

The first regular Council meeting for the month of April for the Municipality of North Perth was held on Monday, April 6th, 2009.

Members of Council Present:

Mayor Ed Hollinger
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

Staff of the Municipality of North Perth Present:

Clerk Patricia Berfelz
Compliance Officer Mark Hackett
Director of Finance/Treasurer Frances Hale
Operations Manager Gary Pipe
Perth County Planner Allan Rothwell
Deputy Clerk Danette Beare

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

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

RESOLUTION: 150.04/09

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

THAT:

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

CARRIED

Mayor Hollinger invited members of Council to disclose a pecuniary interest with items on the Agenda at any time.

Councillor Johnston indicated he had a pecuniary interest with Item 3.4 i) of the Agenda. He is an officer of the Corporation.

RESOLUTION: 151.04/09

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

THAT:

The minutes of the March 16th, 2009 regular Council meeting as printed and earlier distributed, be approved and signed by the Mayor and the Clerk.

CARRIED

RESOLUTION: 152.04/09

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

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting to consider declaring surplus the following lands owned by the Municipality of North Perth:

- i) Road 154 between line 81 and Line 84, Elma Ward; and
- ii) Plan 253, South Part Lot 25 (212A Main St., Atwood).

CARRIED

The Public Meeting began at 7:05 p.m. in the Council Chambers. Mayor Hollinger was Chairperson and all members of Council were present.

Notice was given in The Listowel Banner on March 25th, The Plus on March 27th and was posted on the municipality's website.

No one spoke in favour of or in opposition to the declaration of surplus lands. Council was given opportunity to comment.

There being no further comments, Chairperson Hollinger declared the Public Meeting closed at 7:10 p.m.

RESOLUTION: 153.04/09

It was moved by: Jeff Bannerman, Seconded by: Randy Pettapiece

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting to consider declaring surplus the following lands owned by the Municipality of North Perth:

- ii) Road 154 between line 81 and Line 84, Elma Ward; and
- ii) Plan 253, South Part Lot 25 (212A Main St., Atwood).

CARRIED

RESOLUTION: 154.04/09

It was moved by: Robert Martin, Seconded by: Julie Behrns

THAT:

The Council of the Municipality of North Perth will declare surplus the following properties for sale and disposal:

- iii) Road 154 between line 81 and Line 84, Elma Ward; and
- ii) Plan 253, South Part Lot 25 (212A Main St., Atwood).

CARRIED

Don Brillinger on behalf of the Ratepayer's Association provided Council with suggestions regarding the following:

- Funding should be provided by the province for OPP services;
- Zone industrial lands "dry" to limit water use by bio-energy industries;
- Supported Council's stand regarding non-agricultural use of farmland; and
- Waive the fees for churches within the Atwood sewer project area.

RESOLUTION: 155.04/09

It was moved by: Meredith Schneider, Seconded by: Julie Behrns

THAT:

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

- i) March 19th and April 2nd County Council Report
- ii) North Perth Planning Advisory Committee Meeting March 24th minutes
- iii) North Perth Committee of Adjustment Meeting March 24th minutes
- iv) Deputy Mayor's Report for the month of March
- v) North Perth Administration Building Committee March 13th minutes
- vi) North Perth Multi-Purpose Committee March 18th minutes
- vii) North Perth Animal Control – Canine Report for the month of March
- viii) North Perth Public Library Board Meeting February 10th minutes
- ix) Listowel Fire Station Committee Meeting March 25th minutes
- x) North Perth Building Report for the month of March

CARRIED

Allan Rothwell, County Planner reviewed a report regarding an application for Part Lot Control exemption by Remore Homes Inc. A by-law will be available for Council consideration later in the meeting.

Patricia Berfelz reviewed a report regarding a sign request from Carsons Country Market.

RESOLUTION: 156.04/09

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

THAT:

The Council of the Municipality of North Perth approve the request by Carsons Country Market to allow for the placement of the 40 square foot billboard sign at 5543 Perth Line 86, Elma Ward no closer than 120 feet from the centre line of the highway 86.

CARRIED

Councillor Schneider asked the Clerk when signs will be posted regarding bait-fishing. Gary Pipe, Operations Manager indicated that signs will be ordered and posted as soon as possible.

Councillor Johnston left the meeting.

RESOLUTION: 157.04/09

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

THAT:

The Council of the Municipality of North Perth approve the application for loan under the Tile Drainage Act for \$30,000.00 pertaining to Lot 21 & 22 Concession 4 in Elma Ward, conditional on availability of Provincial financing.

CARRIED

Councillor Johnston returned to the meeting.

RESOLUTION: .158.04/09

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

THAT:

The Council of the Municipality of North Perth receives for information the revised Treasurer's Report to Council dated March 17th, 2009 regarding Remuneration & Expenses for Council Members in 2008.

CARRIED

Frances Hale, Director of Finance/Treasurer reviewed a report regarding a joint accessibility coordinator.

RESOLUTION: 159.04/09

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

THAT:

The Council of the Municipality of North Perth request the County of Perth to consider contracting the services of an Accessibility Coordinator to assist the County and its lower tier municipalities in developing Accessibility Standards in order to ensure compliance with the *Accessibility for Ontarians with Disabilities Act*, 2005 (AODA).

CARRIED

Frances Hale, Director of Finance/Treasurer reviewed a report regarding the procedure to commence the Northeast Road, Water & Sewer Reconstruction Project (NERP) providing two options for Council consideration.

RESOLUTION: 160.04/09

It was moved by: Randy Pettapiece, Seconded by: Julie Behrns

THAT:

The Council of the Municipality of North Perth appoint BM Ross Associates to prepare a Request for Proposal for Engineering Services for the Northeast Road, Water & Sewer Reconstruction Project for circulation as soon as possible.

CARRIED

Gary Pipe, Operations Manager reviewed a report regarding the maintenance gravel tender results.

RESOLUTION: 161.04/09

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

THAT:

The Council of the Municipality of North Perth awards the contract for supply of maintenance gravel to Donegan's Haulage in the amount of \$7.85/tonne for Elma Ward and \$7.74/tonne for Wallace Ward, plus applicable taxes.

CARRIED

Gary Pipe, Operations Manager reviewed a report regarding the asphalt paving tender results.

RESOLUTION: 162.04/09

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

THAT:

The Council of the Municipality of North Perth awards the tender for asphalt paving to The Murray Group in the amount of \$854,152.45 plus GST.

CARRIED

Mark Hackett, Compliance Officer reviewed a report regarding the Quality Management System (QMS) Operational Plans submission.

RESOLUTION: 163.04 /09

It was moved by: Jeff Bannerman, Seconded by: Doug Kellum

THAT:

The Council of the Municipality of North Perth adopt the Operation Plan prepared by Mark Hackett for the North Perth water systems;

AND FURTHER THAT:

Council sign and date Element 3 – Commitment and Endorsement as required by the Drinking Water Quality Management Standard.

CARRIED

Councillor Schneider asked for clarification regarding an article in the Listowel Banner regarding drainage problems in Atwood. Gary Pipe, Operations Manager indicated that he did have conversations with the owner and offered some suggestions to address the problem. Further investigation will follow during the installation of the sewer mains.

RESOLUTION: 164.04/09

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

THAT:

The following accounts are approved for payment:

General Administration	85,419.37
Business Improvement Association	272.65
Cemetery	223.50
Fire-Administration	1,567.90
Fire-Atwood Department	1,125.90
Fire-Elma Logan Department	205.69
Fire-Listowel Department	2,250.96
Day Care	5,404.98
Library	5,485.92
Police	155,599.93
Public Works & Sanitation-Capital	415,403.82
Public Works & Sanitation	122,229.71
Recreation	73,729.63
Payroll - March 20, 2009	98,440.99
Total	967,360.95

CARRIED

Allan Rothwell, County Planner reviewed the report dated March 24th, 2009 regarding the revised plan of subdivision application by R. Sonnenburg Enterprises Ltd.

RESOLUTION: 165.04/09

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

THAT:

The Council of the Municipality of North Perth approves the recommendation from the North Perth Planning Advisory Committee to recommend to the Council of the County of Perth that the application for a draft plan of subdivision (File: NP 07-02) by R. Sonnenburg Enterprises Ltd. affecting property described as Lots 147,148, and Part of Dover St. (Closed) Reg. Plan No. 183, and Lots 160 and 161, Registered Plan No. 194, and Part Lots 33, 34, 35, Concession 1, (formerly in the geographic Township of Elma), Listowel Ward, Municipality of North Perth), submitted in October, 2007 (REVISED) be DRAFT APPROVED subject to the following conditions:

- i) that an amendment to the Zoning By-law be obtained to place the subject property in the appropriate Zones of the Municipality of North Perth's Zoning By-law;
- ii) that the owner enter into a subdivision agreement with the Municipality of North Perth, and that the terms of the agreement be satisfactory to the Municipality. The required Subdivision Agreement shall be registered against the land to which it applies once the Plan of Subdivision has been registered;
- iii) that all aspects of the water supply, sewage disposal, electrical services, storm water management, as contained in the comprehensive engineers reports be acceptable to the Municipality and the appropriate government and agencies;
- iv) that the proposed development meet the Municipality's development standards;
- v) that a parkland dedication, to the Municipality's satisfaction, be made in accordance with the provisions of the Planning Act;
- (vi) that a storm water management report be completed to the satisfaction of the Ministry of the Environment, and the MVCA);
- vii) that the Streets identified on the above-noted plan be constructed as public street;
- (viii) that an independent study of the potential impact of the proposed residential development on existing nearby industries (i.e. Campbell Company of Canada; Listowel Technology Inc.) and vacant zoned industrial land (Kilberg) be undertaken. This independent study shall focus on the issues of noise and odour and provide a range of mitigative measures that may be necessary to address any noise and/or odour issue(s) that are identified by the study.

The terms of reference for the study shall be determined by the County and the Municipality of North Perth, with input as appropriate from the Ministry of the Environment, Sonnenburg Enterprises Ltd., the Campbell Company of Canada, Listowel Technology Inc., and Kilberg Developments Ltd. The County shall be responsible for selecting the consultant to carry out the work, and the owner/developer (i.e. Sonnenburg Enterprises Ltd.) shall be responsible for the costs associated with the independent study.

Resolution Cont'd on Page (508)

Resolution Cont'd from Page (507)

The County and the Municipality of North Perth shall select the most appropriate measures that may be required to mitigate the noise and/or odour issue(s) that may be identified by the above-noted study and the means of implementation. Dependent upon the type of any mitigative measures, it may be necessary to amend the conditions of draft plan approval to incorporate appropriate wording to implement the mitigative measures.

The owner/developer shall be responsible for addressing any identifying noise and/or odour issues to the satisfaction of the County and the Municipality of North Perth.

CARRIED

RESOLUTION: 166.04/09

It was moved by: Robert Martin, Seconded by: Jeff Bannerman

THAT:

The Council of the Municipality of North Perth approves the request from Brenda Heeres, to close the alley behind Listowel Florist from Inkerman St to the southerly property line of Listowel Florist from 3:00 p.m. to 9:00 p.m. on April 30th, 2009.

CARRIED

RESOLUTION: . 167.04/09

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

THAT:

The Council of the Municipality of North Perth approves the request from The Comancheros Car Club Listowel Inc. to close Royal Street from Elwood Smith Lane to Elizabeth St between the hours of 7:00 a.m. and 5:00 p.m. on Sunday July 5th, 2009.

CARRIED

Councillor Seiler requested that item 11.8 of the agenda be brought forward. He requested Council permission to make further contacts with serco regarding a DriveTest service delivery point in Listowel. Request granted by Council.

Deputy Mayor Behrns requested that item 10.1 of the agenda be brought forward.

RESOLUTION: 168.04/09

It was moved by: Julie Behrns, Seconded by: Dave Johnston

THAT:

The Council of the Municipality of North Perth supports Motion #M09-099 of the Municipality of South Bruce regarding provincial funding to Ontario's Conservation Authorities.

CARRIED

RESOLUTION: 169.04/09

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

THAT:

By-law No. 56-2009, being a By-law to exempt from Part Lot 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: 170.04/09

It was moved by: Robert Martin, Seconded by: Julie Behrns

THAT:

By-law No. 57-2009, being a By-law to authorize the signing of an agreement with Larry Epworth and Sons, 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: 171.04/09

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

THAT:

By-law No. 58-2009, being a By-law to authorize the signing of an agreement with Her Majesty the Queen in Right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario, 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: 172.04/09

It was moved by: Meredith Schneider, Seconded by: Dave Johnston

THAT:

By-law No. 59-2009, being a By-law to authorize the signing of an undertaking with Elma Steel & Equipment Ltd., 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: 173.04/09

It was moved by: Paul Horn, Seconded by: Julie Behrns

THAT:

By-law No. 60-2009, being a By-law to authorize the execution of an Agreement with Her Majesty The Queen in Right of the Province of Ontario represented by the Minister of Agriculture, Food and Rural Affairs, 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

Deputy Mayor Behrns announced that she had tickets available for the 21st Annual Conservation Dinner & Auction on Friday, April 17th, 2009.

RESOLUTION: 174.04/09

It was moved by: Jeff Bannerman, Seconded by: Paul Horn

THAT:

- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition/sale of land for municipal or local board purposes;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

CARRIED

RESOLUTION: 175.04/09

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

THAT:

The “In Camera Session” is now adjourned at 9:35 p.m. and the Council reconvene into regular open Council.

CARRIED

RESOLUTION: 176.04/09

It was moved by: Doug Kellum, Seconded by: Julie Behrns

THAT:

By-law No. 61-2009, 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: 177.04/09

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

THAT:

The Council meeting do now adjourn to meet again for general Council business on Monday, April 27th, 2009 at 7:00 p.m.

CARRIED

The meeting adjourned at 9:36 p.m.

M A Y O R

C L E R K