1. Call to Order

2. Disclosure of Interest

3. Adoption of Previous Council Minutes

   a) Council, January 21, 2019

4. Delegations

   a) Delight Davoli, Chair of Grimsby Energy Inc.
      • Update on the Biodigester

5. Reports

   a) TC 19-03
      Grimsby Downtown Improvement Area (GDIA) Reporting

   b) TM 19-03
      Grimsby Energy Incorporated Funding

6. Memorandum

   a) Memorandum from Town Manager D. Brandt
      • Council-Staff partnership and relationship policy
7. **Approval of Committee Minutes**

25 - 29  
   a) Planning & Development, January 29, 2019

8. **Resolutions**

   a) Distribution of Funds from Hydro Shareholders Representative Account  
      • Mayor's Gala Tickets

9. **Correspondence**

30 - 31  
   a) Retail Cannabis Opt-out  
      • AGCO Registrar letter and response

32 - 42  
   b) Resolutions from Other Municipalities

   Town of Lincoln  
      • Cannabis Opt-in

   Town of Pelham  
      • Cannabis Opt-out

   City of Niagara Falls  
      • Cannabis Opt-in

   City of St. Catharines  
      • Support of plastic straw and plastic stir stick ban in city facilities

   Town of Lincoln  
      • Support for Ontario wine and beer in retail stores

43  
   c) Niagara Power Incorporated  
      • Grimsby Power Inc. Board of Directors
10. By-laws

44 - 46 a) 19-06
To further authorize the execution of an amending agreement between the Corporation of the Town of Grimsby and Grimsby Energy Incorporated for the provision of a Municipal Capital Facility

47 b) 19-08
To amend the Parking and Administrative By-law 16-82 of the Town of Grimsby (Pinewood Avenue)

48 c) 19-09
To authorize the assumption of certain highways for the Azure Subdivision for 560 North Service Road

49 d) 19-10
To authorize the assumption of certain highways for the Escarpment Vista Estates

50 - 54 e) 19-11
To establish a Council-staff partnership and relationship policy

11. New Business

12. Next Meeting

a) The next Council meeting is scheduled for Tuesday, February 19, 2019 at 7:00 p.m. in the Town Hall Council Chambers, 160 Livingston Avenue, Grimsby.

13. Closed Session

a) Closed Session under Section 239(2)(b) of the Municipal Act, a meeting or part of a meeting may be closed to the public if the subject matter being considered is a personal matter about an identifiable individual, including municipal or local board employees; and,
Section 239(2)(d) of the Municipal Act, labour relations and employee negotiations
   • Committee Appointments to the Grimsby Public Library Board
   • Committee Appointments to the Recreation, Facilities and Culture Committee, Grimsby Museum Board and Grimsby Public Art Gallery Advisory Board
   • Committee Appointments to the Planning & Development Committee, Grimsby Heritage Advisory Committee and Grimsby Economic Development Advisory Committee

b) Closed Session under Section 239(2)(c) of the Municipal Act, regarding a proposed or pending acquisition or disposition of land by the municipality or local board
   • Doran Avenue

c) Closed Session Council meeting minutes, January 21, 2019

14. By-laws

   a) 19-12
      To confirm the proceedings of the Council meeting of February 4, 2019

15. Adjournment

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisory Administrator at 905 309-2003 or hsoady-easton@grimsby.ca
Present: Mayor J.A. Jordan  
Councillor D. Bothwell  
Councillor J. Dunstall  
Councillor R. Freake  
Councillor D. Kadwell  
Councillor K. Ritchie  
Councillor D. Sharpe  
Councillor R. Vaine  
Councillor L. Vardy  
Regional Councillor W. Fertich  

Town Manager, D. Brandt  
Town Clerk, H. Soady-Easton

Also Attending: Director of Finance and Town Treasurer, S. Gruninger  
Manager of Corporate Communications and Stakeholder Relations, D. Barnhart (part time)

1. **Call to Order**  
a) The Mayor called the meeting to order at 7:00 p.m.

2. **Disclosure of Interest**  
a) There were no disclosures of interest.

3. **Adoption of Previous Council Minutes**  
a) Council, January 7, 2019  
   Special Council, January 14, 2019  
   Special Council, January 14, 2019
Moved by Councillor Vaine; Seconded by Councillor Sharpe; Resolved that the Council meeting minutes of January 7, 2019 be approved.

CARRIED

Moved by Councillor Sharpe; Seconded by Councillor Vaine; Resolved that the Special Council meeting minutes of January 14, 2019 at 9:00 a.m. be approved.

CARRIED

Moved by Councillor Vaine; Seconded by Councillor Sharpe; Resolved that the Special Council meeting minutes of January 14, 2019 at 6:00 p.m. be approved.

CARRIED

4. Delegations

a) Elisabeth Zimmerman, Executive Director, YWCA Niagara Region
   • Coldest Night of the Year event in West Niagara

Ms. Zimmerman advised members of Council on the West Niagara Affordable Housing Coldest Night of the Year (CNYE) event.

The CNYE benefits the YWCA Niagara Region transitional housing programs in West Niagara. The event is a 2, 5 or 10 k walk that raises awareness about and funds the fight against poverty and homelessness. GSS will host a Chilly Cook Off. Event is on Saturday, February 23.

Ms. Zimmerman answered questions from members of Council.

Mayor Jordan thanked the delegation for the presentation.

Moved by Councillor Kadwell; Seconded by Councillor Ritchie; Resolved that the delegation of Elisabeth Zimmerman, Director of the YWCA Niagara Region with reference to the upcoming event Coldest Night of the Year be received.

CARRIED
b) Daryl Barnhart, Manager of Corporate Communications and Stakeholder Relations
   - Retail Cannabis Sales, Opt-in / Opt-out

Mr. Barnhart reviewed his report with members of Council.

Mr. Barnhart answered questions from members of Council.

C-19-18
Moved by Councillor Kadwell; Seconded by Councillor Ritchie;
Resolved that the delegation of Daryl Barnhart, Manager of Corporate Communications and Stakeholder Relations with reference to Retail Cannabis Sales, Opt-in / Opt-out, be received.

CARRIED

c) Krina Merchant, Corporate Counsel at Province Brands
   - Retail Cannabis Sales

Krina Merchant, Legal Counsel and Ira Levy, Senior Vice President of Finance, Province Brands discussed the benefits of retail sales in Grimsby and requested that Council permit retail sales.

Province Brands is a patent pending beer beverage made with cannabis stocks and stems. They have an operation located in Grimsby and would like to eventually be able to sell their product at a retail location, as wineries sell their products.

The delegation answered questions from members of Council.

C-19-19
Moved by Councillor Kadwell; Seconded by Councillor Ritchie;
Resolved that the delegation by Krina Merchant, Corporate Counsel at Province Brands with reference to Retail Cannabis Sales be received.

CARRIED

5. Reports

a) TM-19-01
Public Engagement Results on the Decision to Opt-in or Opt-out of Cannabis Retail Sales in the Town of Grimsby
C-19-20
Moved by Councillor Ritchie; Seconded by Councillor Vaine;
Resolved that Report TM-19-01, dated Jan. 21, 2019 be received and
that pursuant to Section 41(1) of the Cannabis License Act, the
Council of the Town of Grimsby instructs the Town Clerk to inform
the Registrar under the Alcohol, Cannabis and Gaming Regulation
and Public Protection Act that the Town of Grimsby:
□ Opt in
X Opt out
of having cannabis retail stores located in the Municipality.

Record Vote requested by Councillor Vaine:
Yea: Councillors Bothwell, Dunstall, Freake, Kadwell, Ritchie,
Sharpe, Vardy and Mayor Jordan
Nay: Councillor Vaine
CARRIED

6. Approval of Committee Minutes

a) Public Works, January 9, 2019

C-19-21
Moved by Councillor Dunstall; Seconded by Councillor Ritchie;
Resolved the Resolution PW19-07 from the January 9, 2019 Public
Works Committee meeting be lifted for separate consideration.
CARRIED

C-19-22
Moved by Councillor Vardy; Seconded by Councillor Dunstall;
Resolved that Resolution PW19-07 from the January 9, 2019 Public
Works Committee meeting as follows:

Resolved that the Grimsby Downtown Improvement Area (GDIA)
minutes of November 20, 2018 be received as circulated and filed for
records purposes and further that resolution by Councillor R. Freake:
"That the GDIA Committee be transferred to Finance and
Administration as it is more relative under Finance/Treasury
considering that the most of their Financial Management is done by
Finance and Administration".

And reconsidered as follows:
Resolved that the GDIA minutes of November 20, 2018 be received as circulated and filed for records purposes; and

Further that reporting for the GDIA be sent back to staff for a report.

CARRIED

C-19-23
Moved by Councillor Ritchie; Seconded by Councillor Sharpe;
Resolved that the Public Works Committee meeting minutes of January 17, 2019 be received and that the recommendations contained therein be approved as amended.

CARRIED

b) Administration & Finance, January 14, 2019

C-19-24
Moved by Councillor Freake; Seconded by Councillor Vardy;
Resolved that the Administration & Finance Committee meeting minutes of January 14, 2019 be received and that the recommendations contained therein be approved.

CARRIED

c) Recreation, Facilities and Culture, January 17, 2019

C-19-25
Moved by Councillor Freake; Seconded by Councillor Vardy;
Resolved that the Recreation, Facilities and Culture meeting minutes of January 17, 2019 be received and that the recommendations contained therein be approved.

CARRIED

7. Resolutions

a) GDIA Appointments

C-19-26
Moved by Councillor Vardy; Seconded by Councillor Freake;
Resolved that the following individuals be appointed to the GDIA Grimsby Downtown Improvement Area Committee:

Mary Jo Clements
Bryan Macaulay
Roseanna Pederson
8. Correspondence

a) Committee of Adjustment, January 8, 2019
   C-19-27
   Moved by Councillor Freake; Seconded by Councillor Vardy;
   Resolved that the Committee of Adjustment meeting minutes be
   received and filed.
   CARRIED

b) Adam Mottershead
   • Retail Cannabis Sales
   C-19-28
   Moved by Councillor Dunstall; Seconded by Councillor Vardy;
   Resolved that the correspondence from Adam Mottershead with
   reference to Cannabis Retail Sales be received.
   CARRIED

c) Niagara-on-the-Lake Hydro, Timothy B. Curtis, President
   • Niagara Regional Wireless Tower Opportunity
   C-19-29
   Moved by Councillor Vardy; Seconded by Councillor Dunstall;
   Resolved that the correspondence from Niagara-on-the-Lake Hydro,
   Timothy B. Curtis, President with reference to the Niagara Regional
   Wireless Tower Opportunity be received.
   CARRIED

d) Resolutions from Other Municipalities
   City of St. Catharines
   • Cannabis Opt-in
   City of Welland
   • Cannabis Opt-in
Town of Fort Erie
  • Cannabis Opt-in

Township of Wainfleet
  • Cannabis Opt-out

City of St. Catharines
  • Support for Ontario wine and beer in retail stores

Town of Niagara-on-the-Lake
  • Support for locally grown and produced wine and craft beer

C-19-30
Moved by Councillor Bothwell; Seconded by Councillor Dunstall;
Resolved that the Resolutions from Other Municipalities be received.
  CARRIED

9. By-laws

a) 19-04
   To provide for Interim Tax Levies for the year 2019 for the Town of Grimsby

b) 19-05
   To amend the Parking and Administrative By-law 16-82 of the Town of Grimsby (Oakes Road)

c) 19-06
   To further authorize the execution of an amending agreement between the Corporation of the Town of Grimsby and Grimsby Energy Incorporated for the provision of a Municipal Capital Facility

C-19-31
Moved by Councillor Freake; Seconded by Councillor Vardy;
Resolved that the Council of the Town of Grimsby lift By-law 19-06
A By-law to further authorize the execution of an amending agreement between the Corporation of the Town of Grimsby and Grimsby Energy Incorporated for the provision of a Municipal Capital Facility.
  CARRIED
C-19-32
Moved by Councillor Freake; Seconded by Councillor Vardy;
Resolved that the Council of the Town of Grimsby defer By-law 19-06 to the February 4, 2019 Council Meeting.

CARRIED

10. New Business

a) Regional Councillor Fertich:
   • The Region is working on budgets.
   • Discussing the Province's decision to review Regional governance model and what that may mean for Niagara Region. A single tier perhaps?
   • Discussion about the usefulness of LHINs.
   • Waste management is being discussed. Biggest concerns having to do with the privacy of clear plastic bags. Garbage pick up every 2 weeks, which reduces waste and increases composting and recycling.
   • Discussing Casablanca Blvd. and the Go Station.

Councillor Vardy:
   • The Art Gallery has an event on March 30; Back to the Garden, $35/person. Tables for groups are available. The Art Gallery is looking for volunteers for the event.

Councillor Sharpe:
   • The Museum has an exhibit on Fakes and Forgeries on loan from the ROM until March.
   • The Museum is undertaking an Escape Room, $20/ticket in a tent in front of the Museum.
   • There is a discussion about Happening at the 40. If it's happening, the Museum will be involved.
   • The Museum is looking for members; register on the Town's website.

Councillor Vaine:
   • Advised of a potential upcoming event for Police Week. Touch a truck event with police vehicles, public works vehicles and fire trucks. NRP Staff Sergeant will be there to answer questions.
Councillor Bothwell:

- There is a family literacy event at the Library sponsored by Phelps Homes. January 27 from 2 to 4 p.m. A free event.

11. Next Meeting

a) The next Council meeting is scheduled of Monday, February 4, 2019 at 7:00 p.m. in the Town Hall Council Chambers, 160 Livingston Avenue, Grimsby.

12. Closed Session

a) C-19-33

Moved by Councillor Bothwell; Seconded by Councillor Dunstall; Resolved that Council meet in Closed Session under 239(2) of the Municipal Act
(a) the security of the property of the municipality or local board;
(b) personal matters about an identifiable individual, including municipal or local board employees;
(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of person, or organization.

- Grimsby Energy Inc. - Biodigester

CARRIED

13. By-laws

a) 19-07

To confirm the proceedings of the Council meeting of January 21, 2019

C-19-34

Moved by Councillor Vaine; Seconded by Councillor Ritchie; Resolved that leave be given to introduce By-law No. 19-04, 19-05 and 19-07 read a first time be now read a second and third time and
Council January 21, 2019

finally passed; and that the Mayor and Town Clerk do sign and seal; any rule of Council to the contrary notwithstanding.

CARRIED

14. Adjournment

a) The meeting adjourned at 11:35 p.m.

__________________  __________________________
J.A. Jordan, Mayor    H. Soady-Easton, Town Clerk

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisory Administrator at 905 309-2003 or hsoady-easton@grimsby.ca
Grimsby Energy Incorporated
Status Report to Council February 4, 2019

A. Operations
   • Search for records
   • Corporate lawyer
   • Banking
   • Production
   • Leases
   • Suppliers
   • Employees

B. Next steps (4 & 5)
   • General options
   • Search for professional assistance
   • Purchasers
   • Burn-rate
   • Break-even point

C. Next Report Date
TO: Mayor Jordan and Members of Council

FROM: Hazel Soady-Easton, Town Clerk

SUBJECT: Grimsby Downtown Improvement Area (GDIA) Reporting

DATE: February 1, 2019

Recommendation
Resolved that Report TC 19-03 dated February 1, 2019 be received and the Council of the Town of Grimsby select one of the following for GDIA reporting:
1. Reporting remains with the Public Works Committee
2. Reporting moves to the Recreation, Facilities and Culture Committee
3. Reporting moves to the Administration and Finance Committee
4. Posted to the Town’s website

Background
Minutes of the GDIA are received and filed by Council. The Municipal Act makes Business Improvement Areas more autonomous than most committees and boards of Council. The following are the reporting mechanisms in other Niagara Region municipalities:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grimsby</td>
<td>Public Works</td>
</tr>
<tr>
<td>West Lincoln</td>
<td>No BIA</td>
</tr>
<tr>
<td>Pelham</td>
<td>No BIA</td>
</tr>
<tr>
<td>NOTL</td>
<td>No BIA</td>
</tr>
<tr>
<td>Niagara Falls</td>
<td>No consideration at any meeting; they are posted on the City’s website.</td>
</tr>
<tr>
<td>Lincoln</td>
<td>Planning and Economic Development</td>
</tr>
<tr>
<td>Fort Erie</td>
<td>Council on a consent agenda</td>
</tr>
<tr>
<td>Thorold</td>
<td>Council</td>
</tr>
</tbody>
</table>

Director of Public Works, Bob LeRoux stated that the reason the GDIA minutes were taken to the Public Works Committee is that many years ago, the Council of the day discovered that the minutes were not being viewed by Council, they were being circulated to Department Heads only for information. The Council of the day’s GDIA representative was also on the Public Works Committee. Council decided to send them to Public Works to be received and filed.
Mr. LeRoux has stated that he has no need to receive the minutes through Public Works.

Councillor Freake brought a motion to the Public Works Committee meeting as follows: That the GDIA Committee be transferred to Finance and Administration as it is more relative under Finance/Treasury considering that the most of their Financial Management is done by Finance and Administration”.

Director of Recreation, Facilities and Culture (RFC), Sarah Sweeney stated that RFC interacts with the GDIA a fair bit for matters such as beautification (baskets, planters and sometimes other special projects), special events, partnership at the Gateway tourism booth. Ms. Sweeney provided a document entitled Downtown Main Street and Street Trees/Signs – Town Assistance Responsibilities that defines roles between Public Works, Recreation, Facilities and Culture and the GDIA. This document is attached to these minutes for your information.

Respectively submitted,

Hazel Soady-Easton
Town Clerk

Attach.
Downtown Main St and Street Trees/Signs – Town Assistance Responsibilities

This 4 page document outlines the responsibilities of Town of Grimsby Departments related to Downtown Main St maintenance and street trees/signs maintenance. The Town of Grimsby recognizes that our Downtown Main St area is an important showpiece for the community, and requires support from Town resources in terms of operations and beautification. Both the Departments of Public Works, and Recreation, Facilities and Culture Department provide resources to the Downtown. For purposes of this document, 'Downtown' includes Main St, from Patton St to Kingsway Blvd.

The following summarizes each Departments role related to the Downtown:

<table>
<thead>
<tr>
<th>Item</th>
<th>Public Works</th>
<th>Recreation, Facilities and Culture</th>
<th>Downtown DIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Trees – Downtown</td>
<td>-replace and maintain paver stone bases</td>
<td>-replace and maintain street trees – charged to PW – 01-2-321395</td>
<td></td>
</tr>
<tr>
<td></td>
<td>-clean out litter below decorative grates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clock</td>
<td>-sponsored by Grimsby Rotary Club</td>
<td></td>
<td>-DIA contracts installs out and handles payments related to the banners</td>
</tr>
<tr>
<td></td>
<td>-clock mechanism located in basement of Post Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pole Banners</td>
<td>-permitted by Public Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-currently on hold</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arch Banner</td>
<td>-order, install and maintain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benches</td>
<td>-maintain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hand Rails</td>
<td>-repair or replace bin liners</td>
<td>-request and fund replacements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>-clean out as needed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-replace as requested</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Flower Containers</td>
<td>-determine location of bins and containers (Engineering)</td>
<td>-replace as requested</td>
<td>-pay for replacements</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-water (May – Sept, M W F)</td>
<td>-provide plants/materials within the containers (currently done with Garden Club)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-arrange for pick up of plants</td>
<td></td>
</tr>
<tr>
<td>Ornamental Street Light Poles</td>
<td>-maintain</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-remove signs and notices</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalks</td>
<td>-winter maintenance</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-maintenance, inspections for trips and hazards, litter clean up</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hanging Flower Baskets</td>
<td>-hang and remove baskets</td>
<td></td>
<td>-arrange for the plants and materials (currently done through a partnership with Garden Club and Ed Sobkowich Greenhouses)</td>
</tr>
<tr>
<td></td>
<td>-assist with planting</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-water while planted (May – Sept, M, W and F)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmers Market</td>
<td>-Supply and pick up road closure signs</td>
<td>-empty garbages on Main St on Fri am after Farmers Market</td>
<td>-Put up and take down the road closure</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Roadway</td>
<td>-Parking still line painting</td>
<td>-Traffic signs and traffic signals are maintained by the Region</td>
<td></td>
</tr>
</tbody>
</table>

**Northside Parking Lot**

1. The lane running between our Ontario St Parking Lot westerly to the east limit of the Giant Tiger lot is owned by the Town and includes the landscaped islands on either side and the parking stalls on the north side of this lane (labelled as Parking Lot Access in image below).
2. RFC: cut/trim islands, landscape/weeds, garbage pick up and garbage cans collection.
3. PW: weekly inspections, litter, weeds, sweep, winter maintenance, lines, pavement maintenance.
4. A special Registered Agreement exists between the Town and the Owners of the privately owned "Public parking Lot" between the Towns road access and the businesses South of the access, and the following prevails: PW is responsible for line painting, storm drainage system and the lighting system. All other maintenance is the private property owners responsibility - snow, litter, sweeping and pavement repairs.
Southside Parking Lot (Balsam Lane)

1. RFC Dept is responsible for cutting and maintaining the grass on the islands, within the property owned. All other maintenance related work is carried out by Public Works.

2. PW is responsible for winter maintenance, weekly inspections for litter, weeds, sweeping, trips and winter for ice and snow issues.

3. Public Works provides for the power supply and maintenance of the Electric Vehicle Charging Stations.
## Street Trees and Community Signs – Town Assistance Responsibilities

The following summarizes each Department's role related to Street Trees and Community Signs:

<table>
<thead>
<tr>
<th>Item</th>
<th>Public Works</th>
<th>Recreation, Facilities and Culture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Trees - ROW &amp; new subdivisions</td>
<td>- Inspection and maintain mature trees (T-posts removed, approx planted for 2 yrs)</td>
<td>- Plant new trees and maintain for first 2 years approximately</td>
</tr>
<tr>
<td>Community Service Club signs</td>
<td></td>
<td>- Maintain the 3 community service club signs at Town entrances</td>
</tr>
<tr>
<td>Grimsby Historic Beach Sign</td>
<td>- Purchased and installed</td>
<td>- Maintains</td>
</tr>
</tbody>
</table>

Date: March 31, 2018  
Maintained by: Director of Recreation, Facilities and Culture
1.0 Recommendation

Resolved that Report TM-19-03 dated 02 February 2019 be received and that the Council for the Town of Grimsby authorizes the Mayor and Treasurer to sign all documents required to execute a demand loan for $100,000 from the Town of Grimsby to GEI at 3% interest; and,

That Council authorizes the Mayor and Treasurer to sign all documents required to add an additional $300,000 to the $4,500,000 bank loan to GEI that is guaranteed by the Town; and,

That Council directs staff to work with the GEI board and then Report back to Council with a recommendation on items for which the GEI board will report regularly to Council.

2.0 Background

After reading the Status Report from the GEI board one can quickly see the important changes that have already been made at the biodigester. It also contains significant information on other changes that need to be made and status information regarding the biodigester. All-in-all, the Status Report provides a significant amount of important information for the Town and it clearly shows the GEI board has done a considerable amount of work in order to collect and compile this information in only six weeks.

Safeguarding the financial interests of the Town of Grimsby and its residents is the primary driver of staff’s recommendations on this matter. After thorough consideration of the facts regarding the financial and operational status of the biodigester as presented by the GEI board, it is staff’s opinion that the Town transition out of this line of business and divest itself of all related assets in a way that minimizes the financial impact on taxpayers. Doing so, however, will take time and staff have already provided an initial estimate to Council in closed session that it will cost the Town $75,000-$95,000 per month to operate the biodigester, more in the first few months of this year. The GEI board continues to work on this number and will be in a better position to provide a more accurate estimate, though due to the nature of the business this is always going to be difficult to estimate precisely. It is also difficult to estimate how long it will take to divest the Town of the biodigester and related assets and therefore how long these subsidies will continue. Staff intend on planning for a full calendar year of subsidies; it may be less but planning for less is not prudent, especially since it could also be more.
The good news, however, is that there has been interest expressed to GEI by a few parties that want to acquire the biodigester. Two additional businesses have approached the Town in the last week with an interest in the biodigester and one of the original interested businesses has re-contacted the Town by email stating that they are interested in pursuing a purchase further and wish to know how to proceed. So there are parties anxiously waiting to start discussions to acquire the biodigester even before there has been any meaningful effort to sell it. This bodes well for the Town and taxpayers.

3.0 Analysis

Staff are proposing an initial influx of money to sustain the biodigester in the following manner. First, a $100,000 dollar demand loan from the Town at 3% interest payable annually with security. Second, an additional $300,000 be added to the $4,500,000 loan the Town has guaranteed, with this $300,000 then being used to pay down the $300,000 overdraft that GEI has with the bank, giving GEI room in their overdraft for an additional $300,000 of expenditures. That would bring the loan the Town has guaranteed to $4,800,000. The bank has also agreed to continue the loan as an interest only loan for this year. Staff also continue to recommend that the biodigester be exempted from property taxes. This will lower the subsidy the taxpayers will have to provide and since the large majority of GEI’s property taxes are paid to the Region and Province it is a net savings for Grimsby taxpayers to provide this exemption.

This should be sufficient financial support to get GEI to the end of April. The required $100,000 will be added to the Town’s budget discussions. Staff are looking at a source of funds to keep the biodigester running to the end of the year other than the levy. It may be possible to keep most of this off the levy but options will be presented for Council’s consideration during budget discussions. As noted above, the financial interests of the Town of Grimsby and its residents is the primary driver of staff’s recommendations.

Respectfully submitted,

Derik Brandt
Town Manager
TO: Mayor Jordan and Members of Council

FM: Derik Brandt, Town Manager

RE: Council-Staff Partnership and Relationship Policy

DT: 1 February 2019

On 1 March 2019 the Municipal Act is amended by adding the following to Section 270 (1), which outlines the policies a municipality shall adopt and maintain:

2.1 The relationship between members of council and the officers and employees of the municipality.

In order to start the process to meet this deadline, on 10 January 2019 a draft copy of the Council-Staff Partnership and Relationship Policy was sent to Council. The single largest source of best practices for this policy was the writings of Michael Fenn, in particular an AMCTO article in the Policy and Management Briefs sections titled, “Successful Staff/Council Relations: Old Lessons For New Challenges” (Issue 2, August 17, 2015). Michael Fenn was hired to attend in person at the 14 January 2019 orientation session to answer any questions Members of Council may have about the policy, the role of Council and staff, and Council/staff relations in general.

Michael Fenn has an extensive background in government, particularly municipal government. He was recently appointed by the provincial government to lead the review of regional governments in Ontario and their corresponding lower-tier governments, including the Town of Grimsby. He has been a Deputy Minister under three Premiers, a CAO in both Hamilton and Burlington, and the founding CEO of Metrolinx, among other accomplishments.

Although this type of policy is new for Ontario staff found a somewhat similar policy in Guelph that we were able to draw heavily from called the Guelph Information Flow Protocol. The proposed policy also draws upon the Municipal Councillor’s Guide published by the Ministry of Municipal Affairs and to some extent the Bellamy Commission Report.

Based on the feedback provided by Council at the orientation session, additional directives to staff have been included in the policy. From Section 1 to Section 12 of the policy, 72% is directed to Council and 66% is directed to staff. That adds up to more than 100% because 38% of the policy is actually directed to both Council and staff.

Nothing in the policy is inconsistent with the existing practices of the Town. While the policy largely just puts into writing existing practices of the Town there is value to both Council and staff in having these practices properly defined and put into writing. We are also required by law to have such a policy in place by 1 March 2019. As such, there is a bylaw on the agenda to adopt the proposed policy. Council always has the right to amend this policy in the future.
1. Call to Order
   a) The meeting was called to order at 6:05 p.m.

2. Disclosure of Interest
   a) There were no disclosures of pecuniary interest.

3. Reports
   a) DBE-19-1 - Smoke Free Act 2017
      Mr. Schonewille gave an overview of Report DBE 19-1. He noted
      that he was directed to bring forward a report to restrict cannabis use
to private properties. Mr. Schonewille stated that there is a Smoke Free Ontario Act that regulates where you can and cannot use cannabis, vaping and tobacco products. He also stated that the Region of Niagara also has a Smoke Free By-law that provides further restrictions for municipalities. He stated that the Regional By-law is currently under review and that he will be representing the municipality in talks with the Region as to how the by-law can be further improved.

The Committee raised questions and concerns regarding enforcement of public areas such as hiking trails, road allowances and public beaches. Mr. Schonewille stated that these are all areas that will be further explored in the revamping of the Regional By-law, but that enforcement is a difficult task. He noted that there are Regional Enforcement staff, who also provide an educational component.

**DBE-19-1**

Moved by Councillor L. Vardy; Seconded by Member K. Agnew;

Resolved that Report DBE-19-1 dated January 29, 2019, be received and that staff participate in the Region's consultation group to develop a consensus approach for all municipalities and the Region on prohibited places to use cannabis, vaping and tobacco products.

**CARRIED**


Ms. Shanks gave background information on the purpose of a Secondary Plan. She noted that SGL Planning has hired a consultant at the direction of the previous Council to complete the Secondary Plan for the Hospital Corridor. She noted that the purpose of the plan is to prepare for future redevelopment in this area which is likely to happen. She stated that the current Official Plan policies for this area lack detail and direction and that there is no height restriction only policy regarding setbacks from abutting residential. Ms. Shanks stated that a secondary plan would provide more guidance in terms of what would be allowed in any future redevelopment. The plan would address concerns regarding density, parking, height, urban design guidelines, traffic, public realm and pedestrian improvements. She noted that the Town has currently spent $58,000 on the project and that $100,000 was budgeted. The Region has agreed to grant the
Town $50,000 towards the cost of the project, but only if the plan is completed. Ms. Shanks also noted that under the Planning Act, municipalities cannot refuse applications, but the Town could implement an Interim Control By-law if they were actively involved in studying the area for the purposes of implementing a Secondary Plan. An Interim Control By-law would prohibit development in this area for one year with the potential for an extension up to one more additional year.

Committee Members had a general discussion regarding the proposed secondary plan. Comments included the need for height reduction, protection of heritage buildings, character of Main Street and the need for community engagement. Concerns were also raised regarding possible bonusing for increased heights, pressure from the Region and Province with respect to intensification, the future of West Lincoln Hospital, changes in zoning from commercial to mixed use and time frames for redevelopment.

**PD-19-1**
Moved by Member J.D. Finch; Seconded by Councillor L. Vardy; Resolved that Planning Report P.A. 19-01 regarding an update on the Hospital Corridor Secondary Plan & Urban Design Guidelines project be received and that staff be directed to prepare an Interim Control By-law for the study area.

**CARRIED**

c) **Director’s Update** –
Mr. Basic gave an overview of the summary of development activity within the Town. He noted that the report would be provided on a monthly basis. Committee members had general questions about ongoing development applications.

**PD-19-2**
Moved by Councillor L. Vardy; Seconded by Councillor D. Sharpe; Resolved that the Development Status and Activity Report for December 2018 be received as information.

**CARRIED**
4. New Business
   
a) Scheduling of Meetings
   
Mr. Basic suggested that public meetings and open houses be held on a separate night from when the Committee is conducting regular business. The benefits of this would be more focus on public engagement and consideration of public comments. In addition decisions on the application would be made at the following meeting. The Committee discussed ways to improve on the format of the public meetings.

   Councillor Bothwell stated that she would like to see the notification of all Open Houses and Public Meetings published in the local newspapers.

PD-19-3
Moved by Mayor J. Jordan; Seconded by Councillor K. Ritchie;
Resolved that the procedural by-law be amended to start Planning Committee meetings at 6:00 p.m. and that a resolution be passed to go later than 10:00 p.m.

   CARRIED

PD-19-4
Moved by Councillor L. Vardy; Seconded by Councillor D. Sharpe;
Resolved that staff be directed to publish an ad in the two local newspapers providing the notice of Open House for the Fifth Wheel Losani development subject to the positive advice from legal counsel;
And that staff investigate the steps required to publish all future open houses and public meetings in the same manner and report back to the Committee;
And that staff investigate the feasibility of posting all prescribed planning application documents on the Town’s website for public accessibility.

   CARRIED

5. Closed Session
   
a) PD-19-5
Moved by Councillor L. Vardy; Seconded by Councillor D. Sharpe;
Resolved that the Planning & Development Committee go into Closed Session under Section 239(2)(c) of the Municipal Act, regarding a proposed or pending acquisition or disposition of land by the municipality or local board – Doran Avenue.

CARRIED

PD-19-6
Moved by Councillor L. Vardy; Seconded by Councillor D. Sharpe; Resolved that the Planning & Development Committee return to Open Session.

CARRIED

8. Adjournment
a) The next meeting of the Planning & Development Committee is February 12th, 2019 at 6:00 p.m.

Councillor D. Bothwell, Chair

W. Basic, Deputy Director of Planning

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisory Administrator at 905 309-2003 or hsoady-easton@grimsby.ca
Good Afternoon Hazel,

This email confirms that the Registrar has received a council decision dated January 21, 2019 from the Town of Grimsby to opt out of having cannabis retail stores. This decision will be posted to our website www.agco.ca.

Please be advised, under the Cannabis Licence Act, 2018, a municipality that decides to prohibit cannabis retail stores may later reverse its decision; however, a decision by a municipality to allow cannabis retail stores is final and may not be subsequently reversed. A municipality that reverses its decision at a later date should notify AGCO by emailing municipal@agco.ca.

Thank you,
Office of the Registrar

---

From: Hazel Soady-Easton <hsoady-easton@grimsby.ca>
Sent: January 22, 2019 10:52 AM
To: AGCO Municipal <Municipal@agco.ca>
Cc: 'steve.clark@pc.ola.org' <steve.clark@pc.ola.org>; Bill Matson (bmatson@niagarafalls.ca) <bmatson@niagarafalls.ca>; 'Bonnie Nistico-Dunk' (bdunk@stcatharines.ca) <bdunk@stcatharines.ca>; Peter Todd <ptodd@notl.org>; Carol Schofield (CSchofield@forterie.ca) <CSchofield@forterie.ca>; Tara Stephens <tara.stephens@welland.ca>; 'William Kolas' <WKolas@wainfleet.ca>; Julie Kirkelos <jikirkelos@lincoln.ca>; Donna Delvecchio (DDelvecchio@thorold.com) <DDelvecchio@thorold.com>; jscime@westlincoln.ca; njbozzato@pelham.ca; 'amberlapointe@portcolborne.ca' <amberlapointe@portcolborne.ca>; Ploss, Diane (MMAH) <Diane.Ploss@ontario.ca>; ann-marie.norio@niagararegion.ca
Subject: AGCO Retail Cannabis

Please find attached correspondence with regard to the above mentioned.
January 22, 2019

Alcohol and Gaming Commission of Ontario
90 Sheppard Avenue East
Suite 200 – 300
Toronto, Ontario
M2N 0A4
municipal@agco.ca

Attention: AGCO Registrar

Town of Grimsby – Retail Cannabis – Opt Out

To Whom It May Concern:

The Council of the Town of Grimsby passed the following Resolution at the Council meeting on January 21, 2019:

Resolved that Report TM19-01 dated January 21, 2019 be received and that pursuant to Section 41(1) of the Cannabis License Act, the Council of the Town of Grimsby instructs the Town Clerk to inform the Registrar under the Alcohol, Cannabis and Gaming Regulation and Public Protection Act that the Town of Grimsby opts out of having cannabis retail stores located in the Municipality.

If you have questions with regard to the foregoing, please do not hesitate to contact me.

Yours truly,

H. Soady-Easton
Town Clerk

Cc: S. Clark, Minister of Municipal Affairs and Housing, steve.clark@pc.ola.org
LAM Clerks
D. Ploss, Municipal Advisor for Niagara Region, MMA, diane.ploss@ontario.ca
Re: Support for Ontario Wine and Beer in Retail Stores as Part of Modernizing Alcohol Sales

Honourable Minister Fedeli:

At its meeting held on January 28, 2019, Town of Lincoln Council approved the following motion:

WHEREAS Ontario’s grape and wine industry is an important and unique part of Lincoln’s economy; and

WHEREAS Lincoln has an emerging craft beer sector that continues to grow and expand; and

WHEREAS Lincoln has over 50 wineries, breweries and distilleries contributing to both our local and provincial economy, creating jobs and investment across Lincoln; and

WHEREAS the Government of Ontario has announced its plan to modernize alcohol sales by expanding the sale of beer and wine to corner stores, grocery stores and big-box stores, based on market demand, and has requested public input on its plan through an online survey until February 1, 2019; and

WHEREAS this decision represents a significant opportunity to strengthen both Lincoln’s and Niagara’s economy by growing Ontario’s wine, craft beer and spirits industry through increased consumer access;

THEREFORE BE IT RESOLVED that the Town of Lincoln requests that the Provincial Government must include specific policies that support and expand the
growth of 100 per cent Ontario-grown-and-produced wines and Ontario-made craft beer and spirits in its retail channel regulations; and

BE IT FURTHER RESOLVED that the Town of Lincoln submit this resolution to the Provincial Government and area MPPs as part of the public consultation on the Modernization of Alcohol Sales before February 1, 2019; and

BE IT FURTHER RESOLVED that this resolution be circulated to Niagara municipalities for consideration and support; and

BE IT FURTHER RESOLVED that Town staff be directed to report back to Council on a government relations strategy that ensures the importance of 100 per cent Niagara-grown-and-produced wines and Niagara-made craft beer and spirits is recognized at Queen’s Park.

If you have any questions, please contact Legislative Services, Town Clerk at extension 225.

Regards,

[signature]

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Niagara area municipalities and MPPs
January 22, 2019

Alcohol and Gaming Commission of Ontario
90 Sheppard Avenue East
Suite 200-300
Toronto, Ontario
M2N 0A4

municipal@agco.ca

Attention: AGCO Registrar

Dear Sirs:

Town of Pelham – Retail Cannabis – Opt Out

At their regular meeting of January 21st, 2019, Council of the Town of Pelham endorsed the following:

THAT Committee of the Whole for the Town of Pelham recommend that Council adopt the following resolution at their meeting of Monday, January 21, 2019, advising the Province of Ontario of the decision to opt out of retail cannabis sales within the municipal boundaries of the Town:

WHEREAS the Government of Canada has passed the Cannabis Act, which was also known as Bill C-45, as a law that having come into effect on October 17, 2018, legalized the recreational use of cannabis nationwide in Canada, when combined with Bill C-46, An Act to Amend the Criminal Code of Canada;

AND WHEREAS the Province of Ontario has passed the Cannabis Act 2017 which has come into force on October 17, 2018;

AND WHEREAS the Province of Ontario has directed that Municipalities must decide by January 22, 2019 if they choose to opt-out of permitting physical cannabis retail stores as of April 1, 2019 within their municipality;

AND WHEREAS the Government of Ontario has indicated that if a Municipality chooses to opt-in there is no subsequent opportunity to opt-out,
BE IT RESOLVED THAT the Council for the Town of Pelham advise the Province of Ontario that the Town of Pelham is opting out of permitting physical cannabis retail stores within the Town;

AND THAT the Clerk forward this resolution forthwith to the Alcohol and Gaming Commission of Ontario and the Ministry of Municipal Affairs to confirm that the Town of Pelham will not permit cannabis retail stores to be located within its boundary.

On behalf of Council, please accept this letter and resolution as the Town of Pelham’s official notice of opting out of retail cannabis.

Yours very truly,

(Mrs.) Nancy J. Boccato, Dip.A.M.M., AMCT
Town Clerk

/cc: Hon. Steve Clark, Minister of Municipal Affairs and Housing, steve.clark@pc.ola.org
    Hon. Victor Fedeli, Minister of Finance, vic.fedeli@pc.ola.org
    Local Area Municipal Clerks
    Local MPPs
    Local MP’s
    Diane Ploss, Municipal Advisor for Niagara Region, Ministry of Municipal Affairs and Housing, diane.ploss@ontario.ca
January 22, 2019

Ministry of Municipal Affairs and Housing
Office of the Minister
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Minister Steve Clark: 

Sent via E-mail

Re: Opting In to Allow Retail Cannabis Stores

Please be advised that at the January 15, 2019 meeting of Niagara Falls City Council, the following motion was passed:

ORDERED on the motion of Councillor Ioannoni, seconded by Councillor Campbell, that Council opt in to the Provincial Retail Cannabis Store program;

AND ALSO, that Council adopt the attached Municipal Policy Statement on Cannabis for the purpose of reviewing and commenting on licence applications;

AND ALSO, that Council harmonize its anti-smoking by-law with amendments to the Regional anti-smoking by-law and work with Regional Health in public consultation regarding additional public areas where tobacco, cannabis and related products can be smoked or consumed;

AND ALSO, that City Council send a resolution to the Province requesting that municipalities in Ontario be given greater regulatory controls over the location, distance separations and numbers of Retail Cannabis Stores within a municipality;

AND ALSO, that a copy of this motion of Council be sent to all municipalities in Ontario.

If you have any questions, please contact me directly.

Sincerely,

Bill Matson
Acting City Clerk

Attach.
c. The Honourable Doug Ford, Premier of Ontario
   All Municipalities in Ontario

Working Together to Serve Our Community
APPENDIX 2

<table>
<thead>
<tr>
<th>CORPORATE POLICY</th>
<th>DATE EFFECTED</th>
<th>PROCEDURE 500.22</th>
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1.0 Purpose & Vision

a) The purpose of this policy statement is to provide a format for the City of Niagara Falls to provide input to the Alcohol and Gaming Commission of Ontario (AGCO), as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in Niagara Falls.

b) It is recognized the AGCO is the provincial authority responsible for licensing cannabis retail operators, authorizing cannabis retail locations and licensing senior store staff. Municipal governments have no licensing authority. The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, that the proposed store location is consistent with the public interest as defined in the regulations.

c) The City of Niagara Falls has chosen to allow retail sales of recreational cannabis within commercial zones.

2.0 Principles for Cannabis Retail Store Locations

a) For the purposes of this policy statement, a cannabis retail store shall mean a store licensed or under application to be licensed by the AGCO.

b) Land Use Planning: The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality’s Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.

c) Municipal Building Inspections: The Ontario Building Code applies to cannabis retail store locations. Therefore, where a building or sign permit is required, applications together with appropriate fees shall be submitted to the Niagara Falls Building Division. The building inspector will undertake duties as usual. Fire Code compliance is mandatory.

3.0 Cannabis Retail Stores and Sensitive Activities

a) The goal is to help ensure public health and safety, protect of youth and reduce illegal sales, retail cannabis stores are discouraged where nearby
properties are designed to serve youth, or the potential for illegal sales or health risk exist. It is recommended that a 150m distance be maintained from:

i) Schools as outlined in O. Reg 468.18;
ii) Facilities such as nursery schools, day care centres and municipal libraries, parks, trailheads and recreational facilities including community centres and arenas; and
iii) Facilities that serve persons with mental health or addiction challenges.

b) Attached is a map showing the retail/commercial zones of the municipality and the activities identified in i), ii) and iii) above.

### 4.0 Comment Preparation & Submission

a) Planning Staff when preparing comments to be submitted to the AGCO, shall have regard for:

i) ensuring zoning allows a retail use as a permitted use and whether the zone provisions and regulations of the zone can be satisfied;
ii) the separation distances listed for uses in 3.0 i), ii) and iii) of this Policy are met; and
iii) the goal of 3.0 is met.

b) Where time limits do not allow a report to be brought before City Council, the Director of Planning, Building & Development is delegated the responsibility to submit comments to the AGCO on behalf of the Corporation.
January 18, 2019

Re: Plastic Straw and Plastic Stir Stick Ban in City Facilities
Our File No. 68.31.99 and 68.32.99

At its meeting held on January 14, 2019, St. Catharines City Council approved the following motion:

WHEREAS environmental sustainability is one of the pillars of Council’s Strategic Plan with a goal to lead in the protection of our environment for future generations; and

WHEREAS cities across North America have moved to eliminate plastic waste by banning plastic water bottles and plastic straws from city facilities; and

WHEREAS the City has implemented a plastic bottled water ban in municipal facilities, and directed staff to implement a comprehensive plastic bottle ban;

THEREFORE BE IT RESOLVED that the City of St. Catharines ban plastic straws and plastic stir sticks for sale and use in City facilities, parks, city events and public spaces, and require that non-plastic, compostable alternatives be used when necessary; and

BE IT FURTHER RESOLVED that non-plastic, compostable alternatives that are AODA-compliant be used when necessary and that plastic only be used when a straw is required; and

BE IT FURTHER RESOLVED that City staff work with festivals and events held in St. Catharines to encourage organizers to adopt environmentally-friendly alternatives to plastics where possible; and

BE IT FURTHER RESOLVED that the City submit this resolution to the Great Lakes St. Lawrence Cities Initiative’s Annual Policy Conference for adoption by the GLSLCI as a policy for member cities to adopt; and
BE IT FURTHER RESOLVED that staff circulate this motion to area municipalities, Brock University, Niagara College, the Association of Municipalities of Ontario (AMO) and to Federation of Canadian Municipalities (FCM).

If you have any questions, please contact the Office of the City Clerk at extension 1524.

Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk

cc: Gervan Fearon, President and Vice-Chancellor, Brock University - president@brocku.ca
    Dan Patterson, President, Niagara College - president@niagaracollege.ca
    Association of Municipalities of Ontario - amo@amo.on.ca
    Federation of Canadian Municipalities - info@fcm.ca
January 21, 2019

Alcohol and Gaming Commission of Ontario
90 Sheppard Ave E #200
North York, ON M2N 0A4

SENT VIA EMAIL: municipal@agco.ca

Re: Town of Lincoln Council (Opt-in) Decision – Cannabis Retail Stores

To whom it may concern:

Please be advised that at the Special Council meeting held on January 21, 2019, Council for the Corporation of the Town of Lincoln passed the following resolution:

Resolution No. SC-2019-10

Moved By: Paul MacPherson
Seconded By: Adam Russell

THAT Council notify the Ontario Alcohol and Gaming Commission (AGCO), on or before January 22, 2019, that the Town of Lincoln opts-in and does allow for the location of private recreational cannabis retail stores within the municipality; and

THAT the municipality prepare and adopt a Municipal Cannabis Retail Store Policy Statement to be utilized as the primary guideline in providing municipal comments to the AGCO in response to applications for the establishment of private recreational cannabis retail stores within the municipality; and

THAT staff be directed to report back on other issues affecting the municipality related to legalization of Cannabis.

AND THAT a letter be sent to the Premier and appropriate Ministries, requesting that municipalities be given greater regulatory authority for input and control regarding:
i. the location and distance separation from sensitive uses such as parks, schools, day care and health care facilities;
ii. advertising and signage;
iii. hours of operation;
iv. ability to restrict or prohibit operations that violate municipal standards such as noise, nuisance or property standards; and
v. the number of retail stores within their limits.

Carried

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Premier of Ontario
MPPs
Ministry of Municipal Affairs and Housing
Niagara Region
Local Area Municipalities
January 30, 2019

Town of Grimsby
160 Livingston Avenue
Grimsby, ON, L3M 4G3

At the Shareholders’ Meeting held on January 25, 2019 the following changes were made to the Grimsby Power Inc. Board of Directors. These changes were effective on January 25, 2019.

Mr. Joseph Panetta is replaced by Mr. Dave Kadwell – 4 Year Term
Mr. Shafee Bacchus is replaced by Mr. Kurt Whitnell – 4 Year Term
Mr. John Bald is replaced by Mr. Philip Besseling – 4 Year Term
Mr. Thomas Beach is replaced by Mr. Reg Freake – 4 Year Term
Mr. Glen King – No Change

Please note Mr. Thomas Beach resigned from the Grimsby Power Board effective January 23, 2019 and Mr. Sean Straughan resigned from the Grimsby Power Board effective December 2, 2018.

At the Grimsby Power Board Meeting on January 25, 2019, Mr. Philip Besseling was elected as Board Chair and Mr. Kurt Whitnell was elected as Board Secretary.

Please advise if any additional information is required.

Sincerely,

Kurt Whitnell
NPI – Board Chair

cc: Mr. Glen King, FortisOntario
    Mayor Jeff Jordan, Town of Grimsby
The Corporation of the Town of Grimsby

By-law 19-06

A By-law to further authorize the execution of an amending agreement between the Corporation of the Town of Grimsby and Grimsby Energy Incorporated for the provision of a Municipal Capital Facility

Whereas Section 110 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended the ("Municipal Act, 2001") permits a municipality to enter into agreements for the provision of municipal capital facilities;

And whereas Section 110 of the Municipal Act, 2001 permits a Council of a municipality to designate lands within the classes of lands described in Ontario Regulation 603/06, as amended as a municipal capital facility and to exempt that facility from taxation for municipal and school purposes;

And whereas the premises known municipally as 442 Sobie Road in the Town of Grimsby and more particularly described in Schedule “A” ("Premises") are used as a municipal capital facility under Ontario Regulation 603/06 as amended and was designated by Council of the Town of Grimsby (“Town”) as a municipal capital facility through By-Law No. 15-61;

And whereas in accordance with the authorization of the Council on July 20th, 2015, the Town and Grimsby Energy Incorporated (“Grimsby Energy”) entered into an agreement that provided for the use the premises as a municipal capital facility;

And whereas the Town and Grimsby Energy wish to amend such agreement to allow for the exemption of the municipal capital facility from all or part of the taxes levied for municipal and school purposes;

And whereas in accordance with the authorization of the Council on September 17, 2018 the Town and Grimsby Energy will enter into an Amending Municipal Capital Facility Agreement conditional on the passage of this By-law in the form attached as Schedule “B” that provides for the exemption from all or part of the taxes levied for municipal and school purposes;

Now therefore the Council of the Town enacts as follows:
1. That the Mayor and Town Clerk be authorized to execute on behalf of the Town such Amending Municipal Capital Facility Agreement in the form attached hereto as Schedule “B.” between the Town and Grimsby Energy;
2. The premises and all present and future related improvements thereto are hereby exempt from the payment of taxation for municipal and school purposes and shall be so exempt until the earliest of:
   a. the termination date of the Municipal Capital Facility Agreement, as amended, between the Town and Grimsby Energy;
   b. the day that the Municipal Act, 2001 or such other applicable or successor legislation is repealed or amended such that the designation of the premises as a municipal capital facility is no longer available to be made or applicable; and
   c. the day the premises cease to be used as a municipal capital facility as that term is defined in Ontario Regulation 603/06, as amended, from time to time.
3. The Town shall cause its Town Clerk to give written notice of the By-law permitting the Town to enter into this Agreement to the Minister of Education for the Province of Ontario as provided for in subsection 110(5) of the Municipal Act, 2001.

4. The Town shall cause its Town Clerk to give written notice of the contents of this By-law to the Municipal Property Assessment Corporation and the secretary of any school board in the area of jurisdiction of any such board included the land that is exempted by this By-law, as required under Section 110(8) of the Municipal Act, 2001.

5. This By-law shall be effective as of the date of passing.

Read a first time this 21st day of January 2019

Read a second and third time and finally passed this 21st day of January 2019

J.A. Jordan, Mayor

H. Soady-Easton, Town Clerk
Schedule A to By-law 19-06

Those lands situate, lying and being in the Town of Grimsby in the Region of Niagara described as follows:

**Being** Part of Lot 1 and 2, Concession 6, North Grimsby, being Part 1 on Plan 30R13677, Town of Grimsby.

All known municipally as 442 Sobie Road, Town of Grimsby.
The Corporation of the Town of Grimsby

By-law 19-08

A By-law to amend the Parking and Administrative
By-law 16-82 of the Town of Grimsby

Whereas the Council of the Town of Grimsby deems it expedient to amend By-law 16-82, as amended, being a By-law to regulate stopping, standing and parking of vehicles on roads in the Town;

Now therefore the Council for the Corporation of the Town of Grimsby enacts as follows:

That By-law 16-82, Schedule H (Limited Parking) to be amended by the addition of the following:

<table>
<thead>
<tr>
<th>Highway</th>
<th>Side</th>
<th>From</th>
<th>To</th>
<th>Time/Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pinewood Ave.</td>
<td>North</td>
<td>East limit of Pinewood Ave. ROW</td>
<td>Belmont Ave.</td>
<td>Monday-Friday 7 a.m.-4 p.m.</td>
</tr>
<tr>
<td>Pinewood Ave.</td>
<td>South</td>
<td>East limit of Pinewood Ave. ROW</td>
<td>167 metres westerly</td>
<td>Monday-Friday 7 a.m.-4 p.m.</td>
</tr>
</tbody>
</table>

1. That all other sections of By-law 16-82, as amended shall be deemed to remain in force.

2. That this By-law take effect at such time as properly worded signs have been erected and are on display.

3. This By-law shall be forwarded to the Commissioner of Public Works for the Regional Municipality of Niagara.

Read a first time this 4th day of February 2019

Read a second and third time and finally passed this 4th day of February 2019

J.A. Jordan, Mayor

H. Soady-Easton, Town Clerk
The Corporation of the Town of Grimsby

By-Law 19-09

A By-law to authorize the assumption of certain highways for the Azure Subdivision for 560 North Service Road

Whereas the following Development Agreement for a Subdivision was registered on July 24, 2013 in the Registry Office for the Land Titles Division of Niagara North:

Azure Subdivision – 560 North Service Road
Plan 30M-412
Instrument NR332577

And whereas certain lands are dedicated by the owners for highways and other purposes;

Now therefore the Council of the Corporation of the Town of Grimsby enacts as follows:

1. The Town of Grimsby will assume the road allowance as required under the Subdivision Agreement.

2. That this By-law shall come into force on the passing thereof

Read a first time this 4th day of February 2019
Read a second and third time and finally passed this 4th day of February 2019

J.A. Jordan, Mayor

H. Soady-Easton, Town Clerk
The Corporation of the Town of Grimsby

By-Law 19-10

A By-law to authorize the assumption of certain highways for the Escarpment Vista Estates

Whereas the following Development Agreement for a Subdivision was registered on July 24, 2013 in the Registry Office for the Land Titles Division of Niagara North:

Escarpmemt Vista Estates – west of Kelson Ave. and residential lands on Douglas Ave. and Donald Ave., north of Main St. W. (Regional Road 81), south of CNR lands and east of the municipal boundary with the City of Hamilton
Plan 30M-419
Instrument NR330629

And whereas certain lands are dedicated by the owners for highways and other purposes;

Now therefore the Council of the Corporation of the Town of Grimsby enacts as follows:

1. The Town of Grimsby will assume the road allowance as required under the Subdivision Agreement.

2. That this By-law shall come into force on the passing thereof

Read a first time this 4th day of February 2019

Read a second and third time and finally passed this 4th day of February 2019

J.A. Jordan, Mayor

H. Soady-Easton, Town Clerk
The Corporation of the Town of Grimsby

By-law 19-11

A By-law to establish a Council-staff partnership and relationship policy

Whereas Section 270(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, requires a municipality to adopt and maintain a policy with respect to the relationship between Members of Council (Members) and the officers and employees of the municipality;

Now therefore the Council of the Corporation of the Town of Grimsby (Council) enacts as follows:

1. Overview of the Relationship
   1.1. The relationship between staff and Council is a dynamic, working partnership. The two parties have similar goals but their roles in achieving those goals are different. At times these roles will seem to put staff and Council in opposition to each other. In successful municipal governments, however, this creative tension is managed to produce better outcomes rather than ongoing conflict.
   1.2. The office of an elected representative is at the heart of democracy. It is the role of the municipality’s elected representatives to set policy. This is set by passing motions and by-laws at Council meetings. Of central importance to a properly functioning municipal government is for staff to provide impartial, neutral and professional advice on the objective merits of various policy options then implement the policy decisions taken by Council. Each party in this partnership must understand its own role as well as understand and respect the roles and responsibilities of the other.

2. Policy vs. Management
   2.1. Council is the primary policy-making body of the Municipality. The Town Manager interprets Council’s policies and ensures staff carry out the policy decisions of Council. Although Council determines the policies of the Municipality it does so based on policy recommendations developed by staff. While Council monitors the implementation of its approved policies the practical aspects of its implementation and administration are a staff responsibility.
   2.2. Members have a variety of work and private life experiences. Regardless of their backgrounds, however, Members are not elected to be managers or technical experts. Therefore, Members must ensure they do not try to influence recommendations made by staff.
   2.3. Staff are not hired to play a political role. Staff are paid to research policy issues, to give Council their best professional judgment and recommendation and to accept and implement effectively whatever Council decides, even if it is something staff did not recommend.
   2.4. It is to be expected that from time-to-time the judgment and recommendations of staff will not be welcomed by Council nor that the policy decisions and directions of Council align with the preferred recommendations made by staff; that is part of the dynamic working partnership and in successful municipalities both parties embrace this reality.
3. **Equitable Treatment**
   3.1. Staff shall avoid favouritism or the appearance of favouritism; all Members must be treated equitably by staff.
   3.2. Due to the different role of the Head of Council there will be times when staff shall provide the Mayor slightly more leeway on matters than other Members. However, this leeway shall never be rooted in favouritism but instead to assist the Mayor in their unique duties.
   3.3. Council shall avoid asking staff for favouritism, or what may appear to be favouritism, for a resident, business or organization in regards to the delivery of Town services or programs.

4. **Respect**
   4.1. A successful working partnership between Council and staff is based on mutual respect.
   4.2. The language one chooses can subtly portray respect, or the lack of it. The actions and language of both parties shall always seek to reinforce in the eyes of the public the dignity of public office, no matter who the office holder is nor whether the office holder is a Member or staff.
   4.3. Principled criticism of others’ positions is to be expected at times, but it shall be delivered respectfully and civilly. Angry or abusive language and personal attacks are inappropriate at all times, including in private and closed sessions. A person treated inappropriately is entitled to politely insist that he or she be treated with respect and dignity. Without such treatment, he or she shall be free to disengage. All Members and managers have a duty to support their staff or peers who reasonably exercise the right to disengage from uncivil treatment.
   4.4. Members may constructively criticize a department’s execution of services or programs but they shall never publicly question or criticize staff’s ability or professionalism.
   4.5. If a Member knows they are going to raise an issue in regards to the performance, work, etc. of a member of staff they shall make staff aware of this ahead of time. This will ensure that the Member receives an informed and intelligent response when the issue is raised. Upon being informed that the issue will be raised, staff have a responsibility to provide to the Member any information for which the Member should be made aware and may be lacking.
   4.6. Members shall abide by all policies and procedures established in relation to workplace violence and harassment, with such policies and procedures to be read to apply to Members.

5. **Motions at Council or Committee**
   If a Member is considering moving a motion or amending a resolution emanating from a staff report, at Committee or Council, they should ask the Town Clerk or the appropriate member of senior management for their opinion on the exact wording. Staff shall not argue the case of the motion, though they may provide informed input, but instead they will assist in ensuring that the motion has no obvious flaws or inaccuracies.
6. **Staff Input at Council or Committee**
   If staff have professional advice or input relative to a discussion of Council or committee, the Mayor or committee chair shall ensure that staff are given an opportunity to provide this advice or input. However, it is not staff's role to debate with Members or the committee; staff are to ensure that the information and recommendations necessary to make an informed decision are provided.

7. **Council Direction**
   Council shall provide direction to staff through resolutions. Common sense dictates some informal direction will, on occasion, be provided without a resolution. However, as a general rule, it should be considered that if there is no resolution there is no direction. Committees do not provide direction to staff; instead they make recommendations to Council through resolutions.

8. **Duty to Inform Council**
   8.1. Staff have a responsibility to ensure that Council is apprised in a timely manner of any known issues that may significantly impact upon Council’s decision making process.
   8.2. Staff shall notify Council in a timely fashion of any unintended or unexpected impacts of policy decisions or material changes to the facts and information that led to the direction provided by Council, typically through written reports, memos or presentations.
   8.3. Staff are to research policy issues as directed by Council.
   8.4. Staff are to identify and inform Council of the means for achieving the goals and outcomes set by Council.

9. **Consulting Staff**
   9.1. Whenever reasonably possible, prior to developing or changing the policies, services or programs of the Municipality, Council shall first direct staff to report on the issue. Staff shall then research the issue, identify available options and report back with recommendations for Council’s consideration through the Town’s committee structure.
   9.2. In accepting or rejecting staff recommendations Council shall consider the information provided by staff, take into account demands on time, funding and other issues, then make a decision based on the best course of action available.
   9.3. When Members require information or input to perform their duties they shall generally seek this information or input from the Town Manager or Department Heads, occasionally from the direct reports of these Senior Managers.
   9.3.1. Members of a Committee may contact an employee who has been assigned by management as a resource to that committee for matters related to the work of the committee.
   9.4. If, as determined by the Town Manager or Department Head, an inquiry by a Member is going to require significant resources then a Council resolution will be required before the inquiry will be responded to.
9.5. With the exception of emergencies, it is not expected that inquiries from Members shall be returned outside of regular administrative business hours.

9.6. Staff shall provide Council with clear, concise, relevant reports and memos with the timely information Council needs to make decisions on municipal policies, programs, services and initiatives. Corporate reports and memos are the formal means of communication between Town staff and Council.

9.7. Staff shall reply promptly to questions by Members, whether by phone, email, letter, in person, or otherwise.

10. Head of Council and Town Manager

10.1. It is the shared responsibility of the Head of Council and the Town Manager to monitor whether the working partnership between Council and staff is resulting in an effective and efficient municipal government with good governance and a respectful workplace. If this is not the case, then the Mayor and Town Manager shall meet to determine what the causes are or what steps should be taken to determine the causes.

11. Officers of the Municipality

11.1. There are staff who are officers of the Municipality and who possess statutory powers and authority. Such employees for the Town of Grimsby include:

- Chief Administrative Officer (held by the Town Manager)
- Treasurer (held by the Director of the Finance Department)
- Town Clerk
- Chief Building Official (held by the Director of the Building Department)
- Fire Chief
- Chief Executive Officer of the Grimsby Library (held by the Chief Librarian)
- Overall Responsible Operator (in relation to the Town's water system and held by the Director of Public Works)

No one shall interfere with the exercise of such statutory powers or authority by the employees in these positions.

12. Other

12.1. Individual Members cannot:

12.1.1. attempt to direct any staff of the Municipality;
12.1.2. compel a member of staff to confidentiality;
12.1.3. ask staff to perform personal services for them; or,
12.1.4. ask staff to engage in partisan political activities.

13. Enforcement

13.1. Members and staff are expected to conduct themselves in accordance with this policy.

13.2. Those in a formal or informal leadership role, including the Chair of a Council or Committee meeting, shall immediately intervene in instances
of uncivil behaviour and politely remind the person responsible of his or her duty to be civil.

13.3. A motion inconsistent with the spirit of this policy is out of order and shall be ruled as such by the Chair of Council or Committee meeting.

13.4. This policy shall be interpreted and enforced as though it formed part of the Town’s Code of Conduct. Any contravention of this policy shall be dealt with as a contravention of the Code of Conduct.

13.5. If a Member believes someone on staff has violated this policy or has a concern about the ability or professionalism of any staff, they shall first bring this to the attention of the Department Head. If the Member is not satisfied with how the Department Head handled their concern, or their concern is with the Department Head, the Member shall discuss their concern directly with the Town Manager. If the Member believes the Town Manager has violated this policy or is unsatisfied with how the Town Manager handled their concern, or their concern is with the Town Manager, they shall discuss their concern with the Mayor who can ask the Town Manager to place the issue on a closed session agenda of Council for consideration.

13.5.1. Using progressive discipline, staff in violation of this policy may be disciplined by the Town Manager or their designate, up to and including termination of employment.

13.6. Interfering with the exercise of the statutory powers or authority of officers of the Town can lead to penalties under various acts of the Province of Ontario.

In the event of a conflict between this By-law and any other by-law of the Town this By-law shall take precedence.

Read a first time this 4th day of February 2019

Read a second and third time and finally passed this 4th day of February 2019

J.A. Jordan, Mayor

H. Soady-Easton, Town Clerk