

VILLAGE OF POINT EDWARD MINUTES

Council Meeting –May 22, 2007

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 MacKenzie
Councillor Hand	Councillor Churchill	

Staff Present:

CAO Cramp

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

PLANNING

1. Letter from Dave Posliff re: Regulation of Day Care Centres/Day Nurseries.

Dave Posliff presented his report and recommendations on Day Care Centres and Day Nurseries.

Councillor Hand asked if the existing day nurseries have a permit. At this time, no one has a Home Occupation Permit for this purpose.

Councillor MacKenzie asked what type of enforcement and liability would exist as a result of the licensing. It would be dealt with based on a complaint basis.

Deputy Mayor asked if a Home Occupation Permit would be issued for the Day Nurseries. Councillor MacKenzie suggested that it be a permit rather than a business license.

Resolution #1

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the recommendation made by Dave Posliff in his report dated May 16, 2007 to amend the Village's zoning by-law in order to more clearly regulate the location and scale of day care facilities in the Village of Point Edward, be approved

CARRIED.

2. Comments re: Pat Gagnon Daycare.

Resolution #2

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT letters be sent to respond to those persons who supported the Pat Gagnon Daycare to advise that there are provincial regulations that are in effect that regulate day cares throughout the province and that the Village of Point Edward has no jurisdiction over the legislation.

CARRIED.

RESOLUTION TO ADJOURN TO AN 'IN CAMERA' SESSION

Resolution #3

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT Council adjourn to an 'In Camera' Session, at 6:40 p.m. for legal and personnel matters.

CARRIED.

RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION

Resolution #4

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

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 #5

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Report of the Closed Session, be adopted.

CARRIED.

DELEGATIONS

1. Janet Bernard

Ms. Bernard submitted a letter to Council to request that the road deposit in the amount of \$2,000.00 not be required until Phase 2 of the development of her property.

Councillor MacKenzie asked if the end result will be like the drawing that was submitted when she had the property rezoned. Ms. Bernard advised that it will be done in two phases. When she received information on costs, she found that the cost would be \$125,000.00 higher than the value of the end building. As a result, she decided to work within the building. She would like to get the store up and running as well as the woodworking shop. The apartments would be completed in Phase 2. She needs to get the building permit so she can begin on Phase 1.

Councillor MacKenzie asked when the projected start date is scheduled. Ms. Bernard advised that she would like to get the store rented out as soon as possible. Rob King is willing to look at the plans. The Architect has to place his stamp on the plans and the paperwork should be ready by the end of the week.

Councillor MacKenzie asked when Phase 2 would begin. Ms. Bernard commented that it would be as soon as possible. She is trying to keep it as nice-looking as possible.

Councillor MacKenzie advised that the Village requires the road deposit to ensure that any damage that occurs to the road as a result of the development can be repaired. The Village does not want to end up in court. If the road is damaged, we will take the deposit to repair it. The Public Works department can examine the road prior to heavy equipment coming onto the property.

Deputy Mayor Robson stated that the deposit is part and parcel of the rules and regulations.

Resolution #6

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the request for relief of the \$2,000.00 road deposit until Phase 2 of the development by Janet Bernard, be denied.

CARRIED.

Resolution #7

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT By-law No. 17 of 2007, being a By-law to Authorize the Execution of the Agreement Between the Village of Point Edward and Janet Bernard, 510 Michigan Ave. for Site Plan Purposes, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 22nd day of May, 2007.

CARRIED.

2. Troy & Lisa Hewton re: fence height.

Resolution #8

Moved by Deputy Mayor Robson
Seconded by Councillor Churchill
THAT Troy Hewton be invited within the Bar.

CARRIED.

Mr. Hewton advised Council that he would like approval to exceed the 6 ft. limit on his fence. He would like to place a decorative Board on top of the fence to make it look nicer. It is a new fence. It is also for privacy.

Councillor Hand asked if he had any discussions with the neighbour.

The neighbour is agreeable to the change because they have a dog and if the dog doesn't see the neighbours, there is less barking. The neighbour has agreed to pay for ½ of the price of the fence.

Resolution #9

Moved by Deputy Mayor Robson
Seconded by Councillor MacKenzie
THAT Council approve the request to increase the height of the fence by 7 ¼ inches on property owned by Troy and Lisa Hewton at 21 Arthur Street.

CARRIED.

PUBLIC MEETINGS

Nil

ADOPTION OF MINUTES

1. Regular Council meeting of April 24, 2007.

Resolution #10

Moved by Deputy Mayor Robson
Seconded by Councillor Hand
THAT the minutes of the Regular Council meeting of April 24, 2007, be adopted.

CARRIED.

2. Special Council meeting of May 3, 2007.

Resolution #11

Moved by Councillor Hand
Seconded by Deputy Mayor Robson
THAT the minutes of the Special Council meeting of May 3, 2007, be adopted.

CARRIED.

BUSINESS ARISING FROM MINUTES

FINANCIAL REPORTS

1. General Operations: Total Revenues for the month of April, 2007.

Resolution #12

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT the Total Revenues for the month of April, 2007 for General Operations in the amount of \$842,448.79, be approved.

CARRIED.

General Operations: Total Expenditures for the month of April, 2007.

Resolution #13

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the Total Expenditures for the month of April, 2007 for General Operations in the amount of \$339,414.74, be approved.

CARRIED.

2. Water/WPCP: Total Revenues for the month of April, 2007.

Resolution #14

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the Total Revenues for the month of April, 2007 for the Water/WPCP Department in the amount of \$102,828.05, be approved.

CARRIED.

Water/WPCP: Total Expenditures for the month of April, 2007.

Resolution #15

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT the Total Expenditures for the month of April, 2007 for the Water/WPCP Department in the amount of \$138,091.19, be approved.

CARRIED.

COMMITTEE REPORTS

1. Technical Liaison Committee meeting of April 19, 2007.

Resolution #16

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the minutes of the Technical Liaison Committee meeting of April 19, 2007, be received and filed.

CARRIED.

2. Water and Pollution Control Committee meeting of May 9, 2007.

Resolution #17

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the minutes of the Water and Pollution Control Committee meeting of May 9, 2007, be adopted.

CARRIED.

3. Parks Committee meeting of May 10, 2007.

Resolution #18

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the minutes of the Parks Committee meeting of May 10, 2007, be adopted.

CARRIED.

4. Public Works Committee meeting of May 10, 2007.

Resolution #19

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the minutes of the Public Works Committee meeting of May 10, 2007, be adopted.

CARRIED.

5. Fire Committee meeting of May 10, 2007.

Resolution #20

Moved by Councillor Churchill

Seconded by Deputy Mayor Robson

THAT the minutes of the Fire Committee meeting of May 10, 2007, be adopted.

CARRIED.

- Arena/Community Hall Committee meeting of May 10, 2007.

Resolution #21

Moved by Councillor Churchill

Seconded by Deputy Mayor Robson

THAT the minutes of the Arena/Community Hall Committee meeting of May 10, 2007, be adopted.
CARRIED.

- Finance Committee meeting of May 18, 2007.

Resolution #22

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT the minutes of the Finance Committee meeting of May 18, 2007, be adopted.
CARRIED.

MISCELLANEOUS REPORTS

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

Resolution #23

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

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

CARRIED.

- Building Permits Issued for 2007.

Resolution #24

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the Building Permits Issued for 2007, be received and filed.

CARRIED.

COMMUNICATIONS (COUNCIL ACTION)

1. Letters from the Point Edward Optimist Club re: Waterfront Park Festival.

Resolution #25

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the request from the Point Edward Optimist Club to hold their Festival in the Waterfront Park on July 20, 21, and 22, 2007, be approved subject to the same policies, procedures and fees applying as were provided last year; and further that Rob Oberholzer be asked to attend the next Parks Committee meeting to discuss the need to protect the grounds, have controls for the flea market vendors and for the parking by the Rotary Club.

CARRIED.

2. Letter from Bluewater Power re: Summer 2007 Conservation and Demand Management Program.

Resolution #26

Moved by Deputy Mayor Robson

Seconded by Councillor Churchill

THAT the Letter from Bluewater Power re: Summer 2007 Conservation and Demand Management Program, be received and filed.

CARRIED.

3. AMO Survey re: Survey of Interest in Access to a Shared Roster and Appointment of an Investigator.

Resolution #27

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT consideration would be given by Council to the appointment of an Investigator through the LAS program.

CARRIED.

4. AMO Communication re: Government Introduces Fire Services Cancer Bill.

Resolution #28

Moved by Deputy Mayor Robson

Seconded by Councillor Churchill

THAT the AMO Communication re: Government Introduces Fire Services Cancer Bill, be received and filed.

CARRIED.

5. Copy of letter from Village Bingo to the Charities re: closure of Bingo Hall.

Resolution #29

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Copy of the letter from Village Bingo to the Charities re: closure of Bingo Hall, be received and filed.

CARRIED.

6. Resolution from the County of Simcoe requesting support re: Long Term Care Homes Funding.

Resolution #30

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Village of Point Edward Council support the resolution passed by the County of Simcoe regarding the need for increased funding for the long term care homes.

CARRIED.

COMMUNICATIONS RECEIVE AND FILE – LISTED

Listed as of May 16, 2007

1. News Release from the Ministry of Municipal Affairs and Housing re: Province Honours Municipal Official for 25 Years of Service.
2. News Release from the Government of Ontario re: Lester B. Pearson Place Officially Opens.
3. News Release from the Government of Ontario re: Northern Ontario Communities get \$4 Million for Affordable Housing.
4. News Release from the County of Lambton Planning & Development Services Department re: Hundreds Learn About Emergency Preparedness of Clearwater Arena.
5. News Release from the County of Lambton Senior Services Department re: North Lambton Rest Home Changes Name to North Lambton Lodge.
6. News Release from the County of Lambton Libraries, Museums & Cultural Services Department re: Lambton Room Seeks Help Identifying Lambton's Past.
7. News Release from the County of Lambton Community Services Division re: Gallery Lambton Welcomes New Curator.
8. News Release from the Ministry of Municipal Affairs and Housing re: Greenbelt Wins Environmental Planning National Award.
9. News Alert from Ontario Good Roads Association re: OGRA Meets with Ministers to Discuss key Municipal Issues.
10. Letter from MPAC re: Expansion of Property Inspection Program 2007.
11. Letter from Pat Davidson, MP re: Declining Water Levels of the Upper Lakes and the Invasion of the Great Lakes by Exotic Species.
12. Letter from MPAC re: Property Assessment Changes.

13. Letter from Ontario Local Health Integration Network re: Strategic Directions brochure. (brochure located in Councillor's office)
14. 2006 Annual Report from MPAC. (report located in Councillor's office)
15. 2006 Annual Report from OMERS. (report located in Councillor's office)
16. Citizens Panel's Report & Recommendations on How to Increase Organ Donations in Ontario. (report located in Councillor's office)
17. Nomination Form re: 2007 Senior Achievement Awards.
18. Promotional materials re: 2007 Seniors Month.
19. Nomination Form re: Lincoln M. Alexander Award 2007 – Leadership in Eliminating Racial Discrimination.
20. 2007 Ontario Association of Property Standards Conference information package.
21. Newsletter from the Sarnia and District Humane Society News, Spring/Summer 2007.

Listed as of May 22, 2007

1. AMO Member Communication re: Membership Support for Revised Discussion Paper on Strengthening Extended Producer Responsibility for Ontario's Blue Box.
2. AMO Member Communication re: Bill 184, Endangered Species Act, 2007, Has Received Second Reading Committee Hearings on May 2nd and 7th Only.
3. AMO Member Communication re: Proposed Changes to the Waste Diversion Act.
4. Email from AMO re: Endangered Species Act – Ontario Forest Industries Association Positions.
5. AMO Call for Submissions re: Peter J. Marshall 2007 Municipal Innovation Awards Competition.
6. AMO Request for Nominations re: 2007 – 2008 AMO Board of Directors.
7. AMO Conference re: Tentative Program.
8. Municipal Green Building Policy Development Workshop.
9. Email from Communities in Bloom re: Community Corner Flyer 2007.

Resolution #31

Moved by Councillor MacKenzie
Seconded by Councillor Churchill

THAT the Communications (Receive and File – Listed) listed as of May 16 and May 22, 2007, be received and filed.

CARRIED.

NEW BUSINESS

1. Appointment of Committee of Adjustment member

RESOLUTION TO ADJOURN TO AN 'IN CAMERA' SESSION

Resolution #32

Moved by Deputy Mayor Robson
Seconded by Councillor MacKenzie

THAT Council adjourn to an 'In Camera' Session, at 7:55 p.m. for personnel matters.

CARRIED.

RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION

Resolution #33

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT Council reconvene to Regular Council Session, at 8:01 p.m.

CARRIED.

REPORT OF THE CLOSED SESSION MEETING OF COUNCIL

Resolution #34

Moved by Councillor MacKenzie.

Seconded by Deputy Mayor Robson

THAT Gavin Hall be appointed to the Committee of Adjustment for the term ending December 31, 2008 to fill the vacancy left by Jennifer Crawford.

CARRIED.

RESOLUTION TO ADOPT THE REPORT OF THE CLOSED SESSION

Resolution #35

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Report of the Closed Session, be adopted.

CARRIED.

BY-LAWS

1. By-law Number 18 of 2007 being a By-law to Confirm the Resolutions of Point Edward Council which were Adopted Up to and Including May 22, 2007.

Resolution #36

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT By-law Number 18 of 2007 being a By-law to Confirm the Resolutions of Point Edward Council which were Adopted Up to and Including May 22, 2007, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 22nd day of May, 2007.

CARRIED.

BUSINESS FROM COUNCILLORS

Councillor MacKenzie advised that Jane Gallaway expressed concerns that balls from the Optimist Park adjacent to her house were hitting her house and vehicle. She will provide a letter to Council.

ADJOURNMENT

Resolution #37

Moved by Councillor Churchill

Seconded by Councillor MacKenzie

THAT the Council Meeting be adjourned at 8:10 p.m. until the June 12, 2007 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