

**VILLAGE OF POINT EDWARD
MINUTES**

Council Meeting –April 25, 2006

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

Council Members Present:

Mayor Kirkland Deputy Mayor Robson
Councillor Bourrie Councillor Hand

Staff Present:

CAO Cramp

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

6 P.M. 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 p.m.

CARRIED.

7 P.M. RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION

Resolution #2

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT Council reconvene to Regular Council Session, at 7 p.m.

CARRIED.

REPORT OF THE CLOSED SESSION MEETING OF COUNCIL

Resolution #3

Moved by Deputy Mayor Robson
Seconded by Councillor Hand
THAT Council inform Stores Online that their application for a license be denied.

CARRIED.

PUBLIC MEETINGS

Nil

Mayor Kirkland asked for a minute of silence in honour of Mr. Bert Creamer, who passed away.

DELEGATIONS

1. Ed Teft, BWBA re: Temporary Closure of Front St. Ramp

Resolution #4

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT Ed Teft be invited within the Bar.

CARRIED.

Mr. Teft advised that last year, there was a 14 week delay because of the soil abatement issues along the Holmes Foundry property. The City of Sarnia will be beginning their project on Exmouth Street around May 15, 2006, at which time that street will be temporarily closed. They have, as a result, had to find ways to expedite the plan. The proposed plan is to close the ramp to London on May 1 for 3 weeks. They will be using SMA asphalt which can only be applied in warmer temperatures. If they close it for the 3 weeks, they would be able to complete all of the work. They plan to have the work done before the long weekend. The contractor and MTO are in support of the plan.

Resolution #5

Moved by Councillor Bourrie
Seconded by Councillor Hand
THAT the Village of Point Edward Council grant the request from the Blue Water Bridge Authority to close the north/south ramp from Front Street to Hwy. 402 from May 1, 2006 for a duration of three weeks.

CARRIED.

2. Ed Teft, BWBA re: Construction along Front Street

Mr. Teft advised that they will require two weeks to move the pre-loaded material from the Front Street area to Venetian Blvd. to fill in part of the pond. There will be 4 or 5 dump trucks moving per hour. They will have to close off a portion of the walkway and they will place barriers and signage. Any damage will be restored.

Councillor Bourrie asked the time frame for this work.

Mr. Teft advised that it would take a maximum of two weeks but they may not be consecutive weeks. It will depend on the outcome of the Golder Report.

Councillor Bourrie asked about guaranteeing that the walkway will be brought back to standard.

Mr. Teft stated that they will use geo-grid material to support it and to ensure that there is no more settlement and the sub-base will be more compacted. It will have to be completed to the Village's satisfaction.

Councillor Bourrie asked if they would enter into an agreement to keep it in good repair for a year. Mr. Teft responded that he would.

Mr. Teft commented that there has been a lot of construction along Venetian Blvd. for six years. It has resulted in a lot of road cuts and that Venetian Blvd. would be restored.

Mr. Teft has also talked to Bridgeview Marina and Steeves and Rozema regarding the outfall to accommodate them.

It was noted that Steeves & Rozema will be placing their walkway along their property very soon. It would be helpful if the timing worked that it was open when the other one is planned to be blocked.

Mr. Teft advised that the text and surveys are now complete for the easements. He will need the final descriptions to finalize everything. Everything should be available by the end of June.

Resolution #6

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Village of Point Edward Council grant the Blue Water Bridge Authority to access their stormwater retention ponds using Venetian Blvd. and closing the walkway for a period of two weeks that may not be consecutive providing that any damage is restored to Council's satisfaction.

CARRIED.

3. Letters from Ken and Lee Ann Smith re: fence by-law and curb cut approval.

Resolution #7

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Ken and Lee Ann Smith be invited within the Bar.

CARRIED.

Ms. Smith advised that she has two requests to make to Council.

- a) When they built their house, they widened the driveway for two cars but the curb cut is not the same width. They need to either make it larger or leave it as is with the tapered apron. It is approx. two feet from the Hydro pole.

Resolution #8

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Ken and Lee Ann Smith work with Peggy Van Mierlo-West, Bluewater Power and the Building Inspector regarding the placement of the curb cut; and further that they meet all necessary rules and regulations.

CARRIED.

- b) They would like to increase the height of the fence in their back yard for privacy purposes.

Resolution #9

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Ken and Lee Ann Smith be permitted to construct an 8 ft. privacy fence along the northern boundary with a smaller portion along the westerly boundary.

CARRIED.

ADOPTION OF MINUTES

1. Regular Council of March 28, 2006.

Resolution #10

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the minutes of the Regular Council meeting of March 28, 2006, be adopted.

CARRIED.

2. Operating Budget Meeting of March 30, 2006.

Resolution #11

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the minutes of the Operating Budget meeting of March 30, 2006, be adopted.

CARRIED.

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

FINANCIAL REPORTS

1. General Operations: Total Revenues for the month of March 2006.

Resolution #12

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Revenues for the month of March, 2006 for General Operations in the amount of \$360,453.27, be approved.

CARRIED.

General Operations: Total Expenditures for the month of March 2006.

Resolution #13

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Expenditures for the month of March, 2006 for General Operations in the amount of \$851,360.37, be approved.

CARRIED.

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

Resolution #14

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Revenues for the month of March, 2006 for Water/WPCP Departments in the amount of \$21,638.95, be approved.

CARRIED.

Water/WPCP: Total Expenditures for the month of March 2006.

Resolution #15

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Expenditures for the month of March, 2006 for the Water/WPCP Departments in the amount of \$34,388.68, be approved.

CARRIED.

COMMITTEE REPORTS

1. Technical Liaison Committee Meeting of March 8, 2006.

Resolution #16

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the minutes of the Technical Liaison Committee meeting of March 8, 2006, be received and filed.

CARRIED.

2. Parks Committee Meeting of April 4, 2006.

Resolution #17

Moved by Councillor Bourrie

Seconded by Councillor Hand

THAT the minutes of the Parks Committee meeting of April 4, 2006, be adopted.

CARRIED.

3. Public Works Committee Meeting of April 4, 2006.

Resolution #18

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT Recommendation #2 of the Public Works Committee meeting minutes of April 4, 2006 regarding the 6-bag limit for leaves and grass, be tabled until the next meeting.

CARRIED.

Resolution #19

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the minutes of the Public Works Committee meeting of April 4, 2006, be adopted, as amended.

CARRIED.

4. Finance Committee Meeting of April 19, 2006.

Resolution #20

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the minutes of the Finance Committee meeting of April 19, 2006, be adopted.

CARRIED.

MISCELLANEOUS REPORTS

1. Building Permits Issued for 2006.

Resolution #21

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the report on the building permits issued for 2006, be received and filed.

CARRIED.

2. News Release from the County of Lambton Finance Dept. re: Lambton County Council Passes 2006 Budget.

Resolution #22

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the News Release from the County of Lambton Finance Department regarding their 2006 budget, be received and filed.

CARRIED.

3. Report from Tourism Sarnia Lambton re: TSL Manager's Report – January 2006.

Resolution #23

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Report from Tourism Sarnia Lambton re: TSL Manager's Report – January, 2006, be received and filed.

CARRIED.

4. Tourism Sarnia Lambton Minutes of Meeting held March 9, 2006.

Resolution #24

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the minutes of the Tourism Sarnia-Lambton meeting of March 9, 2006, be received and filed.

CARRIED.

COMMUNICATIONS (COUNCIL ACTION)

1. Letter from MPAC re: Planned Changes in Response to the Ombudsman of Ontario Report.

Resolution #25

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the letter from MPAC re: Planned Changes in Response to the Ombudsman of Ontario Report, be received and filed.

CARRIED.

2. Letter from The Canadian Union of Postal Workers re: requesting support for public post offices and your opposition to closures.

Resolution #26

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Village of Point Edward Council support the letter received from the Canadian Union of Postal Workers regarding support for public post offices and requesting opposition to closures.

CARRIED.

3. Letter from Bluewater Health Foundation and News Release re: Sarnia's Bluewater Health – Next Step in Improved Access to Healthcare.

Resolution #27

Moved by Councillor Bourrie

Seconded by Councillor Hand

THAT the letter from Bluewater Health Foundation and News Release regarding Bluewater Health – Next Step in improved access to healthcare, be received and filed.

CARRIED.

4. Letter from Tourism Sarnia Lambton re: Shoreline Protection & Public Walkway Project.

Resolution #28

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the letter from Tourism Sarnia-Lambton regarding the shoreline protection and public walkway project, be received and filed.

CARRIED.

5. Letter from the Sarnia Underwater Club and SOS – Save Ontario Shipwrecks re: Shoreline Protection & Public Walkway Project.

Resolution #29

Moved by Councillor Bourrie

Seconded by Councillor Hand

THAT the Sarnia Underwater Club and SOS be advised that Council will schedule a meeting with them once the design of the shoreline protection is finalized.

CARRIED.

6. Letter from Sarnia Lambton Plebiscite Project requesting support and assistance re: public healthcare and public power.

Resolution #30

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the letter from the Sarnia-Lambton Plebiscite Project requesting support and assistance, be received and filed.

CARRIED.

7. Letter from the County of Lambton Community Health Services Department re: Bill 164 – “The Smoke Free Ontario Act”.

Resolution #31

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the letter from the County of Lambton Community Health Services Department re: Bill 164, be received and filed.

CARRIED.

8. E-mail from Tourism Sarnia Lambton requesting support re: Increased Federal Investment in the Canadian Tourism Commission.

Resolution #32

Moved by Councillor Bourrie

Seconded by Councillor Hand

THAT the e-mail from Tourism Sarnia-Lambton re: Increased Federal investment in the Canadian Tourism Commission, be received and filed.

MOTION LOST.

Resolution #33

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Village of Point Edward Council support the e-mail from Tourism Sarnia-Lambton requesting support for increased investment in the Canadian Tourism Commission.

CARRIED.

COMMUNICATIONS (RECEIVE AND FILE-LISTED)

Listed as of April 12, 2006

1. Letter from the Mayor of Montreal re: 100th Annual Conference of the Government Finance Officers Association (GFOA) in Montreal.
2. Letter from the Premier of Ontario re: The Negligence Act and Municipal Liability Insurance.
3. Memo from the Federation of Canadian Municipalities re: 69th Annual Conference 2006.
4. Memo from the County of Lambton Building Services Department re: Discussion Report on Mandatory Re-Inspection Program for Existing Private Septic Systems.
5. Memo from the Ministry of Agriculture, Food and Rural Affairs re: Questions and Answers Surrounding the Livestock, Poultry and Honey Bee Protection Act and the Bear Damage to Livestock Compensation Program.
6. Letter from the Ministry of Finance, addressed to the Ombudsman, re: Final Report on the investigation into the Transparency of the Property Assessment Process and the Integrity and Efficiency of Decision-Making at the Municipal Property Assessment Corporation.
7. Letter from MPAC, addressed to the Ombudsman, re: Final Report on the investigation into the Transparency of the Property Assessment Process.
8. Letter from MPAC, Press Statement attached re: MPAC Receives Ombudsman's Report.
9. Letter from the Ombudsman re: Ombudsman Report: Getting Right – investigation into the transparency of the property assessment process. (copy of report located in Councillors office)
10. News Release from the Research Park re: Research Park Board of Directors Elects Sarnia Mayor as New Chair.
11. News Release from Dow Chemical Canada Inc. re: Johnston named Dow Canada President.
12. Press Release from Ontario Good Roads Association re: OGRA responds to Ontario Budget and Transportation Funding.
13. Members Advisory from the Federation of Canadian Municipalities re: Advocacy kit on the FCM website.
14. Nomination form re: Senior of the Year Award 2006.
15. Registration Form re: 8th Annual Ontario Global Traders Awards.
16. Sarnia-Lambton Economic Partnership 2005 Annual Report.
17. Application form re: Youth Friendly Community Recognition Program 2006.
18. Public Guidelines 2006-2007 re: Active 2010 Communities in Action Fund.

Listed as of April 20, 2006

1. Notice of Meeting from Waste Management re: 2006 Annual Elections, WM Citizen Liaison Committee.
2. Letter from the Minister Responsible for Seniors re: Seniors Month – June 2006.

3. Notice from the Federation of Canadian Municipalities re: Mission to the United Kingdom, July 30 – August 4, 2006.

Resolution #34

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

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

CARRIED.

NEW BUSINESS

Sidewalk Reconstruction

Resolution #35

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Council accept the recommendation from Peggy Van Mierlo-West to accept the tender from Triad Contracting for the sidewalk reconstruction in the amount of \$14,318.52 (GST included).

CARRIED.

BY-LAWS

1. By-law Number 17 of 2006 being a By-law to enter into an Agreement with Nordell Excavating Limited – St. Clair Street Reconstruction.

Resolution #36

Moved by Councillor Bourrie

Seconded by Councillor Hand

THAT By-law Number 17 of 2006 being a By-law to enter into an Agreement with Nordell Excavating Limited – St. Clair Street Reconstruction, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 25th day of April, 2006.

CARRIED.

2. By-law Number 18 of 2006 being a By-law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including April 25, 2006.

Resolution #37

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT By-law Number 18 of 2006 being a By-law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including April 25, 2006, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 25th day of April, 2006.

CARRIED.

BUSINESS FROM COUNCILLORS

Taskforce

Councillor Bourrie advised that he has been approached by interested parties (real estate, developers and property owners) regarding plans for the downtown, Holmes Foundry and other properties within the Village. He asked permission to pursue talking with some of these individuals or possibly create a Taskforce. He noted that a lot of time has been spent on the waterfront for shoreline protection and with the work being done by the Blue Water Bridge Authority. He does not want to see possible development going by the wayside or going on the back burner. He felt that people should be brought together to get ideas and brainstorm.

Deputy Mayor Robson expressed concerns that the Village cannot get involved with the actual development of properties or allocation of funding.

Mayor Kirkland commented that the Village can assist by encouraging people to go ahead with their projects.

It was agreed that a staff report would be prepared for a future meeting.

Lambton Seniors' Association

Deputy Mayor Robson advised that she attended a recent Lambton Seniors' Association meeting. There was a speaker discussing the LHIN's. There were a lot of concerns from the seniors. It was suggested that there is a possibility of rerouting people to Windsor rather than London from this area. Further information is required.

Post Office box

A letter is to be sent to Canada Post to request why they removed the mailbox on Venetian Blvd. next to Mariner Village.

ADJOURNMENT

Resolution #38

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Council Meeting be adjourned until the May 9th, 2006 at 8:50 p.m. or at the 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.

Mayor Dick Kirkland

CAO Peggy Cramp