

The first regular meeting of the Council of the Municipality of West Perth for the month of June 2009 was held in the Council Chambers at the West Perth Municipal Office on Monday June 8th, 2009 at 7:00 p.m.

Members of Council present:

Mayor John Van Bakel
Deputy Mayor Gerry Kehl
Councillor Don Jones
Councillor Barb MacLean
Councillor Jeff Marshall
Councillor Walter McKenzie
Councillor Ross McIntosh
Councillor Mike Tam
Councillor Gordon Young
Councillor Larry Wight
Councillor Bert Vorstenbosch

Members of Staff present:

Operations Manager Mike Kraemer
CAO Will Jaques
Clerk Susan Cronin

1. Opening:

Mayor Van Bakel called the meeting to order at 7:02 p.m.

2. Declaration of Conflict of Interest

There were no declarations of conflict of interest stated by any members of Council with regard to items listed on the Agenda.

Media Coverage was provided by Hilary Long of the Mitchell Advocate.

- 3. Delegations and Petitions:** Ian Rawlings from the IBI Group was in attendance on behalf of C&B Enterprises Development Agreement. This was in regard to property on Clayton Street. C&B Enterprises owns the property on the south side of Clayton Street while the Municipality of West Perth owns property on the north side. Mr. Rawlings conveyed the frustration of the owners over this property regarding Hydro and road servicing. He requested the municipality's assistance to move the process along as there is a common interest between the municipality and the owners. Staff is to contact West Perth Power and investigate the possibility of combining the servicing of the Bice property and West Perth properties, in order to realize potential cost savings to both parties.

There are two additions to the agenda. Under "Correspondence for Council Information:" Canada - Ontario Partnership Creates Jobs, Stimulates Economy in Perth-Wellington (Funding for Infrastructure Projects). Under "Accounts": Report from Arena Manager regarding FX Coating.

There is a change in the order of procedure - "Closed to the Public Session" will be moved to 5.1.

4. Approval of the Minutes of Previous Meeting(s):

RESOLUTION: 282/09

Moved by Gordon Young

Seconded by Don Jones

THAT:

The Council of the Municipality of West Perth approve the minutes of the May 25th, 2009 regular Council meeting and the Public Meeting for Mahon of May 25th, 2009 with changes.

CARRIED

Business Arising from the Minutes:

Councillor Jones reported regarding the request from the Mitchell Lions Club to replace a building at the Lions Park. The Municipality is willing to work with the Lions Club on this project. Staff is investigating grant options. More details on the structure are to follow.

Councillor Jones also reported about the small game situation at the wetlands. The cost of using a crossbow is high. Other options are being investigated.

A report of the prefab bridge transporting in Chatsworth will be presented at the next meeting.

5. Report to Council: Kent Hunter and Lyle Parsons from R.J. Burnside were present to update council members on West Perth Landfill Sites.

RESOLUTION: 283/09

Moved by Mike Tam

Seconded by Jeff Marshall

THAT:

The Council of the Municipality of West Perth suspends the order of procedure with a CLOSED TO PUBLIC SESSION on the agenda at 5.1 instead of 18.

CARRIED

5.1 Closed to the Public Session:

RESOLUTION: 284/09

Moved by Gordon Young

Seconded by Walter McKenzie

THAT:

The Council of the Municipality of West Perth continue the meeting in a Closed Session at 7:55 p.m. to discuss Personal matters about an identifiable individual, including but not clearly limited to employees of the Municipality and a proposed or pending acquisition or disposition of land by the Municipality.

CARRIED

RESOLUTION: 285/09

Moved by Jeff Marshall

Seconded by Ross McIntosh

THAT:

The Council of the Municipality of West Perth resume the regular Council meeting at 9:12 p.m.

CARRIED

RESOLUTION: 286/09

Moved by Gordon Young

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth accept the recommendation of the hiring committee for the position of Public Works Operator to be offered to Candidate # 1. Should Candidate # 1 not accept, authorization has been given to offer the position to Candidate # 2.

CARRIED

RESOLUTION: 287/09

Moved by Don Jones

Seconded by Jeff Marshall

THAT:

The Council of the Municipality of West Perth approve the hiring of Jeff Wolfe for the position of Environmental Services coordinator;

And Further That:

He will commence at Step 2 in the pay band with a 6 month probationary period commencing at the starting date of employment.

CARRIED

6. Planning:

RESOLUTION: 288/09

Moved by Barb MacLean

Seconded by Walter McKenzie

THAT:

The Council of the Municipality of West Perth accept the planning correspondence not specifically dealt with for information.

CARRIED

7. Drains:

RESOLUTION: 289/09

Moved by Ross McIntosh

Seconded by Walter McKenzie

THAT:

The Council of the Municipality of West Perth appoint William Dietrich as the Drainage Superintendent to prepare an Improvement/Repair Report under Section 74 of the Drainage Act, Chapter D17, R.S.O. 1990, Request for Repair on the Watson Municipal Drain for property owned by Joseph Louwagie for property at Lot 6 Concession 6, Hibbert Ward.

CARRIED

RESOLUTION: 290/09

Moved by Gordon Young

Seconded by Barb MacLean

THAT:

The Council of the Municipality of West Perth appoint William Dietrich as the Drainage Superintendent to prepare an Improvement/Repair Report under Section 74 of the Drainage Act, Chapter D17, R.S.O. 1990, Request for Repair on the "A" Drain of the Ritz Municipal Drain for property owned by Gerald H. Kolkman for property at Lot 14 Concession 15, Logan Ward.

CARRIED

RESOLUTION: 291/09

Moved by Walter McKenzie

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth appoint William Dietrich as the Engineer to prepare an Improvement/Repair Report under Section 78 of the Drainage Act, Chapter D17, R.S.O. 1990, Request for Repair on the McDougall Municipal Drain by Operations Manager Mike Kraemer for property at Lot 19 Concession 1, Mitchell Ward (Mitchell Domestic Landfill).

CARRIED

8. Correspondence for Council Direction:

RESOLUTION: 292/09

Moved by Gerry Kehl

Seconded by Don Jones

THAT:

The Council of the Municipality of West Perth approve a request by the Mitchell Curling Club for the 2009 Provincial Junior Elimination Fastball tournament event to be held on July 3rd - 5th, 2009 at Keterson Park.

CARRIED

Staff is to correspond with Marklevitz Architects and request clarification as to the charges on Change Order # 27.

Staff is to invite the Fire Marshall to speak to Council on June 22nd, 2009 to discuss the flow rate testing of hydrants.

RESOLUTION: 293/09

Moved by Don Jones

Seconded by Bert Vorstenbosch

THAT:

The Council of the Municipality of West Perth Direct staff to advertise for the vacant position on the West Perth Public Library Board in the Mitchell Advocate.

CARRIED

9. Correspondence for Council's Information:

RESOLUTION: 294/09

Moved by Bert Vorstenbosch

Seconded by Gordon Young

THAT:

The Council of the Municipality of West Perth support a resolution from The Council of the Town of Smiths Falls:

WHEREAS public libraries have a strong role in literacy, innovation, community and prosperity in municipalities;

AND WHEREAS the Ministry of Culture is currently updating its policies related to supporting public libraries as they wish to ensure that policies position public libraries for the future;

AND WHEREAS the role of learning in Ontario's future knowledge-based economy grows, the informal learning systems of public libraries will be even more important.

AND WHEREAS the library of the future will need to respond to a new social, technological and economic environment.

AND WHEREAS municipalities are incurring the majority of costs associated with delivering library programming.

AND WHEREAS those same municipalities bear the majority of the costs to build and maintain library facilities.

AND WHEREAS the province has decreased its annual grants since 1985 from 15% of annual revenue to 4% of annual revenue which continues to threaten the future of these engines of cultural and economic development.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Smiths Falls petitions that the Province increase its annual grants to 15% of library revenue.

AND FURTHER THAT a copy of the motion be forwarded to the Premier of Ontario, the Honourable Aileen Carroll Minister of Culture, MPP Randy Hillier, the Ontario Library Service and the Association of Municipalities of Ontario for circulation.

CARRIED

RESOLUTION: 295/09

Moved by Don Jones

Seconded by Bert Vorstenbosch

THAT:

The Council of the Municipality of West Perth support a resolution from The Town of Fort Erie:

WHEREAS the Ombudsman is the “citizen representative” and the Office of the Ombudsman is responsible for responding to complaints affecting government organizations save and except hospitals, long-term care facilities and children’s aid societies, and

WHEREAS the Office of the Ombudsman has been advocating since 1975 to include hospitals under the jurisdiction of the Ombudsman, but to date, Ontario remains the ONLY Province in Canada who’s Ombudsman has no jurisdiction over hospitals and long-term care facilities, and

WHEREAS hospitals spend more than \$20 billion in public money every year in Ontario, and

WHEREAS whether overseeing the police, the military or the Provincial Government, Mr. Marin has stated one of the beliefs that’s closest to his heart is that these bodies don’t exist for their own ends. They exist to serve the public. The public also has great expectations of the checks and balances that exist to keep the system functioning as it should, and

WHEREAS the historical reason for not including hospitals under the Ombudsman Act is extremely weak and is based on the fact they do not fall under the definition because they have their own elected boards, and

WHEREAS a municipal “board of directors” is directly elected by the public and the hospital board is not, and

WHEREAS the Office of the Ombudsman is quoted as saying, “Ontario is the only province in Canada whose Ombudsman does not have a mandate to oversee hospitals. Despite this, the Ombudsman’s Office receives many serious complaints about hospitals every year that cannot be investigated. A total of 276 complaints about hospitals were received in fiscal 2007-2008.”, and

WHEREAS the time has come for the Government of Ontario to include hospitals under the jurisdiction of the Ombudsman Act to ensure a high level of health care, fiscal responsibility, accountability, openness and transparency;

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Town of Fort Erie that it hereby petitions the Premier of Ontario to take the necessary steps in a timely manner to amend the Ombudsman Act to include hospitals under the jurisdiction of the Ombudsman, and further

THAT: In the event the Premier responds negatively, the Municipal Council of the Town of Fort Erie respectfully requests and expects a full and complete explanation as to why the Province will not amend the Act as requested, and further

THAT: This resolution be circulated to all municipalities in the Province of Ontario for support, and further

THAT: The appropriate persons are so notified of this action.

CARRIED

RESOLUTION: 296/09

Moved by Jeff Marshall

Seconded by Don Jones

THAT:

The Council of the Municipality of West Perth support a resolution from The City of Pickering:

The Council of the Corporation of the City of Pickering considered the Harmonized Sales Tax matter at a meeting held on May 19, 2009 and the following motion was adopted:

WHEREAS the economy in Canada and in the Province of Ontario is faced with an unstable climate and high unemployment rates; and

WHEREAS peoples savings and portfolios have been drastically affected by the world economic condition; and

WHEREAS the Provincial Government recently announced the harmonization of the 5% GST and the 8% PST; and

WHEREAS this harmonized sales tax will negatively impact all consumers, young and old, married or single, by implementing the proposed harmonized tax to almost all goods and services that were previously exempt from PST; and

WHEREAS the 8% PST will be added to items such as, but not limited to, gasoline, home heating fuel, water, hydro, used cars, real estate commissions, home renovations,

personal services, chiropractor, massage therapy, consultants, lawyer's fees, prescriptions, registration fees and memberships for recreational services used by seniors and children.

THEREFORE BE IT RESOLVED that we, The Council of the City of Pickering, appeal to the Province of Ontario to stop the implementation of the proposed Provincial Harmonized Sales Tax until more public consultation and input is received; and

BE IT FURTHER RESOLVED that we, The Council of the City of Pickering, request that AMO lobby the Province of Ontario on our behalf, and that a copy of this resolution be sent to all municipalities in Ontario requesting their support.

CARRIED

CAO Jaques reported on the Canada – Ontario Partnership Creates Jobs, Stimulates Economy in Perth-Wellington (Funding for Infrastructure Projects).

Municipality of West Perth projects approved for the Building Canada Fund – Communities Component is the Wellington Street reconstruction with an estimated project cost of \$1,905,000. For the Infrastructure Stimulus Fund project is St. Andrew Street reconstruction with an estimated project cost of \$1,400,000.

RESOLUTION: 297/09

Moved by Jeff Marshall

Seconded by Gerry Kehl

THAT:

The Council of the Municipality of West Perth accept the correspondence not specifically dealt with included on the FOR COUNCIL'S INFORMATION AGENDA for information only.

CARRIED

10. Presentation of Accounts:

CAO Jaques reported on the addition to the accounts for FX Coating.

RESOLUTION: 298/09

Moved by Ross McIntosh

Seconded by Gordon Young

THAT:

The Council of the Municipality of West Perth approve the accounts as presented with the addition of the FX Coating concrete repair invoice.

CARRIED

11. Committee Reports:

RESOLUTION: 299/09

Moved by Don Jones

Seconded by Bert Vorstenbosch

THAT:

The Council of the Municipality approve the minutes of the Energy and Environment Committee Meeting from May 21st, 2009 as presented.

CARRIED

RESOLUTION: 300/09

Moved by Larry Wight

Seconded by Jeff Marshall

THAT:

The Council of the Municipality approve the minutes of the Police Services Board meeting from May 13th, 2009 as presented.

CARRIED

Councillor Marshall reported that he attended the Avon Maitland District School

Board meeting on May 29, 2009. There was discussion on school closures, enrolment and grade comparisons between boys and girls.

12. By-laws:

RESOLUTION: 301/09

Moved by Don Jones

Seconded by Larry Wight

THAT:

By-law #036-09; being a By-law to execute an agreement between the Corporation of the Municipality of West Perth and 1718708 Ontario Inc. (Deck Dentistry)

By-law #037-09; being a By-law to regulate the sale of fireworks.

By-law #039-09; being a By-law to declare Block A Plan 476 Property in the Mitchell Ward Surplus.

Be introduced, read or considered read a first and second time.

CARRIED

RESOLUTION: 302/09

Moved by Gerry Kehl

Seconded Don Jones

THAT:

By-law #036-09; being a By-law to execute an agreement between the Corporation of the Municipality of West Perth and 1718708 Ontario Inc; be read or considered read a third time, be finally passed, signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 303/09

Moved by Don Jones

Seconded Bert Vorstenbosch

THAT:

By-law #037-09; being a By-law to regulate the sale of fireworks; be read or considered read a third time, be finally passed, signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 304/09

Moved by Jeff Marshall

Seconded Gerry Kehl

THAT:

By-law #039-09; being a By-law to declare Block A Plan 476 Property in the Mitchell Ward Surplus; be read or considered read a third time, be finally passed, signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

13. Unfinished Business: none

14. New Business: Councillor McIntosh mentioned the fundraising barbecue for the Fullarton Ball Park on Saturday June 13, 2009.

15. Status of Reports:

West Perth Power: Nothing to report.

Brodhagen Community Hall: Nothing to report

16. Notices of Motion: none

- 17. **Questions from the Press:** none
- 18. **Closed to the Public Session:** done earlier in meeting
- 19. **Adjournment:**

RESOLUTION: 305/09

Moved by Jeff Marshall

Seconded by Don Jones

THAT:

By-law No. 39-09; being a By-law to confirm generally previous actions of the Council of the Corporation of the Municipality of West Perth; be introduced, read or considered read a first, second, be read or considered read a third time, finally passed, signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 306/09

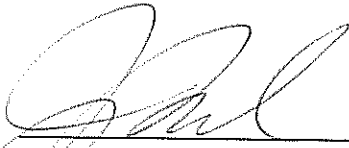
Moved by Ross McIntosh

Seconded by Larry Wight

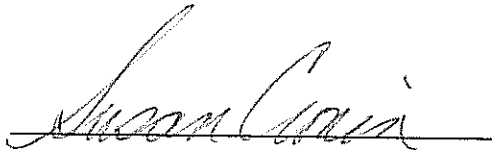
THAT:

The Council of the Municipality of West Perth adjourn the Council meeting at 10:28 p.m.

CARRIED



John Van Bakel, Mayor



Susan Cronin, Clerk