



# #1 Minutes Meeting of January 12, 2016 Committee of the Whole

The Committee of the Whole met on Tuesday, January 12, 2016 at 5:04 p.m. at the Township of Drummond/North Elmsley Administrative Building, 310 Port Elmsley Rd.

<b>Members Present:</b>	Aubrey Churchill Gail Code Steve Fournier George Sachs Ray Scissons	Reeve Deputy Reeve Councillor Councillor (Chair) Councillor
<b>Staff Present:</b>	Cindy Halcrow Jill McNaughton Karl Grenke Scott Cameron Linda Van Alstine Shawn Merriman	Clerk Administrator Finance Clerk Planner Manager of Public Works Treasurer Chief Building Official

## 1. Call to Order

The meeting was called to order at 5:04 p.m. A quorum was present.

## 2. Disclosure of Pecuniary Interest

The Chair invited members wishing to disclose a pecuniary interest to do so now. No members declared a pecuniary interest. Councillor Sachs declared a conflict of interest with respect to #7.1b as he is involved with the Perth & District Little League as is Rick Wilson, the league's president.

## 3. Minutes of Previous Meetings

### 3.1 Regular Committee of the Whole Minutes December 15, 2015

**MOTION #COW-16-001 (Verbal)**

**MOVED BY: Aubrey Churchill**

**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** approves the minutes of the regular Committee of the Whole meeting held on December 15, 2016 as circulated.

**ADOPTED**

### 3.2 Closed Session Committee of the Whole Minutes December 15, 2015

**MOTION #COW-16-002 (Verbal)**

**MOVED BY: Steve Fournier**

**SECONDED BY: Ray Scissons**

**THAT the Committee of the Whole** approves the minutes of the regular Committee of the Whole meeting held on December 15, 2016 as circulated.

**ADOPTED**

#### **4. Approval of Agenda**

**MOTION #COW-16-003 (Verbal)**

**MOVED BY: Ray Scissons**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** approves the agenda for the January 12, 2016 meeting of the Committee, as presented.

**ADOPTED**

#### **5. Petitions/Delegations/Public Hearings**

##### **5.1 5:10 p.m. Jim Laidlaw – Property Standards – Port Elmsley Emporium**

Mr. Laidlaw appeared before Council requesting additional time to get his property up to Township standards. He reported that he has installed 4 temporary shelters to allow him time to renovate the inside of the building. He also reported that he is working on additional signage to direct traffic to a designated parking area.

The Chief Building Official said he received complaints about stuff blowing across the road, parking along the highway and the placement of stalls where they should not be according to the Site Plan Agreement. He showed photos that depicted items spread all over the property. Mr. Laidlaw told the Committee that most of his site has been cleaned up since the CBO took the pictures. He needed time to renovate inside the building. The Committee agreed to a six-month extension on the property standards issues.

**Action Item:** Direction given to staff to give Mr. Laidlaw a six-month extension on the property standards order.

##### **5.2 5:20 p.m. Brent Franklin – Structural Issues 227 Dufferin Road**

Mr. Franklin appeared before Council to discuss his concerns regarding structural damage to his house and wondered how it got a building permit. He reported that after he purchased his home in 2013, there was a major flood in the basement. Bricks started popping out at the front so he had it inspected by a structural engineer. He stated that the engineer's report noted water leaking through the rear foundation wall, water leaking through the basement walk-out door, masonry veneer falling from above the front entrance, bent cap plant, cracks in the covered porch and the vinyl siding was buckling. He does not have the resources to file a statement of claim against the municipality. He didn't want the onus to be on him to rectify the problems and said it should be up to the Township to rectify it because it wasn't built up to standard. He had a home inspection done before he purchased the house which did not identify these issues because only a structural engineer could have found them.

He asked for the Township to come out and see the problems in his house. The CBO stated that the Insurance Company advised him not to do this if there is no active building permit. The CBO also noted that the house is 30 years old; pools had been installed and extensive landscaping done. Record keeping is done differently now than back thirty years ago as very few records were kept then.

Mr. Andy Haydon spoke on behalf of his step-son, and said Brent bought the house in good faith. There was no indication that the Township did any inspections. There has been a national building code in place since the 1960s. He felt a great injustice was being done.

After a brief discussion, the Committee told Mr. Franklin that the Township has process to follow through its insurance coverage and suggested that Mr. Franklin to pursue this matter through courts.

### **5.3 5:30 p.m. Cathy Keddy – Paintball Rezoning**

Cathy Keddy appeared before Council to discuss issues relating to granting a holding zone for the Militky rezoning applicaton. She distributed her speaking notes and reviewed her concerns regarding accurate description of the proposed land use, sphere of influence of noise from proposed land use and the environment.

### **5.4 5:40 p.m. Tom Nephin – Paintball Rezoning**

Tom Nephin appeared before Council to discuss Council's reconsideration of their position on the Marked Paintball rezoning. He reviewed the history of the applicants with their past experience with the City of Ottawa and the Municipality of Mississippi Mills. He raised issues over the mapping, operating without authorization, using the mega dome for laser tag, and the two court challenges. The noise study was not a real one as there were no guns fired on the site. There was very little difference between the two noise reports. He also raised questions concerning the potential impact of hours of operation, particularly on Sundays, on surrounding neighbours.

## **6. Communication/Correspondence**

No items were pulled from the Communication package.

**MOTION #COW-16-004 (Verbal)**

**MOVED BY: Aubrey Churchill**

**SECONDED BY: Ray Scissons**

**THAT THE COMMITTEE OF THE WHOLE** receives the remainder of the communication items for the January 12, 2016 Committee of the Whole as information.

**ADOPTED**

## **7. Committee and Board Reports**

### **7.1 COMMUNITY DEVELOPMENT**

#### **a) Report of the Planner – Zoning Amendment ZA-13-06-Militky (Marked Paint Ball)**

The Clerk Administrator stated that Dag and Allie have asked Council for a decision on their application and that they are in a position to take the Township to the OMB for a no-

decision. She co-authored the Planning Report because of procedural implications of the decision made.

The Planner provided a review of his report.

The Planner reported that the Militky's are requesting a decision on their zoning amendment which is to rezone a portion of their property from Rural to a Highway Commercial special exception hold zone. In effect, the Militky's are asking Council to reconsider their position taken on May 2014 which was to defer a decision pending additional clarification on noise impacts and habitat or threatened and endangered species and that staff undertake an independent peer review of the noise study. The Planner provided Council will options to consider; approve with a holding provision, approve with a site plan control or the applicants can appeal to the Ontario Municipal Board. The Planner provided two options for Council's consideration; schedule an additional public meeting, proceed to a decision on the application submitted – either approve or deny.

**MOTION #COW-16-005 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: Ray Scissons**

**THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,**  
**THAT** Council approves the application for a holding zone without further public meetings with the following conditions:

- That the revised ecological site assessment be completed to the satisfaction of the Township;
- A provision be added to site plan provision that any mitigation or recommendation from environmental study be implemented to satisfaction of Township;
- Modification to accommodate concerns from Gradient Noise Assessment regarding adjacent lot.

**ADOPTED**

**Action Item:** Direction given to staff to prepare an implanting by-law and bring forward for review and passage at the next Council meeting.

Councillor Sachs declared a pecuniary interest because involved with the Perth & District Little League as is Rick Wilson, the league's president. Reeve Aubrey Churchill took over the meeting as Chair.

**b) Report of the Planner – Rick and Deborah Wilson Development Agreement**

The Planner provided a review of the proposed development agreement with Richard and Deborah Wilson to address site specific planning issues regarding their severance application. The development agreement with the Township will implement the recommendations of the hydrogeological study to address well and septic design as well as recommendations contained in the Mississippi Valley Conservation Authority's review. The applicants requested two new lots (2 acres each); one lot fronts on Prestonvale Road and the other on Drummond Conc. 10A. Council accepted the recommendation of

the Planner with the following direction:

**Action Item:** Direction given to staff to bring a development agreement bylaw forward for review and passage.

Councillor Sachs reassumed the meeting as Chair.

## 7.2 PUBLIC WORKS

### a) Report of the Public Works Manager – Drainage Easement

The Public Work's Manager provided an overview of a request by Derek McLenaghan to extend a drainage ditch from his property through the adjacent unopen Road Allowance between Concessions 1 and 2 to outlet into Black Creek. Mr. McLenaghan will enter into a Land Use Agreement with the Township which will allow him to use and maintain the ditch within the road allowance. Mr. Cameron will bring the agreement back to Council for adoption. Council had no issue with Mr. McLenaghan's request and directed staff to proceed.

**Action Item:** Direction given to staff to proceed with the Land Use Agreement and come forward with this By-law at a future Council meeting.

### b) Report of the Public Works Manager – 2016 ¾ Ton Truck Tender Results

The Public Works Manager reviewed the tender results received for the purchasing of a ¾ Ton Truck. He reported three tenders were received with Mike Fair GMC Ltd. coming in with the lowest price of \$34,109.00. Council accepted the recommendations of the Public Works Manager and the following motion was adopted:

Councillor Sachs declared a pecuniary interest because he is an employee of Bean GMC Ltd. and did not participate in the vote. Reeve Aubrey Churchill took over the meeting as Chair.

**MOTION #COW-16-006 (Verbal)**

**MOVED BY:** Steve Fournier  
**SECONDED BY:** Gail Code

**THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,**  
**THAT** Council accepts the tendered price from Mike Fair Ltd. of \$34,109.00 (including applicable taxes for the 2016 ¾ Ton Truck 2016-01.

**ADOPTED**

Councillor Sachs reassumed the meeting as Chair.

## 7.3 CORPORATE SERVICES

### a) Report of the Treasurer – Borrowing By-law

The Treasurer briefly reviewed her report which revises the annual borrowing by-law for current and capital expenditures for 2016. As a matter of practice, a temporary borrowing by-law is recommended for unforeseen circumstances. Council accepted the recommendation of the Treasurer with the following direction:

**Action Item:** Direction given to staff to bring forward a Borrowing By-law for review and passage at the next Council meeting.

**b) Report of the Treasurer – 2016 Interim Tax Rate By-law**

The Treasurer briefly reviewed her report to provide for a 2016 interim tax levy and to set the tax due dates. Council accepted the recommendation of the Treasurer with the following direction:

**Action Item:** Direction given to staff to bring forward the 2016 Interim Tax Rate By-law for review and passage at the next Council meeting.

**7.4 COMMUNITY SERVICES**

**7.5 CLERK/MEMBERS OF COUNCIL**

**a) Report of Reeve**

The Reeve provided a verbal update on the following items:

- Dec 4 – Weekly meeting with the Clerk Administrator
- Dec 7 – Fire Board meeting
- Dec 10 – Rick Hannah’s retirement party at Lanark County
- Dec 11 - Weekly meeting with the Clerk Administrator
- Dec 17 – Staff luncheon
- Dec 18 - Weekly meeting with the Clerk Administrator
- Dec 22 – Met with G.I.M.
- Jan 1 – He raised \$1,220 for the Hospital’s Chicken Polar Bear Plunge

**b) Report from Fire Board – Ray Scissons**

- Next meeting on February 8

**c) Report from Library Board – George Sachs**

- Library took out a permit for the renovations at the Old Fire Hall and is waiting for Town approval.
- The Chief Librarian will be located upstairs on Wednesday.
- Next meeting is on January 18 at 5:00 p.m.

**d) Report from CA's**

**RVCA, Ray Scissons**

- Annual General meeting will be held on January 28

**MVCA, Gail Code**

- Annual General meeting will be held on February 17. The budget will be approved on that day. Councillor Sachs requested a copy of the budget.

**e) Report from Members of Committee**

**Drug Strategy Committee – Steve Fournier**

- The next meeting will be held on January 25. There was no meeting in December.

**Settler's Trek – Aubrey Churchill**

- Trek Flotilla on May 20 – Aubrey and Steve indicated an interest in being part of the flotilla. The Clerk Administrator will get the event details for them.

**8. CLOSED SESSION**

**8.1 Litigation or potential litigation – Recycling Contract**

**MOTION #COW-16-007 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: Ray Scissons**

**THAT the Committee of the Whole** shall hereby hold closed session of Committee of the Whole at 6:32 p.m. to discuss a matter pertaining to litigation;

**AND THAT** Cindy Halcrow and Scott Cameron remain in the room.

**ADOPTED**

**MOTION #COW-16-008 (Verbal)**

**MOVED BY: Steve Fournier**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** shall hereby return to regular session of the Committee of the Whole at 6:42 p.m.

**ADOPTED**

**RISE AND REPORT**

- The Committee received the update from staff with respect to the Matrec Recycling Contract.

**9. Unfinished Business**

**10. New Business**

**11. Adjournment**

**MOTION #COW-16-009 (Verbal)**

**MOVED BY: Steve Fournier**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** stand adjourned at 6:40 p.m.

**ADOPTED**

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CHAIR

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CLERK ADMINISTRATOR