

The first regular meeting of the Council of the Municipality of West Perth for the month of August 2011 was held in the Council Chambers at the West Perth Municipal Office on Monday August 8, 2011 at 7:00 p.m.

Members of Council present:

Mayor Walter McKenzie  
Deputy Mayor Bill French  
Councillor Doug Eidt  
Councillor Barb MacLean  
Councillor Murray McIntosh  
Councillor Annamarie Murray  
Councillor John Nater  
Councillor Mike Tam  
Councillor Nicholas Vink  
Councillor Larry Wight  
Councillor Gordon Young

Members of Staff present:

CAO Will Jaques, Clerk Susan Cronin

**1. Opening:**

Mayor McKenzie called the meeting to order at 7:47 p.m.

**2. Declaration of Conflict of Interest:**

Additions/deletions to the agenda included the following:

- i. Addition - 7.3 Drains: Tile Drain Loan Application by Dave Linton
- ii. Addition – 18 Closed to Public Session – Personal matters about an identifiable individual, including but not clearly limited to employees of the municipality- Executive minutes – firefighter

RESOLUTION: 440/11

Moved by Annamarie Murray

Seconded by John Nater

THAT:

The Council of the Municipality of West Perth accepts agenda as presented with the additions/deletions.

CARRIED

Councillors Eidt and Wight declared a conflict of interest with regards to 10.1 Accounts.

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

**3. Public Meeting: None**

**4. Delegations and Petitions: None**

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

RESOLUTION: 441/11

Moved by Nicholas Vink

Seconded by John Nater

THAT:

The Council of the Municipality of West Perth approves the minutes of the July 25, 2011 Committee of the Whole meeting, July 25, 2011 Regular Council meeting, July 25<sup>th</sup>, 2011 Closed Session minutes.

CARRIED

Business arising from the minutes: None

**6. PLANNING:**

RESOLUTION: 442/11

Moved by Mike Tam

Seconded by Murray McIntosh

**THAT:**

The Council of the Municipality of West Perth recommend to the County of Perth Land Division Committee that Consent Application B12/11 by Christopher Ellens & Nancy Ellens affecting property described as Part Park Lot 38, Registered Plan 339 (Mitchell Ward) be approved as the severance proposal conforms to the policies of the Official Plan subject to the following conditions:

- 1) that the owner seek and obtain an approved Zoning By-law amendment to zone the severed parcel for its intended industrial use;
- 2) that the owner seek and obtain an approved Site Plan Agreement to regulate site conditions for the severed parcel;
- 3) that the severed parcel be added to the abutting industrial parcel located to the north and south and the closed portion of St. Andrews Street (with the applicable conditions concerning deeding in the same name, application of Section 50(3) or (5) of the Planning Act, and mortgage consolidation);
- 4) that all taxes be paid in full;
- 5) that all financial requirements of the Municipality be satisfied;
- 6) That the proposed purchaser of the land to be severed enter into an agreement with the Municipality of West Perth acknowledging that a former burial site may exist on the subject property and that no building permit shall be applied for unless such application is accompanied by documentation satisfactory to the Municipality of West Perth confirming that no human remains exist in the area of the proposed building. Alternatively, should human remains exist in the area of the proposed building, the property owner shall be responsible for dealing with the human remains in an appropriate manner and in accordance with the applicable legislation and shall provide evidence to the Municipality of same. This agreement is to be registered on title and binding on current and subsequent land owners;
- 7) That the owner of the land to be retained enter into an agreement with the Municipality of West Perth acknowledging that a former burial site may exist on the subject property and that no building permit shall be applied for unless such application is accompanied by documentation satisfactory to the Municipality of West Perth confirming that no human remains exist in the area of the proposed building. Alternatively, should human remains exist in the area of the proposed building, the property owner shall be responsible for dealing with the human remains in an appropriate manner and in accordance with the applicable legislation and shall provide evidence to the Municipality of same. This agreement is to be registered on title and binding on current and subsequent land owners.

CARRIED

RESOLUTION: 443/11

Moved by Gordon Young

Seconded by Larry Wight

**THAT:**

The Council of the Municipality of West Perth approve the minutes of the July 25<sup>th</sup>, 2011 Planning Advisory Committee meeting.

CARRIED

RESOLUTION: 444/11

Moved by Mike Tam

Seconded by Bill French

**THAT:**

The Council of the Municipality of West Perth accepts the Planning correspondence not specifically dealt with for information.

CARRIED

**7. Drains:**

RESOLUTION: 445/11

Moved by Nicholas Vink

Seconded by Barb MacLean

THAT:

The Council of the Municipality of West Perth appoints William Dietrich as the Drainage Superintendent to prepare an Improvement/Repair Report under Section 78 of the Drainage Act, Chapter D17, R.S.O. 1990 Request for Repair on the "Smith Municipal Drain" located at Concession 3 Lot 2, Hibbert Ward, by property owners David & Lisa Vandewalle and John Schoonderwoerd.

CARRIED

RESOLUTION: 446/11

Moved by Gordon Young

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth appoints 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 "Watt Municipal Drain" located at Lot 7 Concession 3, Logan Ward, by property owner Jeanette German.

CARRIED

RESOLUTION: 447/11

Moved by Larry Wight

Seconded by Murray McIntosh

THAT:

The Council of the Municipality of West Perth approves an application by Dave Linton for a Loan under the Tile Drainage Act, R.S.O. 1990C. T.8 s.3. for property located at E ½ Lot 2 Concession 2, Logan Ward.

CARRIED

8. **Correspondence for Council Direction:** Received and filed.

9. **Correspondence for Council's Information:**

There was discussion regarding the Staffa Hall. CAO Jaques is preparing a report.

RESOLUTION: 448/11

Moved by Doug Eidt

Seconded by Mike Tam

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:**

Councillors Eidt and Wight removed themselves from discussion.

RESOLUTION: 449/11

Moved by Nicholas Vink

Seconded by Annamarie Murray

THAT:

The Council of the Municipality of West Perth pay the accounts dated July 25, 2011 in the amount of \$458.91.

CARRIED

Councillors Eidt and Wight resumed their seats.

RESOLUTION: 450/11

Moved by Gordon Young

Seconded by Murray McIntosh

THAT:

The Council of the Municipality of West Perth pay the accounts dated July 25, 2011 – August 5, 2011 in the amount of \$991,960.62.

CARRIED

11. **Committee Reports:**

RESOLUTION: 451/11

Moved by Barb MacLean

Seconded by Nicholas Vink

THAT:

The Council of the Municipality of West Perth accepts the report of the August 3, 2011 West Perth/ IPM Executive Committee meeting as presented for information.

CARRIED

Deputy Mayor French reviewed the minutes of the West Perth Executive Committee meeting of August 2, 2011. Further discussion will be held in closed session.

**12. By-laws:**

By-law # 076-2011 to be amended to read Parts 1 through 8, instead of 1 through 9.

RESOLUTION: 452/11

Moved by John Nater

Seconded by Murray McIntosh

THAT:

By-law No. 075-2011; Being a by-law to amend By-law 019-2011 Mitchell Municipal Drain with amendments.

By-law No. 076-2011; Being a by-law to declare real property surplus – Clayton Street.

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

CARRIED

RESOLUTION: 453/11

Moved by Barb MacLean

Seconded by Gordon Young

THAT:

By-law No. 057-2011; Being a by-law to provide for the Ritz Municipal Drainage Works in Logan 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

RESOLUTION: 454/11

Moved by Annamarie Murray

Seconded by John Nater

THAT:

By-law No. 058-2011; Being a by-law to provide for the Bennewies Municipal Drainage Works in Logan 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

RESOLUTION: 455/11

Moved by Larry Wight

Seconded by Gordon Young

THAT:

By-law No. 059-2011; Being a by-law to provide for the Elliott Municipal Drainage Works in Logan 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

RESOLUTION: 456/11

Moved by John Nater

Seconded by Murray McIntosh

THAT:

By-law No. 075-2011; Being a by-law to amend by-law 019-2011 Mitchell Municipal Drain; 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: 457/11

Moved by Nicholas Vink

Seconded by Doug Eidt

THAT:

By-law No. 076-2011; Being a by-law to declare real property surplus – Clayton Street; 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 with amendment.

CARRIED

13. **Unfinished Business:** A meeting with Lynette Geddes, trustee for the Avon Maitland District School Board is set for August 24, 2011 at 9:30 a.m. at the Municipal Office.
14. **New Business:** None
15. **Status of Reports:** RED – nothing to report
16. **Notices of Motion:** None
17. **Questions from the Press:** Ms. Long requested an update on the Mitchell Public School Property. The School Board is to notify West Perth when the public auction is to be held.
18. **Closed to the Public Session:**

RESOLUTION: 458/11

Moved by Nicholas Vink

Seconded by John Nater

THAT:

The Council of the Municipality of West Perth continue the meeting in a Closed Session at 8:44 p.m. to discuss the following:

- Personal matters about an identifiable individual, including but not clearly limited to employees of the municipality;
- A proposed or pending acquisition or disposition of land by the municipality;
- Litigation or potential litigation, including matters before administrative tribunals such as the Ontario Municipal Board.

CARRIED

RESOLUTION: 459/11

Moved by Mike Tam

Seconded by Annamarie Murray

THAT:

The Council of the Municipality of West Perth resumes the regular Council meeting at 9:34 p.m.

CARRIED

RESOLUTION: 460/11

Moved by Doug Eidt

Seconded by Larry Wight

THAT:

The Council of the Municipality of West Perth accept the recommendation of the Fire Chief that Firefighter Bye be kept on as a firefighter until such time as the Auxiliary Firefighter's are fully trained and the Fire Department is once again at full complement.

CARRIED

RESOLUTION: 461/11

Moved by Bill French

Seconded by Barb MacLean

THAT:

The Council of the Municipality of West Perth accepts the minutes of the August 2, 2011 West Perth Executive Committee meeting as presented.

CARRIED

RESOLUTION: 462/11

Moved by Murray McIntosh

Seconded by Gordon Young

THAT:

The Council of the Municipality of West Perth direct staff to arrange for the preparation of a settlement agreement as per the "in-camera discussion" regarding property located at Part of Lot 20 Concession 1 (Logan Ward), Municipality of West Perth.

AND FURTHER THAT:

This settlement agreement be presented at the August 22<sup>nd</sup>, 2011 Council Meeting.

CARRIED

19. **Adjournment:**

RESOLUTION: 463/11

Monday August 8, 2011

Moved by John Nater

Seconded by Annamarie Murray

THAT:

By-law No.077-2011; 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: 464/11

Moved by Larry Wight

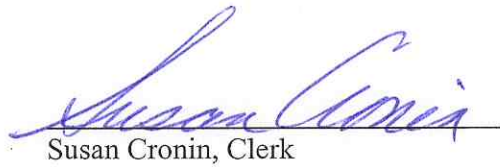
Seconded by Doug Eidt

THAT:

The Council of the Municipality of West Perth adjourn the Council meeting at 9:38 p.m.

CARRIED

  
Walter McKenzie, Mayor

  
Susan Cronin, Clerk