

THE CORPORATION OF THE TOWN OF LINCOLN

COUNCIL

A G E N D A

March 4, 2013

7:00 pm

Page

1. CALL TO ORDER

2. ROLL CALL

3. DECLARATIONS OF INTEREST

4. ADOPTION OF PREVIOUS COUNCIL MINUTES

3-6 (a) Minutes of Council's regular meeting of February 19.

5. BUSINESS ARISING FROM THE MINUTES

6. MAYOR'S REPORT

7. REGIONAL COUNCILLOR'S REPORT

8. DELEGATIONS

9. CORRESPONDENCE

10. REPORTS

7-11 (a) Corporate Priorities Committee, minutes of February 25.

12-13 (b) Briefing Note from Director of Finance, re: Municipal Infrastructure Investment Initiative Asset Management Program.

11. CONFIRMATION OF COMPLIANCE WITH S.34 OF THE PLANNING ACT

12. BY-LAWS

13. NOTICE OF NEW BUSINESS

14. ANNOUNCEMENTS

15. CLOSED SESSION

- (a) Personal matters about an identifiable individual, including municipal or local board employees (a matter pertaining to appointments to agencies, boards and committees).

16. BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

- (a) No. 2013-15, To adopt, confirm and ratify matters dealt with by Council resolution.

17. ADJOURNMENT

Lincoln Chambers
February 19, 2013

The Council of the Town of Lincoln met in regular session on February 19, 2013, at 7:00 p.m. in the Lincoln Chambers.

Members Present:	B. Hodgson	Mayor
	G. Barlow	Councillor
	R. Condotta	Councillor
	R. Foster	Councillor
	J. Kralt	Councillor
	J. D. Pachereva	Councillor
	D. Rintjema	Councillor
Regrets	W. MacMillan	Councillor
	D. Thompson	Councillor
Staff Present:	A. L. Heron	Chief Administrative Officer
	K. Dale	Director of Planning and Development
	D. Graham	Director of Public Works
	W. Kolasa	Director of Corporate Services/Clerk

Mayor Hodgson called the meeting to order at 7:00 p.m. Councillor Pachereva reiterated an interest declared and detailed in the minutes of the February 4, 2013 meeting of Council regarding an application for a road closure and conveyance as a relative was an abutting property owner. Councillor Pachereva did not participate in any deliberations regarding the subject matter. There were no other declarations of interest.

ADOPTION OF PREVIOUS COUNCIL MINUTES

REGULAR COUNCIL, MINUTES OF FEBRUARY 4

Motion No. RC-2013-50

Moved by Councillor W. Condotta, Seconded by Councillor J. Kralt

THAT the minutes of the February 4, 2013, Regular Meeting of Council, including the confidential addendum thereto, be adopted as circulated and amended.

CARRIED

BUSINESS ARISING FROM THE MINUTES

None.

MAYOR'S REPORT

Mayor Hodgson advised of a number of items of municipal interest including the recognition of two Town of Lincoln Projects at the 2012 Niagara Community Design Awards Gala on February 6, 2013, a recent Niagara North Federation of Agriculture meeting where the impacts of increasing property value assessments of farmland were discussed, a Greater Golden Horseshoe Food and Farming Alliance meeting where a position paper was introduced for the consideration of the new Premier of Ontario and a recent annual general meeting of the Auctioneers Association of Ontario held in Jordan, Ontario.

REGIONAL COUNCILLOR'S REPORT

None.

DELEGATIONS

None.

CORRESPONDENCE

None.

REPORTS

COMMUNITY SERVICES COMMITTEE, MINUTES OF FEBRUARY 6

Motion No. RC-2013-51

Moved by Councillor D. Rintjema, Seconded by Councillor R. Condotta

THAT the minutes of the Community Services Committee meeting of February 6, 2013, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

COMMUNITY COMPLEX STEERING COMMITTEE, MINUTES OF FEBRUARY 6

Motion No. RC-2013-52

Moved by Councillor D. Rintjema, Seconded by Councillor R. Condotta

THAT the minutes of the Community Complex Steering Committee meeting of February 6, 2013, including the confidential addendum thereto, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

PUBLIC MEETING, MINUTES OF FEBRUARY 11

Motion No. RC-2013-53

Moved by Councillor R. Foster, Seconded by Councillor J. D. Pachereva

THAT the minutes of the Public Meeting of February 11, 2013, regarding:

- A. Application 2012-08, Zoning By-law Amendment Application and Revisions to a Draft Plan of Subdivision (Campden Estates) by 2225966 Ontario Inc.

be received.

CARRIED

PLANNING AND DEVELOPMENT COMMITTEE, MINUTES OF FEBRUARY 11

Motion No. RC-2013-54

Moved by Councillor R. Foster, Seconded by Councillor J. D. Pachereva

THAT the minutes of the Planning and Development Committee meeting of February 11, 2013, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

INFRASTRUCTURE COMMITTEE, MINUTES OF FEBRUARY 13

Motion No. RC-2013-55

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT the minutes of the Infrastructure Committee meeting of February 13, 2013, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

PL 13-12, LINCOLN SQUARE PRE-SERVICING AGREEMENT

Motion No. RC-2013-56

Moved by Councillor R. Condotta, Seconded by Councillor J. Kralt

THAT Report PL 13-12, regarding a Lincoln Square Pre-Servicing Agreement be received as information;

AND THAT, for the reasons outlined in PL 13-12, a By-law be presented to Council for approval to authorize the execution of a pre-servicing agreement for the Lincoln Square Subdivision with 1419405 Ontario Inc., 1419406 Ontario Inc., and 2252620 Ontario Limited.

CARRIED

CONFIRMATION OF COMPLIANCE

None.

BY-LAWS

Motion No. RC-2013-57

Moved by Councillor D. Rintjema, Seconded by Councillor R. Condotta

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

- (a) No. 2013-12, To authorize execution of a pre-servicing agreement with 1419405 Ontario Inc, 1419406 Ontario Inc., and 2252620 Ontario Limited.
- (b) No. 2013-13, To amend By-law No. 89-2000, being a By-law regulating traffic and parking on local municipal roads.

CARRIED

Motion No. RC-2013-58

Moved by Councillor R. Foster, Seconded by Councillor G. Barlow

THAT By-law Nos. 2013-12 and 2013-13, 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

NOTICE OF NEW BUSINESS

None.

ANNOUNCEMENTS

Members noted a number of upcoming items of municipal interest including a Greenbelt Review and Public Engagement process being initiated by the Regional Municipality of Niagara, a public meeting to engage the public regarding nuisance flies in Beamsville and the annual Big Brothers and Big Sisters Bowl-a-thon event.

CLOSED SESSION

At this point in the meeting, the following motions were introduced.

Motion No. RC-2013-59

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT Council adjourn to closed session in order to address litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (a matter before the Niagara Escarpment Commission).

CARRIED

Motion No. RC-2013-60

Moved by Councillor G. Barlow, Seconded by Councillor J. D. Pachereva

THAT Council resume in open session.

CARRIED

Consideration of the subject matter in closed session concluded with the provision of confidential direction to staff in closed session.

BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

Motion No. RC-2013-61

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT leave be given to introduce the following by-law:

No. 2013-14, To adopt, confirm and ratify matters dealt with by Council resolution.

CARRIED

Regular Council
February 19, 2013

4

Motion No. RC-2013-62

Moved by Councillor G. Barlow, Seconded by Councillor R. Foster

THAT By-law No. 2013-14, 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-law.

CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned at 8:53 p.m.

MAYOR: BILL HODGSON

CLERK: WILLIAM J. KOLASA

The Corporate Priorities Committee of the Town of Lincoln met in regular session on February 25, 2013, at 7:00 p.m. in the Lincoln Chambers.

Members Present:	J. Kralt	Councillor (Chair)
	G. Barlow	Councillor
	R. Foster	Councillor
	B. Hodgson	Mayor
	J. D. Pachereva	Councillor
Regrets	R. Condotta	Councillor
	W. MacMillan	Councillor
	D. Rintjema	Councillor
	D. Thompson	Councillor
Also Present:	A. L. Heron	Chief Administrative Officer
	A. Cifani	Deputy Director of Finance
	D. Graham	Director of Public Works
	G. DalBianco	Deputy Clerk
	W. Kolasa	Director of Corporate Services/Clerk

Chair Kralt called the meeting to order at 7:00 p.m. Councillor Pachereva declared an interest regarding an item of correspondence from the Twenty Valley Tourism Association as he was employed with the association. Councillor Pachereva did not participate in the deliberations or otherwise participate in the provision of direction regarding the subject matter. There were no other declarations of interest.

DELEGATIONS

WEST LINCOLN MEMORIAL HOSPITAL, RE: HOSPITAL UPDATE

Ms. Vickie Baird, Chief Executive Officer of the West Lincoln Memorial Hospital, and Mr. Kurt Whitnell, Chair of the West Lincoln Memorial Board of Directors, addressed Council to provide an update regarding the Hospital's on-going efforts to work with the Ministry of Health and Long Term Care to secure a new hospital for the citizens of West Niagara. The Members received information regarding the philosophy behind the promotion of the new facility including an emphasis on a patient centric model of care and the development of partnerships with other health care providers and community agencies. The Members also received an overview of the current volume of visits to the facility, the extent of the communities serviced by the hospital and the favorable results of a recent patient experience survey.

NIAGARA REGION WIND CORPORATION, RE: PROJECT UPDATE

Ms. Randi Rahamim, Mr. Al Leggett, and Mr. Larry Galajda representing the Niagara Region Wind Corporation (NRWC) addressed Committee to provide information regarding ongoing efforts of NRWC to obtain Council's endorsement for a Niagara Escarpment Commission (NEC) Development Permit Application to allow their renewable energy project to run proposed transmission lines through the Town of Lincoln. The delegation provided Members with details regarding their latest proposal to install approximately 2.6 km of above ground transmission lines along the Town's Walker Road (from Fly Road) and to bury approximately 4.5 km of transmission lines in a concrete duct bank within the Mountainview Road road allowance (from Walker Road to existing high voltage transmission lines near the Queen Elizabeth Way). The delegation provided information regarding their efforts to address the Town's various concerns including the impact of the proposal on the existing road and underground utilities, and future maintenance costs. The delegation concluded with notice that the NEC will consider the application on March 21, 2013.

MOUNTAINVIEW NIAGARA ESCARPMENT COMMUNITY ASSOCIATION (MNECA), RE: PROPOSED HIGH VOLTAGE TRANSMISSION LINE, MOUNTAINVIEW ROAD

Mr. Harald Thiel and Ms. Marcia Christie representing the Mountainview Niagara Escarpment Community Association addressed Committee to provide information regarding the Association's efforts to develop a solution addressing all stakeholders in the proposed NRWC transmission line. Mr. Harald Thiel noted the Association's support of the underground option for the transmission line and highlighted several elements of the NRWC's plans supported by the community association including efforts to accommodate access needs of local property owners.

CORRESPONDENCE

CS 13-07, SUMMARY OF CORRESPONDENCE REPORT

Motion No. CP-2013-18

Moved by Councillor G. Barlow, Seconded by Mayor B. Hodgson

THAT Report CS 13-07, the summary of correspondence report, be adopted and the recommendations contained therein be approved acted upon.

CARRIED

2013 AMO AGM & ANNUAL CONFERENCE, AUGUST 18 – 21, 2013

Motion No. CP-2013-19

Moved by Councillor R. Foster, Seconded by Councillor J. D. Pachereva

THAT the following Councillors be authorized to attend the 2013 AMO AGM & Annual Conference, August 18 – 21, 2013, Ottawa, Ontario, with usual expenses to apply: J. D. Pachereva; B. Hodgson; J. Kralt.

CARRIED

2013 OSUM CONFERENCE AND TRADE SHOW, MAY 1-3, 2013

Motion No. CP-2013-20

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT the following Councillors be authorized to attend the 2013 OSUM Conference and Trade Show, May 1-3, 2013, New Tecumseh, Ontario, with usual expenses to apply: R. Foster; J. D. Pachereva; B. Hodgson.

CARRIED

OSUM, RE: PROPOSED FEDERAL DEREGULATION OF FOOD PACKAGING

Motion No. CP-2013-21

Moved by Councillor R. Foster, Seconded by Councillor J. D. Pachereva

WHEREAS several Ontario municipalities are home to food manufacturing and agricultural businesses, and in recognition that Ontario Small Urban Municipalities (OSUM) supports local manufacturing and agricultural businesses;

AND WHEREAS Canada's food processors provide high quality, safe and affordable food, using local agricultural products;

AND WHEREAS the federal government has announced that they will repeal regulations that will require local food processors to adopt American size and format packaging which will require local processors to spend money to re-fit their production lines to accommodate this change;

AND WHEREAS since 2007 there have been plant closures in communities resulting in the loss of some 13,000 jobs across Canada due to plants moving to lower cost jurisdictions;

AND WHEREAS the single streamed deregulations may result in the creation of an un-level playing field for Canada's existing food processors, putting at risk thousands of direct jobs as well as other associated supplier spin off jobs;

AND WHEREAS the Association of Municipalities of Ontario (AMO) and Federation of Canadian Municipalities (FCM) have adopted resolutions supporting the concerns of local municipalities;

THEREFORE, BE IT RESOLVED THAT the Council of the Town of Lincoln support OSUM and the Mayor's Alliance call for the Federal Minister of Agriculture to consult with industry and community leaders on this subject;

AND FURTHER THAT an independent Economic Impact Study be conducted to analyze and understand the full impact of this regulation on the local, provincial and national economies;

AND FURTHER THAT OSUM ask the municipalities in Ontario to support this resolution and copy their local Member of Parliament.

CARRIED

TWENTY VALLEY TOURISM ASSOCIATION, RE: APPOINTMENT FOR BOARD VACANCY

Members reviewed the correspondence and directed that the matter be referred to the March 4, 2013, meeting of Council.

REPORTS

TR 13-04, CAMPDEN FIRE STATION #2 INFRASTRUCTURE UPGRADE

Motion No. CP-2013-22

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT Report TR 13-04, regarding the Campden Fire Station #2 Infrastructure Upgrade be received as information;

AND THAT Council approve the purchase and installation of the required equipment at a total cost of \$17,808.00

CARRIED

TR 13-05, REQUEST FOR DONATION, BEAMSVILLE & DISTRICT LIONS CLUB

Motion No. CP-2013-23

Moved by Mayor B. Hodgson, Seconded by Councillor G. Barlow

THAT Report TR 13-05, regarding a request for a donation from the Beamsville & District Lions Club, be received as information;

AND THAT a donation to the Beamsville & District Lions Club representing the fees associated with the rental of the Lincoln Centre for the organization's Pancake Breakfasts held throughout the year in the amount of \$813.60, be approved to be funded from Council's discretionary grant account.

CARRIED

CS 13-08, PROPOSED ACCESSIBILITY CHANGES TO ONTARIO BUILDING CODE

Motion No. CP-2013-24

Moved by Councillor G. Barlow, Seconded by Mayor B. Hodgson

THAT Report CS 13-08 regarding proposed accessibility changes to the Ontario Building Code be received as information;

AND THAT the Council of the Town of Lincoln endorse the comments of the Joint Accessibility Advisory Committee regarding the proposed changes to the Ontario Building Code;

AND THAT the comments be forwarded to the Ministry of Municipal Affairs and Housing in response to the Ministry's consultation effort.

CARRIED

BEST MANAGEMENT PRACTICES FOR CONTROL OF NUISANCE FLIES IN POULTRY PRODUCTION STEERING COMMITTEE, MINUTES OF JANUARY 21 AND FEBRUARY 4

Motion No. CP-2013-25

Moved by Mayor B. Hodgson, Seconded by Councillor G. Barlow

THAT the Best Management Practices for Control and Nuisance Flies in Poultry Production Steering Committee minutes of January 21 and February 4, 2013, be received.

CARRIED

LINCOLN PUBLIC LIBRARY BOARD, MINUTES OF SEPTEMBER 18 AND OCTOBER 29, 2012

Motion No. CP-2013-26

Moved by Councillor G. Barlow, Seconded by Mayor B. Hodgson

THAT the Town of Lincoln Public Library Board minutes of September 18 and October 29, 2012, be received.

CARRIED

BEAMSVILLE BIA, MINUTES OF JANUARY 24

Motion No. CP-2013-27

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT the Beamsville BIA minutes of January 24, 2013, be received.

CARRIED

HERITAGE COMMITTEE, MINUTES OF SEPTEMBER 13, OCTOBER 11, AND DECEMBER 13, 2012

Motion No. CP 2013-28

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT the Town of Lincoln Municipal Heritage Committee minutes of September 13, October 11 and December 13, 2012, be received.

CARRIED

NOTICE OF NEW BUSINESS

None.

ANNOUNCEMENTS

Members noted two public information meetings scheduled for February 26, 2013, including an open house scheduled from 6-8 pm at the Beamsville and District Secondary School for the Gibson Street and Fairgrounds Road Reconstruction Project and a public information meeting scheduled for 7-9 pm at the Lincoln Centre regarding nuisance flies affecting the community.

CLOSED SESSION

At this point in the meeting, the following motions were introduced.

Motion No. CP-2013-29

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT Committee adjourn to closed session in order to address personal matters about an identifiable individual, including municipal or local board employees (a matter pertaining to an appointment to a vacancy on the JAAC).

CARRIED

Motion No. CP-2013-30

Moved by Councillor R. Foster, Seconded by Councillor J. D. Pachereva

THAT Committee resume in open session.

CARRIED

Consideration of the subject matter in closed session concluded with the introduction of the motion in open session regarding an appointment to a vacancy on the JAAC.

Motion No. CP-2013-31

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT the Council of the Town of Lincoln endorse Ms. Miranda Montgomery as its representative on the Joint Accessibility Advisory Committee of Lincoln, West Lincoln, Pelham, Thorold, Niagara-on-the-Lake and Grimsby.

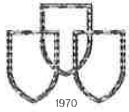
CARRIED

ADJOURNMENT

There being no further business to discuss, the Chair declared the meeting adjourned at 8:45 p.m.

CHAIR: COUNCILLOR JOHN KRALT

CLERK: WILLIAM J. KOLASA



BRIEFING NOTE

Date: March 4, 2013

TOPIC: Municipal Infrastructure Investment Initiative Asset Management Program

DIRECTED TO: Mayor and Members of Council

CONFIDENTIAL: No

COPIES TO: Senior Management Team

DESCRIPTION OF ISSUE

The purpose of this briefing note is to provide Council with information regarding a funding agreement with the Ontario Ministries of Agriculture and Food and Rural Affairs with respect to the Municipal Infrastructure Investment Initiative (MIII) Asset Management Program.

BACKGROUND

The Government of Ontario recognizes that municipalities, in order to be sustainable, need to have comprehensive asset management plans that clearly guide investment decisions. Within these plans, the maintenance of roads, bridges, water, wastewater and social housing should be a top priority along with movement toward optimal use of a full range of infrastructure financing tools. Such plans need to prioritize needs to maintain critical infrastructure over wants. Plans will help ensure that investments are made at the right time to minimize future repair and rehabilitation costs and maintain municipal assets.

The provincial government requires such comprehensive plans to form the base of requests for provincial infrastructure funding and as such municipalities are required to demonstrate that a full range of available financing and revenue generation tools have been explored. The government recognizes that small municipalities of less than 20,000 may have limited financial capacity to undertake asset management planning. In response, the provincial government is making up to \$8.25 million in funding available to small municipalities through the Municipal Infrastructure Investment Initiative (MIII) Asset Management Program. The funding will help Recipients in need of support to achieve a best practice in asset management. Best practices in asset management will allow small municipalities to identify and prioritize the long-term needs of their infrastructure.

In October 2012, the Town submitted an Expression of Interest for funding under the Municipal Infrastructure Investment Initiative (MIII) Asset Management Program and subsequently received confirmation in December that it has been allocated \$27,747.11 in funding, subject to the signing of a provincial contribution agreement.

AVAILABLE OPTIONS/IMPLICATIONS

1. THAT the Briefing Note regarding a funding agreement with the Ontario Ministries of Agriculture and Food and Rural Affairs with respect to the Municipal Infrastructure Investment Initiative (MIII) Asset Management Program, be received as information;

2. AND THAT Council authorizes the execution of a funding agreement with the Ontario Ministries of Agriculture and Food and Rural Affairs with respect to the Municipal Infrastructure Investment Initiative (MIII) Asset Management Program.
-

Prepared by: Bob Spadoni, Director of Finance

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2013-15

A BY-LAW TO ADOPT, CONFIRM AND RATIFY
MATTERS DEALT WITH BY COUNCIL RESOLUTION

WHEREAS:

1. Section 5.(1) of the Municipal Act, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be exercised by its Council.
2. Section 11.(2) of the said Act provides that a lower tier municipality may pass by-laws respecting matters within the spheres of jurisdiction as set out in the said Act.
3. Section 8 of the said Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.
4. Section 5.(3) of the said Act provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.
5. In many cases action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. That the minutes of the regular meeting of the Municipal Council of the Corporation of the Town of Lincoln, held February 19, 2013, be and the same are hereby adopted, ratified and confirmed.
2. That the actions of the Council at its meeting of March 4, 2013, in respect of which recommendations contained in the reports of the committees considered at each meeting and in respect of each motion, resolution and other action taken by the Council at its meeting are, except where the prior approval of the Ontario Municipal Board or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
3. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned minutes or with respect to the exercise of any powers by the Council in the above mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the Council.
4. That the Mayor and the proper officers of the Corporation of the Town of Lincoln are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and except otherwise provided, the Mayor, the Clerk and the Treasurer are hereby directed to execute all documents necessary on behalf of the Corporation of the Town of Lincoln and affix thereto the Corporate Seal of the Corporation of the Town of Lincoln.

BY-LAW read a FIRST time this 4th day of March, 2013.

BY-LAW read a SECOND time this 4th day of March, 2013.

BY-LAW read a THIRD time and FINALLY PASSED this 4th day of March, 2013.

MAYOR: BILL HODGSON

CLERK: WILLIAM J. KOLASA