



Municipality of West Perth

Council Meeting

Minutes

Monday, July 9, 2018, 7:00 p.m.

Council Chamber

West Perth Municipal Office

Member Present: Mayor Walter McKenzie
Deputy Mayor Doug Eidt
Councillor Cheri Bell
Councillor Bob Burtenshaw
Councillor Steve Herold
Councillor Cheryl Matheson
Councillor Annamarie Murray
Councillor Mike Tam
Councillor Dean Trentowsky
Councillor Nicholas Vink
Councillor Larry Wight

Staff Present: Clerk Carla Preston
Treasurer Karen McLagan
CBO Bob McLean

1. Call to Order

Mayor McKenzie called the meeting to order at 7:00 p.m.

2. Confirmation of the Agenda

Amendment to the Agenda:

4.6 West Perth Networking Breakfast - June 23, 2018

It was noted that the correct date is July 23, 2018

Addition to the Agenda:

11. Notice of Motion

Moved by Councillor Trentowsky

That roadside spraying be discontinued until the current policy is reviewed and amended to address the aforementioned points identified in the e-mail dated July 8, 2018.

12. Other Business

12.1 Roadside Straying

Supporting correspondence was provided to Council.

RESOLUTION: **220/18**

Moved By: Councillor Trentowsky

Seconded By: Councillor Murray

That the Council of the Municipality of West Perth accepts the agenda as amended.

CARRIED

3. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

4. Consent Agenda

RESOLUTION: **221/18**

Moved By: Councillor Tam

Seconded By: Councillor Matheson

That the Council of the Municipality of West Perth accept Consent Items 4.1-4.7 for information with Item 4.1 being dealt with separately; and further that the minutes of the June 18, 2018 Regular Council Meeting, Public Meeting, Court of Revision including the minutes from the June 19, 2018 Special Council Meeting be adopted.

CARRIED

RESOLUTION: **222/18**

Moved By: Councillor Burtenshaw

Seconded By: Councillor Murray

That West Perth Council supports the resolution passed by the AMO board that the proposed NAFTA resolution to be shared with members, the Federal Government, the Provincial Government, and Federation of Canadian Municipalities (FCM); and

WHEREAS, the North American Free Trade Agreement (NAFTA) governs nearly every aspect of Canada and the United States economic relationship including manufacturing, agriculture, resources industries, and services;

WHEREAS, about 80% of all of Ontario's exports go to the United States and Ontario is the top trading partner of half of all American States;

WHEREAS, even minor changes to the established trade relationship between Canada and the United States could have significant consequences for workers, consumers, and governments on both sides of the border;

WHEREAS, Canada's and Ontario's economic future and the continued wellbeing of communities and their local economies depend on free and fair trading relationships based in current future trade agreements;

Therefore, be it:

resolved that Ontario municipal governments, represented by the Association of Municipalities of Ontario (AMO), stand together with the Federal and Ontario governments in their efforts to protect Canadian jobs and local economies;

RESOLVED that AMO will work with the Province of Ontario to support the interests of municipalities and communities affected by trade disputes and during ongoing trade agreement negotiations;

RESOLVED that AMO will work with the Federation of Canadian Municipalities to ensure that Canada understands the municipal impacts affected by trade disputes and during ongoing trade agreement negotiations; and be it further

RESOLVED that the Municipality of West Perth supports AMO's resolution.

CARRIED

4.1 AMO Board of Director's NAFTA Policy Update

4.2 AMO Policy Update - New Ontario Government Takes Office

4.3 National Airlines Council of Canada - Passenger Rights

4.4 Township of Georgian Bay - Resolution - Landfill Developments

4.5 Perth County Accessibility Advisory Committee Minutes - April 24, 2018

4.6 West Perth Networking Breakfast - June 23, 2018

4.7 AP Report (June 15 to July 5, 2018)

4.8 Minutes of the June 18, 2018 Council Meeting

Mayor McKenzie informed Council that the Ministry of Transportation has confirmed that they will not provide funding for the SAMI provision included in the Huron Rd tender as resolved at the June 18, 2018 Regular Council Meeting.

4.9 Minutes of the June 18, 2018 Public Meeting

4.10 Minutes of the June 18, 2018 - Court of Revision - McMillan Municipal Drain Extension

4.11 Minutes of the June 19, 2018 Special Council Meeting

5. Public meeting/Delegation

5.1 Public Meeting

RESOLUTION: **223/18**

Moved By: Councillor Vink

Seconded By: Councillor Wight

That the Council of the Municipality of West Perth Council adjourn at 7:07 p.m. for the purpose of a Public Meeting pursuant to Section 21 and 51 of the Planning Act.

CARRIED

West Perth Council reconvened at 8:36 p.m.

5.2 Delegation - Matt Jackson (Manager, Stakeholder Relations) and Taylor Jones (Construction and Growth Manager, London/Sarnia), Union Gas Limited

The delegation will be presented at the July 23, 2018 Regular Council Meeting.

5.3 Delegation - Roxy Rae (Marketing and Outreach Manager - Stratford Perth Community Foundation) and Mimi Price (CEO - YMCA of Stratford-Perth)

Roxy Rae, Marketing and Outreach Manager for the Stratford Perth Community Foundation provided a presentation an update on the West Perth Smart & Caring Community Fund, current funding opportunity and upcoming community events.

Mimi Price, CEO of the YMCA for Stratford-Perth explained the operation of the West Perth Youth Centre and thanked both West Perth Council for their continuous annual support and the direct funding from the West Perth Community Foundation that provides funding to meet the needs of the community, especially the youth.

6. Reports

6.1 Mark Swallow - Planner, County of Perth

6.1.1 Plan of Subdivision - WP 18-01 - West Perth Mitchell Developments

Council provided direction to Planner Mark Swallow that West Perth recommend to County Council that the applicant provide an adequate construction management plan.

RESOLUTION: 224/18

Moved By: Councillor Burtenshaw

Seconded By: Councillor Wight

That West Perth Council recommend to County Council that they approve the application for Draft Plan of Subdivision by West Mitchell Developments Inc. affecting property described as Park Lots 63, 64 and 66, Registered Plan No.341, Mitchell Ward, Municipality of West Perth (No. WP 18-01) as circulated by the County on June 9, 2018 provided that the following conditions are satisfied:

1. That the applicant enter into a subdivision agreement with the Municipality, and that the terms of the agreement be satisfactory to the Municipality. The required Subdivision Agreement shall be registered against the land to which it applies once the Plan of Subdivision has been registered and shall address matters such as noise mitigation measures from the Goderich Exeter Railway;
2. That an amendment to the Zoning By-law be obtained to place the land in the most appropriate zone classification. Such Amendment should also introduce appropriate buffering setback distances from the rail line;
3. That the applicant satisfy the financial requirements of the Municipality;
4. That the development meet the Municipality's development standards;
5. That all aspects of the water supply, sewage disposal, electrical services, storm water management be acceptable to the Municipality and the appropriate government agencies;
6. That a parkland dedication arrangement be made in accordance with the Planning Act, to the satisfaction of the Municipality;
7. Confirmation through the County's circulation of the Draft Plan that both the Avon-Maitland District School Board and Huron-Perth Separate School Board are satisfied with the Draft Plan;
8. That the proposed single-detached dwellings and semi-detached dwellings be priced in a manner which is considered affordable according to the PPS (2014) definition;

9. That a solid barrier fence be constructed along the northern borders of Lots 7-11 to mitigate noise from neighbouring commercial uses; and
10. That additional information regarding the price of the dwelling units / type be provided by the applicant to the County Planning Department.
11. That prior to final approval, the owner/developer prepare a detailed Construction Management Plan and agree to implement the Plan's recommendations. This Plan shall address approaches to mitigate impacts on the adjacent existing neighbourhood, including a dust control programme, controls on contraction traffic and the period of day on which construction will occur.

CARRIED

6.1.2 Plan of Subdivision - WP 18-02- Blaze Properties Inc.

Council provided direction to Planner Mark Swallow that West Perth recommend to County Council that the applicant provide an adequate construction management plan.

RESOLUTION: 225/18

Moved By: Councillor Trentowsky

Seconded By: Councillor Matheson

That West Perth Council recommend to County Council that they approve the application for Draft Plan of Subdivision by Blaze Properties Inc. affecting property described as Park Lot 72,73 and Part of Park Lot 78, Registered Plan No.341, Mitchell Ward, Municipality of West Perth (No. WP 18-02) as circulated by the County on June 9, 2018 provided that the following conditions are satisfied:

1. That the applicant enter into a subdivision agreement with the Municipality, and that the terms of the agreement be satisfactory to the Municipality. The required Subdivision Agreement shall be registered against the land to which it applies once the Plan of Subdivision has been registered and shall address matters such as noise mitigation measures from the Goderich Exeter Railway and the County Public Works yard;
2. That an amendment to the Zoning By-law be obtained to place the land in the most appropriate zone classification. Such Amendment should also introduce appropriate buffering setback distances from the rail line;
3. That the applicant satisfy the financial requirements of the Municipality;
4. That the development meet the Municipality's development standards;
5. That all aspects of the water supply, sewage disposal, electrical services, storm water management be acceptable to the Municipality and the appropriate government agencies;
6. That a parkland dedication arrangement be made in accordance with the Planning Act, to the satisfaction of the Municipality;
7. Confirmation through the County's circulation of the Draft Plan that both the Avon-Maitland District School Board and Huron-Perth Separate School Board are satisfied with the Draft Plan; and
8. That the depths of Lots 20-23 be reduced from 40.63 metres to 37.6 metres to achieve more compact form.
9. That prior to final approval, the owner/developer prepare a detailed Construction Management Plan and agree to implement the Plan's recommendations. This Plan shall address

approaches to mitigate impacts on the adjacent existing neighbourhood, including a dust control programme, controls on contraction traffic and the period of day on which construction will occur.

CARRIED

6.1.3 County Official Plan Amendment No. 174 - Hulley

RESOLUTION: 226/18

Moved By: Councillor Herold

Seconded By: Councillor Burtenshaw

That the Municipality of West Perth Council recommend to Perth County Council that the Official Plan Amendment application by Laurie Hulley affecting property described as Lot 26, Registered Plan No. 439, Fullarton Ward be approved.

CARRIED

6.1.4 Consent Application File - No. B32-2018 - 883999 Ontario Inc.

RESOLUTION: 227/18

Moved By: Councillor Murray

Seconded By: Councillor Matheson

That Council of the Municipality of West Perth receive the report entitled Application for Consent to Sever (No. B32/18) by 883999 Ontario Inc. affecting land described as Part of Lot 15, Concession 9, Fullarton Ward, Municipality of West Perth (5579 Perth Line 20) dated July 5, 2018 prepared by the County Planner, for information;

and that Council recommends that the County of Perth Land Division Committee APPROVE the Application for Consent to Sever by 883999 Ontario Inc. (No. B32/18), Fullarton Ward, Municipality of West Perth (5579 Perth Line 20), subject to the following conditions:

1. That confirmation be received from the Municipality of West Perth that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the municipality and that the owner be responsible for all associated costs;
2. That confirmation be received from the Municipality of West Perth that all taxes have been paid;
3. That confirmation be received from the Municipality of West Perth that all financial requirements have been met (if any);
4. That confirmation be received from the Municipality of West South that an amendment to the Municipality's Zoning By-law has been approved; and
5. That confirmation be received from the County of Perth that the property owner has entered into an agreement with the County of Perth to prohibit any new permanent residential dwellings on the remnant farm property;

CARRIED

6.2 Operations Manager

6.2.1 WWTP Access Road & Watermain Relocation Tender Results

RESOLUTION: **228/18**

Moved By: Councillor Bell

Seconded By: Councillor Trentowsky

That the Council of West Perth award contract “ #160316.1 WWTP Access Road and Watermain Relocation” to Kurtis Smith Excavating Inc. in the amount of \$166,800.00 excluding HST.

CARRIED

6.3 Chief Building Official

6.3.1 Building and Zoning Report - June 2018

Chief Building Official Bob McLean informed Council that the residential starts indicated on the June 2018 Building and Zoning Report should indicate 10 not 12.

6.3.2 Site Plan Development Review - 2455058 Ontario Inc.

RESOLUTION: **229/18**

Moved By: Councillor Matheson

Seconded By: Councillor Herold

That the Council of the Municipality of West Perth direct staff to prepare the Site Plan Agreement and adopting By-law with 2455058 Ontario Inc. for a Vacant Land Condominium development on Plan 339 Pt Park Lot 46 RP 44R4301 Part 1 and Plan 44M 36 Block 9.

CARRIED

6.3.3 Site Plan Development Report - Nexcem Inc.

RESOLUTION: **230/18**

Moved By: Councillor Wight

Seconded By: Councillor Burtenshaw

That the Council of the Municipality of West Perth direct staff to prepare the Site Plan Agreement and adopting By-law for expansion of an industrial use with Nexcem Inc. for the property at 57 Arthur St South, Plan 341 Pt. Park Lot 87.

CARRIED

6.4 Clerk

6.4.1 Request for Apportionment of Drainage Assessment Due to Severance - Timmermans

RESOLUTION: **231/18**

Moved By: Councillor Trentowsky

Seconded By: Councillor Wight

That the Municipality of West Perth Council approves the following Agreement of Drainage Re-Apportionment for revisions to drainage assessment schedules:

1. Agreement with 2334274 Ontario Ltd. And 2334272 Ontario Ltd. regarding re-apportionment of Baker Municipal Drain 1969 and Apel Municipal Drain 1969 for lands described as Lot 15, Concession 7, Fullarton Ward, Municipality of West Perth. Fullarton Ward, Municipality of West Perth.

CARRIED

6.4.2 Tender Results for McMillan Drain Extension 2018

RESOLUTION: **232/18**

Moved By: Councillor Herold

Seconded By: Councillor Murray

That the Council of the Municipality of West Perth award the construction of the McMillan Municipal Drain Extension 2018 to the lowest tender bid submission received from Parker & Parker Ltd in the amount of \$87,896.50 plus HST.

CARRIED

6.5 Treasurer

6.5.1 Funding Programs

RESOLUTION: **233/18**

Moved By: Councillor Wight

Seconded By: Councillor Tam

That the Council of the Municipality of West Perth is committed to the Fire Hall Energy Efficiency Project, and plans to develop a community-wide GHG emissions, inventory, reduction targets, and plan.

CARRIED

RESOLUTION: **234/18**

Moved By: Councillor Bell

Seconded By: Councillor Vink

That the Council of the Municipality of West Perth is committed to the Dublin Hall Enabling Accessibility Fund Program to make it more accessible, and will fund the portion of the project from reserves.

CARRIED

7. Correspondence

7.1 Mitchell Hawks Cornfest Tournament - Request to hold a Slo-Pitch Tournament as a Significant Community Event with a Special Occasion Permit

RESOLUTION: **235/18**

Moved By: Councillor Herold

Seconded By: Councillor Burtenshaw

That the Council of the Municipality of West Perth approves a request from the Mitchell Hawks Jr. C Hockey Organization and co host Mitchell Grizzlies to host a Slo-Pitch Baseball Tournament Fundraiser as a Significant Community Event August 17, 18, 19 2018 with a Special Occasion Permit at Keterson Park in Mitchell subject to the following:

That the Municipality of West Perth Alcohol Policy be adhered to and a certificate of proof of a minimum of at least \$5,000,000 liability insurance listing the Municipality of West Perth as a co-insured be provided to the Municipality; and

Further that an Operational Plan be received by the Municipality and approved prior to the event; and

Further that the Mitchell Hawks Jr.C Hockey Organization covenants to save harmless and keep indemnified The Corporation of the Municipality of West Perth, its officers, employees, servants, agents, successors and assigns against any and all liability for losses, damages, claims, action demands, suits, and costs arising directly or indirectly by virtue of the Municipality of West Perth allowing the Mitchell Hawks Jr.C Hockey Organization use of the Property/Facility for the event. The Municipality of West Perth shall not be responsible for any accidents, injury, or loss of property to the Mitchell Hawks Jr.C Hockey Organization or any other persons.

CARRIED

7.2 Optimist Club of Mitchell - Request to Waive Lions Park Rental Fee

RESOLUTION: **236/18**

Moved By: Councillor Wight

Seconded By: Councillor Murray

That the Council of the Municipality of West Perth provide the Lions Park Pavilion free of charge to the Optimist Club of Mitchell for the pot luck supper on August 7, 2018.

CARRIED

8. Council Reports

8.1 Seaforth Area Fire Board Meeting Minutes from May 23, 2018

8.2 Upper Thames River Conservation Authority Board of Directors Meeting Minutes of May 22, 2018

8.3 Police Services Board Draft Meeting Minutes of May 23, 2018

8.4 Maitland Valley Conservation Authority Board of Directors Meeting March 21, 2018

8.5 Mitchell BIA Meeting Minutes of April 18 & May 9, 2018

8.6 Acceptance of Staff and Council Reports

RESOLUTION: **237/18**

Moved By: Councillor Bell

Seconded By: Councillor Matheson

That the Council of the Municipality of West Perth accepts the reports from staff and Councillors as presented; and further that all committee minutes and correspondence not specifically dealt with by resolution be received and filed.

CARRIED

9. By-laws

RESOLUTION: **238/18**

Moved By: Councillor Vink

Seconded By: Councillor Herold

That By-law 53-2018 - Tile Drain Loan - Bradshaw, Being a by-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act; and

That By-law 54-2018 - Procurement By Law, being a by-law to establish policies and procedures for the procurement of goods and services, payments of accounts and the disposal of surplus goods for the Municipality of West Perth and to repeal By-law 41-2014,

be read for a first, second and third time and finally passed this 9th day of July, 2018.

CARRIED

10. Announcements

10.1 Upcoming Events

10.1.1 July 30, 2018 Regular Council Meeting

10.1.2 August 20, 2018 Regular Council Meeting

11. Notice of Motion

Moved By: Councillor Trentowsky

That roadside spraying be discontinued, until the current policy is reviewed and amended to address the aforementioned points identified in the e-mail dated July 8, 2018.

12. Other Business

12.1 Roadside Spraying

Councillor Trentowsky shared photos that were submitted to him regarding noxious weeds. A Notice of Motion was given regarding the subject to be discussed at the next Council meeting.

13. Closed to the Public Session

RESOLUTION: **239/18**

Moved By: Councillor Tam

Seconded By: Councillor Herold

That the Council of the Municipality of West Perth proceeds in Closed Session at 10:14 p.m. for the purpose addressing matters pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

West Perth Council reconvened at 10:22 p.m.

RESOLUTION: **240/18**

Moved By: Councillor Wight

Seconded By: Councillor Bell

That the Municipality of West Perth authorize the Mayor and Clerk to sign an offer of purchase from Erie Thames Powerlines Corporation for lands being Part of Lot 19, Concession 1, Parts 1 and 2, 44R-5245, Logan Ward, 152 Clarke Street, West Perth, at a price of \$72,250.00.

CARRIED

RESOLUTION: **241/18**

Moved By: Councillor Murray

Seconded By: Councillor Herold

That By-Law 55-2018, being a By-law to authorize the execution of an Agreement of Purchase and Sale between the Municipality of West Perth and respecting the sale of property owned by Erie Thames Powerlines Corporation in the Municipality of West Perth in the County of Perth be read for a first, second and third and finally passed this 9th day of July, 2018.

CARRIED

14. Confirmatory By-law

RESOLUTION: **242/18**

Moved By: Deputy Mayor Eidt

Seconded By: Councillor Herold

That By-law 56-2018 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of West Perth be read a first, second and third time, and finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

15. Adjournment

RESOLUTION: **243/18**

Moved By: Councillor Wight

Seconded By: Councillor Trentowsky

That the Council of the Municipality of West Perth adjourn the Council meeting at 10:24 p.m.

CARRIED

Mayor Walter McKenzie

Clerk Carla Preston