

The second regular meeting of the Council of the Municipality of West Perth for the month of October 2009 was held in the Council Chambers at the West Perth Municipal Office on Monday October 26th, 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:

CAO Will Jaques
Clerk Susan Cronin
Treasurer Karen McLagan

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 Andy Bader of the Mitchell Advocate.

Additions to the agenda included:

- Drains – petition for repairs on the Templeman Drain by Richard Templeman
- By-law #076-2009 to execute an agreement with Community Outreach

RESOLUTION: 518/09

Moved by Don Jones

Seconded by Gordon Young

THAT:

The Council of the Municipality of West Perth approve the agenda as presented with the additions.

CARRIED

3. Public Meeting:

- 1) A Public Meeting for property at Part of Lot 14, Concession 1 (Hibbert) in the Municipality of West Perth for property owned by Petur and Bonnie Van Bergen was held during the Council meeting.
- 2) Engineer John Spriet reviewed the report for Seebach Branch D Municipal Drain 2009. Mr. Bruce Ovens was in attendance. Correspondence was received from Sharon Renecker and Linda Feeny, Power of Attorneys for Earl Messerschmidt. Concerns over the assessments were discussed.
Mr. Spriet answered questions from members of Council. Appeals will be received 10 days before the Court of Revision.

RESOLUTION: 521/09

Moved by Don Jones

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth accept the report as presented on the Seebach Branch D Municipal Drain 2009.

AND FURTHER THAT:

The Court of Revision for the Seebach Branch "D" Municipal Drain 2009 be set for November 23rd, 2009.

AND FURTHER THAT:

Tenders for the Seebach Branch 'D' Municipal Drain 2009 be received by 12:00 p.m. on November 23rd, 2009.

CARRIED

- 3) Engineer John Spriet reviewed the report for Woods Branch 'B' Municipal Drain 2009.

Mr. Spriet reviewed his report. John and Cindy Dekroon were in attendance for this report. Mr. Spriet answered questions from members of Council. This drain involves Huron and Perth Counties. Mr. Dekroon requested the work be completed by May 15, 2010.

RESOLUTION: 522/09

Moved by Walter McKenzie

Seconded by Barb MacLean

THAT:

The Council of the Municipality of West Perth accept the report as presented on the Woods Branch 'B' Municipal Drain 2009.

AND FURTHER THAT:

The Court of Revision for the Woods Branch 'B' Municipal Drain 2009 be set for November 23rd, 2009.

AND FURTHER THAT:

Tenders with a completion date of May 15th, 2010 for the Woods Branch 'B' Municipal Drain 2009 be received by 12:00 p.m. on November 23rd, 2009.

CARRIED

4. Delegations and Petitions:

- 1) Rob and Steve Dearing were in attendance. Mr. Dearing presented a history of the Cromarty Ball Park. The South Hibbert Athletic Association requested the Municipality's assistance for playground equipment at the Cromarty ball park. Replacement of the playground equipment is estimated at approximately \$57,700. The S.H.A.A. will contribute \$5000. Plus \$1200 in labour. A trillium grant is being applied to for approximately \$35,000. Mr. Dearing requested the municipality contribute \$15,500. The committee will be investigating other grants.

RESOLUTION: 523/09

Moved by Gerry Kehl

Seconded by Bert Vorstenbosch

THAT:

The Council of the Municipality of West Perth assist the South Hibbert Athletic Association with a contribution of up to \$15,500. for playground equipment for the Cromarty Ball Park.

CARRIED

Matt Pearson from B.M. Ross and Associates was in attendance. Mr. Pearson reviewed his report regarding Development Charges. Mr. Pearson outlined the various factors that are incorporated into the charge calculation. Members of Council asked questions.

RESOLUTION: 524/09

Moved by Gerry Kehl

Seconded by Mike Tam

THAT:

The Council of the Municipality of West Perth accept the report prepared by B.M.Ross regarding Development Charges.

AND FURTHER THAT:

A draft by-law be prepared and a public meeting be set for November 16, 2009 at 7:00 p.m. to consider the by-law.

CARRIED

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

RESOLUTION: 525/09

Moved by Jeff Marshall

Seconded by Bert Vorstenbosch

THAT:

The Council of the Municipality of West Perth approve the minutes of the October 13th, 2009 regular Council meeting, October 19th, 2009 Committee of the Whole Meeting and October 19th, 2009 Special Council Meeting as presented.

CARRIED

Business Arising from the Minutes: none

6. Planning:

RESOLUTION: 526/09

Moved by Jeff Marshall

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth approve the minutes of the Planning Advisory Meeting of October 21st, 2009 as presented.

AND FURTHER THAT:

A Public Meeting for the application for a Zoning by-law amendment by Oxford Milkways Transport Co-operative affecting property described as Part of Lot 14 Concession 1 in the Hibbert Ward in the Municipality of West Perth be set for November 23rd, 2009.

AND FURTHER THAT:

A Public Meeting for the application for a Zoning by-law amendment by 2002420 Ontario Inc. affecting property described as Lot 340 and 341 and Part of Lot 319 in the Mitchell Ward in the Municipality of West Perth be set for November 23rd, 2009.

CARRIED

7. Drains:

RESOLUTION: 527/09

Moved by Walter McKenzie

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 Templeman Municipal Drain by Richard Templeman for property at East Part of Lot 13 Concession 9 in the Hibbert Ward of the Municipality of West Perth.

CARRIED

8. Correspondence for Council Direction:

RESOLUTION: 528/09

Moved by Don Jones

Seconded by Gerry Kehl

THAT:

The Council of the Municipality of West Perth support a request from Mayor Victor Fedeli of The City of North Bay regarding the Buy American Battle.

CARRIED

9. Correspondence for Council's Information:

Council Reviewed the correspondence.

10. Presentation of Accounts:

RESOLUTION: 529/09

Moved by Ross McIntosh

Seconded by Walter McKenzie

THAT:

The Council of the Municipality of West Perth approve the accounts as presented.

CARRIED

11. Committee Reports: none

12. By-laws:

RESOLUTION: 530/09

Moved by Jeff Marshall

Seconded by Bert Vorstenbosch

THAT:

By-law No. 072-2009; being a By-law to provide for a drainage works in the Municipality of West Perth in the County of Perth for the Seebach Branch D Municipal Drain 2009.

By-law No. 073-2009; being a By-law to provide for a drainage works in the Municipality of West Perth in the County of Perth for the Woods Drain "Branch B" Municipal Drain 2009.

By-law No. 074-2009; being a By-law to authorize an agreement between the Association of Mitchell Minor Sports and the Municipality of West Perth.

By-law No. 076-2009; Being a By-law to authorize the execution of an Agreement between the Corporation of the Municipality of West Perth, The Mitchell & District Kinsmen Club, the Mitchell Lions Club, the Royal Canadian Legion Branch 128 and Tudor Lodge ("Service Groups") and Ritz Lutheran Villa operation a program under the name of Mitchell and Area Community Outreach ("the Operator").

By-law Z119-2009; being a By-law to amend By-law No. No. 100-1998 that affects property in the Municipality described as Part of Lot 14, Concession 1 in the Hibbert Ward.

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

CARRIED

RESOLUTION: 531/09

Moved by Bert Vorstenbosch

Seconded Gordon Young

THAT:

By-law No. 074-2009; being a By-law to authorize an agreement between the Association of Mitchell Minor Sports and the Municipality of West Perth; 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: 532/09

Moved by Larry Wight

Seconded Don Jones

THAT:

By-law No. 076-2009; Being a By-law to authorize the execution of an Agreement between the Corporation of the Municipality of West Perth, The Mitchell & District Kinsmen Club, the Mitchell Lions Club, the Royal Canadian Legion Branch 128 and

Tudor Lodge ("Service Groups") and Ritz Lutheran Villa operation a program under the name of Mitchell and Area Community Outreach ("the Operator").

; 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: 533/09

Moved by Walter McKenzie

Seconded Jeff Marshall

THAT:

By-law Z119-2009; being a By-law to amend By-law No. No. 100-1998 that affects property in the Municipality described as Part of Lot 14, Concession 1 in the Hibbert Ward; 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:

Chief Administrative Officer Jaques presented a report on a new Employee Performance Appraisal Form. There was discussion regarding the length of the form.

RESOLUTION: 534/09

Moved by Don Jones

Seconded Jeff Marshall

THAT:

The Council of the Municipality of West Perth adopt the Employee Performance Appraisal form as presented by CAO Jaques.

CARRIED

All employee reviews are to be completed by December 31, 2009.

Economic Development Breakfast is October 28, 2009 at 7:00 a.m. at the Arena.
Public Meeting regarding the proposed bridge is October 29, 2009 at 6:30 p.m.

15. Status of Reports:

West Perth Power: CAO Jaques is to consult with a lawyer regarding the details of the change over.

Brodhagen Community Hall: nothing to report

16. Notices of Motion: none

17. Questions from the Press:

Andy Bader requested a copy of the report from B.M. Ross regarding development charges.

18. Closed to the Public Session:

RESOLUTION: 535/09

Moved by Mike Tam

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth continue the meeting in a Closed Session at 9:39 p.m. to discuss the following:

Litigation or potential Litigation, including matters before administrative tribunals such as the Ontario Municipal Board

CARRIED

RESOLUTION: 536/09

Moved by Don Jones

Seconded by Jeff Marshall

THAT:

The Council of the Municipality of West Perth resume the regular Council meeting at 10:32 p.m.

CARRIED

RESOLUTION: 537/09

Moved by Gerry Kehl

Seconded by Bert Vorstenbosch

THAT:

The Council of the Municipality of West Perth withdraw resolutions 513/09 and 514/09 regarding by-law 069-2009; a by-law to execute an agreement between the Corporation of the Municipality of West Perth and Tri-Bar Flooring Ltd. Due to the incompleteness of the agreement.

CARRIED

19. Adjournment:

RESOLUTION: 538/09

Moved by Jeff Marshall

Seconded by Don Jones

THAT:

By-law No. 075-2009; 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: 539/09

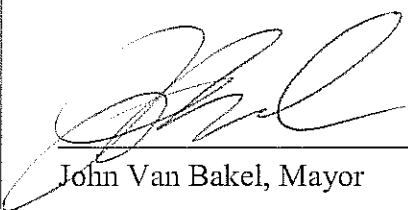
Moved by Ross McIntosh

Seconded by Larry Wight

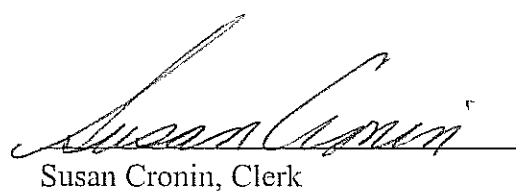
THAT:

The Council of the Municipality of West Perth adjourn the Council meeting at 10:35 p.m.

CARRIED



John Van Bakel, Mayor



Susan Cronin, Clerk