

The second regular Council meeting for the month of March for the Municipality of North Perth was held on Monday, March 15<sup>th</sup>, 2010.

Members of Council Present:

Councillor Jeff Bannerman  
Deputy Mayor Julie Behrns  
Councillor Paul Horn  
Councillor David Johnston  
Councillor Doug Kellum  
Councillor Robert Martin  
Councillor Randy Pettapiece  
Councillor Meredith Schneider  
Councillor Terry Seiler

Members of Council Absent:

Mayor Ed Hollinger

Staff of the Municipality of North Perth Present:

CAO Kriss Snell  
Clerk Patricia Berfelz  
Director of Finance/Treasurer Frances Hale  
Director of Recreation Steve Hardie  
Director of Public Works Gary Pipe  
Fire Chief Ed Smith  
Deputy Clerk Danette Beare

Media coverage was provided by Andrew Smith, Reporter for the Listowel Banner, Shelley Miller-Cameron, Reporter for CKNX and Fraser Ross, Reporter for Eastlink TV.

Deputy Mayor Behrns called the meeting to order at 7:00 p.m.

RESOLUTION: 106.03/10

It was moved by: Terry Seiler, Seconded by: Robert Martin

THAT:

The Agenda for tonight's meeting, as amended be approved.

CARRIED

Deputy Mayor Behrns invited members of Council to disclose a pecuniary interest with items on the Agenda at any time. Councillor Kellum indicated that he had a pecuniary interest with Item 3.4 i) of the Agenda because his wife, Jan is the President of Listowel Minor Baseball.

RESOLUTION: 107.03/10

It was moved by: Doug Kellum, Seconded by: Terry Seiler

THAT:

The minutes of the March 1<sup>st</sup>, 2010 regular Council meeting as printed and earlier distributed, be approved and signed by the Mayor and the Clerk.

CARRIED

RESOLUTION: 108.03/10

It was moved by: Terry Seiler, Seconded by: Meredith Schneider

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting concerning a Zoning By-law Amendment application affecting property in the Municipality of North Perth described as Park Lot 1, Lots 29-31 (east side of West St.), Lots 27-31 (west side of Victoria St. (closed)), Reg. Plan 280 (Trowbridge) Elma Ward owned by the Joseph Wagler.

CARRIED

The minutes of the Public Meeting are attached as Schedule "A".

Councillor Randy Pettapiece declared a pecuniary interest with Agenda Item 2.2 and 7.2 because he may do business with the owners of Lots 43 to 46, Reg. Plan 275. Councillor Pettapiece left the meeting.

RESOLUTION: 110.03/10

It was moved by: Robert Martin, Seconded by: Terry Seiler

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting concerning a Zoning By-law Amendment application affecting property in the Municipality of North Perth described as Lots 43, 44, 45 and 46, Reg. Plan 275 (163 Brock St., Monkton) Elma Ward owned by the Beverley and Wilma Acheson.

CARRIED

The minutes of the Public Meeting are attached as Schedule "B".

Councillor Pettapiece returned to the meeting.

RESOLUTION: 112.03/10

It was moved by: Randy Pettapiece, Seconded by: Robert Martin

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting concerning Site Plan Control for property described as Lots 27, 28, 29 and 30, Reg. Plan 44M27.

CARRIED

The minutes of the Public Meeting are attached as Schedule "C".

RESOLUTION: 114.03/10

It was moved by: Doug Kellum, Seconded by: Robert Martin

THAT:

The Council of the Municipality of North Perth will receive for information the following Committee/Board Reports:

The Council of the Municipality of North Perth will receive for information the following Committee/Board Reports:

- i) March 4<sup>th</sup> County Council Meeting

Resolution Cont'd on Page (732)

Resolution Cont'd from Page (731)

- ii) North Perth Canine Control Report for the month of February 2010
- iii) North Perth Public Library Board February 9<sup>th</sup> minutes
- iv) Recreation Advisory Committee Meeting March 9<sup>th</sup> minutes
- v) North Perth Recreation Complex Committee Meetings February 9<sup>th</sup> and March 2<sup>nd</sup> minutes
- vi) North Perth Administration Building Committee Meeting February 10<sup>th</sup> minutes

CARRIED

RESOLUTION: 115.03/10

It was moved by: Dave Johnston, Seconded by: Terry Seiler

THAT:

The Council of the Municipality of North Perth approve a Pay Grid Adjustment increase of 0.7% effective January 1<sup>st</sup>, 2010 as per the North Perth HR Policy.

CARRIED

Deputy Mayor Behrns thanked Councillor Schneider for arranging the tour at Bluewater Recycling and requested the CAO prepare a letter of appreciation to Francis Veilleux, Bluewater Recycling Association President.

RESOLUTION: 116.03/10

It was moved by: Dave Johnston, Seconded by: Robert Martin

THAT:

The Council of the Municipality of North Perth approve the site plan submitted by DeKoning Bros. affecting property in the Listowel Ward described as Lots 27-30, Reg. Plan 44M-27;

AND FURTHER THAT:

Council proceed with the adoption of the By-law authorizing the Deputy Mayor and Clerk to enter into the Site Plan Agreement and have it registered on the title of the subject properties.

CARRIED

Allan Rothwell, County Planner reviewed the process for the implementation of an Interim Control By-law regarding Adult Entertainment Establishments in the Municipality of North Perth.

RESOLUTION: 117.03/10

It was moved by: Paul Horn, Seconded by: Randy Pettapiece

THAT:

The Council of the Municipality of North Perth direct staff to undertake a study regarding Adult Entertainment Establishments.

CARRIED

RESOLUTION: 118.03/10

It was moved by: Robert Martin, Seconded by Dave Johnston

THAT

The Council of the Municipality of North Perth approve the request by Five Star Permits acting as agents for Rona Inc. to allow for the placement of the fascia sign at a reduced height of 2 metres from grade rather than the 2.4 metres as required by the Municipality of North Perth By-law No. 22-2009 at 235 Main St. Atwood.

CARRIED

Dave Hanly, County of Perth Director of Planning and Development reviewed the Draft Listowel Ward Official Plan which will be considered later in the meeting.

Patricia Berfelz, Clerk indicated that she had received a request regarding a 4-way stop at the intersection of Reserve Ave. S. and John Rosa Street. Following normal protocol she informed Council that the request would be forwarded to the Director of Public Works who will investigate the request and prepare a report for Council.

Councillor Kellum left the meeting.

RESOLUTION: 119.03/10

It was moved by: Terry Seiler, Seconded by: Randy Pettapiece

THAT:

The Council of the Municipality of North Perth approves the proposed 2010-11 Parks & Recreation Rates & Fees.

CARRIED

Councillor Kellum returned to the meeting.

RESOLUTION: 120.03/10

It was moved by: Terry Seiler, Seconded by: Doug Kellum

THAT:

The Council of the Municipality of North Perth approves the proposed North Perth Liquor Licence Policies and Procedures.

CARRIED

Fran reviewed the MPAC – Municipal Status Report 4<sup>th</sup> Quarter 2009.

RESOLUTION: 121.03/10

It was moved by: Meredith Schneider, Seconded by: Terry Seiler

THAT:

The Council of the Municipality of North Perth instructed Frances Hale, Director of Finance/Treasurer to prepare correspondence to be sent to MPAC and copied to John Wilkinson, MPP Perth Wellington regarding North Perth concerns with the Municipal Status Report as presented.

CARRIED

RESOLUTION: 122.03/10

It was moved by: Robert Martin, Seconded by: Terry Seiler

THAT:

The Council of the Municipality of North Perth receive the Annual Repayment Limit report provided by the Ministry of Municipal Affairs and Housing and the Updated Annual Repayment Limit report provided by the Treasurer for information.

CARRIED

RESOLUTION: 123.03/10

It was moved by: Meredith Schneider, Seconded by: Paul Horn

THAT:

The Council of the Municipality of North Perth award the tender for supply of Calcium Chloride to Pollard Highway Products in the amount of \$292.10/tonne plus GST.

CARRIED

RESOLUTION: 124.03/10

It was moved by: Meredith Schneider, Seconded by: Paul Horn

THAT:

The Council of the Municipality of North Perth award the tender for supply of maintenance gravel to Donegan's Haulage in the amount of \$8.43/tonne for Elma Ward and \$7.79/tonne for Wallace Ward, plus applicable taxes.

CARRIED

RESOLUTION: 125.03/10

It was moved by: Doug Kellum, Seconded by: Terry Seiler

THAT:

The Council of the Municipality of North Perth accept the quote received from Perth Communications for \$76,465.00 plus GST to construct a 150 ft. tower and also accept the quote from Perth Communications for \$12,000.00 plus GST for the relocation and installation of the required equipment.

CARRIED

RESOLUTION: 126.03/10

It was moved by: Doug Kellum, Seconded by: Paul Horn

THAT:

The Council of the Municipality of North Perth accept the quote received from Innovative Traffic Solutions Inc. and Job-Inc. Electrical to purchase and install the Opticom GPS System for the total price of \$35,804.00 plus applicable taxes.

CARRIED

RESOLUTION: 127.03/10

It was moved by: Paul Horn, Seconded by: Dave Johnston

THAT:

The Council of the Municipality of North Perth approve the request from the North Perth Recreation Complex Committee for a budget allocation of approx. \$1,500.00 to cover the cost of production and distribution of a survey to every North Perth resident.

CARRIED

## RESOLUTION: 128.03/10

It was moved by: Paul Horn, Seconded by: Doug Kellum

## THAT:

The Council of the Municipality of North Perth approve the request from the North Perth Recreation Complex Committee for a budget allocation of \$2,000.00 for advertising costs.

## CARRIED

Councillor Kellum, Listowel Fire Station Committee Chair indicated that construction is going well with an anticipated completion date of June 30<sup>th</sup>.

Councillor Martin, Administration Building Committee Chair reviewed the conceptual floor plan for the administration building renovations.

## RESOLUTION: 129.03/10

It was moved by: Paul Horn, Seconded by: Doug Kellum

## THAT:

The following accounts are approved for payment:

General Administration	1,982,173.01
Business Improvement Association	-
Cemetery	22.61
Fire-Administration	77.45
Fire-Atwood Department	626.54
Fire-Elma Logan Department	1,471.18
Fire-Listowel Department	1,362.99
Day Care	2,695.30
Library	3,785.47
Police	15.10
Public Works & Sanitation-Capital	59,553.04
Landfill	18,882.39
Roads	52,937.08
Sewer & Water	29,794.96
Recreation	75,824.82
Payroll #5	112,117.14
Total	<u>2,341,339.08</u>

## CARRIED

## RESOLUTION: 130.03/10

It was moved by: Robert Martin, Seconded by: Terry Seiler

## THAT:

The Council of the Municipality of North Perth approve the Consent Agenda from the Committee of the Whole Council Meeting of March 8<sup>th</sup> as follows:

- i) Proceed with the recommendation to have \$5,000 donated from the Jean Oke Bequest and used as “flow-through” dollars to the North Perth Sports for Kids Fund; and

Resolution Cont'd on Page (736)

Resolution Cont'd from Page (735)

- ii) Approve the request from the Kinsmen Club of Listowel to barricade two parking spaces on the north side of Main St. W. in front of Memory Lane on March 11<sup>th</sup>, 2010 from 6:00 p.m. until 7:00 p.m. for the Official Opening of the 2010 Paddyfest Celebration.

CARRIED

RESOLUTION: 131.03/10

It was moved by: Terry Seiler, Seconded by: Dave Johnston

THAT:

The Council of the Municipality of North Perth approve the request from Amy Gangl to close Palace Street and Maitland Avenue North from Elizabeth Street to Elm Avenue (around the Listowel Memorial Arena) on Saturday, May 8<sup>th</sup>, 2010 between 8:00 am – 5:00 pm for the 4 on 4 Youth Road Hockey Tournament.

CARRIED

RESOLUTION: 132.03/10

It was moved by: Dave Johnston, Seconded by: Randy Pettapiece

THAT:

By-law No. 16-2010, being a By-law to amend By-law No. 6-ZB-1999, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

Councillor Pettapiece left the meeting.

RESOLUTION: 133.03/10

It was moved by: Paul Horn, Seconded by: Meredith Schneider

THAT:

By-law No. 17-2010, being a By-law to amend By-law No. 6-ZB-1999, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

Councillor Pettapiece returned to the meeting.

RESOLUTION: 134.03/10

It was moved by: Randy Pettapiece, Seconded by: Robert Martin

THAT:

By-law No. 27-2010, being a By-law to authorize the signing of an agreement with Elma Logan Minor Hockey Association, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

Mr. Ron Scott requested permission to speak.

Deputy Mayor Behrns requested a show of hands to allow Mr. Scott to speak. Two-thirds majority voted in favour.

Mr. Scott asked Council if they were aware that the Municipality was currently in court proceedings regarding adult entertainment establishments.

Staff informed Council that proposed By-law No. 29-2010 resulted from two requests regarding adult entertainment establishments in order to allow staff time to amend the Zoning By-law to comply with the Municipal Act.

RESOLUTION: 135.03/10

It was moved by: Randy Pettapiece, Seconded by: Doug Kellum

THAT: By-law No. 29-2010, being a By-law to establish an Area of Interim Control, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 136.03/10

It was moved by: Meredith Schneider, Seconded by: Robert Martin

THAT:

By-law No. 30-2010, being a By-law to authorize the signing of a Site Plan Agreement, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 137.03/10

It was moved by: Robert Martin, Seconded by: Dave Johnston

THAT:

By-law No. 31-2010, being a By-law to authorize the Sale of Lands, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 138.03/10

It was moved by: Randy Pettapiece, Seconded by: Terry Seiler

THAT:

By-law No. 32-2010, being a By-law to authorize the Sale of Lands, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 139.03/10

It was moved by: Terry Seiler, Seconded by: Paul Horn

THAT:

By-law No. 33-2010, being a By-law to adopt the new Official Plan for the Listowel Ward of the Municipality of North Perth, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 140.03/10

It was moved by: Terry Seiler, Seconded by: Dave Johnston

THAT:

By-law No. 34-2010, being a By-law to authorize the signing of an agreement, be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

The “In Camera” session was held in the Committee Room.

RESOLUTION: 141.03/10

It was moved by: Paul Horn, Seconded by: Dave Johnston

THAT:

This Committee proceed “In Camera” at 9:10 p.m. to address a matter pertaining to:

- personal matters about an identifiable individual, including municipal or local board employees regarding Local Listowel Memorial Hospital Board and North Perth Family Health Team;
- a proposed or pending acquisition/sale of land for municipal or local board purposes regarding property at the North Perth Industrial Park; and
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding an outstanding lawsuit.

CARRIED

RESOLUTION: 142.03/10

It was moved by: Randy Pettapiece, Seconded by: Robert Martin

THAT:

The “In Camera Session” is now adjourned at 9:50 p.m. and the Council reconvene into regular open Council.

CARRIED

RESOLUTION: 143.03/10

It was moved by: Robert Martin, Seconded by: Paul Horn

THAT:

As a former Municipal Electricity Utility whose assets were sold to Hydro One  
Resolution Cont'd on Page (739)

Resolution Cont'd from Page (738)

Networks, the Council of the Municipality of North Perth approve the authorization of the Consent and Waiver of Outrights regarding the settlement of late payment penalty litigation for the total cost of \$9,569.21, conditional on the Municipal Lawyer recommendation.

CARRIED

RESOLUTION: 144.03/10

It was moved by: Dave Johnston, Seconded by: Doug Kellum

THAT:

The March 1<sup>st</sup>, 2010 "In Camera Session" minutes be approved

CARRIED

Councillor Pettapiece and Councillor Kellum left the meeting.

RESOLUTION: 145.03/10

It was moved by: Dave Johnston, Seconded by: Paul Horn

THAT:

By-law No. 35-2010, being a By-law to confirm generally previous actions of the Council of the Municipality of North Perth; be introduced, read and considered read a first, second and third time and be finally passed and that the said By-law be signed by the Mayor and the Clerk and sealed with the seal of the Corporation.

CARRIED

RESOLUTION: 146.03/10

It was moved by: Meredith Schneider, Seconded by: Robert Martin

THAT:

The Council meeting do now adjourn to meet again for general Council business on Monday, April 12<sup>th</sup>, 2010 at 7:00 p.m.

CARRIED

The meeting adjourned at 9:51 p.m.

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M A Y O R

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C L E R K

**SCHEDULE "A" TO THE MINUTES DATED  
MARCH 15<sup>th</sup> 2010**

RECORD OF PROCEEDINGS OF THE PUBLIC MEETING HELD IN THE MUNICIPALITY OF NORTH PERTH COUNCIL CHAMBERS ON MONDAY, MARCH 15<sup>th</sup>, 2010 AT 7:03 P.M.

The purpose of the Public Meeting was to consider a Zoning By-law Amendment affecting property in the Municipality of North Perth described as Park Lot 1, Lots 29-31 (east side of West St.), Lots 27-31 (west side of Victoria St. (closed)), Reg. Plan 280 (Trowbridge) Elma Ward owned by the Joseph Wagler.

Present for the Public Meeting were members of Council. Mayor Hollinger was absent. Deputy Mayor Behrns was the Chairperson.

The Chairperson called on the Clerk, Patricia Berfelz to explain the public notice circulation procedure. Mrs. Berfelz indicated the notices inviting persons to the public meeting were mailed on February 23<sup>rd</sup>, 2010 by first class mail to landowners within 120 meters of the area and the applicable agencies. The notice was posted by the Building Department on February 23<sup>rd</sup>, 2010 on the subject property and the municipal website advising of the Public Meeting.

Mr. Allan Rothwell explained that the purpose of the application will allow for a reduced lot area and lot frontage for an existing undersized lot in the "A" zone and place the severed portion in the "HVR" zone to permit the construction of a single-detached dwelling.

Chairperson Behrns requested anyone to speak in favour of this application. No one responded.

Chairperson Behrns requested anyone to speak in opposition to this application. No one responded.

Mrs. Berfelz indicated that correspondence had been received from the County of Perth Planning and Development Department recommending approval.

Members of Council were given opportunity for comments.

Mr. Rothwell explained the available options and rights of appeal to the public and Council.

RESOLUTION: 109.03/10

It was moved by: Paul Horn, Seconded by: Dave Johnston

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting concerning a Zoning By-law Amendment application affecting property in the Municipality of North Perth described as Park Lot 1, Lots 29-31 (east side of West St.), Lots 27-31 (west side of Victoria St. (closed)), Reg. Plan 280 (Trowbridge) Elma Ward owned by the Joseph Wagler.

**CARRIED**

There being no further comments, the Chairman declared the Public Meeting closed at 7:08 p.m.

Patricia Berfelz, Clerk  
Municipality of North Perth

**SCHEDULE “B” TO THE MINUTES DATED  
MARCH 15<sup>th</sup> 2010**

RECORD OF PROCEEDINGS OF THE PUBLIC MEETING HELD IN THE MUNICIPALITY OF NORTH PERTH COUNCIL CHAMBERS ON MONDAY, MARCH 15<sup>th</sup> 2010 AT 7:09 P.M.

The purpose of the Public Meeting was to consider a Zoning By-law Amendment affecting property in the Municipality of North Perth described as Lots 43, 44, 45 and 46, Reg. Plan 275 (163 Brock St., Monkton) Elma Ward owned by the Beverley and Wilma Acheson.

Present for the Public Meeting were members of Council. Mayor Hollinger and Councillor Pettapiece was absent. Deputy Mayor Behrns was the Chairperson.

The Chairperson called on the Clerk, Patricia Berfelz to explain the public notice circulation procedure. Mrs. Berfelz indicated the notices inviting persons to the public meeting were mailed on February 23<sup>rd</sup>, 2010 by first class mail to landowners within 120 meters of the area and the applicable agencies. The notice was posted by the Building Department on February 23<sup>rd</sup>, 2010, on the subject property and the municipal website advising of the Public Meeting.

Mr. Allan Rothwell explained that the application will allow for a reduced lot area for a single-detached dwelling on the severed lot as well as a reduced lot area for the retained lands in the “A” zone.

Chairperson Behrns requested anyone to speak in favour of this application. No one responded.

Chairperson Behrns requested anyone to speak in opposition to this application. No one responded.

Mrs. Berfelz indicated that correspondence had been received from the County of Perth Planning and Development Department recommending approval.

Members of Council were given opportunity for comments.

Mr. Rothwell explained the available options and rights of appeal to the public and Council.

RESOLUTION: 111.03/10

It was moved by: Terry Seiler, Seconded by: Doug Kellum

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting concerning a Zoning By-law Amendment application affecting property in the Municipality of North Perth described as Lots 43, 44, 45 and 46, Reg. Plan 275 (163 Brock St., Monkton) Elma Ward owned by the Beverley and Wilma Acheson.

**CARRIED**

There being no further comments, the Chairman declared the Public Meeting closed at 7:14 p.m.

Patricia Berfelz  
Clerk, Municipality of North Perth

**SCHEDULE "C" TO THE MINUTES DATED  
MARCH 15<sup>TH</sup> 2010**

RECORD OF PROCEEDINGS OF THE PUBLIC MEETING HELD IN THE MUNICIPALITY OF NORTH PERTH COUNCIL CHAMBERS ON MONDAY, MARCH 15<sup>TH</sup>, 2010 AT 7:15 P.M.

The purpose of the Public Meeting concerned Site Plan Control for property described as Lots 27, 28, 29, & 30, Reg. Plan 44M27.

Present for the Public Meeting were members of Council. Mayor Hollinger was absent. Deputy Mayor Behrns was the Chairperson.

The Chairperson called on the Clerk, Patricia Berfelz to explain the public notice circulation procedure. Mrs. Berfelz indicated the notices inviting persons to the public meeting were mailed on March 5<sup>th</sup>, 2010 by first class mail to landowners within 60 meters of the subject lands.

Mr. Allan Rothwell explained the site plan for the development of two, four unit townhouse dwellings on the subject properties. Mr. Rothwell made note of the easements which will allow access to the rear of the internal townhomes.

Chairperson Behrns requested anyone to speak in favour of this application. No one responded.

Chairperson Behrns requested anyone to speak in opposition to this application. No one responded.

Mr. Ron DeKoning, on behalf of DeKoning Bros. Inc. indicated that back doors were available to access the rear of the properties.

Members of Council were given opportunity for comments.

Mr. Rothwell indicated that a by-law is available for Council consideration later in the Council meeting.

RESOLUTION: 113.03/10

It was moved by: Terry Seiler, Seconded by: Meredith Schneider

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting concerning Site Plan Control for property described as Lots 27, 28, 29 and 30, Reg. Plan 44M27.

**CARRIED**

There being no further comments, the Chairman declared the Public Meeting closed at 7:20 p.m.

Patricia Berfelz  
Clerk  
Municipality of North Perth