



Council Minutes
Tuesday, May 3, 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 departed at 4:24 p.m.

Staff Present:

Bill White, C.A.O. Clerk
Annilene McRobb, Deputy Clerk, Recording Secretary
Terry Kuipers, Chief Building Official
Belinda Wick-Graham, Business & Economic Manager
Gordon Duff, Treasurer
Brian Hansen, Public Works Director
Matt Lubbers, Recreation Services Manager
Al Carr, Facilities Manager
Stacey Pennington, Building Assistant

1. Call to Order 2:30 p.m.

2. Disclosure of Pecuniary Interests Under the Municipal Conflict of Interest Act

Councillor Dirksen declared a pecuniary interest for Item 8 a) - ZBA-2016-01-Marquardt-East Part of Con D Lot 82, Town of Harriston as her business took a crop off the lands last year.

3. Motion to Convene into Closed Session

RESOLUTION: 2016-82

Moved By: Councillor Colwell; Seconded By: Councillor Elliott

THAT The Council of the Town of Minto conduct a meeting Closed to the Public to discuss the following:

Labour relations or employee negotiations; C.A.O. Clerk and a proposed or pending disposition of land; Ann Street, Clifford.

Carried

4. Motion to Convene into Open Session

RESOLUTION: 2016-83

Moved By: Councillor Turton; Seconded By: Councillor Dirksen
THAT The Council of the Town of Minto resume into open Council.

Carried

5. Minutes of Previous Meeting

- a. Regular Council Minutes of April 29, 2016

RESOLUTION: 2016-84

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Anderson
THAT the minutes of the April 19 2016 Council Meeting be approved.

Carried

6. Additional Items Disclosed as Other Business

Councillor Dirksen identified three short items; Councillor Anderson and Councillor Turton have invitations, Deputy Mayor Faulkner an IPM update. Mayor Bridge has one item.

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

RESOLUTION: 2016-85

Moved By: Councillor Elliott; Seconded By: Councillor Colwell
THAT The Town of Minto Council convenes into Committee of the Whole.

Carried

8. Public Meeting 5:00 p.m.

- a. ZBA-2016-01-Marquardt-East Part of Con D Lot 82, Town of Harriston
Having previously declared a pecuniary interest Councillor Dirksen left her seat for this item. This item was held after business was conducted in Committee of the Whole.

Mayor Bridge called the meeting to order at 5:06 p.m., asked members of the public to sign the attendance record, and stated “that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Minto before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Minto to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of the appeal before the Board unless, in the opinion of the Board, there are reasonable grounds to do so.”

C.A.O. Clerk White described the property location and the purpose of the application to amend the site specific zoning (M1-40(H)) to temporarily allow a monster truck ride business under Section 39(1) of the Planning Act for temporary uses. Other zoning relief may be considered for the proposal where appropriate. Notices were mailed to the property owners within 400 feet or 120 meters of the subject property and to applicable agencies and posted on-site April 13. Written comments were received from Town Staff and Wellington

County Senior Planner Redmond both in attendance at the meeting. C.A.O. Clerk White read a letter received just before the meeting from Donald and Diane Hutchison, Bill and Trudy Schweitzer and John and Ann Neilman with objections to the proposal.

Building Assistant Pennington reviewed the Town staff report. Senior Planner Redmond noted the temporary use under Section 39 of the Planning Act allows Council to rezone land for no more than three years which is a suitable option for lands not yet developed. One renewal for up to three years may be allowed by Council.

Chair Bridge called on the applicant to provide comments regarding the proposed amendment. Murray Marquardt explained his plan to provide rides for children in his Monster Truck to support his adjacent business. Vehicle speed is restricted to less than 16 km/hr, hills are less than 24 inches high and the truck has been e-tested.

With nobody stepping forward to comment in favour of the amendment, Chair Bridge called on anyone wanting to comment in opposition.

1. John and Ann Neilman strongly oppose rezoning due to excessive noise and potential the property would host larger events for more than one Monster truck. They questioned what constitutes as excessive noise, which staff identified as noise “likely to disturb” inhabitants.
2. Andy Kerr, representing neighbouring owner Ken MacMillan, stated when the truck starts it is loud and creates vibration. He asked if there are acceptable vibration and decibels levels. He noted the property is beside a hobby farm currently for sale, and the owners have concerns that this will affect the sale of this property.
3. Jim Geiger, representing Don and Dianne Hutchison, noted the home at 5992 Highway 9 did not receive notice. He asked if other trucks will use the track and raised liability issues which C.A.O. Clerk White summarized from the draft lease.
4. Trudy Van Ooyen (Schweitzer), property owner across the highway from the subject property and noted she is concerned for her livestock and feels that the noise will continuous.

Council asked questions of staff and members of the public. There were concerns about dust and process being followed. C.A.O. Clerk White explained a draft lease was prepared to set the terms by which only one restricted monster truck may be used to give rides.

During his opportunity for rebuttal Mr. Marquardt stated he wants very little noise and no dust as both would affect his current businesses on his property. Council discussed having a chance see the truck running which they would do on their own time.

MOTION: COW 2016- 119

Moved by: Councillor Turton; Seconded by: Deputy Mayor Faulkner

THAT Council directs staff to make changes to the draft lease with the Marquardt to address issues raised by the public and that both the draft lease and temporary use by-law be made available to the public before being considered at the May 17, 2016 Council Meeting.

Carried

Chair Bridge stated if you wish to be notified of the decision of the Council of the Town of Minto in respect to the proposed Zoning By-law Amendment application, you must make a written request to the Clerk of the Town of Minto at 5941 Highway 89, Harriston, NOG 1Z0

or by email at Bwhite@town.minto.on.ca. With no further comments, Chair Bridge adjourned the Public Meeting at 5:48 p.m.

9. Delegations

- a. Doug Anderson, Community Volunteer for 60 years

Mayor Bridge presented Doug Anderson with a certificate acknowledging his sixty years of volunteer work in the Town of Minto.

- b. Ross Wilkie, International Plowing Match Sponsorship

Ross Wilkie challenged Council to consider supporting IPM 2016 as a group by buying a commemorative bench or some other level of sponsorship, and to challenge other local municipalities in the County to meet or beat that sponsorship. Mayor Bridge then presented Ross Wilkie with a certificate acknowledging his ten years volunteering in Minto.

10. Public Question Period - None.

11. Correspondence Received for Information or Requiring Direction of Council

- a. Minister of Labour, Bill 163, the Supporting Ontario's First Responders Act, 2016
- b. M.P. John Nater, Letter to Minister MacAulay, PCFA Forum Spring 2016
- c. Federation of Canadian Municipalities, Public Hearing on the CRTC's Review of Basic Telecommunications Services
- d. Municipality of Dutton Dunwich, Resolution Request Changes to IESO Process
- e. Township of Warwick, Physician Recruitment Resolution (This resolution has been received three times and responded to twice by the Town of Minto)
- f. Township of North Stormont, Resolution re: Ontario Energy Board Generic Proceeding EB 2016-004
- g. AMO, Government Introduces Bill 186 to Implement the Proposed Ontario Retirement Pension Plan Act (ORPP)
- h. Township of South Frontenac, No Wake Resolution
- i. Ministry of Municipal Affairs and Housing, Proclamation of the Infrastructure for Jobs and Prosperity Act, 2015
- j. Township of Southgate, Resolution for Bill 158, Saving the Girl Next Door Act.
- k. City of Welland, Resolution supporting the development of Provincial Legislation for Private Supportive Living Accommodations
- l. Town of Amherstburg, Motion to adopt the City of Windsor's resolution regarding proposed upgrades to the Marathon Petroleum Facility

Councillor Dirksen asked that Council consider supporting item 11 j).

MOTION: COW 2016-103

Moved By: Councillor Dirksen; Seconded By: Councillor Turton

THAT Council receives the correspondence for information and that Council of the Town of Minto support Township of Southgate, Resolution for Bill 158, Saving the Girl Next Door Act.
Carried

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

- a. Committee Minutes for Receipt
- 1. Jamesway Manor Board Minutes of March 10, 2016

MOTION: COW 2016-104

Moved By: Councillor Anderson; Seconded By: Deputy Mayor Faulkner

THAT Council receives the Jamesway Board Manor Minutes of March 10, 2016 as information.

Carried

- b. Committee Minutes for Approval

- 1. Parks and Recreation Advisory Committee Minutes of April 4, 2016

Recreation Services Manager Lubbers noted the Norgan Board will be debt free by the end of 2016, and its 70th anniversary is in 2017 with early planning underway for an event. The OPP is investigating vehicle damage on playing fields. C.A.O. Clerk White noted the Town closed land purchases of Mill Street Park and Palmerston Trail.

- 2. Minto Trails Committee Meeting Minutes of March 30, 2016

Recreation Services Manager Lubbers summarized the minutes describing a 1.0 metre wide paved roadside route for the Palmerston Trail from the 7th Line and County Road 5 intersection north to the proposed Roundabout at County Road 109, and west into Harriston. The County will pave the route as part of Roundabout construction.

MOTION: COW 2016-105

Moved By: Councillor Elliott; Seconded By: Councillor Anderson

THAT Council receives the Parks & Recreation Advisory Committee Minutes of April 4, 2016 and Minto Trails Committee Minutes of March 30, 2016 and approves all recommendations contained within.

Carried

- 3. Economic Development and Planning Committee Minutes of April 14, 2016

Economic and Business Manager Wick-Graham explained the Libro Prosperity Fund, which is a grant application to develop a local initiative to fit within regional models being discussed.

MOTION: 2016-106

Moved By: Councillor Dirksen; Seconded By: Councillor Turton

THAT Council receives the Economic Development and Planning Committee Minutes of April 14, 2016 be received and recommendations contained within be accepted.

Carried

- 4. Cultural Roundtable Committee Minutes of April 25, 2016

Economic and Business Manager Wick-Graham noted Wellington County is helping the Palmerston Railway Museum create user friendly space. A meeting is set May 10 to discuss plans and set a steering committee to ready the Museum for IPM. An ad-hoc Heritage Markers Committee is proposed in response to Harriston Historical Society's Council delegation. June 9 is the world premiere of Dream Girl live streamed from New York City to the Norgan and sponsored by WOWSA.

MOTION: COW 2016-107

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Turton

THAT Council receives the Cultural Roundtable Committee Minutes of April 25, 2016 and approves all recommendations contained within.

Carried

c. Staff Reports

1. Recreation Services Manager, Year in Review

Recreation Service Manager Lubbers presented information on Fall- Winter 2015 and Spring 2016 recreation program accomplishments.

MOTION: COW 2016-108

Moved By: Councillor Dirksen; Seconded By: Councillor Anderson

THAT Council receives the Recreation Services Manger's Year in Review.

Carried

2. Facilities Manager, North Gabel Modifications

MOTION: COW 2016-109

Moved By: Councillor Colwell; Seconded By: Deputy Mayor Faulkner

That Council receives the Report from the Facilities Manager and C.A.O. Clerk dated April 21, 2016 and approves the North Gable Modification be completed by Smith-Peat Roofing And Sheet Metal Ltd.

Carried

3. By-law Enforcement Officer, Updated Dog By-law

MOTION: COW 2016-110

Moved By: Councillor Turton; Seconded By: Councillor Colwell

That the Council of the Town of Minto receives the By-law Enforcement Officer's May 3, 2016 report regarding the updated Dog By-law, and considers the By-Law in open session.

Carried

4. Chief Building Official, Palmerston Sewage Allocation Report

Chief Building Official Kuipers reviewed the report and noted the Palmerston Plant has about ten years sewage capacity to accommodate growth. On-going inflow and infiltration work can increase sewage capacity as does reduced water use.

MOTION: COW 2016-111

Moved By: Councillor Anderson; Seconded By: Councillor Dirksen

That the Council of the Town of Minto accepts the report from the Public Works Director and Chief Building Official dated April 21, 2016 regarding Palmerston Sewage Allocation Report as information.

Carried

5. C.A.O. Clerk, Access Request, Jeff Metzger, Lot 77, Jane Street Palmerston

C.A.O. Clerk White noted a municipal one foot reserve prevents lot development under current agricultural zoning; an agreement is suggested for efficient use of land and services.

MOTION: COW 2016-112

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Turton

That Council receives the C.A.O. Clerk's April 27, 2016 report regarding Access Request, Jeff Metzger, Lot 77, Jane Street Palmerston, and that Council approve in principal access across the one foot reserve and discharge of the easement subject to an agreement being reached with Jeff Metzger to establish a procedure acceptable to Wellington County Planning to allow a house location and servicing that might allow for future urban development.

Carried

6. Treasurer, Connecting Link Fund – Contribution Agreement

Treasurer Duff noted the \$1.9 Million grant for Clifford Elora Street for design and construction work requires the proposed agreement with the Province.

MOTION: COW 2016-113

Moved By: Councillor Turton; Seconded By: Councillor Anderson

THAT Council receives the report from the Treasurer dated April 26, 2016 regarding the Contribution Agreement for the Clifford Connecting Link project and considers a by-law in open session authorizing the Mayor and C.A.O. Clerk to sign the agreement.

Carried

7. Treasurer, Approval of Accounts April 29, 2016

MOTION: COW 2016-114

Moved By: Councillor Anderson; Seconded By: Councillor Dirksen

THAT Council receives the Treasurer's report regarding Approval of Accounts, and approves accounts by Department for April 29, 2016 as follows: Administration \$ 277,191.75, People & Property \$ 1,413.33, Building \$ 9,337.72, Economic Development \$ 5,580.76, Incubator \$ 1,186.26, Tourism \$ 2,453.60, Fire \$ 17,712.28, Drains \$10,437.81, Roads \$ 75,187.01, Streetlights \$ 1,367.98, Waste Water \$41,747.49, Water \$55,020.47, Minto in Bloom \$ 241.31, Recreation \$ 7,940.16, Clifford \$ 2,015.30, Harriston \$ 11,146.41, Palmerston \$18,283.19, Norgan \$ 5,427.53.

Carried

8. Road Foreman, Wellington County Local Roads Maintenance Agreement

MOTION: COW 2016-115

Moved By: Deputy Mayor Faulkner; Seconded By: Mayor Bridge

THAT Council of the Town of Minto receives the Road Foreman's Report dated April 7, 2016 regarding Wellington County Local Roads Maintenance Agreement and that a by-law authorizing execution of the standard agreement with Wellington County regarding rural, semi urban and urban road maintenance responsibilities.

Carried

9. Roads Foreman, Municipal Drain #39 Improvement

MOTION: COW 2016-116

Moved By: Councillor Colwell; Seconded By: Councillor Dirksen

That the Council of the Town of Minto receives the Road Foreman's report regarding the Municipal Drain Petition and Improvement under Section 78 of the *Drainage Act* and appoints Dietrich Engineering Limited to represent the Town's interest in this regard.

Carried

10. Road Foreman, Request for Quotation for Trucks

MOTION: COW 2016-117

Moved By: Councillor Anderson; Seconded By: Councillor Colwell

That Council of the Town of Minto receives this report regarding RFQs 2016-09, 10 for trucks from the Public Works Director and approves the purchase of the new vehicles from Leslie Motors, Harriston.

Carried

11. Director of Public Works and Road Foreman, Asphalt Tender Results

Public Works Director Hansen noted that the Tender came in under the budgeted amount.

MOTION: COW 2016-118

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Dirksen

That Council receives the April 28, 2016 report from the Public Works Director regarding Tender 2016-08 'Asphalt' and approves the hiring of The Murray Group Limited at the combined tender price of \$476,164.80, excluding HST.

Carried

d. Other Business Disclosed as Additional Item

Councillor Dirksen reminded all that the Minto Rural Health Centre opens Wednesday May 4 at 10:30 a.m., the Radio-a-thon is on May 12 and the Hospital Gala in Palmerston is on May 28.

Councillor Anderson invited everyone to attend the re-dedication of the Harriston Fire Fighter Fire Cairn Sunday May 15 at 3 pm at the Harriston Lions Medical Centre.

Councillor Turton reminded all of the Earth Day Clean up hosted by Norwell CELP this Saturday May 7 10 a.m. at the IODE Park in Harriston.

Deputy Mayor Faulkner advised IPM 2016's first presentation to local Councils in the County is Wednesday May 4 at Guelph Eramosa. Grand River Agricultural Society donated \$10,000 to IPM.

Mayor Bridge stated the Green Legacy tree give away on Saturday April 30 was a success, with donations being made to Minto Foodbanks and Horticultural Societies. He also attended the "Trees and Quackers" event in Clifford.

13. Motion to Return To Regular Council

RESOLUTION: 2016-86

Moved By: Councillor Dirksen; Seconded By: Councillor Turton

THAT the Committee of the Whole convenes into Regular Council meeting.

Carried

14. Notices of Motion - None

15. Resolution Adopting Proceedings of Committee of the Whole

RESOLUTION: 2016-87

Moved By: Councillor Anderson; Seconded By: Deputy Mayor Faulkner

THAT The Council of the Town of Minto ratifies the motions made in the Committee of the Whole.

Carried

16. By-laws

- a. 2016-29, to authorize the Mayor and C.A.O. Clerk to execute a Road Maintenance Agreement with the County of Wellington

RESOLUTION: 2016-88

Moved By: Councillor Colwell; Seconded By: Councillor Elliott

THAT By-law 2016-29, to authorize the Mayor and C.A.O. Clerk to execute a Road Maintenance Agreement with the County of Wellington; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- b. 2016-30, to authorize the Mayor and C.A.O. Clerk to execute a Connecting Links Program Contribution Agreement with The Minister of Transportation

RESOLUTION: 2016-89

Moved By: Councillor Turton; Seconded By: Councillor Dirksen

THAT By-law 2016-30, to authorize the Mayor and C.A.O. Clerk to execute a Connecting Links Program Contribution Agreement with the Minister of Transportation; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- c. 2016-31, to Regulate and License the Keeping of Dogs and Dog Kennels in the Town of Minto

RESOLUTION: 2016-90

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Anderson

THAT By-law 2016-31, to Regulate and License the Keeping of Dogs and Dog Kennels in the Town of Minto; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- d. 2016-32, Bylaw to amend Fees and Charges By-law, Schedule G Dog Licensing Charges and Fees

RESOLUTION: 2016-91

Moved By: Councillor Elliott; Seconded By: Councillor Colwell

THAT By-law 2016-32, Bylaw to amend Fees and Charges By-law, Schedule G Dog Licensing; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- e. 2016-33, amend Zoning By-law 01-86, Marquardt, East Part of Con D Lot 82, Harriston As per **MOTION COW 2016-119** this item is tabled until the May 17, 2016 Council meeting.

- f. 2016-34, Confirm the Proceeding of the May 3 2016 Committee/Council meeting

RESOLUTION: 2016-92

Moved By: Councillor Anderson; Seconded By: Deputy Mayor Faulkner

THAT By-law 2016-34; to confirm actions of the Council of the Corporation of the Town of Minto; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

17. Adjournment 5: 56 p.m.

RESOLUTION: 2016-93

Moved By: Councillor Colwell; Seconded By: Councillor Elliott

THAT The Council of the Town of Minto adjourn to meet again at the call of the Mayor.

Carried

Mayor George A. Bridge

C.A.O. Clerk Bill White