



**THE CORPORATION OF
HALDIMAND COUNTY
COUNCIL MINUTES**

Date: November 20, 2017
Time: 6:00 P.M.
Location: Haldimand County Central Administration Building
Council Chambers

COUNCIL PRESENT K. Hewitt, Mayor
L. Bartlett, Councillor
F. Morison, Councillor
C. Grice, Councillor
T. Dalimonte, Councillor
R. Shirton, Councillor
B. Corbett, Councillor

STAFF PRESENT D. Boyle, Chief Administrative Officer
K. General, General Manager, Corporate Services
T. Haedrich, Director, Engineering Services
P. Mungar, General Manager, Public Works
J. Shaw, Deputy Clerk

CALL TO ORDER

Mayor Hewitt called the Council meeting to order at 6:00 p.m..

MOMENT OF SILENCE

Mayor Hewitt opened the meeting with a moment of silence.

ROLL CALL

The Mayor and all Members of Council were in attendance.

DISCLOSURES OF PECUNIARY INTEREST

None.

APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

- 1 Council Minutes - October 30, 2017
- 2 Closed Session - Council Minutes - October 30, 2017

Resolution 172-17

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

1. THAT the minutes of the October 30, 2017 Council meeting be adopted as circulated;
2. AND THAT the minutes of the Closed Session of the October 30, 2017 Council meeting be adopted as circulated and remain confidential.

CARRIED

PRESENTATIONS OF RECOGNITION

None.

DELEGATIONS

- 1 CS-SS-M14-2017 Additional Information Related to Report CS-SS-22-2017 and Memorandum CS-SS-M06-2017

- 1.1 CS-SS-22-2017 Unsolicited Offers to Purchase Stratton Street, Oneida

Following the delegations, this item was deferred for consideration until after the Closed Session portion of the meeting.

- 1.2 Brenda Hutton and Margaret Ker

Ms. Ker appeared with Ms. Hutton and Mr. Kuipers to provide additional information to their previous delegation. Ms. Ker advised that their amended offer has been increased to \$30,000 and includes a right of way and easement for Mr. Lutz's access.

Resolution 173-17

Moved By: Councillor Morison

Seconded By: Councillor Bartlett

THAT the correspondence and presentation material from Margaret Ker and Brenda Hutton Re: CS-SS-22-2017 dated November 17, 2017 be received as information.

CARRIED

1.3 Brian Lutz

Mr. Lutz advised that he has made unsuccessful attempts to resolve access issue to his property. He noted that the transfer of ownership of the property would not extinguish any prior acquired rights and urged Council to accept a proposal that would benefit all so as to prevent conflict.

Resolution 174-17

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

THAT the correspondence and presentation material from Brian Lutz Re: CS-SS-22-2017 dated November 17, 2017 be received as information.

CARRIED

APPROVAL OF COMMITTEE MINUTES

1 Council in Committee Minutes - November 14, 2017

Resolution 175-17

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

THAT the minutes of the November 14, 2017 Council in Committee meeting be adopted with the following recommendations withdrawn to be voted on separately:

| | |
|-------------------|---|
| Recommendation #2 | Re: PED-PD-35-2017 Zoning By-law Amendment to Permit Year-Round Residential Use – Hartwell Homes Inc. |
| Recommendation #4 | Re: PED-PD-36-2017 Grand River Notification Agreement Renewal |

CARRIED

Resolution 176-17

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT Recommendation #2, of the Council in Committee minutes dated November 14, 2017 be adopted.

CARRIED

Resolution 177-17

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

THAT Recommendation #4, of the Council in Committee minutes dated November 14, 2017 be adopted.

CARRIED

Resolution 178-17

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT Recommendation #20, of the Council in Committee minutes dated November 14, 2017 be adopted.

DEFEATED

Resolution 179-17

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

THAT staff be directed to prepare a brief for consideration during the review of the Draft 2018 Tax Supported Capital Budget on the extension of the sidewalk on the north side of Broad Street from the Home Hardware to Ramsey Drive, to provide connectivity for pedestrians;

AND THAT staff be directed to prepare a brief for consideration during the review of the Draft 2018 Tax Supported Capital Budget on the extension on both ends of the sidewalk on the west side of George Street to South Cayuga and Alder Streets, to provide connectivity for pedestrians;

AND THAT all previous requests and future requests be treated similarly.

CARRIED

- 2 Closed Session - Council in Committee Minutes - November 14, 2017

Resolution 180-17

Moved By: Councillor Dalimonte

Seconded By: Councillor Shirton

THAT the minutes of the Closed Session of the November 14, 2017 Council in Committee meeting be adopted as circulated and remain confidential.

CARRIED

UNFINISHED BUSINESS

- 1 CS-SS-M15-2017 Additional Information Related to CS-SS-31-2017 Unsolicited Offers to Purchase Vacant Land – Aikens Road, Dunnville and CS-SS-M12-2017

Memorandum CS-SS-M15-2017 was withdrawn.

- 1.1 CS-SS-31-2017 Unsolicited Offers to Purchase Vacant Land – Aikens Road, Dunnville

Resolution 181-17

Moved By: Councillor Shirton

Seconded By: Councillor Dalimonte

THAT consideration of Report CS-SS-31-2017 Unsolicited Offers to Purchase Vacant Land - Aikens Road, Dunnville be deferred to the January 17, 2018 Council in Committee meeting to permit the parties more time to gather information and submit additional offers.

CARRIED

- 2 PED-PD-M03-2017 Request to Defer Passing of By-laws Related to Report PED-PD-37-2017 Official Plan and Zoning Amendment to Fulfill a Condition of Consent – Kelleher

Resolution 182-17

Moved By: Councillor Corbett

Seconded By: Councillor Dalimonte

THAT Memorandum PED-PD-M03-2017 Request to Defer Passing of By-laws Related to Report PED-PD-37-2017 Official Plan and Zoning Amendment to Fulfill a Condition of Consent – Kelleher be received as information.

CARRIED

NEW BUSINESS

- 1 Correspondence from The Honourable Charles Sousa, Minister of Finance
RE: Cannabis Legalization

Resolution 183-17

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

THAT the correspondence from The Honourable Charles Sousa, Minister of Finance Re: Cannabis Legalization dated October 27, 2017 be received.

CARRIED

REPORTS FROM COUNCIL APPOINTEES TO BOARDS AND COMMISSIONS

Discussion RE: Affordable Housing in Dunnville, as per discussion at a recent Health & Social Services Committee meeting.

Discussion RE: Long Point Region Conservation Authority Budget Meetings.

Discussion RE: Niagara Peninsula Conservation Authority.

MOTIONS

None.

BY-LAWS

Resolution 184-17

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT By-laws 1 to 14, as listed, be hereby introduced and given a first and second reading.

CARRIED

Resolution 185-17

Moved By: Councillor Corbett

Seconded By: Councillor Dalimonte

THAT By-laws 1 to 14, as listed, be hereby introduced and given a third and final reading, be signed by the Mayor and the Clerk, the corporate seal affixed thereto and numbered.

CARRIED

Resolution 186-17

Moved By: Councillor Grice

Seconded By: Councillor Morison

THAT enactment of By-laws 15 to 18, as listed, be deferred to the December 11, 2017 Council meeting.

CARRIED

- 1 By-law 1035-HC/17 to amend the Town of Dunnville Zoning By-law 1-DU 80, as amended, in the name of Worle
- 2 By-law 1036-HC/17 to amend the Town of Dunnville Zoning By-law 1-DU 80, as amended, in the name of Hartwell Homes Inc.
- 3 By-law 1037-HC/17 to amend Zoning By-law 1-DU 80, as amended, of the Town of Haldimand in the name of Hartwell Homes Inc. (Holding (H) provision removal)
- 4 By-law 1860/17 to authorize the Mayor and the Clerk to prepare and enter into a Preservicing Agreement and a Subdivision Agreement for the Islandview Subdivision, Sherbrooke
- 5 By-law 1861/17 to authorize the Mayor and Clerk to execute an Agreement with the Corporation of Norfolk County for the lease of property and facilities located at 117 Forest Street East, Dunnville

- 6 By-law 1862/17 to assume the westerly extension of Broad Street West, Dunnville and to establish these lands as an open public highway
- 7 By-law 1863/17 to assume the road widening being Part Lot 13, Jones Tract West of Grand River North Cayuga, designated as Part 1 on 18R-7548, Haldimand County, and to establish these lands as an open public highway to form part of Wilson Road
- 8 By-law 1864/17 to authorize the stopping up, closure and sale of Parts of King William Street, Plan 51, Caledonia, designated as Parts 1, 2 & 3 on 18R-7536, now Haldimand County (approved June 5, 2017)
- 9 By-law 1865/17 to authorize the stopping up, closure and sale of Part of Orchard Avenue, Plan 9413, Lowbanks, now Haldimand County (approved August 28, 2017)
- 10 By-law 1866/17 to regulate traffic in Haldimand County - Stop Condition, Dunnville
- 11 By-law 1867/17 to levy the actual cost of construction of the Sixth Concession and Jarvis 1 Municipal Drains on the assessed lands
- 12 By-law 1868/17 to levy the actual cost of maintenance of the Sweets Corners, King Branch 1 & 2, Sixth Concession, Weikman, Lundy, North Forks, South Forks, Maple Creek, Pat Warren, Jarvis 1 and County Road 3 Municipal Drains on the assessed lands
- 13 By-law 1869/17 to appoint a Member of Council to act from time to time in the place of the Mayor
- 14 By-law 1870/17 to authorize Haldimand County to enter into an agreement with the Minister of Community Safety and Correctional Services for the provision of municipal police services by the Ontario Provincial Police
- 15 By-law to repeal HAL 27 from certain lands in the Haldimand County Official Plan by Mark and Kieran Kelleher
- 16 By-law to amend Zoning By-law 1-H 86, as amended, of the Town of Haldimand in the name of Kieran and Mark Kelleher
- 17 By-law to amend Zoning By-law 1-H 86, as amended, of the Town of Haldimand in the name of Mark and Kieran Kelleher (Holding (H) provision removal)

- 18 By-law to Place a Part 3 of the subject lands under Site Plan Control in the name of Mark & Kieran Kelleher

NOTICES OF MOTION

Councillor Bartlett submitted a Notice of Motion RE: Leaf and Yard Curbside Collection Program Pilot, to be considered at the December 5, 2017.

Councillor Corbett submitted a Notice of Motion RE: Pedestrian Crossing at the New Dunnville Farmers' Market, to be considered at the December 5, 2017.

ANNOUNCEMENTS

The following items were highlighted:

- West Haldimand General Hospital's 18th Annual Charity Auction (November 18th);
- Home Hardware in Hagersville recognized as the recipient of an award;
- Love Be'in Me Walk/Run, in memory of Tracey Hoskin-Hartwick (November 19th);
- 2017 Year in Review Open Houses begin November 27th;
- Dunnville Light Up Night and Santa Clause Parade (December 2nd);
- Illuminated Tractor Parade in Selkirk (November 25th).

CLOSED SESSION

Resolution 187-17

Moved By: Councillor Morison

Seconded By: Councillor Bartlett

THAT, pursuant to Section 239 of the Municipal Act, as amended, Council convene in a meeting at 7:43 p.m. closed to the public, to discuss:

litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

1. White Oaks Litigation Update

the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

1. Legal Advice RE: Unsolicited Offers to Purchase Stratton Street, Oneida

CARRIED

Resolution 188-17

Moved By: Councillor Grice

Seconded By: Councillor Morison

THAT this closed meeting now adjourn at 8:38 p.m. and reconvene in open session.

CARRIED

Resolution 189-17

Moved By: Councillor Shirton

Seconded By: Councillor Grice

1. THAT Report CS-SS-22-2017 Unsolicited Offers to Purchase Stratton Street, Oneida be received
2. AND THAT Memorandum CS-SS-M14-2017 and the amended offers from the prospective purchasers be received;
3. AND THAT Memorandum CS-SS-M06-2017 Additional Information Related to Report CS-SS-22-2017 be received as information and remain confidential;
4. AND THAT the property legally described as PIN # 38175-0215(R), being Part of Lot 60, Broken Front Concession on Grand River; Part of the Lands Patented to Grand River Navigation Company at Dam #1 (AKA Pt Village of Mount Healey at Dam #1) Oneida, designated as Part 4 on 18R6628; Haldimand County, be declared surplus to the needs of the municipality;
5. AND THAT staff be authorized to proceed with the sale of the subject lands to **Paul Richard Kuipers, Brenda Hutton and Margaret Ker, in accordance with the amended offer in Attachment #1;**
6. AND THAT public notice of the pending sale be published in the local newspaper;
7. AND THAT the Mayor and Clerk be authorized to execute all necessary documents;
8. AND THAT once a final sale agreement has been reached, a by-law be presented to authorize the sale.

CARRIED

Resolution 190-17

Moved By: Councillor Shirton
Seconded By: Councillor Grice

THAT the correspondence from Craig Manley dated November 17, 2017 Re: Stratton Road be received as information.

CARRIED

Resolution 191-17

Moved By: Councillor Grice
Seconded By: Councillor Morison

THAT the correspondence from Sullivan Mahoney dated November 20, 2017 be received as information and remain confidential.

CARRIED

CONFIRMING BY-LAW

Resolution 192-17

Moved By: Councillor Morison
Seconded By: Councillor Bartlett

THAT the Confirming By-law be hereby introduced and given a first and second reading.

CARRIED

Resolution 193-17

Moved By: Councillor Bartlett
Seconded By: Councillor Morison

THAT the Confirming By-law be hereby introduced and given a third and final reading, be signed by the Mayor and the Clerk, the corporate seal affixed thereto and numbered.

CARRIED

ADJOURNMENT

Resolution 194-17

Moved By: Councillor Bartlett

Seconded By: Councillor Grice

THAT this meeting is now adjourned at 8:10 p.m.

CARRIED

MAYOR

DEPUTY CLERK