

Lincoln Chambers

February 2nd, 1998

The Council of the Town of Lincoln met in regular session on Monday, February 2nd, 1998, at 7:00 pm., in the Lincoln Chambers. All members of Council were present, except Ald. H. Rald and Ald. R. Keily, and the meeting was chaired by Mayor Li. Konkle. Staff present: K. Kriiger (Clerk-Treasurer), C. Held (Director of Planning) and C. Rouse (Fire Chief).

ADOPTION OF MINUTES

Motion :

Moved by Ald. A. Danyluck, Seconded by Ald. B. Davies That the minutes of Council's regular meeting of January 19th, 1998, be adopted, as circulated. IED

Motion :

Moved by Ald. A. Danyluck, Seconded by Ald. B. Davies That the minutes of Council's special meeting of January 19th, 1998, be adopted as circulated. -- CARRIED

PRESENTATION - - -

Mayor Konkle and Ald. A. Danyluck, Chairman of the Public Works Committee, presented to Barbara Cosby, her certificate recognizing her recent qualification as a Certified Professional Public Buyer. Mayor Konkle expressed the appreciation of the Town to Mrs. Cosby for her work in improving her qualifications to assist the Town in providing improved services.

SCHEDULED DELEGATIONS

ZONING BY-LAW AMENDMENT LAKELEE ORCHARDS LIMITED Etc RE : -1 -_p.....-p....--

Mr. High advised that he was present to object to the further expansion of an institutional zone into unique agricultural lands. Mr. High noted that the report to Planning Committee mentioned that the lands are unique agricultural but did not note that the location is in contravention of three levels of government policies to limit expansion into existing agricultural areas. He also highlighted that there is a drainage concern as well as conflict with surrounding agricultural practices such as spraying.

Members of Council expressed opinion that uses such as this in the agricultural area need to be carefully examined. Other opinion was expressed that this is a continuation of an existing use.

ZONING BY-LAW AMENDMENT APPLICATION NZ?LWTTEN-IOUSE, -EL L. VENDITTELLI/DISANTO

Mr. Rittenhouse was present, representing Mr. & Mrs. Copper who reside at 4630 Victoria Avenue. Mr. Rittenhouse reviewed the number of conversations and Letters in opposition to the application which have been put forth by Mr. & Mrs. Copper.

Mr. Rittenhouse noted that the Coppens have resided at this location for over 40 years and that Council needs to continue to protect this existing residential area for those residents' quality of life. He stressed that the restaurant use is incompatible with the neighbouring residential area and there are problems with parking, odour, noise, and privacy. He stated that the Copperis have concerns with their loss of privacy and financial loss through devaluation of their property.

Mr. Rittenhouse showed pictures demonstrating the trucks parking in the area, and requested that Council deny the application.

CAHL BROWN, RE: - ZONING BY-LAW AMENDMENT --APPLICA_TL-i.NL VENDITTELLI/DISANTO

Mr. Brown, operator of the Old Fashioned Lunch Box restaurant, was present and addressed Council regarding the zoning amendment application. -2-

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Mr. Brown reviewed the time line of the business opening and the various applications which have been submitted. He stated that the business started as a permitted use and evolved slowly to the current use. Mr. Brown noted that he is not convinced that the use does not meet with the current zoning as a specialty

food store.

Mr. Brown reviewed the concerns expressed by neighbours, and steps taken to alleviate these issues. Mr. Brown stated that pictures previously submitted by neighbours of trucks parking were not reflective of the actual situation, and submitted pictures taken every half hour throughout January 28th and January 30th, 1998. Mr. Brown also stated that a count of trucks taken recently demonstrated an average of seven trucks and 36

cars per day. He also highlighted that his staff are directed not to serve any person who parks their truck on the road in front of the store. In regard to privacy and land devaluation, Mr. Brown noted that letters in support of the application have been received from most neighbours, indicating that this is not an issue for most.

In summary, Mr. Brown noted that although some procedures were slow, applications were made and the required procedures were followed. Mr. Brown noted that the planning report states that the amendment meets the official plan intention and conforms with the Regional Policy Plan. He also highlighted that the circulation of the application, resulted in only two objections. Mr. Brown noted the economic and employment benefit small business has in the province and specifically for the Town of Inverness.

Members of Council noted that the issue has escalated over time. It was suggested that Council is not anti-business however the zoning contemplates a specialty food shop, not a truck stop. Further concerns were expressed that the business was established and the zoning application came after.

In response to questions, the Director of Planning advised that the specialty food store designation in the Zoning By-law is intended only as a place for specialty foods such as bakery or deli, and does not include an eating establishment as is occurring and is defined elsewhere in the Zoning By-law. He stated that the use does not comply with the current zoning.

Questions were also raised by members of Council regarding the site plan process and the application received. Members of Council also noted that difficulties with truck traffic, may not be occurring in January, but were a problem last summer and are expected to be a problem again this summer.

Members of Council

also reviewed the procedures and applications which have come forward and reviewed the concerns expressed at the Committee of Adjustment which would also apply to the rezoning application. Shoren Brown was also present and questioned if there would be an issue if the use had been a variety store resulting in parking problems.

Mr. Vendittelli was present and noted that steps have been taken to rectify parking in the area. He suggested that a specialty food store would have similar requirements to the proposed use.

Mr. Vendittelli suggested that the Old Fashioned Lunch Box has established itself as a good, viable business at a spot which

has not kept commercial tenants for more than a couple of months in past years. He suggested that the owners have taken steps to

alleviate problems where they can and that there are three additional neighbours in close proximity that do not object to the operation. Mr. Vendittelli questioned if issues of parking and privacy are specific to the restaurant use or if they would exist with any other use which is currently permitted under the Zoning By-law. -3

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RE: ZONING BY-LAW AMENDMENT APP1, ICATLG-N, & LEUG "ISANTO, VENDITTELLI/DISANTO ... -

Mr. DiSanto noted that most issues have been covered but highlighted that over the past week he had been observing and taking pictures of the area which have been submitted to Council which demonstrate that parking has not been an issue in the

area. He highlighted that he lives on Victoria Avenue near the area and that the occasional problems with truck parking are unrelated to the Lunch Box.

ZONING BY-LAW AMENDMENT APPLICATION RE. JOAN HALDLRE: -- ~, .. VENDITTELLI/DISANTO Ms.ialden was present ant? advi.sed members of Council that. she continues in her opposition to the operation and the proposed rezorling .

MIKE DUFFY/JOHN ALBERS, RE: SITE PLAN NIAGARA UNDER GLASS - L --

Mr.Duffy was present and presented to Council a draft site plan proposed for Niagara Under Glass. Mr.Du:feY reviewed for members of Council the details of the project and the status of the required approvals. He advised that. MOEE approval should be forthcoming this week for the waste water 'reatment and ikiat. with respect to access, the owners have acyiii.red properties on the North Service Road provi-ding flexibility for the entranceway.

Mr.Duffy also noted that the public meeting was held last week by the Town's Development Co-ordinatirig cormittee in accordance with the Town's greenhouse policy and that a number of nei-ghbours expressed support for the project., excepting the orie who has appealed the Zoning By-law. He iidvi.sed that the Board Hearing regarding the zoning is scheduled for February 115th~ and asked that Council approve the site plan in principle so t.hat the Roard wil. have an appreci.ati.on of the proposed project.

Mr.Duffy also noted that Mr.Woolever was present in support. of the project, and submitted a letter to Council.. It was noted that; Council had already received a letter of support. fcorn Diane, Adolph and David Mitchell.

Ms.Marion was present arid expressed to Council, concerns with the hiring of an interim CAO. She noted that the issue is not over the individual hired or his qual.i.fications but the concerl? is with respect. to the actions taken by Council.

Ms.Marion noted a number of i.ssues and comments from Mr.Armstrong's organizational review, and noted that the tendering policy was not followed by Coiincil.. She noted that. Mr.Armstrong's report expressed concerrr that the Town has no policy with respect to hiring and promotions.

Mr.Marion noted that there are a number of additional costs and revenue reductions which must be accommodated by the Town in 1.998, but there is no budget or reserves for the potential costs for the interim CAO. Ms.Marion noted that the pot.ential costs to Lincoln of \$130,500 far exceed the annual salary range in Grimsby or St.Catharines.

Ms.Marion further suggested that t.he Int.eri.m CAO cannot fill the need that the Town has as highlighted in Mr.Armstrongls report, and that to proceed with the report's r.ecommendationis there rriust be a full ti-me CAO.

Members of Council noted that the Town is actively pursuing the hiring of a CAO, and highl.igited that. for a full ti.me CAO with benefits, the cost is over \$400 per day. Members of Council further highlighted that t.he arrangements with Mr.Armstrong wil.l li.mit his services and will not result in the potential costs

stated. -4-

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It was also highlighted that the interim CAO's function is not to assist Council and staff on day to day operations as a full time CAO would do, but is to oversee the implementation of the recommendations :in the organization review with Council.1.

Members of Council. also suggested that the implementation of the organizational review would occur faster when co-ordinated with

Mr.Armstrong. 31. was suggested that if the process waited until a new CAO was in place it would be six months before

implementation would begin.

REPORTS

In response to the delegation, Niagara Under Glass, Council entered into discussions regarding the proposed site plan and greenhouse use.

Motion:

Moved by Ald.B.Davies, Seconded by Ald.A.Danyluck Re: Draft Site Plan - Niagara Under Glass

That the draft site plan as presented regarding Niagara Under Glass be approved in principle subject to final review by staff, agencies and Council. CARRIED

Motion :

Moved by Ald.D.Good, Seconded by Ald.G.Barlow

Re: Niagara Under Glass Greenhouse Development

That the Council of the Town of Lincoln approve the greenhouse use as proposed by Niagara Under Glass. CARRIED

Motion:

Moved by Ald.A.Danyluck, Seconded by Ald.B.Culp

That the Planning committee minutes be lifted from the agenda and considered at this time. CARRIED

For the information of members of Council, it was clarified that the intent of the motion with respect to the rezoning on page 4 of the minutes, was to investigate rezoning to the rural-commercial zoning.

Motion :

Moved by Ald.A.Danyluck, Seconded by Ald.B.Davies

That the Planning Committee minutes of January 26th, 1998, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

Members of Council were also advised that the Deputy Planner, Ms.Kathleen Dale, has recently passed her exams and obtained her

designation in the Canadian Institute of Planners, being the highest designation in Canada.

FIRE & PUBLIC SAFETY COMMITTEE

Motion :

Moved by Ald.W.MacMillan, Seconded by Ald.A.Danyluck

That the Fire and Public Safety Committee minutes of January 21, 1998, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

FINANCE & ADMINISTRATION COMMITTEE:

Motion:

Moved by Ald.B.Culp, Seconded by Ald.D.Good

That the Finance and Administration Committee minutes of January 21, 1998, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED (Council, Feb.2/98)

PUBLIC MEETING

Motion :

Moved by Ald.A.Danyluck, Seconded by Ald.B.Davies

That the Public Meeting minutes of January 26th, 1998, be adopted. CARRIED

BU 98-37, PETITION OF PLAN EXAMINER/BY-LAW ENFORCEMENT OFFICER -

Motion :

Moved by Ald.G.Barlow, Seconded by Ald.D.Good

(BU 98-37)

That Mr.Sam A.Carrera be appointed for the position of Plan Examiner/By-law Enforcement Officer. CARRIED

CS 98-38, ROCKWAY CEMETERY EXPANSION

Motion :

Moved by Ald.D.Good, Seconded by Ald.G.Barlow

That a public hearing be scheduled at the earliest opportunity for the application for expansion to the Rockway Cemetery. CARRIED

CONFIRMATION OF COMPLIANCE WITH OF THE PLANNING ACT -

Motion:

Moved by Ald.A.Danyluck, Seconded by Ald.B.Davies

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 amendments to Zoning By-law No. 93-14-21, as amended:

- (a) No. 98-09-Z158, to amend Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (Edward Thiessen).
- (b) No. 98-10-Z159, to amend Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (Mary VanBentham).
- (c) No. 98-11-2160, to amend Zoning By-law No. 93-14-21, as amended of the Town of Lincoln (Iieida's Department Store Inc.)
- (d) No. 98-12--7,161, to amend Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (First Netherlands Reformed Christian School). CARRIED

RY-LAWS

41.d.B.Culp advised those present that he had an interest relating to proposed By-law No. 98-16, expansion to St.John's Anglican Cemetery for the reason that he is on that Cemetery Board. Ald.Culp subsequently did not participate in any discussion nor vote on any resolution concerning this matter and during discussions and voting, left the Council Chambers.

Motion:

Moved by Ald.W.MacMillan, Seconded by Ald.A.Danyluck

That leave be given to introduce the following by-laws:

- (a) No. 98-09-Z,1.58, to amend Zoning By-law No. 33-14-21, as amended, of the Town of Lincoln (Edward Thiessen).
- (b) No. 98-10-Z159, to amend Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (Mary VanBentham).
- (c) No. 98-11-2160, to amend Zoning By-law No. 93-14-2,1, as amended, of the Town of Lincoln (Iieida's Department. Store Inc.) .
- (d) No. 98-12-2161, to amend Zoning By-law No. 93-14-23., as amended, of the Town of Lincoln (First Netherlands Reformed Christian School).
- (e) No. 98-13, to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest.
- (f) No. 98-14, to authorize the execution of a contract agreement with Sam B.Carrera.
(resolution cont'd on next page) -6-
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(resolution cont'd from previous page)
- (g) No. 98-15, to prescribe a tariff of fees for the processing of applications made in respect to planning matters, and to repeal By-law No. 97-08, as amended, by By-law No. 98-35.
- (h) No. 98-16, to approve an expansion to the St. John's Anglican Cemetery. CARRIED

Motion :

Moved by Ald.A.Danyluck, Seconded by Ald.B.Davies That By-law Nos. 98--09-2158, 98-10-2159, 98-11-2,160, 98-

12-2161, 98-13, 98-14, 98-15 and 98-16, 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

CORRESPONDENCE

1. Region of Niagara Public Works Department, re: Regional Niagara Waste Management Planning Study.

Motion :

Moved by Ald R.Davies, Seconded by Ald.A.Danyluck That all members of the public who applied for appointment to local committees and boards, be forwarded for membership consideration on the Regional Waste Management Planning Study

PLC . CARRIED

2. Township of Elizabethtown, re: Disaster Relief Fund.

Motion :

Moved by Ald.D.Good, Seconded by Ald.B.Davies That the Council of the Town of Lincoln send a donation in the amount of \$500 to aid the Township of Elizabethtown as it

recovers from the ice storm that devastated Eastern Ontario early in January, 1998. CARRIED

3. Town of Richmond Hill, re: Disaster Relief Fund.

Motion :

Moved by Ald.G.Bariow, Seconded by Ald.D.Good

That the Council of the Town of Lincoln supports the resolution of the Town of Richmond Hill which will be providing assistance to damaged areas as a result of the devastating ice storm in early January. Richmond Hill has urged all Ontario municipalities to take up the cause. CARRIED

4. City of Welland, re: Bell Canada, local calling areas.

Motion:

Moved by Ald.G.Barlow, Seconded by Ald.D.Good

That the Council of the Town of Lincoln support the City of Welland's resolution with respect to Bell Canada, local calling areas, and to send letters to Bell Canada and the Secretary General suggesting that the entire Region of Niagara be included in one toll free calling area. CARRIED

CLOSED SESSION

Motion:

Moved by Ald.B.Culp, Seconded by Ald.A.Danyluck That Council adjourn to closed session in order to consider matters of Litigation. CARRIED

After discussions in closed session, Council reconvened. Motion :

Moved by Ald.N.Danyluck. Seconded by Ald.W.MacMillan

1. That Council approve the reduction of the letter of credit as requested by Upper Canada Consultants on behalf of Merrick Homes (Paradise Ravines) Inc, to reduce the letters of credit to recognize the completion of primary services and 40% of secondary services.

2. That the Town of Lincoln advise Merrick Homes (Paradise Ravines) inc, that it continues its opposition to the request for zoning and official plan amendment to develop the southerly area of this plan of subdivision and that it intends to hold the developer accountable for all works installed contrary to the consent of the Town.

3. That staff continue discussions with the solicitor regarding other avenues to require Merrick Homes (Paradise Ravines) inc, to reinstate the additional liability and servicing beyond the works contemplated in the subdivision agreement. .

C-XED

There being no further business to discuss, the Mayor declared the meeting adjourned. February 4, 1998

Beamsville Room

Minutes of the Recreation and parks Committee meeting held in the Beamsville Room at Town Hall on Wednesday, February 4, 1998 at 7:00 p.m. In attendance were Chairman, Alderman W. MacMillan, Alderman B. Davies, Alderman G. Barlow and Alderman D. Good. Staff in attendance were: D. Wainman, Director, Recreation and Parks and B. Urquhart, Facilities Manager.

Accounts

Moved by Ald. B. Davies, Seconded by Ald. G. Barlow

That department accounts in the amount of \$45,516.48 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

Reports

Victoria Tennis Club RP 98-36

Mr. Wainman outlined to Committee his report regarding the request for financial assistance from the Victoria Tennis Club for the resurfacing of the tennis courts. Mr. Wainman advised that in reviewing the financial options to assist in the funding of \$36,000.00 to \$60,000.00 for this project that the Town would have to consider this a capital project. Mr. Wainman explained that because the Victoria Tennis Club is a private operation that

the Town can not, by law use the cash-in-lieu of parkland fund. As it can only be used for public recreation. Mr. Wainman indicated without the use of the cash-in-lieu fund the only other option would be to include the amount in the Town's capital budget. This would mean having to eliminate another project that has been previously forecasted for or to increase the tax levy. Members of the tennis club in attendance indicated that they would look into the possibility through the Rittenhouse Trust to see if there is any way the lands could be transferred into the ownership of the municipality either on a shared basis or otherwise. That by doing so it could open other options for the Town to consider.

Moved by Ald. D. Good, Seconded by Ald. G. Barlow

THAT the Recreation and Parks Committee recommend to Council that the request from the Victoria Tennis Club for a capital expenditure for the resurfacing of tennis courts at the Victoria Tennis Club for a capital expenditure for the resurfacing of tennis courts at the Victoria Tennis Club not be approved, and that the Director of Parks and Recreation and the Victoria Tennis club investigate the Rittenhouse Trust with the possibility of Town ownership to facilitate the use of the park reserve if possible.

CARRIED

Correspondence

1. Beamsville and District Lions Club - Volunteer Labour Hours

Letter received from the Beamsville and District Lions club outlining the volunteer hours of work at the Beamsville Lions Community Park 1997. Committee acknowledged the letter and expressed their thanks for the volunteer efforts. 2. Beamsville and District Lions Club - Proposed Operating Budget 1998

Letter received from the Beamsville and District Lions Club outlining a proposed operating budget for the 1998. Committee received the letter and directed Mr. Wainman to review the request with a recommendation given to Council during budget deliberations.

Other Business

Jordan Hollow Park Concept Plan

Moved by Ald. D. Good, Seconded by Ald. G. Barlow

THAT the Recreation and Parks Committee recommend to Council that the Park Concept plan for the lands in Jordan Hollow be amended to include the public suggestions and concerns.

CARRIED

Beamsville and District Lions Club - Operations and Maintenance Agreement

Moved by Ald. B. Davies, Seconded by Ald. D. Good

THAT the Recreation and Parks Committee recommend to Council that the Operations and Maintenance agreement between the Town of Lincoln and the Beamsville Lions Club be renewed until December 31, 1998.

CARRIED

Bartlett Creek Landscaping

Committee members asked Mr. Wainman for an update on the landscaping works required in the Bartlett Creek in the Kobrick subdivision. Mr. Wainman advised that the Town solicitor has been corresponding with the receiver in hopes of obtaining a settlement for the completion of the landscape works.

Northeast Neighbourhood Park

Committee members also asked Mr. Wainman the status of developing the northeast neighborhood park. Mr. Wainman advised that the Town currently own about two acres of the ten-acre park parcel required. Mr. Wainman also advised that he is currently discussing the purchase of another acre with one of the land owners, however the park can not be constructed until we obtain the rest of the land which will come as the development proceeds

in this area. Mr. Wainman did remind the Committee that Council has already approved the park concept plan for the northeast neighborhood park.

Charles Daley Park

Chairman MacMillan advised, that Mr. Paul McQueen whom previously notified Committee of his intentions to make a proposal to operate Charles Daley Park as a campground has withdrawn this request. Mr. Wainman advised Committee that Mr. McQueen had contacted him and indicated that after studying whether or not running the park as a campground could be financially viable he decided that it was not.

Adjournment

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

Secretary Chairman February 4, 1998

Beamsville Room

Minutes of a public meeting conducted by the Recreation and Parks Committee held in the Beamsville Room at Town Hall on Wednesday, February 4, 1998 at 6:30 p.m. In attendance were Chairman Alderman Wayne MacMillan, Alderman B. Davies, Alderman G. Barlow, and Alderman D. Good.

Staff present were: D. Wainman, Director, Recreation and Parks, B. Urquhart, Facilities manager and Robert Dobbin, Landscape Architect for Proctor and Redfern Limited. Members of the public in attendance were Lyle Phillips, Terry Phillips, Lloyd Myers, Steve Smerek, Robert Riley, and Len Penachetti.

Chairman MacMillan opened the meeting by welcoming members of the public in attendance and asked that the director of recreation and Parks and Mr. Dobbin give an overview of the project. Mr. Wainman advised Committee and the members of the public that the plan being presented has been developed as a result of a number of meetings between the Recreation and Parks Committee, staff and a landscape architect over the past year. Mr. Wainman advised the group that this plan is conceptual and not the detailed design phase of the plan. Mr. Dobbin then proceeded to give an overview of the plan outlining the various components and amenities that have been included in the plan. After the completion of Mr. Dobbin's presentation the Chairman then invited the committee members and the public for their comments and questions.

Mr. Lyle Philips, resident advised that any structure should be kept back away from Regional Road 81 as not to obstruct the sight lines of the motorists. Mr. Lyle Phillips also indicated that he was in support of the plan, however keep the plan simple and proceed to clean up the site of the buildings and the brush.

Mr. Robert Riley, property owner adjacent to the park outlined his concerns noting the following:

A gate should be installed at the entrance/exit to close the park at night in order to reduce potential vandalism to his property as well as the park. Mr. Riley also noted that he had concerns with the location of the picnic area being close to his residence which could result in noise and litter. Further he noted the stairway proposed to access the Conservation Authority's Twenty Valley Trail is shown as crossing part of his property. Mr. Riley advised that although he has had discussions with NPCA no agreement has yet been reached on this matter. Mr. Riley further noted that no trees should be planted near Regional Road 81 that could obstruct the view of motorists.

Mr. Lloyd Myers resident indicated that the site should have a sanitary sewer to accommodate washrooms. Mr. Dobbin indicated that this could be achieved through a force main up the hill to Jordan, however this could be very costly. It was also noted that there are other possible options for this provision such as portable toilets or a septic system.

Alderman Good indicated that he has visioned this location as an area for a tourist information and rest stop like many communities throughout Ontario that provide for tourism in this manner. Mr. Wainman was also asked how this project could be financed and he outlined some options such as the cash-in-lieu of parkland fund and development charges. Mr. Len Penachetti a local business man in Jordan commented on the park's value as a tourist information stop noting that the design is park friendly and not really set up as a retail outlet and that the emphasis should be placed on the tourism. He suggested that we discuss this idea with Netcorp who is setting up an information area along the QEW in Grimsby and the possibility of linking up with them in this endeavor. Mr. Penachetti also suggested that if we are pursuing the retail possibility we should do so by advertising a call for proposals to see what interest there maybe. Chairman MacMISlan concluded the meeting by advising those in attendance that a recommendation on the park concept plan would be forthcoming at the recreation and parks committee meeting immediately following this public meeting.

Adjournment

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

Chairman

- Secretary Council Chambers

February 9th, 1998 a Minutes of the Public Works Committee of the Town of Lincoln held on Monday, February 9th, 1998, at 7:00 p.m., in the Council Chambers. Present were: Ald. A. Danyluck (Chairman), Ald. R. Kelly, Ald. G. Barlow and Mayor R. Konkle. Staff present: G. Holman (Director of Public Works), J. Kukalis (Technical Services Manager) and D. Campbell (Operations & Equipment Manager).

ACCOUNTS

Moved by Ald. R. Kelly, Seconded by Mayor R. Konkle THAT Department payments in the amount of \$311,915.63 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

The Committee inquired about the purchase of welding rods and storage thereof.

DELEGATIONS

DAVID EMERY, MTO, RE: QEW/VICTORIA AVENUE INTERCHANGE CONSTRUCTION PROJECT

Mr. Emery provided an overview of the project and explained the staging, environmental considerations and scheduling.

The Committee raised a number of issues related to the impact of QEW reconstruction on the adjacent community, specifically as it relates to the movement of construction vehicles, haulage routes, hours of operation, safety procedures, traffic signals, property acquisition, the timing of closures, detour routes and business disruption.

The Committee noted that an official position would be forwarded to the Minister of Transportation.

Mr. Emery pointed out that the contract has yet to be tendered and awarded and that it provides for 130 working days between April 1998 and July 1999.

He further noted that incentives would be included to encourage the contractor to complete the work in a timely fashion.

REPORTS

QEW/VICTORIA AVENUE INTERCHANGE PROJECT, RELOCATION OF MUNICIPAL SERVICES, PW 98-48

The Committee discussed the proposed cost sharing, and were reminded by staff that it was advantageous to take advantage of the QEW construction project to effect the relocations.

The Committee inquired if some of the capacity improvement costs would be eligible for recovery as a Development Charge. Staff indicated that the improvements provide for future development, but don't necessarily create more capacity. It was noted future development in the North Vineland area should be subject to a Secondary Plan process, so that an overall servicing strategy be properly considered.

Moved by Ald. G. Barlow, Seconded by Ald. R. Kelly
THAT the Public Works Committee recommend that Council be authorized to sign an agreement with the Ministry of Transportation acknowledging the conditions of a cost sharing arrangement for the construction and relocation of municipal watermains and forcemain as part of MTO Contract 97-70 (QEW/Victoria Avenue Interchange Project).
FURTHER THAT the costs associated with this project be included in the 1998 Capital Budget to be funded from the water and sewer reserves.

CARRIED
WATER METER REPLACEMENT PROGRAM, REPAIR OF EXISTING METERS, PW 98-39

The Operations & Equipment Manager explained the procedures for refurbishing the meters and the Town's efforts to date to address the unaccounted-for water problems. He noted that repairing the larger meters was cost effective, but repairing the smaller meters had little or no cost savings because of the labour costs involved.

Moved by Ald. R. Kelly, Seconded by Ald. G. Barlow
THAT the Public Works Committee recommend to Council that Public Works staff be authorized to proceed with the repair of various size meters as outlined in this report.
FURTHER THAT the effect of this cost savings be included in the draft 1998 Operating Budget.

CARRIED
HIGH ROAD BRIDGE REPLACEMENT - FINAL COSTS, PW 98-40

The Technical Services Manager provided an overview of the costs for the project, and noted areas where extra work was required.

Moved by Ald. R. Kelly, Seconded by Mayor R. Konkle
THAT the Public Works Committee recommend to Council that the additional consultant's invoices associated with this project be paid.
FURTHER THAT all costs associated with this project, as outlined in the report, be submitted for funding under the Canada-Ontario Infrastructure Works Program.

CARRIED
TIIPr?ALLATICN OF I'ECFS'ri?Tj\?I SIGNALS A! "?!JLLAN!I !"UtjLIC - - - - - !;EOOT., VLYTD.9lh AV!:I.i.i.; \I NI~~LAKI), ;"t: ?4-4 1

Staff discussed the background leading up to the installation of the lights, and confirmed the location was agreed to by the Council. Moved by Ald. G. Barlow, Seconded by Mayor R. Konkle
THAT the Public Works Committee recommend to Council that invoice #I46546 in the amount of \$28,064.73 be paid to the Region of Niagara for the installation of pedestrian signals at Vineland Public School on Victoria Avenue in Vineland.

CARRIED
HIXON STREET WATER QUALITY - UPDATE, PW 98-42 -
The Technical Services Manager updated the Committee on the status of the water service relocation to the Russ property, and noted that should development proceed in the Southeast Neighbourhood, some of the water quality and pressure concerns would be addressed with the replacement of the existing cast iron watermairis.

Moved by Ald. G. Barlow, Seconded by Mayor R. Konkle
THAT the Public Works Committee recommend to Council
that the report be received for information.

FURTHER THAT costs associated with this work be funded
from the Water Reserves.

FURTHER THAT new water service connections only be
provided at the time a resident is proceeding to construct
the private side water service, from the street to the
dwelling.

CARRIED

FOREST HILL ESTATES SUBDIVISION - SUBDIVISION AGREEMENT
DETAILS, PW 98-47

The Committee inquired about the pond location, and
directed staff to hold a public meeting to invite comments
on the servicing components negotiated in the recent
settlement with the developer.

Moved by Mayor R. Konkle, Seconded by Ald. G. Barlow
THAT the Public Works Committee recommend to Council
that the terms and conditions negotiated between the Town
and the developer of the Forest Hill Estates Subdivision be
included in the subdivision agreement and subsequently
approved.

FURTHER THAT staff be directed to prepare the
necessary by-law to authorize the execution of the
agreement and to remove the Holding Zone (H) provision from
the property subject to a final review by the Town's
solicitor.

TABLED

SOUTH BEAMSVILLE WATER PRESSURE STUDY - ZONE 2 BOOSTER
PUMPING STATION REQUIREMENTS, PW 98-46

The Director of Public Works provided an overview of the
intended course of action to remedy water pressure problems a
in the Zone 2 area.

He further noted that the six month study would tie in with
the new Development Charge regulations, and could be
adjusted accordingly. Moved by Ald. G. Barlow, Seconded by Ald. R. Kelly

THAT the Public Works Committee recommend to Council
that staff be authorized to prepare the necessary
agreements and by-laws to engage the services of CH2M Gore
& Storrie to analyze, design and implement improved water
pressure in the Zone 2 areas of South Beamsville.

FURTHER THAT staff be directed to include funds in the
1998 Capital Budget totaling \$56,100 to be financed from
the Development Charge Reserve Fund.

CARRIED

1998 REMEDIAL SYSTEM MONITORING, FORMER PUBLIC WORKS SITE,
QUARRY ROAD, PW 98-49

The Committee expressed concern that remediation efforts
have not proceeded as quickly as expected, and asked staff
to examine other alternatives for future consideration.

Moved by Ald. G. Barlow, Seconded by Mayor R. Konkle
THAT the Public Works Committee recommend to Council
that Jagger Hims Limited be engaged to carry out the 1998
annual monitoring program for the pump and treat system at
the former Public Works yard on Quarry Road.

FURTHER THAT funds in the amount of \$25,500 be
included in the 1998 Capital Budget to accommodate this
expenditure.

FURTHER THAT staff prepare the necessary engineering
agreement governing the terms and conditions of this
contract with the consultant.

THAT appropriate reports be submitted by the
consultant when sufficient data has been collected.

CARRIED

MEMORANDUMS

PARKING PROHIBITIONS - REGIONAL ROAD 81 (KING STREET)

The Committee discussed the impact that the removal of on-street parking has on downtown business, and were disappointed with the Region's position on the matter.

RESOLUTION FROM THE TOWNSHIP OF HAGARTY & RICHARDS - DEPOSIT AND REFUND SYSTEM FOR ITEMS SOLD IN CONTAINERS

The Committee questioned the effectiveness of a resolution supporting this initiative, and directed staff to investigate the efforts taken by the Region in this regard.

MINUTES OF MEETINGS

BOARD OF MANAGEMENT/STEERING COMMITTEE - JANUARY 13TH, 1998

Moved by Mayor R. Konkle, Seconded by Ald. G. Barlow

THAT the Public Works Committee recommend to Council that the Board of Management/Steering Committee minutes of January 13th, 1998 be accepted as presented.

CARRIED CORRESPONDENCE

REGION OF NIAGARA - NIAGARA REGIONAL PROJECTS, CONSTRUCTION PROGRESS REPORT

This item was received and filed

NEW BUSINESS

GOLDEN HORSESHOE TRAILER PARK

Staff were directed to prepare a report addressing water metering/billing in the Golden Horseshoe Trailer Park.

CAMPDEN SERVICING STUDY

Staff informed the Committee of ongoing discussions regarding the Campden Servicing project.

GREEN GARDEN SUBDIVISION NOISE WALL

Staff provided Committee members with a legal opinion respecting the noise wall in the Green Garden subdivision.

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

THAT a report be prepared outlining the concerns and actions which the Town has with the plans and contracting for the above noted project.

FURTHER THAT this report be presented for Council's approval.

FURTHER THAT a further meeting be part of the report and that we advise the MTO that we cannot accept the present proposals as presented with further review by the Town.

CARRIED

UNSCHEDULED DELEGATIONS

None.

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

- CHAIRMAN SECRETARY Lincoln Chambers

February 16th, 1998

The Council of the Town of Lincoln met in regular session on Monday, February 16th, 1998, at 7:00 pm., in the Lincoln Chambers. All members of Council were present, except Ald. H. Bald, and Ald. G. Barlow, and the meeting was chaired by Mayor R. Konkle. Staff present: K. Kruger (Clerk-Treasurer), G. Holman (Director of Public Works) and D. Wainman (Director of Recreation).

Motion :

Moved by Ald. R. Kelly, Seconded by Ald. D. A. Danyluck

That the minutes of Council's regular meeting of February 2nd, 1998, be adopted, as circulated. XED

SCHEDULED DELEGATIONS - - -

WEST LINCOLN MEMORIAL HOSPITAL - - - BOARD, RE: UPDATE ON HOSPITAL SERVICES

Mr. Ken Southward, Chairman of the West Lincoln Memorial Hospital Board and Mr. David Bird, Executive Director of Hamilton Health Sciences Corporation, were in attendance and updated members of

Council on activities at the West Lincoln Memorial Hospital. Mr. Southward advised that the Board is addressing all three involved municipalities in the Region to apprise them of the status and ongoing restructuring of West Lincoln Memorial Hospital. Mr. Southward noted the protests for the Hospital, has helped result in the provincial adoption of the rural health plan. He noted that this was the first, acknowledged by the Province of differences in rural and urban health care. He advised however that, in keeping with the plan and fiscal restraint, the Board has formed an alliance with the Hamilton Health Sciences Corporation to enhance clinical opportunities and reduce costs. He noted that Mr. Bird was responsible to both the Hamilton Health Sciences Corporation and to the West Lincoln Memorial Hospital Board.

Mr. Bird advised Council of the goals at the hospital to reduce costs as is being encouraged by the Province. He stated that the partnership with the Hamilton Health Sciences Corporation helped reduce management costs, and provide managed purchasing and use of staff education and development available in Hamilton. Mr. Bird reviewed the number of steps and initiatives underway to assist in reducing costs at the hospital which is intended to be returned directly to patient care. He advised that the hospital hopes to maintain all services currently offered.

Members of Council raised questions regarding the short stays in hospital and whether this is a better service. Mr. Bird noted that there is a need to better use hospital facilities for acute care, but noted there is a need to ensure that there are the support services available needed for home care. Members of Council questioned if the steps being taken mean that the hospital designation will remain or whether West Lincoln will become a primary health care facility. Mr. Bird noted it is hoped that the hospital will remain a Level "B" hospital with most of its existing services, but that this will depend on what the Niagara District Health Council and Provincial Restructuring Commission determine.

DEBBIE ZIMMERMAN, REGIONAL CHAIRMAN

Chairman Zimmerman was present and outlined for Council what the Regional Council hopes to achieve over the next three years and outlined her philosophies regarding governance and service provision. - 2

(Council, Feb. 16/98)

Chairman Zimmerman noted that there is an opportunity to create new partnerships among the local municipalities and the Region, and hopes that the Region can provide a new approach to come to these arrangements. She suggested that this is a more productive approach than the Region dictating service delivery.

She noted that governments in Niagara must determine who can best deliver the service and move towards the most efficient delivery.

With respect to the provincial downloading, she highlighted that the Region still does not know the cost of the services being delegated. Chairman Zimmerman also noted that there is nothing new available since the recent presentation by the Regional

Treasurer. She advised that there will be a meeting with local M.E.P's on March 5th, which will hopefully provide additional information. Chairman Zimmerman highlighted the difficulties with downloading, citing social housing and ambulance services

where the province is billing the Region but is not allowing the Region to manage the service. She also highlighted that there are mandated health services but no Regional control over the finances.

Chairman Zimmerman highlighted that in general the goal is to provide the governance and services desired while retaining local identities.

Members of Council raised questions regarding the shortfall of

funding at the Region. It was also questioned whether the Regional committee on governance was continuing. Chairman Zimmerman suggested that it is now up to the local municipalities to decide among themselves whether they wish to consider amalgamations and that it is not for the Region to dictate. She highlighted that the provincial terms of reference call for assistance only in restructuring. She advised that amalgamations is not her focus and would result in less savings than services review and realignment. Members of Council also raised questions regarding the current situation with landfill sites, the Niagara Escarpment Commission and the possibility of the Region assuming their responsibilities, and regarding the proposed transfer of Land Division responsibilities to the local municipalities. Members of Council also noted that with respect to the Regional 1998 budget it was hoped that improvements needed on Ontario Street and King Street remain in the budget as there are urgent needs for those improvements.

SCCHOOL CROSSING GUARDS AND SAFETY COURSE PROCEDURES

Ms. Blayney was present and advised members of Council of concerns regarding crossing guard safety and training.

Mr. Blayney expressed some specific concerns and suggested that Council consider certain improvements including the use of a 3 whistle system, classroom training for children by crossing guards to explain crossing procedures, and providing and requiring crossing guards to wear full uniform to increase recognition and authority. Members of Council raised questions regarding the training currently provided. The Director of Public Works advised that the Town that crossing guards are required to attend an annual course. It was also noted that the crossing guards wear reflective vests only and that uniforms could be investigated further. Members of Council thanked the delegation for bringing forward the information and advised that it would be reviewed by the Director of Public Works.

REPORTS - PUBLIC MEETING

Motion:

Moved by Ald. B. Davies, Seconded by Ald. W. MacMillan
That the Public Meeting minutes of February 4th, 1998, be adopted. CARRIED (Council, Feb. 16/98)

RECREATION & PARKS COMMITTEE

Motion :

Moved by Ald. W. MacMillan, Seconded by Ald. B. Davies
That the Recreation & Parks Committee minutes of February 4th, 1998, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

PUBLIC WORKS COMMITTEE

Members of Council entered into discussions regarding Report PW 98-47, Forest Hill Estates.

Members of Council noted that based on the information received from staff and the Solicitor, the proposed subdivision agreement should proceed. Other opinion was expressed that residents in the area should be allowed to review the changes proposed in the development since the initial public meetings, and be provided with an opportunity to comment. Members of Council questioned what actual physical changes were made to the subdivision since the last public review. The Director of Public Works advised of the physical revisions including changes to lot frontages on Mountah Road and the interim retention percentage. In response to questions, members of Council were advised that the intent was to table the report until the next Public Works committee and that there would be a public meeting held prior to that date. Members of Council questioned whether any changes could be made as a result of that public meeting. Staff advised that there may not be much flexibility available. Members of Council questioned if the Board could be contacted and a hearing scheduled immediately if the proponent wished to proceed. Staff

confirmed that the hearing was adjourned "sine die" and could be quickly rescheduled. Members of Council suggested that perhaps an information night, prior to proceeding to construction would be more appropriate.

Motion :

Moved by Ald.A.Danvluck, Seconded by Ald.R.Culp
PW 98-47 -

Because of additional information received, Council approve Report PW 98-47 with all terms and conditions negotiated and be included in the subdivision agreement and subsequently approved.

Further, that staff be directed to prepare the necessary by-law to authorize the execution of the agreement and to remove the Holding Zone (ti) provision from the property subject to a final review by the Town's Solicitor.

Further, that an Information night be held to inform the Residents of the changes in Forest Hill Estates Subdivision prior to construction and notices be circulated to those affected. LOST

Motion:

Moved by Ald.A.Danyluck, Seconded by Ald.R.Kelly
That the Public Works Committee minutes of February 9th, 1998, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

CS 98-53, DEVELOPMENT CHARGES UPDATE SI

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danvluck -. (CS 98-23)
That C.N.Watson & Associates be retained for the review and update of the Town's development charge by-law pursuant to the Development Charges Act, 1997, and that commencement of the study begin immediately. CARRIED -4- (Council, Feb. 1.6/98)

OTHER REPORTS

YMCA 1998 SUMMER DAY CAMP -

Motion :

Moved by Ald.D.Davies, Seconded by Ald.W.MacMillan Re: YMCA 1998 Summer Day Camp
That the Town of Lincoln support the proposed YMCA summer day camp as proposed in their letter dated February 11th, 1998, and that staff be authorized to meet with representatives of the YMCA and the Lincoln Agricultural Society for such arrangements and report to Council. CARRIED

MUSEUM COMMITTEE MEETING SCHEDULE

Motion:

Moved by Ald.B.Davies, Seconded by Ald.W.MacMillan Re : Meeting time, Museum Committee
That the Museum Committee meetings be changed back to 7:00 pm, second Wednesday (as 2 new appointees cannot make morning meetings) . CARRIED

JORDAN SCHOOL HOUSE, STORM WINDOWS

Motion:

Moved by Ald.B.Davies, Seconded by Ald.A.Danvluck Re: Storm windows for School house at Jordan Museum
That funding for construction of eight storm windows for the School House be approved out of the 1990 capital budget, and that construction begins immediately. CARRIED

BY-LAWS

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danvluck
That leave be given to introduce the following by-laws:
(a) No. 98-17, to authorize the execution of an agreement with the Beamsville Lions Club with respect to the maintenance and operation of a defined section of the Beamsville Lions Park.

(b) No. 98-18, to impose special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act (DeMaria) . CARRIED

Motion:

Moved by Ald.W.MacMillan, Seconded by Ald.B.Davies
That ~y-iaw Nos. 98-17 and 98-18, read a first time, be
now read a second and third t.i.me and fina.l.l~ passed, and that
the Mayor and Clerk sign and seal the sai.d by-laws. CARRIED
CORRESPONDENCE

1. Niagara Catholic District School Board, re: Library Board
appointment.

Motion:

Moved by Ald W.MacMiiian, Seconded by AId.B.Davies
That john Hill be appoi-nted to the Lincoln Public Library
Board representing the Niagara Catholic District School Board,
for the duration of this term of Council. CARRIED

2. Region of Niagara, re: letter of indemnity, Niagara Under
Glass. Motion:

Moved by Ald.D.Good, Seconded by Ald.R.Kelly

Re: Letter of Indemnity - Niagara Under Glass

That the Town of Lincoln in conjunction with the Region of
Niagara, prepare a "Letter of Indemnity" allowing direct access
to the North Service Road for the development known as Niagara Under Glass, and that the Mayor and Clerk be
authorized to

execut.e the Letter on behalf of the Town. CARRIED -5

(Council, Feb.16/98)

3. Ontario Water Works Association, re: Drinking Water Awareness Week. Motion:

Moved by Ald.D.Good, Seconded by Ald.B.Culp

That the Council of the Town oi Lincol.n support "Dri-inking
Water Awareness Week", May 3rd - 'Loth, 1998, as promoted by the
Ontario Water Works Associ-ation. CARRIED

NOTICE OF NEW BUSINESS --

MUNICIPAL ORGANIZATIONAL REPORT -

Motion:

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

Re: Municipal Organi-zational Report Whereas staff arid Council have had time to revi.ew the above noted report
and to digest the various facts contai.ned

within. Whereas there is a need to begin the process of change. Re it resol-ved that a meeting be established between

Council., Cy Armstrong and staff to develop and outline the
process of change and that a committee of Council be established to report to Council and to work with staff on the
proposals outlined in the report. The committee t-o be chaired by the Deputy Mayor and to consist of the Chairmen
of each comnit.tee

and the Mayor. The first meeting between Council, staff and Cy Armstrong to be held on Thursday, February 19t.h,
1998, at 7:00

pm, in the Beamsville Room. CARRIED

1998 BUDGET

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.DanyLuck

Re: 1998 budget meeting/revi.ew

Whereas we are now into the second month of the new year. Whereas we have not begun the budget review process
by Council. Be it resolved that staff be directed to finalize ail
documents/budgets, and that Wednesday, February 25th' be established for the first revi.ew of the budget docuinents
by

Council, beginning at 6:00 pm, in the Beamsville Rooin. CARRIED

JOINT MUNICIPAL SERVICES

Motion:

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

Re: Joint Services Be it resolved that with talks taking place for joint.

services in the Planning Depart.nient and the possibility of further sharing of services, that the Council of the Town
of

Lincoln send a letter of Interest for these discussions to take place at the political level between West Lincoln,
Pelham, Grimsby and the Town of Lincoln. Also that talks take place

between individual municipalit.ies or as a group to share

possible endeavours. That the first meeting be hosted in Lincoln and that two Aldermen - Kelly and Danyluck, al.ong
with Mayor Konkle and appropriate Town staff be the Town of l,i.ncoln's representatives
on this committee. Further, that reports be brought back to Council. for their

consideration and discussion. XED

CLOSED SESSION --

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danyluck
That Council adjourn to closed session to consider legal
issues. XED

Upon conclusion of discussions in closed session, Council.
reconvened in open session. - 6

(Council, Feb. 16/98)

Motion:

Moved by Ald.A.Danyluck, Seconded by Ald.W.MacMillan
Re: Public Works Operations - West Lincoln

That staff be authorized to enter into discussions with
the Township of West Lincoln regarding the possible provision of
fire management services by the Town of Lincoln for Public Works
operations of the Township of West Lincoln, and prepare a report
for Council consideration. CARRIED

There being no further business to discuss, the Mayor declared
the meeting adjourned. February 18, 1998

Beamsville Room

Minutes of the Fire and Public Safety Committee held on February
18, 1998 at 7:00 p.m. in the Beamsville Room at the Town of
Lincoln municipal offices

Delegations

Mr. Frank Haylow, advisory section of the Office of the Fire
Marshal was present to give committee an overview of the new
process of the fire service review. During his presentation he
made note that the new system replaces the old Fire Marshal's
office survey which was done in the past. He further commented
that the Ministry of the Solicitor General's Office does look for
a commitment from Council before entering into an agreement to do
such a review.

Moved by Alderman B. Culp, Seconded by Alderman D. Good
THAT this fire committee recommend to Council that the
Office of the Fire Marshal be requested to completely review the
Town of Lincoln Fire Department.

CARRIED

The Committee passed a second motion in conjunction with the
Office of the Fire Marshal's presentation.

Moved by Alderman B. Culp, Seconded by Mayor R. A. Konkle
THAT this fire committee recommend to Council that the
following committee be struck for the Town's Fire Department
Review Committee.

Mr. F. Haylow, Office of the Fire Marshal

Mr. C. Rouse, Fire Chief

Alderman W. MacMillan, Chairman

District Chief W. McKinney

District Chief W. Smith

District Chief T. Tallman

District Chief F. Stanley

Usual expenses, mileage and meeting allowance to be included

CARRIED

The Chairman thanked Mr. Haylow for coming in and giving the
presentation.

Accounts

The Committee members reviewed the accounts to date and passed
the following motion.

Moved by Mayor R. A. Konkle, Seconded by Alderman D. Good
THAT department accounts in the amount of \$50,008.39
incurred in accordance with Council Policy A-94-218, having now
been audited by Committee be ratified by Council.

CARRIED

Reports

The Fire Chief brought concerns to the Committee regarding a

capital budgeting Moved by Mayor R. A. Konkle, Seconded by Alderman D. Good THAT staff prepare a report on the advisability of not tendering and of buying used vehicles as required for various departments in the Town.

CARRIED

The Fire Chief submitted a letter to Committee regarding inspection partnership from the Office of the Fire Marshal, this partnership would include seven additional buildings in the Town that are not presently inspected by the fire department. These buildings are going to be down loaded from the Province and the inspection partnership is intended to be a transition period.

The committee directed the Fire Chief to submit the letter of request from the Office of the Fire Marshal to the legal branch of the municipality for comments.

Other Business

The Chief gave the Committee an update on what had been done to this point for arrangements for Awards Night with the date set for March 28, 1998 at the Lincoln Center.

In Camera

Committee moved to an in camera session to discuss legal matters and rose without report.

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

Secretary Beamsville Room

February 18th, 1998

Minutes of a meeting of the Finance & Administration Committee held on Wednesday, February 18th, 1998, at 7:00 pm, in the Beamsville Room. Present were: Ald. B. Culp (Chairman), Ald. W. MacMillan, Ald. B. Davies, Ald. D. Good and Mayor R. Konkle. Staff present: K. Kruger (Clerk-Treasurer).

DELEGATION" --_d.

BARBARA -

Ms. Chamberlain was present and addressed Council regarding a concern over her water bill for the period September to November, 1997.

Ms. Chamberlain reviewed the discussions held and the adjustment recommended and made by staff, but noted that she did not agree with the amount of the adjustment. Ms. Chamberlain advised that there should be a further reduction in the bill for a number of reasons, and noted the history of consumption at the property. She also noted that she has requested that the meter be read monthly but to date has not been agreed to. She also highlighted that the sewer system does not pass her residence but ends at the edge of the property and yet she is required to pay the sewer surcharge.

Committee members raised questions regarding the details of the account and staff actions. The Clerk-Treasurer outlined the situation and issues arising from the meter replacement program. It was noted that in this case and in some others, the reading from the meter being replaced differs from the external reader. It was noted that the actual meter reading indicates the water was used and was not billed in the past likely due to a difficulty with the external reader. It was noted that the adjustment made was based on the median consumption figures as defined by the Ministry of the Environment. Staff advised that this specific situation may be part of a larger difficulty which staff are currently investigating. It was noted that the intent is to further monitor the meter replacements and determine if a problem does exist, and if actions need to be taken, a further report would be coming forward to committee and Council. Committee members raised questions regarding the meter reading process, the meter replacement program and the external readers. Questions were also raised regarding the requirement in this case to pay the sewer surcharge. It was suggested that this be

reviewed.

Motion:

Moved by Ald.B.Davies, Seconded by Ald.W.MacMillan
Re: Wii~ner Water Disp~ite, Account # 031576,
4 1'7 1 Jordan Road

That the new meter at this address be monitored for the
time Public Works deems necessary to address this problem.

ZED

Committee members reviewed the accounts and raised questions
regarding the payments respecti-ng insurance claims, fees from
the Lincoln County Humane Society, bills from the Globe & Mail.
regarding advertisi.ng for the CAO's position, and whether the
Town pursues billings for insurance claims.

Motion :

Moved by Ald.W.MacMillan, Seconded by Ald.D.Good
That Department payments in the amount of \$880,192.90
incurred in accordance with Council Policy A-94-218, having now
been audited by committee be ratified by Council.. -- 2 (Finance, Feb. 18/98)

Motion:

Moved by Ald.R.Davi.es, Seconded by Ald.W.MacMi llan (BU 98-50) That the January building report, as submitted
by the Chief Building Official, be received for the information of the
commi.ttee. CARRIED

cS 98-51, STATEMENT OF REMUNERATION AND EZPENSES TO MEMBERS OF .. COUNCIL, 1997

Motion:

Moved by Ald.D.Good, Seconded by Mayor R.Konkle
That the statement of remuneration and expenses paid to
each member of Council for 1.997 prepared pursuant to the Municipal Act, be received for information. CARRIED
In response to questions, the Cl.erk highLighted the i.tems of correspondence, noting the continuance of grant
programs including the Residential Rehabilitation Assistance Program, and
advised that members of Council or the public may obtain
i-nformation on these programs, through the Clerk's Office.

Motion:

Moved by A:l.d.D.Good, Seconded by Ald.B.Davies
(CS 98-52) That the summary of correspondence report, as submitted by the Clerk-Treasurer, be adopted, and the
recommendations
contained therein be approved and acted upon. CARRIED

OTHER REPOB

DRAFT MUNICIPAL ACT

The Clerk-Treasurer advised that the proposed new Munici~pal Act
has been delivered to all munj.cipal.ities for comment and is in the form of draft. legislation and not a discussion
paper as released in 1997. It was highlighted the Province is seeking
a.l.l comments by May 8th, 1998.

ADJOURNMENT

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

-. CHAIRMAN SECRETARY Lincoln Chambers

February 23, 1998

Memorandum of a Public Meeting regarding proposed amendments to the
Town's Official Plan and Zoning By-law, held in the Council Chambers of
the Town of Lincoln Municipal Offices on Monday, February 23, 1998, at 7:00
p.m. Committee members in artendance: Aid. R. Kelly [Chairman) , Aid.
A. Danyluck, Ald. B. Davies and Mayor K. Konkle. Staff in attendance:
Carl W. Held (Director of Planning and Development), and Kathleen Dale
(Deputy Director of Planning and Development).

PUBLIC MEETING

PROPOSED AMENDMENTS TO THE TOWN LINCOLN
OFFICIAL PLAN AND ZONING BY-LAW UNDER THE PLANNING ACT

For the Public Meeting the Chairman outlined the Public meeting procedures,
the Planning Act requirements for the Public meeting and the purpose of
the application.

(A) FILES 9-02/97 & 10-14/97 - OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW
AMENDMENT APPLICATIONS - UPPER CANADA CONSULTANTS-(DELPLAIN

VENTURES 1

Nick Basciano, Mark Basciano and Dick Hodge were in attendance in support
of the application. Also in attendance were: Stephen Jakyrniw, Bill

Marykuca, A.M. Marion, Stewart Capell, Carol Austin, John Nouwens and Norm Higgins .

The Chairman outlined the procedures under the Planning Act and the purpose of the application.

In response from inquiry from A.M. Marion, the Director stated that the lands were designated Environmental Conservation based on the information received from the Ministry of Natural Resources, and the Niagara Peninsula Conservation Authority.

In response to inquiry from A.M. Marion, the Chairman stated that it is not the Town that wishes these lands to be taken out of Environmental Conservation, it is the developer who has made an application.

In response to inquiry from A.M. Marion, the Director stated that the Town has no plans for these lands. The Town would rely on the Conservation Authority to provide direction in returning the lands to Environmental Conservation. He stated that the lands need to be replanted.

In response to inquiry from A.M. Marion, the Director stated that it is his understanding that no replanting has occurred.

A.M. Marion stated that she had thought that an Alderman had said that Council would have the lands replanted. She stated that the lands should remain as Environmental Conservation. She also stated that she has lived in the area for fifteen years.

Norm Higgins stated that he is here on behalf of his sister, Maureen Scott. He stated there were minutes of the meeting and it was his understanding that the developer was to put up a letter of credit to ensure that the trees were replanted.

The Director stated that possibly there could be a clause in the - subdivision agreement. a Norm Higgins requested an explanation of the one-foot reserve. The

Director stated that the one-foot reserve is to prevent access, to prevent * houses from being built on the property and also to prevent driveways from

being built. Public Mtg Minutes (90 02 23) Page 2/4

Norm Higgins asked that if there were any services into these lands, and if the lands would be graded even though there is a one-foot reserve.

In response, a Committee member indicated that the one-foot reserve would not prevent the lands from being regraded.

Norm Higgins stated that on behalf of his neighbours he wishes to advise the committee that the neighbours are extremely opposed to the application. He stated that the developers knew full well that these were environmental conservation lands. He stated that the developers knew it wasn't necessary to remove all the trees. He stated that he had told the Public Works Department when additional trees were being cut on the Paradise Ravines subdivision. He stated that on the subject lands they took out all the big trees so that the lands would no longer be considered environmental conservation lands. He stated that there is only one small strand of trees left between the two developments. He stated that if they had left the environmental conservation lands alone and came back later they knew they would not get approval and therefore they removed the trees. He stated that the area could have been saved and it was one of the few treed areas left within the Beamsville Urban Area. He stated that the area was full of wildlife at one time. He stated not enough care was taken by the Town with this development. He stated they were told by the Niagara Peninsula Conservation Authority that the top of bank was not to be altered and that the developer was aware that the area was not to be touched. He stated that they did damage so that it would not be viable.

Bill Marykuca stated that it was his understanding that in order to remove the holding provision on the lands they were told they would have to replant the area. He stated that they had promised to replant the lands and should be required to do so.

The Chairman stated that the Paradise Ravines application has been refused and has since been appealed by the applicants to the Ontario Municipal Board.

Stewart Capell stated that when the subdivision was drafted approved there were 40 conditions and it was his understanding that one of the conditions was that the lands would be replanted. He stated that from the beginning it was known that these lands were intended to be developed and that they

have had problems with this development for four and a half years. He stated that if the area was designated as Environmental Conservation, should stay as Environmental Conservation. He stated that the wildlife has disappeared from this area. He stated that he does not want to see this subdivisions was to be completed for emergency access purposes.

it.
approved and he had thought that the road access between the two
A.M. Marion stated that she had seen a letter from a member of Council that stated that the area was to be reforested. She stated that the tree removal occurred in stages.

Norm Higgins stated that in regards to both of these developments that the lands were designated Environmental Conservation when the Southwest Neighbourhood was prepared and if the owners had concerns at that time they should have objected to the Secondary Plan designation.

Dick Hodge stated that his clients did object to the Environmental Conservation designation in the Secondary Plan. He stated that the original plan for both developments had cul-de-sacs. He stated that Town staff had requested a connection between the developments in order to facilitate traffic and provide for servicing. He stated that with the construction of the road, the Environmental Conservation lands were filled in and are now gone. He stated that the original subdivisions both had lots in the environmental conservation area on both sides of the road. He stated that the trees were taken out by mistake and that the lands are developable. He stated that 22 lots are proposed in both developments and that those types of lots with houses on them would pay taxes of approximately \$3500 a year. He stated that there is no reason for the Public Mtg Minutes (98 02 23) Page 3/4 plateau lands not be developed. He stated it doesn't make sense for the Town to spend money at the OMB defending any decision to refuse the application.

In response to inquiry from a Committee member, Dick Hodge stated that 66 - feet is required for a road
A Committee member expressed a concern that all the EC lands are in danger and questioned whether or not a fine could have been put in the subdivision agreement. The Director advised that it is difficult to place conditions on lands outside of a subdivision.

Dick Hodge stated that Council had every opportunity to obtain ownership of these lands.

A Committee member stated that the applicant should have left their appeal relating to the Secondary Plan and develop the lands outside of the EC at that time and then carry on with the appeal.

In response to inquiry from a Committee member, Dick Hodge stated that there was a large trunk sewer put in across the ravine to deal with the storm water management. He stated that the manhole is approximately 50 feet deep and the ravine at its deepest point was approximately 30 feet deep.

In response to inquiry from a Committee member, Dick Hodge stated that all of the ravine was required in order to support the 66 foot road.

A Committee member noted that both the Niagara Peninsula Conservation Authority and the Region are concerned regarding the filling and are concerned as to whether or not foundations could be supported on the area that was filled.

Dick Hodge stated that the road was compacted to support the road. He stated in Paradise Ravines the area was filled in and that special care will have to be taken and specific foundations will have to be designed in those areas.

In response to inquiry from a Committee member, Dick Hodge stated that no laterals were put into the lands in the Highland Estates subdivision, however laterals were put in the Paradise Ravines subdivision. He stated that no services were put into Highland Park Estate yet because this portion of the road has not yet been built because it is within Phase 11.

He stated that gravel has been put down for emergency access.

In response to inquiry from a Committee member, Dick Hodge stated that they did get approval from Provincial ministries. He stated that the Niagara Peninsula Conservation Authority approved the grading and drainage plan, the Ministry of Natural Resources approved the storm water management, and

that: the Town and the Region approved all of the servicing drawings.
A Committee member noted that there was a concern that some of the neighbours' trees were cut down and in response, Bill Marykuca stated that, yes, a portion of his lands were cut.

Dick. Hodge stated that possibly there is no wildlife in the area because of the fencing that was provided along the edge of the urban area boundary.

Dick Hodge stated that the draft plan of subdivision application for both developments will be submitted shortly and that there are land swaps proposed between the two developers.

A.M. Marion stated that Stadelbauer Dr-ve 1s currently blocked by large boulders and therefore emergency vehicles could not get through. in response, Nick Basciano stated that the road is built, only for hydro accesses at present time. Public Mtg Minutes (98 02 23) Page 4/4

A.M. Marion stated that the exrvironmental conservation areas is much wider than shown on the map prepared by Mr. Hodge.

Norm Hiaoins stated that there was a strand of trees next to and back from 44 the road. He stated that there is 50 feet of fill in the Paradise Ravines subdivisions.

The Chairman asked if there were any further comments or questions from the public. There being no further comments or questions from the public the

Chairman declared this Public meeting closed.

- SECRETARY CHAIRMAN Council Chambers

February 23, 1998

The Planning and Development Committee of the Town of Liricolri met in regular session on Monday, February 23, at 8:30 p.m. Committee members in, ittendarlce: Ald. R. Kelly (Chairman), Aid. A. Danyluck, Ald. B. Davies and a Mayor R. Konkle. Staff present: Carl W. Held (Director of Planning and Development)and Kathleen Dale (Deputy Director of Planning and Development) .

ACCOUNTS

Motion

Moved by Ald. B. Davies, Seconded by Mayor R. Konkle

THAT Department payments in the amount of \$8,279.44 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

DELEGATIONS

There were none.

REPORTS

(A) PL 98-54 - FILE 9-02/97 & 10--14/97

OFFICIAL PLAN AMENDMENT ABD ZONING BY-LAW AMENDMENT APPLICATIONS

UPPER CANADA CONSULTANTS (DELPLAIN VENTURES)

:[n response to an inquiry from a Committee member, the Director advised that Council's decision will likely be appealed to the Ontario Municipal Board.

After considering PL 98-54 tile Committee adopted the followivig recommendation:

Motion

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

Re: Official Plan Amendment and Zoning By-law Amendment Applications

Applicant: Upper Canada Consultarlts (Delplain. Ventures)

"THAT for the reasons outlined in PL 98-54, it is hereby recommended that Official Plan Amendment Application 9-02/97 and Zoning By-law Amendment Application 10-14/97, in the name of Delplain Ventures, BE DEFERRED pending an Ontario Municipal Board decision on the Paradise Ravines applicati-ons."

CARRIE?

(B) PL 98-55 - FILE 35-9

1998 OFFICIAL PLAN REVISION

The Committee requested that a list of possible changes to the Official Plan be provided to the Committee prior to a public meeting being 11el.d.

After considering PL 98-55, the C!ommittee adopted the following recommendation:

Motion

Moved by Ald. B. Davies, Seconded by Ald. A. Dariyluck

Re: 1998 Official Plan Revision

"THAT, for the reasons outlined in PL 98-55, staff be instructed to establish a public meeting date to determine whether or not revisions to the Official Plan are required and advertise to advise the public of that

CARRIED

PROPOSED NIAGARA ESCARPMENT PLAN AMENDMENT PC/121/97
DWELLING UNITS IN MINERAL RESOURCE EXTRACTION AREAS

After considering PL 98-58, the Committee adopted the following recommendation: Page 2/2

Motion

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

Re: Proposed Niagara Escarpment Plan Amendment PC/121/97

Dwelling Units in Mineral Resource Extraction Areas

"THAT, for the reasons outlined in PL 98-58, it is hereby recommended that the Town of Lincoln advise the Region of Niagara that it has no objections to the proposed Amendment No. 121 to the Niagara Escarpment Plan."

CARRIED

(D) PL 98-56 - FILE 1-21

STATUS OF ALL ACTIVE DEVELOPMENT APPLICATIONS UP TO
AND INCLUDING FEBRUARY 13, 1998

After considering PL 98-56, the Committee adopted the following recommendation:

Motion

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

Re: Status of All Active Development Applications

"THAT, PL 98-56, Status Sheets relating to All Active Official Plan
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 February 13, 1998,

BE RECEIVED AS INFORMATION."

CARRIED

(E) PL 98-57 - FILE 1-21

STATUS OF ALL ACTIVE LAND DIVISION COMMITTEE AND
COMMITTEE OF ADJUSTMENT APPLICATIONS UP TO
AND INCLUDING FEBRUARY 16, 1998

After considering PL 98-57, the Committee adopted the following recommendation:

Motion

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

Re: Status of All Active Land Division Committee and

Committee of Adjustment Applications

"THAT PL 98-57, being the Status of Active Land Division Committee and
Committee of Adjustment applications, up to and including February

1998, BE RECEIVED as information."

CARRIED

CORRESPONDENCE

There was none.

UNSCHEDULED DELEGATIONS

There were none.

ADJOURN

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

-- SECRETARY - CHAIRMAN Heamsville Room

February 25th, 1998

The Council of the Town of Lincoln in a special session on
Wednesday, February 25th, 1998, at 7:00 pm, in the Heamsville
Room. All members of Council were present, except Ald. G. Harlow
and Ald. B. C. and the meeting was chaired by Mayor R. Koriklo.

Staff present: Cy Arnström (interim CAO).

Members of Council and Mr. Arnström entered into discussions
with respect to the Organizational Review report. In order to
discuss personnel issues, Council adjourned to closed session.

Following discussions in closed session, Council reconvened in
open session.

Matian :

Moved by Ald.R.Kelly, Seconded by Ald.D.Good

Re: Organization Review

That we not adopt item 13 (a) in the Implementation Plan.

Further, that Option #1 of Committee structure be adopted,

Further, that the recommendations contained be implemented by the Council and that Council and staff meet on a regular basis to see that these go forward. CAI\RIEB

ADJOURNMENT

There being no further business to discuss, the Mayor decided the meeting adjourned. feb 98 combined.pdf