

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, June 6, 2011

7:58 p.m.

Members Present:

Councillors: Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake

Absent:

Mayor: Ray Tout

Also Present: Chief Administrative Officer/Clerk: Lorraine Heinbuch
Executive Assistant: Cathy Conrad
Treasurer: John Jeffery
Director of Public Works: Barry Trood

The meeting was held in the Municipal Office Council Chambers, Kenilworth.

A. **CALLING THE MEETING TO ORDER**

Acting Mayor Burke called the meeting to order.

B. **O' CANADA**

C. **PASSING AND ACCEPTANCE OF AGENDA**

Moved by: Councillor Goetz

Seconded by: Councillor Yake

THAT the Agenda for the June 6, 2011 Regular Meeting of Council be accepted and passed.

Resolution Number: 1

Carried

D. **DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

None declared.

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E. MINUTES

1. Regular Meeting of Council, May 16, 2011
2. Special Meeting of Council, May 24, 2011
3. Special Meeting of Council, May 30, 2011
4. Public Meeting – Development Charges, May 30, 2011

Moved by: Councillor Goetz

Seconded by: Councillor Yake

THAT the minutes of the Regular Meeting of Council held on May 16, 2011, the Special Meeting of Council held on May 24, 2011, the Special Meeting of Council held on May 30, 2011 and the Public Meeting held on May 30, 2011 be adopted as circulated.

Resolution Number: 2

Carried

F. BUSINESS ARISING FROM MINUTES

1. County of Wellington Planning and Land Division Committee
Re: Comments for Application B33/11 (Revised) and B34/11
(Revised) (Steve Hummel and Sharon Hummel)

Council asked the Township Planner if this application could be deferred to allow time to deal with issues surrounding the minor variance.

Linda Redmond, Township Planner, explained that this application was before Council previously with a different configuration. It is coming back to Council because a neighbour and Council were not in support of the configuration. The Land Division Committee was prepared to support the application with modifications. Mr. Hummel has modified the configuration. Council can ask to defer this application for consent; however, Mr. Hummel can ask for the Land Division Committee to deal with it. Previously Council supported the application with a reconfiguration of the lots.

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F. **BUSINESS ARISING FROM MINUTES** (continued)

1. County of Wellington Planning and Land Division Committee (continued)
Re: Comments for Application B33/11 (Revised) and B34/11
(Revised) (Steve Hummel and Sharon Hummel)

Councillor Yake stated that after visiting the site and knowing there are issues with the neighbours he has concerns with the three undersized lots working in this neighbourhood. This configuration will require six variances. Councillor Yake expressed concern with setting a precedent with this type of development.

Ms. Redmond explained that if the Land Division Committee approves the severance that does not obligate Council to grant the minor variance. If the minor variance is not granted then the severance would fail.

Councillor Lennox asked to clarify the process. If the application goes back to Land Division and is potentially approved conditional that the amendment be approved, would it then come back to Council?

Councillor Yake suggested the next step should be that this comes back to Council for a minor variance. Mr. Hummel needs to have the minor variance approved. Council was not aware of the objections when this application was first presented.

Ms. Redmond stated that Mr. Hummel has other options. He could get one lot that would meet the requirements without amendments. The objections to the original application are the reason Land Division sent this back to Council. Mr. Hummel has now changed the whole plan. Council requested a deferral of this application so the variances can be addressed prior to any decision.

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F. **BUSINESS ARISING FROM MINUTES** (continued)

2. Appointment of Councillor Dan Yake as Project Champion for the implementation of mobility transit

Moved by: Councillor Goetz

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North appoint Councillor Dan Yake as project champion to pursue the necessary details required for Council to make an informed decision on proceeding with the implementation of mobility transit similar to that outlined in recent presentations to Council.

AND FURTHER THAT the appointed project champion report back to Council by September 12, 2011 with a report to include, but not limited to: projected costs (in accordance with the current policy for new services 5 year operating, 20 year capital), funding model, funding partners, funding partner commitments, alternative service delivery methods, alternative service providers and a proposed implementation schedule.

Resolution Number: 3

Carried

G. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS**

1. Finance Committee
- Grants and Donations 2011 (as recommended by the Finance Committee)

Moved by: Councillor Goetz

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North approve payment of the 2011 Grants and Donations as recommended by the Finance Committee.

Resolution Number: 4

Carried

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G. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND
RECOMMENDATIONS** (continued)

2. Arthur Fire Department
- April 2011 Fire Report
- April 2011 Fire Prevention Officer's Report

Moved by: Councillor Goetz
Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North receive the Arthur Area Fire Department April 2011 Fire Report and Fire Prevention Officer's Report.

Resolution Number: 5

Carried

3. Water/Sewer Committee
- Minutes, May 17, 2011

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Water/Sewer Committee meeting held on May 17, 2011.

Resolution Number: 6

Carried

4. Works Committee
- Minutes, May 17, 2011

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Works Committee meeting held on May 17, 2011.

Resolution Number: 7

Carried

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G. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND
RECOMMENDATIONS** (continued)

5. Economic Development Committee
- Minutes, May 18, 2011

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Economic Development Committee meeting held on May 18, 2011.

Resolution Number: 8 **Carried**

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North move forward with the recruitment of a part time Tourism, Marketing and Promotion Manager;

AND FURTHER THAT the interview committee be composed of Mayor Raymond Tout, Councillor Sherry Burke and CAO/Clerk Lorraine Heinbuch as recommended by the Economic Development Committee.

Resolution Number: 9 **Carried**

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North engage Blue Water Radio Station and a Radio Broadcast Consultant to commence the process and to determine the feasibility of establishing a Community Radio Station in the Township of Wellington North as recommended by the Economic Development Committee.

Resolution Number: 10 **Carried**

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G. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND
RECOMMENDATIONS** (continued)

6. Fire Committee
- Minutes, May 19, 2011

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Fire Committee meeting held on May 19, 2011.

Resolution Number: 11

Carried

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North forward the revised Burn By-law and Permit to the CAO/Clerk for review, legislative updating, revision and preparation of draft by-law for legal review and Council's consideration and adoption as recommended by the Fire Committee.

Resolution Number: 12

Carried

Moved by: Councillor Yake
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North allocate all monies received from the Ministry of Transportation for Fire/Rescue Services provided by the Township to the Fire Department's Reserve Fund as recommended by the Fire Committee.

Resolution Number: 13

Carried

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H. **CORRESPONDENCE FOR COUNCIL'S INFORMATION AND DIRECTION**

1. County of Wellington Ontario Provincial Police
Re: Special Olympics – Ontario Law Enforcement Torch Run,
Tuesday, June 7, 2011
- Received as information

2. Reeves Construction Limited
Re: Reeves Albert Street Subdivision, Mount Forest
- Request for permission to re-name the Street “Ruby’s Crescent”

Moved by: Councillor Yake

Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North grant permission to Reeves Construction Limited for the renaming of Sharpe’s Crescent in Reeves Albert Street Subdivision, Mount Forest to Ruby’s Crescent.

Resolution Number: 14

Carried

3. Mount Forest Family Health Team
Re: Request for reduction of rental fee or donation of space for
Diabetes Prevention Program

Moved by: Councillor Yake

Seconded by: Councillor Goetz

THAT the request from the Mount Forest Family Health Team to waive or reduce the rental fees for the Diabetes Prevention Program to be held at the Mount Forest Sports Complex be deferred for further information regarding proposed useage.

Resolution Number: 15

Carried

4. K. Smart Associates Limited
Re: Status Report Chaulk & Mitchell Petition
- Received as information

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H. **CORRESPONDENCE FOR COUNCIL'S INFORMATION AND DIRECTION** (continued)

5. Town of Thessalon
Re: Request for support of resolution regarding installation of equipment or material relating to Renewable Energy Projects within residential and commercial areas in municipalities

Moved by: Councillor Lennox
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North support the resolution of the Town of Thessalon regarding the negative impact created by the installation of equipment or material relating to Renewable Energy Projects within residential and commercial areas in municipalities.

Resolution Number: 16

Carried

6. Arthur Royal Canadian Legion Branch #226
Re: - Request for permission to conduct annual Summer Road Toll, July 29 and 30, 2011

Moved by: Councillor Lennox
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North grant permission to the Arthur Royal Canadian Legion Branch #226 to conduct an Annual 2011 Summer Road Toll event in accordance with their request and proposed route on July 29, 2011 between the hours of 4:00 p.m. and 8:00 p.m. and July 30, 2011 between the hours of 8:00 a.m. and 1:00 p.m.

AND THAT the necessary by-law under the Safe Streets Act, S.O. 1999 be drafted for approval by Council.

Resolution Number: 17

Carried

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H. **CORRESPONDENCE FOR COUNCIL'S INFORMATION AND
DIRECTION** (continued)

6. Arthur Royal Canadian Legion Branch #226
- Requests for Temporary Outdoor Liquor Sales Extension Licences:
 - June 11 & 12 – 1 p.m. to 1 a.m. – Outdoor Beer Gardens
 - July 15 & 16 – 1 p.m. to 1 a.m. – Outdoor Beer Gardens
 - July 29, 30, 31 – 1 p.m. to 1 a.m. – Outdoor Beer Gardens
 - August 26 & 27 – 1 p.m. to 1 a.m. – Outdoor Beer Gardens

Moved by: Councillor Lennox

Seconded by: Councillor Goetz

THAT Council of the Corporation of the Township of Wellington North have no objection to the request from Royal Canadian Arthur Branch for temporary extension for an Outdoor Patio Licence (Liquor Sales Licence) on the following dates:

Saturday, June 11 and Sunday, June 12, 2011 - 1:00 p.m. to 1:00 a.m.

Friday, July 15 and Saturday, July 16, 2011 – 1:00 p.m. to 1:00 a.m.

Friday, July 29, Saturday, July 30 and Sunday, July 31, 2011 – 1:00 p.m. to 1:00 a.m.

Friday, August 26 and Saturday, August 27, 2011 – 1:00 p.m. to 1:00 a.m.

Resolution Number: 18

Carried

7. United Townships of Head, Clara & Maria
- Re: Request for support of resolution regarding request for Municipal Elections Act, Section 80 amendments
- Received as information

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H. **CORRESPONDENCE FOR COUNCIL'S INFORMATION AND DIRECTION** (continued)

8. Arthur Optimist Club
Re: Request to Declare Annual Canada Day Weekend as a Community Festival, July 1, 2 & 3, 2011

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North classify the Arthur Optimist Club Annual Canada Day Celebration to be held July 1, 2 and 3, 2011 as a community festival subject to approval from other agencies.

Resolution Number: 19

Carried

I. **BY-LAWS**

1. 42-11 Being a By-law to Authorize a Deferral Agreement Pursuant to Section 27 of the *Development Charges Act*.

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT By-law Number 42-11 being a by-law to authorize a Deferral Agreement Pursuant to Section 27 of the Development Charges Act be read a First, Second and Third time and finally passed. (Paul Andrew Smith and Brenda Lynn Smith)

Resolution Number: 20

Carried

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I. **BY-LAWS** (continued)

2. 43-11 Being a By-law to Amend By-law Number 5000-05, a By-law to Regulate the Parking or Stopping of Vehicles on Highways, Public Parking Lots and in Some Instances, Private Property Within the Township of Wellington North

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT By-law Number 43-11 being a by-law to amend By-law Number 5000-05, a by-law to regulate the parking or stopping of vehicles on highways, public parking lots and in some instances, private property within the Township of Wellington North be read a First, Second and Third time and finally passed.. (Dublin Street)

Resolution Number: 21

Carried

3. 44-11 Being a By-law to Amend By-law No. 52-08, as Amended Respecting Development Charges

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT By-law Number 44-11 being a by-law to amend By-law Number 52-08, as amended respecting Development Charges be read a First, Second and Third time and finally passed.

Resolution Number: 22

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I. **BY-LAWS** (continued)

4. 45-11 Being a By-law to Set the Rates for 2011 Street Lights Taxation In Accordance With By-law No. 38-11 Being a By-law to Set the Rates for 2011 Taxation and to Provide for the Collection Thereof.

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT By-law Number 45-11 being a by-law to set the rates for 2011 Street Lights Taxation in accordance with By-law No. 38-11 being a By-law to set the rates for 2011 Taxation and to provide for the collection thereof be read a First, Second and Third time and finally passed.

Resolution Number: 23

Carried

J. **OTHER BUSINESS**

1. Report of Livestock Valuer
Re: Livestock Claims
- Patricia McCabe

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North authorize payment of \$950.00 to Patricia McCabe for a livestock claims dated May 24, 2011.

AND FURTHER THAT Glenn O'Rourke be paid \$75.00 for Livestock Valuer fees and \$24.50 for mileage.

Resolution Number: 24

Carried

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J. OTHER BUSINESS

1. Report of Livestock Valuer
Re: Livestock Claims
- Peter Murray

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT the Council of the Corporation of the Township of Wellington North authorize payment of \$405.00 to Peter Murray for a livestock claims dated May 31, 2011.

AND FURTHER THAT Gord Flewwelling be paid \$75.00 for Livestock Valuer fees and \$16.50 for mileage.

Resolution Number: 25

Carried

K. ITEMS FOR COUNCIL'S INFORMATION

Cheque Distribution Report – dated June 2, 2011

Grand River Conservation Authority

- Minutes, General Membership, April 29, 2011

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Committee

- Information Concerning Drinking Water Source Protection – Source Protection Plans

Ontario Federation of Anglers and Hunters

- Ontario Family Fishing Weekend, Saturday, July 2 to Sunday, July 10, 2011

Ontario Good Roads Association

- Minimum Maintenance Standards Litigation – Status Report

Arthur and District Horticultural Society

- Thank You for Donation from Green Legacy Tree Program

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L. **CULTURAL MOMENT**

Mitch Keirstead

Mitch was born February 6th, 1948 in Whitby, Ontario. He is the seventh in a family of eight that has been called “the first family of Canadian art”. Mitch, a full-time artist for thirty years, is probably best described as a “life painter”. Although his work is usually based on the landscape, with a dramatic interplay of light and shadow, its focus is often the vitality of people at work or at play. His style employs painting knives and oils applied in a remarkably delicate impasto technique.

For the last eight years, he and his wife Grace have operated “*eclectic...the gift store*” with 3500 square feet of display area next to Sussman’s in Arthur. *eclectic...the gift store* features Mitch’s original paintings, the pottery & jewellery of a wide range of Canadian artisans and a very large selection of giftware.

With over sixty one-man shows to his credit, Mitch is represented in many corporate collections, including Redpath Industries Limited, The Dominion Group, The Royal Bank of Canada and Canadian Tire Corporation, and is listed in “Canada’s Who’s Who”.

The painting “MASSASSAUGA SHORELINE” is 18” x 24” and depicts an island within the huge Massassauga Provincial Park near Parry Sound. The painting is valued at \$2800.00.

M. **ANNOUNCEMENTS**

Councillor Lennox reminded everyone of the Maple Lane Farm Service Open House on Thursday, June 9, 2011.

Councillor Goetz informed everyone that the Arthur and Mount Forest Chamber of Commerce Community Guide has been mailed out and contains lots of useful information regarding local merchants and business people.

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N. CLOSED MEETING SESSION

1. “Legal Matter” pertaining to:
- the receiving of advice that is subject to solicitor, client privilege, including communications for that purpose

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT Council go into a meeting at 8:49 p.m. that is closed to the public under subsections 239 (2) (f) of the Municipal Act, 2001

- *to receive advice that is subject to solicitor, client privilege, including communications for that purpose.*

Resolution Number: 26

Carried

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT Council rise from a closed meeting session at 9:52 p.m.

Resolution Number: 27

Carried

O. CONFIRMING BY-LAW

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT By-law Number 46-11 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on June 6, 2011 be read a First, Second and Third time and finally passed.

Resolution Number: 28

Carried

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P. **ADJOURNMENT**

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Regular Council meeting of June 6, 2011 be adjourned at 9:54 p.m.

Resolution Number: 29

Carried

C.A.O./CLERK

MAYOR