

**VILLAGE OF POINT EDWARD  
MINUTES**

**Council Meeting – February 28, 2006**

**6:00 p.m. – Council Chambers, Point Edward Municipal Office**  
135 Kendall Street, Point Edward, Ontario

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**Council Members Present:**

<b>Mayor Kirkland</b>	<b>Deputy Mayor Robson</b>	<b>Councillor MacKenzie</b>
<b>Councillor Bourrie</b>	<b>Councillor Hand</b>	

**Staff Present:**

**CAO Cramp**

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**DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**RESOLUTION TO ADJOURN TO AN ‘IN CAMERA’ SESSION**

**Resolution #1**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT Council adjourn to an ‘In Camera’ Session, at 6:15 p.m., for legal and personnel matters.

CARRIED.

**RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION**

**Resolution #2**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT Council reconvene to Regular Council Session, at 7 p.m.

CARRIED.

**REPORT OF THE CLOSED SESSION MEETING OF COUNCIL**

There was nothing to report from the Closed Session.

**RESOLUTION TO ADOPT THE REPORT OF THE CLOSED SESSION**

**Resolution #3**

Moved by Deputy Mayor Robson  
Seconded by Councillor Bourrie  
THAT the report of the Closed Session, be adopted.

CARRIED.

**PLANNING**

**Dave Posliff, Presentation of the Brownfields Community Improvement Plan 2006**

Mr. Posliff reviewed the Brownfields Community Improvement Plan 2006 with Council.

Councillor Bourrie commented that he thought that the provincial government would not allow tax grants. Mr. Posliff responded that there is legislation that deals with Brownfields specifically.

Councillor MacKenzie asked about the meaning of the Clearing, grading or otherwise preparing the land for community improvement. Mr. Posliff stated that the Planning Act allows the municipality to undertake these activities but does not require it to do so.

Councillor MacKenzie asked if there is a limit on the amount of funds to be spent. Mr. Posliff advised that there are budget limits and other limits contained in the Plan.

Councillor MacKenzie asked if there was sufficient staff time to review the applications for brownfields. CAO Cramp advised that it would be similar to site plan reviews and it is not expected that there will be large numbers of applications so there should be no problem with fitting it into staff schedules.

Councillor Bourrie asked how we can get funds from the Province and Federal governments. Mr. Posliff stated that other than the tax incentives from the province, the only other grant available is through the Green Fund, in which the federal government provides \$300 million per year.

Councillor MacKenzie asked what the Green Fund could be used for. Mr. Posliff noted that it is more likely for clean up rather than repayment of taxes.

**Resolution #4**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie  
THAT the Brownfields Community Improvement Plan 2006, be approved in principle subject to Ministry review and public meetings.

CARRIED.

**Resolution #5**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Brownfields Community Improvement Plan 2006, be referred to the Finance Committee for consideration and recommendation of funding amounts.

CARRIED.

**DELEGATIONS**

1. Glen Murphy on behalf of Jeff Chalmers and Melissa Wodzinski re: business proposal regarding a mobile business for under the bridge.

**Resolution #6**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT Jeff Chalmers be invited within the Bar.

CARRIED.

Mr. Chalmers requested that Council consider his mobile business under the Bridge. He would like to locate a BeaverTails Pastry business at the waterfront. This is a nation-wide chain and is normally found in resort towns such as Whistler and Rideau. It has been in business since 1978.

Councillor MacKenzie advised that there are three licensed vehicles at the Waterfront. This is the second year of a three-year tender for the existing chip truck at the Waterfront Park. He suggested that Mr. Chalmers could offer a bid when the contract is up. He also noted that he could contact the Blue Water Bridge Authority regarding the other two chip truck locations. Mr. Chalmers advised that the tenders for the BWBA do not come up for renewal.

**Resolution #7**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the request from Jeff Chalmers for a mobile business under the bridge, be denied because of the existing contracts.

CARRIED.

**FIRE DEPARTMENT**

Fire Chief Doug MacKenzie

Re: Proposal to Purchase Aerial Fire Truck and Amendment to Capital Budget

Chief MacKenzie advised that when he last spoke with Council, he was looking at a 2005 demo for \$595,000 plus options. He is now looking at a 2006 Pierce International, which is just coming off the assembly line, has a 75 ft. aerial device and many more of the options are standard. The price is \$591,000 but there will be a 4 ½% increase effective March 1 for an additional cost of \$27,000. He would like to proceed with the purchase.

Councillor Hand commented that she cannot understand that large of an increase in the middle of negotiations of prices and specifications. It sounds like a pressure tactic.

Councillor MacKenzie responded that he agreed that could be the case but the purchase is an exceptional deal.

Councillor MacKenzie asked if Pumper #2 is being traded in as part of the cost. Chief MacKenzie advised that he felt he could sell it himself and get more for it.

Chief MacKenzie advised that the best case price is \$585,000 and that Pierce fire equipment is the best.

Councillor Bourrie asked if training comes with the price. Chief MacKenzie advised that the truck comes with two days of training.

Councillor Bourrie asked about the warranty. Chief MacKenzie advised that there are different warranties for different parts of the truck. It is all included in the cost.

Councillor MacKenzie asked when the delivery would take place. Chief MacKenzie advised that it will come off the assembly line on April 17 and they may display it at the Fire Chiefs Conference.

Councillor Bourrie asked about the insurance cost. It will not be a lot more providing they sell the other pumper.

Councillor MacKenzie commented that the main concern is that they guarantee it will fit in the Fire Hall. Chief MacKenzie advised that was his first concern as well and there is a 3 ½ inch clearance.

Councillor Bourrie noted that he is pleased that the purchase can be accommodated from reserves.

**Resolution #8**

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Village of Point Edward Council allow Fire Chief MacKenzie to pursue the purchase of the 2006 Pierce – 75 ft. aerial truck at a cost not to exceed \$591,000; and that delivery be taken as late in the year as possible.

**Recorded Vote:**

Mayor Kirkland – Yea

Deputy Mayor Robson – Yea

Councillor MacKenzie – Yea

Councillor Bourrie – Yea

Councillor Hand – Yea

CARRIED.

**Resolution #9**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT any funds received from the sale of Pumper #2, be transferred to the Equipment Reserve.

CARRIED.

Councillor Hand commented that the slide show prepared by Chief MacKenzie was very educational. It is important that the information on the number of locations that the aerial truck is required gets out to the public. It is also important to note that the funds are coming from reserves.

Councillor Hand commended Chief MacKenzie for his time and efforts on negotiating the deal. Chief MacKenzie thanked Council for their support.

### **ADOPTION OF MINUTES**

1. Regular Council of January 24, 2006.

#### **Resolution #10**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the minutes of the Regular Council meeting of January 24, 2006, be adopted.

CARRIED.

2. Regular Council of February 14, 2006.

#### **Resolution #11**

Moved by Councillor Bourrie

Seconded by Councillor MacKenzie

THAT the minutes of the Regular Council meeting of February 14, 2006, be adopted.

CARRIED.

### **BUSINESS ARISING FROM MINUTES**

There was no business arising from minutes.

### **FINANCIAL REPORTS**

1. General Operations: Total Revenue for the month of January 2006

#### **Resolution #12**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Revenues for the month of January, 2006 in the amount of \$45,759.56 for General Operations, be approved.

CARRIED.

General Operations: Total Expenditures for the month of January 2006

**Resolution #13**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Expenditures for the month of January, 2006 in the amount of \$279,257.33 for General Operations, be approved.

CARRIED.

2. Water/WPCP Total Revenues for the month of January 2006

**Resolution #14**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Revenues for the month of January, 2006 in the amount of \$22,281.13 for Water/WPCP, be approved.

CARRIED.

Water/WPCP: Total Expenditures for the month of January 2006

**Resolution #15**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Expenditures for the month of January, 2006 in the amount of \$30,006.60 for Water/WPCP, be approved.

CARRIED.

**COMMITTEE REPORTS**

1. Police Services Board Meeting of January 12, 2006.

**Resolution #16**

Moved by Councillor Bourrie

Seconded by Councillor Hand

THAT the minutes of the Police Services Board Meeting of January 12, 2006, be received and filed.

CARRIED.

2. Parks Committee Meeting of February 7, 2006.

**Resolution #17**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Flag Protocol be amended to include the Warden of the County.

CARRIED.

**Resolution #18**

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT the minutes of the Parks Committee meeting of February 7, 2006, be adopted, as amended.

CARRIED.

3. Public Works Committee Meeting of February 7, 2006.

**Resolution #19**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the minutes of the Public Works Committee meeting of February 7, 2006, be adopted.

CARRIED.

4. Police Services Board meeting of February 8, 2006.

**Resolution #20**

Moved by Councillor Bourrie

Seconded by Councillor MacKenzie

THAT the minutes of the Police Services Board meeting of February 8, 2006, be received and filed.

CARRIED.

5. Arena/Community Hall meeting of February 14, 2006.

**Resolution #21**

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT the minutes of the Arena/Community Hall meeting of February 14, 2006, be adopted.

CARRIED.

6. Fire Committee meeting of February 14, 2006.

**Resolution #22**

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the minutes of the Fire Committee meeting of February 14, 2006, be adopted.

CARRIED.

7. Parks Committee meeting of February 15, 2006

**Resolution #23**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Parks Committee meeting of February 15, 2006, be adopted.

CARRIED.

8. Water and Pollution Control Committee meeting of February 17, 2006

**Resolution #24**

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Water and Pollution Control Committee meeting of February 17, 2006, be adopted.

CARRIED.

9. Finance Committee meeting of February 23, 2006.

**Resolution #25**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the minutes of the Finance Committee meeting of February 23, 2006, be adopted.

CARRIED.

**MISCELLANEOUS REPORTS**

1. Village of Point Edward 2005 Building Report.

**Resolution #26**

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Village of Point Edward 2005 Building Report, be received and filed.

CARRIED.

2. News Release from the County of Lambton, Office of the CAO re: Council Highlights.

**Resolution #27**

Moved by Councillor Bourrie

Seconded by Councillor MacKenzie

THAT the News Release from the County of Lambton re: Council Highlights, be received and filed.  
CARRIED.

3. Report from Sgt. John Flesher dated February 16, 2006.

**Resolution #28**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the Report from Sgt. John Flesher dated February 16, 2006, be received and filed.  
CARRIED.

**COMMUNICATIONS (COUNCIL ACTION)**

1. Resolution from the Niagara Region, Office of the Regional Clerk requesting support re: Minimum Capital Program Funding.

**Resolution #29**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Village of Point Edward Council support the resolution passed by the Regional Municipality of Niagara regarding the removal of the obligation of funding the many social programs through the municipal property tax base.

CARRIED.

2. Resolution from the Town of Blue Mountains requesting support re: re: Section 23 of Bill 51 proposing to exempt all energy projects in Ontario from the requirements of the Planning Act.

**Resolution #30**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the resolution from the Town of Blue Mountains requesting support re: Section 23 of Bill 51 proposing to exempt all energy projects in Ontario from the requirements of the Planning Act, be received and filed.

CARRIED.

3. Resolution from the Municipality of Grey Highlands requesting support re: Section 23 of Bill 51.

**Resolution #31**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the resolution from the Municipality of Grey Highlands regarding their concerns with Bill 51 and that the concerns be submitted on the Environmental Bill of Rights Registry, be received and filed.

CARRIED.

4. Resolution from Northumberland County voicing concerns re: Bill 206 OMERS Devolution.

**Resolution #32**

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the resolution from the County of Northumberland regarding placing the Provincial Government on notice that the County refuses to accept the transfer of administration and financial costs associated with the OMERS program, be received and filed.

CARRIED.

5. Resolution from the Town of Halton Hills requesting support re: requesting that the Government of Canada make the “Federal Gas Tax Funding” for Municipalities a permanent program.

**Resolution #33**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Village of Point Edward Council support the resolution passed by the Town of Halton Hills requesting that the Government of Canada make the “Federal Gas Tax Funding” for Municipalities a permanent program and that the permanent amount continue to be raised to a minimum of 5 cents per litre.

CARRIED.

6. Resolution from the Municipality of Morris-Turnberry requesting support re: Increase in Municipal Liability Insurance Premiums.

**Resolution #34**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the Village of Point Edward Council support the resolution passed by the Municipality of Morris-Turnberry requesting that the Provincial Government review and amend the Negligence Act, R. S. O. 1990 to place limits on court claim settlements where a Municipality is found only partially liable.

CARRIED.

7. Resolution from the Township of Severn requesting support re: Endorsement of Resolution Aggregate Resources.

**Resolution #35**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the resolution that was passed by the Township of Severn requesting that the Province commit infrastructure funding to ensure the necessary haul routes can be constructed and maintained in order to ensure the continued provision of aggregate resources, be received and filed.

CARRIED.

8. Letter from Linda & Chris Dunham requesting permission to park on the boulevard.

**Resolution #36**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the request from Linda and Chris Dunham for permission to park on the boulevard be approved as they do not have a driveway; and further that a By-law be brought forward to a future meeting and that the OPP be informed.

CARRIED.

9. Letter from Sharon Crowe, Fundraising Coordinator requesting permission for the Great Ride n' Stride event on April 30, 2006 beginning at 10:30 a.m.

**Resolution #37**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the Great Ride n' Stride event organized by the Canadian Cancer Society to be held on April 30, 2006, be approved subject to the standard criteria and subject to notification of the OPP and Fire Department.

CARRIED.

**COMMUNICATIONS (RECEIVE AND FILE-LISTED)**

**Listed as of February 15, 2006**

1. Letter from M.P.P. Caroline Di Cocco re: Bill 123.
2. Thank you letter from Sarnia Lambton Taskforce on Healthcare re: Grant for 2006 Budget.
3. Letter from the Ministry of Culture re: Ontario Heritage Act.
4. Letter from the Ministry of Finance re: Ontario Municipal Partnership Fund (OMPF) Allocations for 2006.
5. Letter from Union Gas re: Union Gas Application with the Ontario Energy Board – Reasonable Rates for 2007.

6. Notice from the FCM re: Seeking Environmental Expertise for the Green Municipal Fund Peer Review Committee.
7. Foundation for Rural Living re: Annual Awards Call for Nominations.
8. Newsletter from Sarnia Golf & Curling Club – Rinks & Links, Feb/06.

**Listed as of February 22, 2006**

1. News Release from the County of Lambton Finance Department re: Lambton County Councillors Receive Draft Budget.
2. News Release from AMO re: Province Determined to Impose New Pension Costs on Municipalities and Taxpayers
3. AMO Member Communication Alert re: Bill 206/OMERS CUPE Strike Update.
4. AMO Member Communication Alert re: Province Announces Improvements to OMPF.
5. AMO Member Communication Alert re: OMERS – Bill 206 – More Amendments Bill Remains Flawed.
6. AMO Member Communication Alert re: AMO Pre-Budget Submission to Close the Fiscal Gap.
7. AMO Member Communication Alert re: AMO Submission on Bill 36, Local Health System Integration Act, 2005.
8. AMO Member Communication Alert re: Government Announces Changes to Ontario Disability Support Program.
9. AMO Member Communication Alert re: Urgent Matter – CUPE Strike – AMO Calls on Province to Protect Public Interest and the Delivery of Municipal Programs and Services
10. Letter from the Ministry of Municipal Affairs and Housing Building and Development Branch re: Internship Program, Marijuana Grow Operations, Building Advisory Council and Building and Development Branch Contacts.
11. Letter from Union Gas re: Notice of Appointment and first edition copy of Municipal News for 2006.
12. Registration Information re: Competitive Cities 2006.
13. Registration Information re: 53<sup>rd</sup> Annual OSUM Conference and Trade Show.
14. Conference Program re: 2006 Canadian Gaming Summit & Exhibition.
15. E-Mail from AMO re: Urgent – CUPE Bill 206 Strike.
16. Reservation form re: Communities in Bloom.

**Resolution #38**

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Communications (Receive and File – Listed), be received and filed.

CARRIED.

**NEW BUSINESS**

Approval of Policy A-06 – Flag Protocol

**Resolution #39**

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT Policy A-06 – Flag Protocol, be approved.

CARRIED.

**BY-LAWS**

1. By Law Number 11 of 2006 being a By Law to authorize the Agreement between the Village of Point Edward and Her Majesty the Queen in right of Ontario As represented by the Minister of Community Safety and Correctional Services for the purpose of increasing the Number of sworn officers of the OPP Lambton-Point Edward Detachment.

**Resolution #40**

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT By Law Number 11 of 2006 being a By Law to authorize the Agreement between the Village of Point Edward and Her Majesty the Queen in right of Ontario As represented by the Minister of Community Safety and Correctional Services for the purpose of increasing the Number of sworn officers of the OPP Lambton-Point Edward Detachment, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28<sup>th</sup> day of February, 2006.

CARRIED.

2. By-Law Number 12 of 2006 being a By Law to authorize the opening of the Village of Point Edward OPP Contract to amend Contract to hire an additional Officer under the Safer Communities – 1000 Officers Partnership Program.

**Resolution #41**

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT By-Law Number 12 of 2006 being a By Law to authorize the opening of the Village of Point Edward OPP Contract to amend Contract to hire an additional Officer under the Safer Communities – 1000 Officers Partnership Program, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28<sup>th</sup> day of February, 2006.

CARRIED.

3. By-law Number 13 of 2006, being a By-law to enter into an Agreement with the City of Sarnia – Use of City's Watermain

**Resolution #42**

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT By-law Number 13 of 2006, being a By-law to enter into an Agreement with the City of Sarnia – Use of City's Watermain, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28<sup>th</sup> day of February, 2006.

CARRIED.

4. By Law Number 14 of 2006 being a By Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including February 28, 2006.

**Resolution #43**

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT By Law Number 14 of 2006 being a By Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including February 28, 2006, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28<sup>th</sup> day of February, 2006.

CARRIED.

**BUSINESS FROM COUNCILLORS**

Mayor Kirkland asked that Canada Post be contacted regarding the removal of a mail box in front of the former Chop House on Venetian Blvd.

Councillor MacKenzie asked that the Finance Committee consider mileage costs.

Councillor MacKenzie requested that a letter be forwarded to Pat Davidson, M.P., Sarnia-Lambton to thank her for taking the time to meet with Council on various matters of shared interest.

**ADJOURNMENT**

**Resolution #44**

Moved by Councillor Bourrie

Seconded by Councillor MacKenzie

THAT the Council Meeting be adjourned at 9:15 a.m. until the March 14<sup>th</sup>, 2006 call of the Chair or at such time as a Special Committee meeting is held to discuss legal matters, property matters or personnel matters.

CARRIED.

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Mayor Dick Kirkland

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CAO Peggy Cramp