

VILLAGE OF POINT EDWARD MINUTES

Council Meeting – July 11, 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 MacKenzie
Councillor Bourrie Councillor Hand

Staff Present:

CAO Cramp

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

DELEGATIONS

1. Hazel Brown re: Catering Truck

Resolution #1

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT Hazel Brown be invited within the Bar.

CARRIED.

Ms. Brown advised that the owners along Michigan Ave. had been invited to a breakfast by Council to discuss improvements in the downtown area but she has not seen any changes yet. She has been approached about placing her chip truck out in that vicinity. She does not think it will hurt the downtown area and if there is no money in it, she won't stay. She commented that the soccer players asked her. She does not feel she will be in competition with the Bridge chip trucks, either. She may have a variety of items, including fresh-squeezed lemonade.

Councillor Bourrie asked where it would be located. She advised that it would be at 108 Michigan Ave. She expects that it will be by the sidewalk but it depends on the final finish of the Sharkskin. She stated that it is zoned for selling food.

Councillor MacKenzie advised that the chip truck tender was awarded until the end of 2007 and that they were advised that there will be three chip trucks only. He was concerned with a law suit if approval was granted for anyone else. He noted that the Ex-servicemen's club approached the Village previously and were turned down. Councillor MacKenzie noted that previously the tenders were awarded on an annual basis but this time, it was done for three years to get more interest and make it worthwhile for applicants to make the investment. Councillor MacKenzie also noted that parking could be a problem at her location.

Councillor Bourrie advised that the Village has signed a legal and binding contract and this matter should be referred to the lawyer.

Councillor MacKenzie asked if Ms. Brown has a chip truck and she responded that she does. She would like to park it on her property and bring in a landscaper to spruce up the area. However, she is still waiting to see what Sharkskin is doing.

Councillor Hand asked if it would be placed in the recessed area behind the house. Ms. Brown stated that it would be placed next to the sidewalk.

Deputy Mayor Robson asked if it would be left there. Ms. Brown advised that she would like to take it out for cleaning and it would be seasonal only.

Deputy Mayor Robson commented that it would require an inspection by the Fire Chief due to the closeness of the house.

Councillor Hand commented that another request had been received to offer a different type of food and Council did not approve it.

Ms. Brown asked how Milford Purdy is able to sell from his area. The response was that he has a permanent structure.

Ms. Brown asked about Wayne Conroy selling food. The response was that he cooks in his yard.

Ms. Brown asked what Council wanted from the downtown. She was advised that Council has spent a lot of money in the downtown area. They hoped that this would encourage more development. Ms. Brown commented that nothing happens.

Councillor Bourrie noted that Council is not against Ms. Brown. However, there is a legal obligation to those with the contract.

Resolution #2

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Council direct CAO Cramp to contact the lawyer and Fire Chief MacKenzie; and respond back to Council when the information is obtained.

CARRIED.

2. Mary Alderson, Sarnia-Lambton Business Development Corp. re: services available

Ms. Alderson provided a PowerPoint presentation to Council with information about the services and assistance that are available.

Councillor Bourrie asked what costs are involved. Ms. Alderson responded that this is all funded by Industry Canada. She advised that they often work with downtown business people. They could be sent directly to her and there is an orientation centre every Monday at 2 p.m.

Councillor Bourrie advised that he is chairing the Village Economic Development Advisory Committee, which has just been established. One of the things they will be looking at is to attract businesses to the downtown areas. He asked if she would be able to attend some of the meetings. She advised that she would be pleased to meet with the Committee.

NEW BUSINESS

1. Holmes Foundry property

Mayor Kirkland advised that he was very concerned about the recent fire at Holmes Foundry and that he was shocked at the condition of the buildings. Everything is wide open and there are over 250 tires in it. Something must happen to rectify the situation. This is the third time for a fire. The first time, \$20,000 was paid to board it up. He is concerned with the safety issues. There is a 4" pipe leading from one building to another, which is a particular concern for kids. It is time to take steps to rectify these problems and to take whatever action that can be done legally.

Councillor Bourrie commented that it is also a safety concern for the firefighters. There are kids using skateboarding ramps inside the building. The legal ramifications must be investigated.

Councillor MacKenzie advised that there have been five fires in 15 years. It is time to take action. The buildings should be torn down as they are unsafe and may be contaminated.

Councillor Hand expressed concern regarding the tires in the building and can they be removed.

Doug Lasenby was present at the meeting. He advised that he has not seen anyone on the property and he is there at least twice a day. The property has been re-secured and the signs have been posted. He is in the process of getting quotes to have the tires removed. He stated that the building is not in an unsafe condition. The owners are on a path to have them removed and down by the end of the year. In two weeks, the courts will be dealing with the matter. Once they have a willing partner, they will be able to move forward. In the meantime, they will try to make arrangements for the tires and will check it regularly.

Mayor Kirkland commented that the whole outside area is a problem as well. They cannot place the Fire Trucks on the far side because of the amount of grass. The property is not secure enough.

Deputy Mayor Robson noted that last time they met, they advised that the fences were supposed to be secured. Now there are also contractors on the property. Doug Lasenby replied that the contractors have permission to use the land in a specific area. They ensure that the yard is secure when they leave. They have eliminated the Bayfest parking.

Councillor MacKenzie stated that he needs time frames.

Doug Lasenby advised that July 19 is the date that the courts will rule on ownership. At that point, there will be a group that can deal with the property. He has a bigger and better proposal and there is a meeting on Thursday at which time he hopes to have documents signed. He should have something by the end of the week.

Councillor MacKenzie commented that Council action will be taken by the end of the month if no action is taken by the owners.

Doug Lasenby advised that he will share the information with Council of the costs to remove the buildings.

Councillor MacKenzie stated that the firefighters expect that no one is there. With the concern that people could be in the building, the lives of the firefighters could be jeopardized.

Mayor Kirkland stated that the wood and tires must be removed and they should remove the 4" line between the two buildings.

Doug Lasenby will report back to Council by the first week of August with an update.

Resolution #3

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the C.A.O. contact the Village's lawyer to proceed to check into what can be done to rectify the situation at the Holmes Foundry property.

CARRIED.

Mr. Rick Moyer asked why a security guard is not hired to secure the property 24 hrs. per day.

Doug Lasenby advised that the O.P.P. monitor the property. He will check the pipe and it can probably be taken down in 20 minutes.

Councillor MacKenzie responded that the Village can only legally do so much. It is not simple.

Mr. Moyer stated the buildings should be condemned. Is this done by the Building Department and Fire Chief. Councillor MacKenzie replied that an engineer will be required to evaluate the building.

Linda Bruscher advised that she is concerned. There was a hotel in Port Huron that was empty and condemned. A fire from tires was started and two homeless people died. Something is going to happen here.

Mayor Kirkland commented that the process took 6 to 8 months to be in a position to demolish a house on Alexandra Ave.

Deputy Mayor Robson noted that the Brownfield Community Plan is in the works. The Village has to go through the proper channels.

2. Quotation from Sipkens Nurseries re: garden and seating area in front of Fire Hall./Library

Resolution #4

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the quotation from Sipkens Nurseries in the amount of \$3,066.60, be approved for the garden and seating area in front of the Fire Hall and Library to beautify the corner; and further that we explore options for memorial benches for this area.

CARRIED.

3. Moving Permit

Resolution #5

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Moving Permit, as printed and prepared by the C.A.O., be adopted for use.

CARRIED.

BY-LAWS

1. By-Law Number 26 of 2006, being a By-law to Confirm the Resolutions of Point Edward Council which were adopted up to and including July 11, 2006.

Resolution #6

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT By-Law Number 26 of 2006, being a By-law to Confirm the Resolutions of Point Edward Council which were adopted up to and including July 11, 2006, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 11th day of July, 2006.

CARRIED.

BUSINESS FROM COUNCILLORS

Deputy Mayor Robson commented that Pat and Duncan White had sent a nice note thanking Council for the Strawberry Social.

A letter was also received from Pat Davidson to invite Council members to a reception at AMO.

RESOLUTION TO ADJOURN TO AN 'IN CAMERA' SESSION

Resolution #7

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT Council adjourn to an 'In Camera' session for matters subject to solicitor-client privilege, at 7:25 p.m.
CARRIED.

RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION

Resolution #8

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT Council reconvene to Regular Council Session, at 8:03 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 #9

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Council adopt the report of the Closed Session.

CARRIED.

BY-LAW:

1. By-law Number 21 of 2006, being a By-law to Approve the Expropriation of lands

Resolution #10

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT By-law Number 21 of 2006, being a By-law to Approve the Expropriation of lands, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 11th day of July, 2006.

Recorded Vote:

Mayor Kirkland – Yea
Deputy Mayor Robson – Yea
Councillor MacKenzie – Yea
Councillor Bourrie – Yea
Councillor Hand - Yea

CARRIED.

ADJOURNMENT

Resolution #11

Moved by Councillor Bourrie

Seconded by Councillor MacKenzie

THAT the Council Meeting be adjourned at 8:20 p.m. until the July 11, 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.

Mayor Dick Kirkland

CAO/Clerk Peggy Cramp