new Library facility in reducing the size of the basement. Reference to the 1996 budget and ongoing considerations. Note of the operating costs of the new facility and the Town's position, the number of citizens served by the Library and administrative costs in collecting user fees from the large number of users. Note that an increase of \$2 per household would cover the provincial grant cut and of a request to Ald. MacMillan to bring this forward to Council for consideration. Reference to performance appraisals and whether they are applicable to the Library CEO. Reference to concerns within Heritage Village regarding driveway entrances and discussions with the Town.

RECOMMENDATION: Receive and File

7. Multiple Sclerosis Society of Canada, letter March 2nd, 1996, regarding MS Society Super Cities Walk, Sunday, April 21st, 1996. The letter advises of the St. Catharines Chapter Walk to be held April 21st, 1996, and invites the Town as individuals or as a challenge team to participate in the fund raiser.

RECOMMENDATION: "That the information regarding the MS Society Super Cities Walk be distributed to members of Council for information".

8. Letter, February 20th, 1996, from the Welland Port Colborne Airport Commission regarding proposal to the Region of Niagara, re: assumption of Niagara District Airport in Niagara-on-the-Lake. The letter advises of the proposal which has been made to the Region to take over the airport and advises that the Commission does not support this due to the lack of information which has been received on the issue from the Region. The letter includes information regarding apportionment as calculated by the Commission relating to the costs to each municipality in the case of the Region assuming responsibility. The documentation included suggests that the result of the Region taking responsibility for the Niagara District and * Welland Airports would result in increased costs to the Town of Lincoln of \$7,155 per year through its Regional levy.

RECOMMENDATION: Receive and File

9. Office of the Prime Minister, letter February 29th, 1996, providing a copy of the Throne speech, February 27th, 1996, and his response in the House of Commons on Wednesday, February 28th, 1996.

RECOMMENDATION: Receive and File

10. Town of Fort Erie, letter of March 12th, 1996, regarding Municipal Statutory Reform Against Nuisance and Liability Claims. The letter advises of a resolution of the Council of Fort Erie, February 26th, 1996, which resolution recommended that as a result of court rulings against municipalities in the matter of nuisance and liability claims for municipal maintenance of roads, sewers, water and municipal property and the municipal inspection of private buildings, and the resultant of increased financial burdens on municipalities, that the provincial government be requested to provide municipalities with the statutory protection against nuisance and liability claims, and further that provincial legislation be amended so that municipalities have greater freedom to govern themselves and set their

own spending priorities and not be liable on the basis of:

(a) performance of discretionary functions. (b) systems of maintenance or inspections of municipal property provided that municipalities follow through on their own systems as determined by Council. (c) failure to enforce the by-law. (d) approval of plans or inspection of buildings. (e) operation of public utilities, ditches and dams. (f) accidents caused by snow or ice unless the municipality is found to be grossly negligent in its standard of care. (g) obligation to repair roads and maintain traffic signs and devices.

Further that the resolution be circulated to area municipalities for their support and endorsement.

RECOMMENDATION: "That the Town of Lincoln express its support for the resolution of the Town of Fort Erie, February 26th, 1996, regarding municipal liability". 11. Region of Niagara, letter March 15th, 1996, providing the year end summary of subdivision applications reviewed by the Region in 1995. Highlights include note of 17 subdivision applications submitted in 1995, all small in scale (50 lots or less) with one exception in Niagara-on-the-Lake. Two such applications were received in the Town of Lincoln. Further note that during 1995, 20 subdivisions were granted draft approval, the most significant being in Welland, Lincoln and Niagara Falls.

RECOMMENDATION : Receive and File

12. Region of Niagara, letter March 8th, 1996, regarding the Ontario Municipal Support Program grant credits. The letter advises of Regional Council's resolution of March 7th, 1996, petitioning the province to give credit to Niagara for the additional savings to the Province volunteered through program spending reductions that result in reduced conditional provincial subsidies, and further that this credit be returned to Niagara in the form of Ontario Municipal Support Program grant credits in 1996 or 1997.

RECOMMENDATION: "That the Town of Lincoln support the resolution of the Region of Niagara of March 7th, 1996, regarding the Ontario Municipal Support Program grant credits".

13. Region of Niagara, Council highlights of its meeting of March 21st, 1996. Note of delegation by the Golden Horseshoe Social Action Committee, addressing Council to express their concerns over the impact of Bill 26. Reference to delegation regarding the transfer of waste management. Note of address to Regional Council by a member of the Land Division Committee in support of the present Regional system of Land Division and asking Council to support the continuation of the service. Reference to discussion of the delegation of approval authority for land severances and subdivisions transferred to local authorities, and note that the Region's Ad Hoc committee on municipal reform is currently examining all of those aspects of local government services.

RECOMMENDATION : Receive and File

14. Region of Niagara, letter March 22nd, 1996, providing Report DPD 32-96, distribution of household and population forecasts by municipality for Niagara, 1994 to 2016. The forecast as prepared by Regional staff estimates an increase in the Town from the 1994 population of 18,551 and 6204 households, to a population of 25,388 and 9289 households in the year 2016. The report highlights that in the period 1985 to 1994, 7% of all added households in the Region were

located in the Town of Lincoln, exceeded only by St.Catharines - 30.2%, Niagara Falls - 17.8%, Welland - 12.6% and Fort Erie - 7.4%. Of further note in the estimate of population total in the year 2016, the Town of Lincoln would rank 6th in total population in the Region.

RECOMMENDATION: Receive and File

15. Region of Niagara, Letter March 22nd, 1996, supplying Report DPD 31-96, 1995 Supply of Land for Housing in Urban

Areas. The report revises estimates regarding capacity in urban areas in the Region for 74,100 additional dwellings with a practical capacity of about 55,600 dwellings. In the Town of Lincoln, the theoretical capacity of the urban area has

been estimated to be 3790 units with a practical capacity of 2840.

RECOMMENDATION: Receive and File

16. Region of Niagara, letter March 22nd, 1996, providing Report DPD 38-96, Niagara House Price changes, 1986 to 1995.

The data as reviewed by the Region indicates that prices rose between 39% and 47% between 1986 and 1990, and dropped to 1987

-88 levels thereafter. Further information reviewed indicates that the house price changes experienced in Niagara were also observed for other metropolitan areas in Ontario however

further that house prices in Niagara tend to be lower than in some other urban areas of the province.

RECOMMENDATION: Receive and File

17. City of Thorold, letter to the Ministry of Municipal Affairs, March 8th, 1996, regarding Region of Niagara government reform. The letter advises that an Ad Hoc committee has been established in the Region with

participation from area municipalities to review services to ensure that the public is being served in an effective, efficient and accountable manner, and that the City has endorsed the terms of reference for the committee with the exception that the scope of the committee does not include consideration of single tier or other options to the current system. The City would like to ensure that a full discussion takes place on other options relating to the current system of government including the possibility of establishment of a Regional Public Utility Commission as suggested by the City of Port Colborne and the Town of Grimsby.

RECOMMENDATION: Receive and File

18. Region of Niagara, highlights of Council meeting of March 7th, 1996. Reference to discussion of the Niagara Regional Police budget. Reference to discussion regarding the impacts of Market Value Reassessment on many ratepayers and the business community. Reference to tobacco enforcement program, reference to the Baker Road Pollution Control Plant and Annual report regarding servicing strategy. Reference to the Region's Adopt and Road program. Reference to reports estimating the supply of land for new housing within the urban areas of the Region.

RECOMMENDATION: Receive and File

19. Lincoln Public Library Board, minutes of its meeting, February 27th, 1996. Reference to the Masons and the status of the second floor of the Fleming Branch. Reference to the Victoria Avenue entrance to the new Library Branch facility. Reference to performance appraisal policy. Reference to the 1996 budget. Reference to update of the development charges.

RECOMMENDATION: Receive and File

20. Canadian Diabetes Association, letter April 2nd, 1996, regarding the Association's third annual Variety Show. The letter advises of the show to be held July 7th, 1996, and seeks the Town's support to replacing advertising in their program, prices ranging from \$65 for a business card ad to \$250 for a full page ad.

RECOMMENDATION: Receive and File

21. Association of Municipalities of Ontario, Small Urban Municipalities, notice of annual conference, May 1st to 3rd, 1996, City of Stratford.

RECOMMENDATION: Receive and File 22. Association of Municipalities of Ontario, circulation, February 22nd, 1996, supplying the Association's recent presentation to the Standing Committee on Resources Development regarding Bill 20, Land Use Planning and Protection Act.

RECOMMENDATION: "That the AMO response to Bill 20 be circulated to Planning staff for information".

23. Ministry of Consumer & Commercial Relations, letter March 5th, 1996, regarding privatization of the Liquor Control Board of Ontario. The letter, in response to a request from Council, advises that it is the government's intention to review the modernization of Ontario's Liquor Retailing system to improve the level of service and obtain cost efficiencies while continuing to address the public's concern on safety and social responsibility. The letter further advises that a review of the current system will allow ample opportunities for concerned parties to provide input and that the Town's

letter will be passed on to the Chairperson of that review"

RECOMMENDATION: Receive and File

24. Federation of Canadian Municipalities, letter March 1st, 1996, advising of the annual conference to be held May 31st to June 3rd, 1996, Calgary, Alberta.

RECOMMENDATION: Receive and File

25. Ministry of Municipal Affairs, letter February 23rd, 1996, advising of the passage of Bill 26 and providing background information on the various amendments and main components of the Bill. The information notes amendments to

Municipal Licencing to prevent licencing as a tool simply to raise revenue and instead to require municipalities to relate licence fees to cost recovery of administering and enforcing business by-laws.

With respect to the restructuring committee, amendments were made to provide more flexibility to municipalities interested in locally driven restructuring, and in response to concerns in which Queen's Park could force local restructuring by appointing a commission where no local interest is expressed, an amendment was introduced to prevent the province from imposing decisions and further provides a guarantee of public input. Amendments also provide for the prohibition of charging a poll tax or any similar fee or charge in the municipality. The fact sheet also outlines new tools for municipalities to be included in Bill 26 including broader authority for municipalities to impose user fees, expanded authority to licence, movement of services between tiers and municipal restructuring.

RECOMMENDATION: Receive and File Beamsville Room April 17, 1996

Minutes of a meeting of the Fire and Public Safety Committee held in the Beamsville Room on Wednesday, April 17, 1996 at 7:00 p.m. Present were: Ald. W. MacMillan, Chairman, Ald. A. Gretsinger, Ald. D. Good, Ald. R. Bilkszto, Mayor Ray Konkle. Staff present: Chief C, Rouse.

ACCOUNTS

The Committee members reviewed the accounts as submitted by the fire department and passed the following motion.

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Gretsinger THAT department payments in the amount of \$72,788.93 incurred in accordance with Council policy A-94-218 having now been audited by Committee be ratified by Council.

REPORTS

1996 Capital Purchase of SCBA

CARRIED

FD#96-73

The Committee members reviewed the capital purchase of self contained breathing apparatus report as submitted by the Fire Chief and the following motion was passed.

Moved by Ald. R. Bilkszto, Seconded by Ald. D. Good It is therefore recommended to committee and Council that eight self contained breathing apparatus units be purchased at the price of \$2,803.00 each plus applicable taxes from MSA Canada Limited for a grand total of \$22,424.00 plus GST.

CARRIED

1996 OAFCA Annual Meeting and Educational Seminar FD#96-74

The Committee members reviewed this report and the fire chief explained his reasoning and justification for attending the annual seminar. The Committee members passed the following motion.

Moved by Ald. R. Bilkszto, Seconded by Ald. D. Good THAT the Fire Chief be approved to attend the 1996 Ontario Association of Fire Chiefs annual meeting and educational seminar at London, Ontario with normal conference expenses to apply and to be authorized to send advanced registration. * Computerization of the Fire Department

CARRIED

FD#96-103

The Committee members reviewed the submitted report by the Fire Chief and discussed it thoroughly. There was concerns by Committee members regarding the type and size of computer to be purchased. The Committee further expressed concerns regarding maximizing everybody's efforts in a bulk purchase for the entire Town's computer needs for 1996.

Moved by Ald. A. Gretsinger, Seconded by Mayor R. Konkle THAT the purchase of these computers be done in conjunction with other computer purchases in the Town (ie. upgrades/library) This to be done through the office of the C.A.O.

CARRIED

Officers Salaries and Point Value Adjustment FD#96-104

The Committee members reviewed the report submitted by the Fire Chief and its attachments. During the discussions there was concern raised on the manner in which the proposal was made and the procedure that was conducted in the presentation to the District Chiefs committee and the * Fire Chief.

Moved by Ald. D. Good, Seconded by Ald. A. Gretsinger It is recommended that the proposal be accepted in principal and with adjustments to the point distribution system and a reduction of two station responses may make money available in 1996 wage section for implementation in 1996. . . .2 Moved by Ald. R. Bilkszto, Seconded by Ald. A. Gretsinger

THAT this motion be tabled until October 1996 Fire and Public

Safety Committee meeting. CARRIED

Committee members requested additional information regarding this subject and passed the following motion.

Moved by Ald. R. Bilkszto, Seconded by Ald. D. Good THAT the Fire Chief provide additional comparable data for October Fire and Public Safety meeting, re: compensation.

Major Repairs to Station #1

CARRIED

FD#96-105

The Committee members reviewed the report submitted by the Fire Chief and the additional information and tender documents and passed the following motion.

Moved by Mayor R. Konkle, Seconded by Ald. R. Bilkszto It is therefore recommended that Dave Pounder Limited, Consulting Engineer and Architect be approved to continue with the tendering of the documents for the repairs and renovations to Linc Station #1 at a cost of \$2,279.10 and that Mr. Dave Pounder be retained for the purpose of

overseeing the project sorting out and tendering the

and or the Chief Building Official on the project. C tenders and that Mr. Dave Pounder report periodically to the Fire Chief

CARRIED

Revised Promotional Policy FD#96-106

The Committee members reviewed the report submitted by the Fire Chief and reviewed the promotional policy. The Committee members had some minor comment regarding the policy and the following motion was passed.

Moved by Ald. D. Good, Seconded by Ald. A. Gretsinger THAT the promotional policy as amended dated April 17, 1996, be approved as submitted to become the new revised promotional policy system for ranking officers of the

Lincoln Fire Department and that all previous policies shall become null and void.

CARRIED

OTHER BUSINESS

Staff Memorandum - Contingency Plan

The Committee members reviewed the report submitted by the Fire Chief regarding the cross border contingency plan for the Regional Municipality of Niagara, Province of Ontario. The County of Niagara, State of New York and the County of Erie, State of New York.

The Fire Chief reviewed for Committee members the developmental stages of the plan and some of the concerns that the Regional Fire Chiefs had and that have all been addressed to the satisfaction of the Regional Fire Chiefs.

Moved by Mayor R. Konkle, Seconded by Ald. D. Good THAT the Regional Clerk be notified by letter that the Town of Lincoln will certainly participate and supply assistance as required in time of a major peace time disaster with our neighbours in New York State as part of this Niagara Regional emergency plan.

CARRIED Presentation - Insurance Rate Comparison

The Fire Chief presented a verbal report to Committee members regarding insurance rating system for the municipality and the insurance increases that would occur if there was reduction in fire service delivery levels. Comparisons were made on an existing house in the Town as well as a comparison on a small four unit apartment building. The Chief further broke down cost of operations and cost per household for a non existent fire department.

. . . 3 The Chief showed Committee members that in the Town of Lincoln, in the residential sector only, there was over a four million dollar insurance cost savings to the home owners of the Town of Lincoln for the existence of the fire department. The Fire Chief did not get into insurance costs savings for industry and much of the commercial occupancies of the municipality. As a result of the presentation the Committee directed the Fire Chief to put this verbal presentation in written form and and pass it on to the newspaper to print for the general public's view.

CORRESPONDENCE

The Committee members reviewed a letter of request from District Chief Frank Stanley regarding the Lincoln Fire Department's acquiring the vacating space of the Jordan Branch of the library from the existing building, District Chief Frank Stanley has requested that the fire department gain control of the entire building for purposes of additional training area, improved office space, improved washrooms and possible shower facilities in the future and other items that may be identified in the future.

The Fire Chief advised the Committee members that District Chief Stanley understood that any major renovations would have to be budgeted for in a foregoing year and that the only money available in 1996 was for minor maintenance and repairs. The Committee passed the following motion.

Moved by Ald. R. Bilkszto, Seconded by Ald. A. Gretsinger THAT Committee and Council approve of Lincoln Station #4 obtaining the library's portion of the building on 19th Street which adjoins the fire station.

CARRIED

The Committee members received and read a letter of thanks for a quick response from Del-KO Farms.

The Committee members received and read a letter of gratitude from Can-Gro Greenhouse Niagara Limited, again in appreciation of a quick and well organized response to a recent building fire at that residence. The gratitude was also shared by all employees of that firm which co-signed the letter.

The Committee members received and read a letter of apology and gratitude from a Vineland resident regarding an unknown 911 emergency call at her residence. Again the resident complimented the department on the quick response to her residence.

Committee members expressed their thanks and gratitude to the fire department and the firefighting force for a job well done. The amount of positive correspondence coming from the public is proof in itself that the department is providing a very well received essential service to the members of the community The Committee passes on its gratitude and appreciation to all members of the Lincoln Fire Department, commends them for their efforts and realizes the sacrifices made in their personal lives to provide this service to the community.

ADJOURNMENT

There being no further business the Chairman declared the meeting adjourned.

Secretary Chairman Lincoln Chambers

April 24th, 1996

The Council of the Town of Lincoln met in special session on Wednesday, April 24th, 1996, at 7:00 pm, in the Lincoln Chambers. All members of Council were present and the meeting was chaired by Mayor R.Konkle. Staff present: A.Buist (Chief

Administrative Officer).

The Chairman called the meeting to order.

Moved by Ald.R.Kelly, Seconded by Ald.A.Gretsinger That Council adjourn to closed session in order to address a matter pertaining to personnel matters about an identifiable individual, including municipal or local board employees. CARRIED

Following discussions in closed session, Council reconvened.

Moved by Ald.B.Culp, Seconded by Ald.R.Kelly That the report of the CAO dated April 24th, 1996, be received for information and the CAO be directed to advise staff and arrange for closed session at Council's next meeting, May 6th, 1996.

CARRIED

ADJOURNMENT

There being no further business to discuss, the Chairman declared the meeting adjourned.
MAYOR: RAY A.KONKLE
CLERK: KYLE S.KRUGER