Council Minutes
Tuesday, November 15, 2016
2:30 p.m. Council Chambers

Council Present:
Mayor George A. Bridge
Deputy Mayor Ron Faulkner
Councillor Mary-Lou Colwell
Councillor Dave Turton
Councillor Judy Dirksen
Councillor Jean Anderson
Councillor Ron Elliott

Staff Present:
Bill White, C.A.O. Clerk
Annilene McRobb, Deputy Clerk, Recording Secretary
Terry Kuipers, Chief Building Official
Stacey Pennington Building Inspector
Belinda Wick-Graham, Business & Economic Manager
Gordon Duff, Treasurer
Brian Hansen, Public Works Director
Mike McIsaac Roads & Drainage Supervisor

1. **Call to Order** – 5:03 p.m.

2. **Disclosure of Pecuniary Interests Under the Municipal Conflict of Interest Act** - None

3. **Motion to Convene into Closed Session**

RESOLUTION: 2016-220
Moved By: Councillor Turton; Seconded By: Councillor Dirksen
THAT The Council of the Town of Minto conduct a meeting Closed to the Public to discuss the following:
Previous Minutes of the November 1, 2016 Closed Session Meeting
- A proposed or pending acquisition or disposition of land, James Street, Palmerston
- A proposed or pending acquisition or disposition of land, Lions Park, Palmerston
- Solicitor Client Privilege, George Street Rezoning

Carried

4. **Motion to Convene into Open Session**

RESOLUTION: 2016-221
Moved By: Councillor Anderson Seconded By: Deputy Mayor Faulkner
THAT The Council of the Town of Minto resume into open Council.

Carried

5. Minutes of Previous Meeting

a. Regular Council Minutes of November 1, 2016

RESOLUTION: 2016-222
Moved By: Councillor Elliott; Seconded By: Deputy Mayor Faulkner
THAT the minutes of the November 1, 2016 Council Meeting be approved.

Carried

6. Additional Items Disclosed as Other Business

Mayor Bridge, Deputy Mayor Faulkner, Councillors Elliott, Turton and Dirksen have items.

7. Resolution Moving Council into Committee Adjustment to Consider Public Meetings, Delegations, Public Question Period, Correspondence, Reports, Motions for Which Notice Has Been Previously Given and Other Business

RESOLUTION: 2016-223
Moved By: Councillor Colwell; Seconded By: Councillor Elliott
THAT The Town of Minto Council convenes into Committee of Adjustment.

Carried

8. Public Meeting Committee of Adjustment - 5:00 p.m.

a. Minor Variance Application File No. A6-16, Blake Murphy, 460 Walker Street, Palmerston (See Schedule A minutes attached)

9. Public Meeting

RESOLUTION: 2016-224
Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Anderson
THAT The Town of Minto Committee of Adjustment convenes into Committee of the Whole.

Carried

b. 2016-31 Section L 7 to hear an appeal of a Dangerous Dog Designation (See Schedule B minutes attached)

10. Delegations

a. Earl and Carolyn Savage, Denali Poodles, Kennel By-law Exception

Mr. Savage and his family are negotiating an offer to buy 9308 Blind Line to host their poodle breeding operation. CBO Kuipers explained by-law rules noting an exemption to the 10 acre lot size is needed, but the location meets required separation distances. Council asked questions of Mr. Savage and his daughter Samantha who noted their operation never exceeds 22 dogs and they also keep horses. Once there is an accepted offer, the C.A.O. Clerk suggested exemption wording could be proposed for this operator on this property if it is acceptable to Council. Mayor Bridge thanked them for the delegation.

MOTION: COW 2016-259
Moved By: Councillor Elliott Seconded By: Councillor Colwell

THAT Council requests staff bring back wording of an exemption to the kennel by-law for Earl and Carolyn Savage's breeding operation to be located at 9308 Blind Line only once they have a purchase and sale agreement on the property.

Carried

11. Public Question Period - None

12. Correspondence Received for Information or Requiring Direction of Council

a. Ombudsman Ontario, The Watchdog October Newsletter
b. Municipal Policing Bureau, Letter on OPP Arbitration Awards
c. Mapleton Seniors Centre for Excellence, November Newsletter and Calendar
d. Guelph Wellington Crime Stoppers, Donation Request
e. County of Wellington, Draft Plan of Subdivision 23T-100003 Extension Miles & Diny Pul
f. Upper Grand District Secondary School, Notice of Decision, Closure of Centre Peel Secondary School

MOTION: COW 2016-260
Moved By: Councillor Turton; Seconded By: Councillor Elliott
THAT Council receives the correspondence for information.

Carried

13. Reports of Committees and Town Staff, Matters Tabled and Motions for Which Notice Has Been Previously Given

a. Committee Minutes for Receipt

1. Jamesway Board Meeting Minutes of August 11, 2016

MOTION: COW 2016-261
Moved By: Councillor Anderson; Seconded By: Councillor Dirksen
THAT the Jamesway Board Meeting Minutes of August 11, 2016 be received for information.

Carried

b. Committee Minutes for Approval None.

c. Staff Reports

1. Chief Building Official, October Building Permit Review

MOTION: COW 2016-262
Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Anderson
THAT Council receives the Chief Building Officials October Building Permit Review for information.

Carried

2. C.A.O. Clerk, Standard Community Improvement Plan Agreement

MOTION: COW 2016-263
Moved By: Councillor Anderson; Seconded By: Councillor Turton

THAT Council receives the C.A.O. Clerk's November 8, 2016 report regarding Standard Community Improvement Plan Agreement and approves the use of the agreement as described in the report for grants and other incentives over $5,000 in value.

Carried

Councillor Colwell assumed the Chair

3. Treasurer and Tax Collector, Minutes of Settlement and Assessment Adjustments
Treasurer Duff noted the large adjustment was due to land assessed as subdivision in error.

MOTION: COW 2016-264
Moved By: Councillor Anderson; Seconded By: Councillor Dirksen
THAT Council receives the November 2016 report from the Treasurer and Tax Collector regarding assessment adjustments and that the adjustments be approved.

Carried

4. Treasurer, Clifford Library Lease – Wellington County
Treasurer Duff noted the rent increase is a budgeted item unless the Clinic agrees to an increase to the amount paid to the Town.

MOTION: COW 2016-265
Moved By: Councillor Turton; Seconded By: Deputy Mayor Faulkner
THAT Council receives the November 4, 2016 Treasurer's report regarding the Clifford Library Lease from Wellington County and that a by-law authorizing the signing of the lease be considered in open session.

Carried

5. Treasurer, Approval of Accounts October and November 2016
The Treasurer summarized some of the payments included in the statement of accounts.

MOTION: COW 2016-266
Moved By: Councillor Elliott; Seconded By: Mayor Bridge
THAT Council receives the Treasurer's report regarding Approval of Accounts, and approves accounts by Department for November 15, 2016 as follows: Administration $ 106,259.27, Building $ 4,233.77, Economic Development $ 7,152.94, Incubator $ 1,887.05, Tourism $ 831.68, Fire $ 3,312.16, Roads $ 284,594.87, Streetlights $ 9,481.62, Wastewater $ 33,607.87, Water $ 10,701.99, Recreation $ 1,731.28, Clifford $ 7,138.86, Harriston $ 5,920.93, Palmerston $ 13,544.58, Norgan $ 3,353.45.

Carried

Councillor Turton assumed the Chair

6. Public Works Director, Winter Maintenance Contract, County Roads 2 & 3
Public Works Director Hansen noted the County increased the contract $500 per Km.

MOTION: COW 2016-267
Moved By: Councillor Anderson; Seconded By: Deputy Mayor Faulkner

THAT Council receives this report from the Public Works Director regarding the Winter Maintenance Contract for County Roads 2 & 3 and that Council accepts the compensation of $7,500/km for the 2016/2017 winter season from the County of Wellington.

Carried

d. Other Business Disclosed as Additional Item

Councillor Dirksen noted Remembrance Day Services in Harriston were well done.

Councillor Elliott announced that Business and Economic Manger Belinda Wick-Graham will speak at the OSUM Conference in Blue Mountains.

Councillor Colwell reminded everyone of Chamber Christmas Social December 10 at Harry Stones 6 pm with donation to the food bank.

Deputy Mayor Faulkner announced the arrival of his granddaughter Alita Marie.

Councillor Turton announced the arrival of his new twin granddaughters Lyla and Sadie.

Mayor Bridge noted the new Palmerston cenotaph was appreciated. Clifford services went well. Light up the Town is tonight 7 pm. Transportation is booked for the Christmas Parades.

14. Motion to Convene into Court of Revision - 6:30 p.m.

RESOLUTION: 2016-225
Moved By: Councillor Dirksen; Seconded By: Councillor Elliott
THAT Court of Revision be convened.

Carried

a. Municipal Drain 116 Part Lots 36 Concession 18, Town of Minto, Part Lots 6, Concession 4, Municipality of West Grey Section 10(2) of the Drainage Act (See Schedule C minutes attached)

15. Motion to Return To Regular Council

RESOLUTION: 2016-226
Moved By: Councillor Elliott; Seconded By: Councillor Anderson
THAT The Town of Minto Committee of the Whole convenes into Council.

Carried

16. Notices of Motion - None

17. Resolution Adopting Proceedings of Committee of the Whole

RESOLUTION: 2016-227
Moved By: Councillor Turton; Seconded By: Councillor Colwell
THAT The Council of the Town of Minto ratifies the motions made in the Committee of the Whole.

Carried

18. By-laws

a. 2016-74, Municipal Drain 116, Third Reading

RESOLUTION: 2016-228
Moved By: Councillor Dirksen; Seconded By: Deputy Mayor Faulkner
THAT By-law 2016-74; to provide for drainage works in the Town of Minto known as Municipal Drain 116; be read a third time and passed in open Council and sealed with the seal of the Corporation.

Carried

b. 2016-91, Lease Agreement with the County of Wellington for a portion of 7 Brown Street, Clifford

RESOLUTION: 2016-229
Moved By: Councillor Anderson; Seconded By: Councillor Colwell
THAT By-law 2016-91; to authorize the Execution of a Lease Agreement between the County of Wellington and the Town of Minto for a portion of 7 Brown Street, Clifford; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

c. 2016-92, Confirm the Proceeding of the November 15, 2016 Committee/Council meeting

RESOLUTION: 2016-230
Moved By: Councillor Elliott; Seconded By: Councillor Turton
THAT By-law 2016-92; Confirm the Proceedings of the November 15, 2016 Committee/Council meeting; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

19. Adjournment

RESOLUTION: 2016-231
Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Dirksen
THAT The Council of the Town of Minto adjourn to meet again at the call of the Mayor.

Carried

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Mayor George A. Bridge C.A.O. Clerk Bill White

Schedule "A"
Minutes of the Committee of Adjustment Hearing
Tuesday November 15, 2016 5:00 pm Council Chambers
Minor Variance File A6-16, Blake Murphy, 460 Walker Street, Palmerston

Chair Bridge called the Hearing to order at 5:10 p.m. stating any decision reached by this Committee today cannot be used to set a precedent. Each application considered by the Committee is dealt with on its own merits and no two applications are exactly the same.

Chair Bridge called on Secretary–Treasurer White who stated the subject property is legally described as Part Lot 84, Lot 89 Thompsons Survey, RP 61R20435 Palmerston. The proposed variance is to allow a single family dwelling with an exterior side yard setback of 3.048m (10') where Section 12.2.1.5 of the Zoning By-law requires a minimum exterior side yard setback of 6m (19.7'). Other variances may be considered as required.

Notice was given to property owners within 60 metres of the lands, posted on the subject property and circulated to staff and applicable agencies on November 4. Comments were received from the Town of Minto staff with no concerns and Wellington County Junior Planner Elizabeth Martelluzzi with concerns about whether the variance is necessary for the appropriate development.

Chair Bridge called upon the applicant or agent or any persons wishing to speak to the application, no one came forward.

The Secretary -Treasurer provided a draft decision in favour and one to deny the variance. Committee asked that the resolution in favour be read:

COA MOTION 2016-06
Moved By: Deputy Mayor Faulkner ; Seconded By: Councillor Dirksen
THAT Committee of Adjustment approves the application by Blake Murphy for property Part Lot 84 and Lot 89 Thompsons Survey, RP 61R20435, Former Town of Palmerston, Town of Minto with a civic address of 460 Walker Street; to permit construction of a single family dwelling with an exterior side yard setback of 3.048m (10') where Section 12.2.1.5 of the Town of Minto Zoning By-law 01-86, as amended, requires a minimum exterior side yard setback of 6m (19.7').

Carried

The decision was circulated to be signed by members in favour. As required by legislation the decision notes comments considered by Committee when approving the application.

Chair Bridge stated that anyone wishing to receive a copy of the Notice of Decision" to please sign the Request for Notice of Decision prior to leaving the Council Chambers following the meeting and adjourned the Public Hearing at 5:23 p.m.

Mayor George A. Bridge

Secretary Treasurer Bill White

Schedule "B" Dangerous Dog Hearing
Tuesday November 15, 2016 5:00 pm Council Chambers

1. Chair, Mayor George Bridge: Chair Bridge called the hearing to order at 5:25 p.m.

2. Purpose of Meeting and Decision of the Appeal Committee CBO Terry Kuipers
CBO Kuipers presented information on the provisions of By-law 2016-31 Section L 4 which requires a dangerous dog be kept inside or in a suitable pen, muzzled when off the property, micro chipped, insurance and notification if relocating. He noted Council may affirm, amend or rescind the Dog Control Officer's designation of the dog as Dangerous, and can substitute requirements for the dangerous dog.

3. Information relating to the Incident that is the subject of this Hearing Cam Forbes, By-law Enforcement Officer
By-law Officer Forbes provided Council the timelines and information on the attack, the results of the veterinarian's report leading to the dangerous dog designation.

4. Opportunity to Question - Statement & Evidence of By-law Enforcement Officer
(a) Applicant/Appellant
The C.A.O. Clerk noted the dog owner was not in attendance. The hearing had been delayed one meeting to accommodate the owner's schedule and she advised she could not attend after notice was given. Chair Bridge noted the dog owner's letter was on the agenda.
(b) Members of Council asked questions of clarification to By-law Officer Forbes.

5. Statement by Witness - Owner(s) of victim dogs
The Cheeseman's were in attendance and noted the attack by the German Shephard was unprovoked when they were walking Maggie their pet Shiatzu. Mr. Cheesman tried to pick up Maggie to protect it, but it got away was attacked. They stated the owner of the German Shephard did not try to call her dog off or check on their dog. They characterized Maggie's injuries and their discussion with the vet.

6. Opportunity to Question - Witness (Owner(s) of the victim Dogs)
Council asked questions of the Cheeseman's confirming the Shephard did not attack them.

7. Statement & Evidence of Applicant/Appellant
The Appellant was not in attendance as previously noted.

8. Statement & Evidence of Witness in support of Applicant's/Appellant's Case
There were no witnesses brought forward in addition to the Cheeseman's.

9. Opportunity to Question - Applicant/Appellant/Witnesses
There were no further questions.

10. Presentation of Summary Arguments
CBO Kuipers noted that due to the appeal the designation is held off until council makes a decision on the hearing.

11. Decision of Council

MOTION: COW 2016-258
Moved By: Councillor Turton; Seconded By: Councillor Elliott
THAT Council affirms the Dangerous Dog designation for Appellant Carole Fell.

Carried

12. Adjournment of Hearing at 5:51 p.m.

Schedule "C" Court of Revision Proceedings
Tuesday November 15, 2016 6:30 pm, Council Chambers
Municipal Drain 116

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1. Call to Order at 6:30 p.m.
Chair George Bridge called the proceedings to order at 6:30 p.m.

2. Roll Call
Chair George Bridge, Councillor David Turton and West Grey Deputy Mayor John Bell were present representing the Court of Revision. Staff present were CAO Clerk Bill White, Roads and Drainage Supervisor Mike McIsaac for the Town, and Harold McKnight Drainage Superintendent West Grey.

3. Disclosure of Pecuniary Interest under the Municipal Conflict of Interest Act – None

4. Introduction and Purpose of the Meeting

The CAO Clerk noted the Court of Revision hears appeals on the portion of the cost of a proposed drainage work to be collected, as taxes, from the landowner. The Clerk received no written notices of appeals before the first sitting of the Court on Drain 116 as required by statute, and no late appeals were filed. The Court could hear any person who may attend the meeting at the call of the members.

5. Delegations

Chair Bridge asked if there were persons present regarding Drain 116 who wished to address the Court of Revision. No persons were present on this matter.

Moved by: Dave Turton; Seconded by: John Bell
That Court of Revision accepts the assessment as presented.

Carried

6. Adjournment - 6:34 p.m.