

# VILLAGE OF POINT EDWARD MINUTES

## Council Meeting –October 23, 2007

6:30 p.m. – Council Chambers, Point Edward Municipal Office

135 Kendall Street, Point Edward, Ontario

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### Council Members Present:

Mayor Kirkland  
Councillor Hand

Deputy Mayor Robson  
Councillor Churchill

Councillor MacKenzie

### 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 Hand

THAT Council adjourn to an 'In Camera' Session, at 6:30 p.m. regarding a personal matter about an identifiable individual, including employees.

CARRIED.

### RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION

#### Resolution #2

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

C.A.O. Cramp advised that there was nothing to report from the Closed Session.

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

### **Resolution #3**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the Report of the Closed Session meeting of Council, be adopted.

CARRIED.

### **PLANNING**

NIL

### **DELEGATIONS**

1. 7:00 pm - Peter Smith, Committee Chair, Children's Mental Health Advocacy Committee re: Awareness of difficulties facing children with mental health issues.

Mr. Smith advised that he is representing a group of parents looking for funding. In 1990, the Child & Youth Services Board was established until about two years ago. They are very dedicated to children. Their problem is the funding for their core services. They have had to absorb the cost-of-living increases. For the past 15 years, their only increase has been 3% a couple of years ago and 5% this year. It remains that they have 25% less in real dollars than in 1992 as they have fallen behind. One in 5 children will have some mental health issue. The typical cost is \$2,666 per year which is equivalent to one day in the hospital. Most people feel that the children should be treated while they are young. About one year ago, this Committee was formed. Its intent is to be more politicized and to get more funding. It is not under the Ministry of Health but rather Ministry of Children's & Youth Services. Mr. Smith asked for a resolution to support their position for the Province of Ontario to increase funding and guarantee cost-of-living in future years.

Councillor Hand asked if they had tried to have it come under the Ministry of Health. Mr. Smith responded that there is a hurdle between Ministries and they have had no success.

Councillor MacKenzie asked who determines if a child is eligible. Mr. Smith responded that it is usually parents, schools or doctors who recommend it. There is an intake process with a questionnaire. The average wait time is five months but can be up to a year. At that point, they then determine the type of treatment. They also find that sometimes the parents need help.

### **Resolution #4**

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT a letter of support be prepared for the Children's Mental Health Advocacy Committee – Sarnia-Lambton in their quest for more funding from the Ministry of Children's & Youth Services; and further that a copy be forwarded to AMO for municipal support.

CARRIED.

2. 7:15 pm - Dorothy Carr re: Property Standards issues in general.

Ms. Carr advised that she has read Property Standards By-Law Number 16 of 2001 and although she sees that it pertains to everything inside and outside of residences, she is concerned about how the Village presents themselves to those that travel our streets on their way through our Village.

She understands that the Village acts only when someone complains about a situation but feels that the Village should be proactive rather than reactive.

She has complained about a property on Charles Street more than once. Residents should not be required to complain each year to have a property looked at and some action taken. If the Village were proactive, they would be following up to see if the owner has taken to heart the instructions given and to ensure that they are doing a better job in the following year or years.

While driving and walking around, she noticed other things that should be addressed:

- A property in the 300 block of Arthur seems to have a number of derelict vehicles parked near a garage and an old trailer that has sat on the street for weeks now.
- A completely dead tree that seems to be on the property line between 523 and 525 St. Clair Street. This is quite near the public sidewalk and the road and is a safety hazard as well as an eyesore.
- Rear yards that accumulate vast quantities of vehicles, goods and structures.

The Village is in a bit of a transition stage with new younger people moving into houses that have been sold as part of an estate, or by people that are aged and moving into senior's residences or nursing homes. Some of these young owners don't take as much pride in their surroundings as the older residents of the Point and if it is not impressed on them that it is important to care for their surroundings, the visual outlook can only get worse.

Ms. Carr noted that there is a Property Standards Committee consisting of three residents. She asked what the duties of the Committee are, whether we have one and if the Property Standards Officer is a member of the Committee.

CAO Cramp advised that the Property Standards Committee is established to deal with appeals of an Order that is issued by the Property Standards Officer. Because they must judge if an Order is fair and reasonable, they cannot be part of the process prior to the appeal being heard. The Property Standards Officer is appointed from the County of Lambton.

Councillor MacKenzie noted that some of these issues become personal. For example, the Village can remove a tree on the boulevard but cannot do so on private property.

Councillor Churchill noted that there will always be differences of opinion on what meets the minimum standard and what does not.

Councillor MacKenzie noted that noxious weeds are taken care of by the Weed Inspector.

Mayor Kirkland advised that a written complaint is requested to begin the process for Property Standards complaints.

Councillor MacKenzie noted that the legal procedures are lengthy and time consuming but the Village has followed through on a number of complaints even to the point of having a house removed, which took about seven months. He suggested that we contact the County to determine if more regular checks could be made.

Councillor Churchill noted that even though there are some owners who don't care for their property to the required standard, the Village still is beautiful.

3. 7:30 pm - Stan Korosec re: "Nexus By-pass" using Bridge Street.

Mr. Korosec presented a background on the NEXUS program. It is a CBSA initiative. It pre-approves individuals for expedited passage subject to background checks. It is for the trusted traveler. It takes approx. seven seconds to wave the person to proceed. The BWBC is trying to embrace and enhance the initiative. At this time, there are close to 10,000 NEXUS permits approved = 23 per hour. There has been a big promotional campaign through MDOT, Sarnia-Lambton Tourism, OLG Casino, Duty Free and the BWBC. Their web site is GoBorder.com and they have received 30,000 hits since May 8, 2007. They have worked collectively and even provided discounts from some merchants. There are billboards on I-94 with advertising. For an on-line NEXUS application, the cost is \$50. The biggest complaint this summer has been the hours for NEXUS. The BWBC is continuing to lobby to increase the hours but the numbers are not there to support it yet. They are looking at other alternatives where one customs officer can do normal traffic on one side of the booth with the NEXUS customer on the other so that they may be able to move to 24/7 coverage. They continue to explore all opportunities. The NEXUS By-pass would allow them to access the Bridge from Bridge Street when Front Street is closed and then they can travel across the Bridge using the centre lane. There will be a sign at Bridge Street. A traffic director would check for NEXUS, wave the car through or require that they turn around if they do not have the NEXUS card, the car would go through the tolls and carry on. It would be another marketing tool and would also assist the nurses who travel regularly across the Border. They would like to proceed with the cooperation of the Village as soon as possible. They do not expect the delays to go away as security trumps everything. It would be good for tourism. They would pay for the signs and will amend the protocol.

Councillor Churchill asked if this would be for a trial period. Mr. Korosec responded that once it starts, it would be difficult to stop and there are costs involved.

Councillor Churchill asked if Bridge Street would be permanently closed and was advised that this is not the case. When Front Street is open, Bridge Street would be as well. It is only needed when there is a back-up beyond the Front Street access ramp.

Councillor MacKenzie asked how it would work. Mr. Korosec advised that when Front Street is closed by the gate, Bridge Street would also be closed but that NEXUS card holders would be allowed to proceed through at Bridge Street.

Deputy Mayor Robson asked what will happen to the Hwy. 402 proposal for the dedicated lane for Canadians. Mr. Korosec responded that it would not affect it at all.

Councillor Hand was concerned that it would in effect be closed to the public if it could only be used by NEXUS card holders.

Deputy Mayor Robson noted that the general population would not be able to use Bridge Street. Mr. Korosec noted that it would be able to be used at all times when Front Street is open. He noted that there is no back-up now so Bridge Street is open. In the future, they may automate it. The gate will be open all the time except when there is a back-up of traffic.

Councillor Churchill commented that if the public road is not being closed for good, there should be no problem. It will be better for tourists.

Mayor Kirkland noted that OLG Casino Manager Stuart Walker stated that the tourists are often able to get to Canada but it takes forever to get back to the U.S. It is hindering the numbers of people coming to Canada and the Village.

Councillor Churchill noted that the Village has already lost Village Bingo because of the problems.

Deputy Mayor Robson noted that Bridge Street is a public road owned by the Village. She asked if the BWBC wants to own it. Mr. Korosec stated it would continue to be owned by the Village.

Deputy Mayor Robson asked who would pay for the cost of equipment. Mr. Korosec stated that the BWBC will pay for all equipment.

Deputy Mayor Robson asked about line-ups on St. Clair Street. Mr. Korosec stated that it is estimated that there are 23 cars per hour so there will be no wait, particularly with a traffic director or automated device.

Mayor Kirkland noted that it is critical for the Village. We must take it seriously. If we lose the Casino, all capital works would be gone. If there are problems that occur, they can be sorted out.

Councillor Hand noted that this is different than was explained the previous week.

Councillor MacKenzie stated that it has merit. It is advantageous to the community as a whole. The bottleneck remains at the U.S. side and there is no control in dealing with that.

Mayor Kirkland noted that we must try to make it better until the dedicated lanes are constructed.

Councillor Hand noted that it is a temporary solution.

Deputy Mayor Robson asked when cars are backed up and others are allowed to gain access, will there be concerns with road rage. Mr. Korosec noted that the cars and trucks will be stopped. There will be a portable sign and NEXUS cardholders will be able to go to Toll Booth #2. There are four traffic directors, one being designated around Bridge Street. He will direct the oncoming cars.

Mr. Korosec advised that, if approved, it is suggested that a Joint Press Release be made regarding the co-operative effort to ease passage for NEXUS cardholders to assist tourists.

**Resolution #5**

Moved by Councillor Churchill

Seconded by Councillor Hand

THAT the Village of Point Edward Council approve the request from Blue Water Bridge Canada to use Bridge Street as a “NEXUS By-pass” subject to the following conditions:

- Bridge Street will remain a municipal road open to the public;
- The Blue Water Bridge Canada Procedure for the Front Street Ramp Closure (west bound) will be amended in accordance with the written information provided by Stan Korosec with the final amended version to be approved by Council;
- The ‘NEXUS By-pass’ on Bridge Street will become operational only when the Front Street ramp is closed as a result of traffic back-ups on Hwy. 402; and Bridge Street will be opened to the public at all times when the Front Street ramp is open;
- All related costs for signage, advertising and operational matters will be paid by Blue Water Bridge Canada or other organizations with no costs being paid by the Village of Point Edward;
- The BWBC assumes all responsibility for operational matters and all liabilities related to the operation of the “NEXUS By-pass”.

CARRIED.

**PUBLIC MEETINGS**

Nil

**ADOPTION OF MINUTES**

1. Regular Council meeting of September 25, 2007.

**Resolution #6**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the minutes of the Regular Council meeting of September 25, 2007, be adopted.

CARRIED.

2. Regular Council meeting of October 10, 2007.

**Resolution #7**

Moved by Councillor MacKenzie

Seconded by Councillor Churchil

THAT the Regular Council meeting of October 10, 2007, 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 September 2007.

**Resolution #8**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Total Revenues for the month of September, 2007 for General Operations in the amount of \$48,593.45, be approved.

CARRIED.

General Operations: Total Expenditures for the month of September 2007.

**Resolution #9**

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT the Total Expenditures for the month of September, 2007 for General Operations in the amount of \$1,634,704.77, be approved.

CARRIED.

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

**Resolution #10**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Total Revenues for the month of September, 2007 for Water/WPCP Departments in the amount of \$154,798.01, be approved.

CARRIED.

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

**Resolution #11**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Total Expenditures for the month of September, 2007 for Water/WPCP Departments in the amount of \$57,621.67, be approved.

CARRIED.

**COMMITTEE REPORTS**

1. Technical Liaison Committee meeting minutes of September 6, 2007.

**Resolution #12**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the Technical Liaison Committee meeting minutes of September 6, 2007, be received and filed.  
CARRIED.

2. Police Services Board meeting minutes of September 13, 2007.

**Resolution #13**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Police Services Board meeting minutes of September 13, 2007, be received and filed.  
CARRIED.

3. Arena/Community Hall Committee meeting minutes of October 10, 2007.

**Resolution #14**

Moved by Councillor Hand

Seconded by Councillor MacKenzie

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

4. Fire Committee meeting minutes of October 10, 2007.

**Resolution #15**

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

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

5. Water/WPCP Committee meeting minutes of October 11, 2007.

**Resolution #16**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Water/WPCP Committee meeting minutes of October 11, 2007, be adopted.  
CARRIED.

6. Parks Committee meeting minutes of October 16, 2007.

**Resolution #17**

Moved by Councillor Churchill

Seconded by Deputy Mayor Robson

THAT the Parks Committee meeting minutes of October 16, 2007, be adopted.

CARRIED.

7. Public Works Committee meeting minutes of October 16, 2007.

**Resolution #18**

Moved by Councillor Churchill

Seconded by Councillor MacKenzie

THAT the Public Works Committee meeting minutes of October 16, 2007, be adopted.

CARRIED.

8. Finance Committee meeting minutes of October 18, 2007.

**Resolution #19**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

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

CARRIED.

**MISCELLANEOUS REPORTS**

1. Transit Report for the Month of July 2007.

**Resolution #20**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Transit Report for the Month of July 2007, be received and filed.

CARRIED.

2. Plumbing Permits issued for the Village of Point Edward for the month of September 2007.

**Resolution #21**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Plumbing Permits issued for the Village of Point Edward for the month of September 2007, be received and filed.

CARRIED.

3. Point Edward O.P.P. Police Services Board Report, October 11, 2007.

**Resolution #22**

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the Point Edward O.P.P. Police Services Board Report, October 11, 2007, be received and filed.

CARRIED.

**COMMUNICATIONS (COUNCIL ACTION)**

1. Memo from the County of Lambton Infrastructure & Development Services Division re: Source Water Protection Committee.

**Resolution #23**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Village of Point Edward Council support the nomination of Darrell Randell, Councillor of the Township of St. Clair to sit as the representative of Lambton County Municipalities on the Source Water Protection Committee.

CARRIED.

2. Letter from McKenzie & Blundy requesting support re: Film to Honour Canadian Veterans.

**Resolution #24**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Notice regarding the film to honour Canadian Veterans be posted on the bulletin board; and that McKenzie & Blundy be congratulated on their efforts.

CARRIED.

3. Letter from WSIB re: Workplace Safety and Insurance Board Community Workplace Health & Safety Charter.

**Resolution #25**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the letter from WSIB re: Workplace Safety and Insurance Board Community Workplace Health & Safety Charter, be received and filed.

CARRIED.

4. Letter from Goodwill Industries Essex Kent Lambton re: Request to use Village sidewalks & walkways for the 2008 Community Walk.

**Resolution #26**

Moved by Councillor MacKenzie  
Seconded by Councillor Churchill

THAT Goodwill Industries Essex Kent Lambton be permitted to use Village sidewalks and walkways for their 2008 Community Walk subject to the normal requirements.

CARRIED.

5. Resolution from the Township of Wellington North requesting support re: Reg 170/03 of the Safe Drinking Water Act.

**Resolution #27**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie

THAT the Village of Point Edward Council support the resolution that was passed by the Township of Wellington North to reduce the lead sampling requirements for small municipal water systems proportionately to the number of samples required for larger municipalities of 100,000 or more.

CARRIED.

6. Resolution from the Township of North Dumfries requesting support re: Ontario's Aggregate Resources.

**Resolution #28**

Moved by Councillor MacKenzie  
Seconded by Councillor Churchill

THAT the resolution from the Township of North Dumfries requesting that the Province of Ontario consider increasing the fees and royalties charged to aggregate operators and using the additional funding towards increasing staff to effectively enforce the requirements pertaining to aggregate extraction operations, be received and filed.

CARRIED.

7. Resolution from the Township of Stirling Rawdon requesting support re: Catastrophic Natural Events Assistance.

**Resolution #29**

Moved by Deputy Mayor Robson  
Seconded by Councillor Churchill

THAT the Village of Point Edward Council support the resolution that was passed by the Township of Stirling-Rawdon to request that the governments at the federal and provincial level seek to develop a program that will provide prompt assistance to residents who are dealing with the aftermath and repercussions of a catastrophic natural event.

CARRIED.

8. Resolution from the Township of Brock requesting support re: Pulp and Paper Biosolids M.O.E. Agreement.

**Resolution #30**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the resolution passed by the Township of Brock regarding paper fibre biosolids, be received and filed.

CARRIED.

9. Letter from Lambton Federation of Agriculture re: Locally Lambton Map.

**Resolution #31**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the request for a donation towards the Locally Lambton Map, be referred to the Finance Committee.

CARRIED.

**COMMUNICATIONS RECEIVE AND FILE – LISTED**

**Listed as of October 17, 2007**

1. News Release from the County of Lambton Office of the County Warden re: County of Lambton Holds Community Consultations to Discuss Immigration Portal.
2. News Release from the County of Lambton Children's Services Department re: Open House Planned for New Best Start Hub at Coronation Park Day Nursery.
3. News Release from Bluewater Health Foundation re: Hospital Foundation Confirms Funds in Place for Building Project.
4. News Release from Dow Sarnia re: Proposal Numbers narrowed for Dow Sarnia Legacy Project.
5. Letter from the Minister of Fisheries and Oceans re: upper Great Lakes water levels.
6. Update letter from pat Davidson re: New Minister of Agriculture and Agri—Food and Minister for the Canadian Wheat Board.
7. Letter from the Minister of Community Safety & Correctional Services re: Essentials of Municipal Fire Protection – A Decision Maker's Guide.
8. Forum Information from the Carolinian Canada Coalition.
9. Conference information from the Canadian Institute re: Drinking Water Quality Management.
10. AMO Member Communication Alert re: Information on MHSW Program Plan & MHSW Tendering.
11. AMO Member Communication Alert re: Key Campaign Promises 2007.
12. AMO Member Communication Alert re: Municipal Energy Services Information Request.
13. AMO Member Communication FYI re: Deadline Reminder for Ministry of Citizenship and Immigration 2007-2008 Application Guide for Ontario-Based Municipalities Interested in Establishing Locally Produced, Web-Based Resources for Newcomers.
14. LAS – Local Authority Services Ltd. Newsletter.
15. News Release from Communities in Bloom Ontario re: Ontario Awards Conference.

**Resolution #32**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

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

CARRIED.

**NEW BUSINESS**

1. Appeal from Gerald Spanton re: By-law 31 of 2007.

**Resolution #33**

Moved by Deputy Mayor Robson

Seconded by Councillor Churchill

THAT the position of Council in response to the appeal filed by Gerald Spanton is that the proposal is consistent with the requirements of the Provincial Policy Statement and in conformity with the Village of Point Edward Official Plan, and desirable for the area.; and further that there is already a mix of land uses in the immediate area, including single detached, semi-detached and apartment dwellings, open space, and commercial uses; and further that matters of building design are not within the jurisdiction of Council to regulate at this time as the Village's Official Plan does not contain urban design policies and guidelines as required by the Planning Act prior to the exercise of building design controls through the site plan approval process.

CARRIED.

2. Operating Budget Meeting Date

The meeting date is scheduled for March 28, 2008 at 9 a.m.

**BY-LAWS**

By-Law Number 35 of 2007 Being a By-Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including October 23, 2007.

**Resolution #34**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT By-Law Number 35 of 2007 Being a By-Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including October 23, 2007, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 23<sup>rd</sup> day of October, 2007.

CARRIED.

**BUSINESS FROM COUNCILLORS**

Capital Budget

Councillor MacKenzie reminded Council that the Capital Budget day is December 7, 2007 beginning at 9 a.m.

**ADJOURNMENT**

**Resolution #35**

Moved by Deputy Mayor Robson

Seconded by Councillor Churchill

THAT the Council Meeting be adjourned at 8:55 p.m. until the November 13, 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.

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Mayor Dick Kirkland

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CAO Peggy Cramp