

The first regular Council meeting for the month of May for the Municipality of North Perth was held on Monday, May 3rd, 2010.

Members of Council Present:

Mayor Ed Hollinger
Councillor Jeff Bannerman
Deputy Mayor Julie Behrns
Councillor Paul Horn (arrived at 7:37 p.m.)
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:

CAO Kriss Snell
Clerk Patricia Berfelz
Director of Finance/Treasurer Frances Hale
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.

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

RESOLUTION: 205.05/10

It was moved by: Doug Kellum, 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.

RESOLUTION: 206.05/10

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

THAT:

The minutes of the April 26th, 2010 regular Council meeting as printed and earlier distributed, be approved and signed by the Mayor and the Clerk.

CARRIED

RESOLUTION: 207.05/10

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

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting to dispose of certain lands in the Municipality of North Perth described as Block 21, Plan 44M21, Listowel Ward.

CARRIED

A Public Meeting was held at 7:04 to consider the disposal of Block 21, Plan 44M21, North Perth. Patricia Berfelz, Clerk indicated that notice had been given on April 14th, 2010 in the Listowel Banner and The Plus. Mrs. Berfelz indicated the property was declared surplus at the April 12th, 2010 Council Meeting. There were no comments from the public. Council was given an opportunity to ask questions. The public meeting was declared closed at 7:06 p.m.

RESOLUTION: 208.05/10

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

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting to dispose of certain lands in the Municipality of North Perth described as Block 21, Plan 44M21, Listowel Ward.

CARRIED

RESOLUTION: 209.05/10

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

THAT:

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

- i) April 29th County Council Meeting
- ii) North Perth Animal Control - Canine Report for the month of April
- iii) Elma Logan Recreation Complex Rehabilitation Project Advisory Committee March 10th Minutes
- iv) North Perth Committee of Adjustment Meeting April 27th minutes
- v) Listowel Fire Station Committee Meeting April 26th minutes
- vi) Listowel Business Improvement Area Meeting February 2nd minutes
- vii) North Perth Joint Health and Safety Committee Meeting April 15th minutes

CARRIED

Kriss Snell, CAO indicated that the Health & Safety Meeting Schedule will be brought forward for Council information.

Kriss Snell, CAO informed Council that follow-up letters are sent to residents who have sent correspondence to Council advising them of Council's action.

Kriss Snell, CAO advised Council of an invitation from the Perth Communities Futures Annual General Meeting to be held on May 21st, 2010.

RESOLUTION: 210.05 /10

It was moved by: Dave Johnston, Seconded by: Jeff Bannerman

THAT:

The Council of the Municipality of North Perth will direct staff to work with the other interested municipalities within Perth County to recruit applicants for a Joint Compliance Audit Committee;

AND FURTHER THAT:

The Terms of Reference for the Joint Compliance Audit Committee be adopted.

CARRIED

Allan Rothwell, Senior Planner, reviewed an application from H & J Donegan Holdings Inc. to remove the holding zone from Phase II of the Subdivision registered as Plan 44M-33. He indicated that the owner has also applied to change the Phase II boundaries. Mr. Rothwell recommended that this application be deferred until the estimate of costs for construction along with securities required for this Phase, as amended are received by the Municipality.

Patricia Berfelz, Clerk reminded Council of the Open House regarding an Official Plan Amendment and Zoning By-law Amendment for the Village of Atwood settlement area to be held on Tuesday, May 4th, 2010 at the Elma Memorial Community Centre at 7:00 p.m.

RESOLUTION: 211.05 /10

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

THAT:

The Council of the Municipality of North Perth designates a portion of the north part of Block 39 Reg. Plan 44M-10 as an area for a Community Garden for two (2) years.

CARRIED

Moved and seconded that “The Council of the Municipality of North Perth agrees to defer the payment of development charges applicable to 855 Wallace Avenue South and enter into an agreement with the owner which:

- a. Defers payment of the development charges for 280 days from date of building permit issue or the date of occupancy whichever is first;
- b. Unpaid development charges after the deferred date, will be deemed to be as if taxes for collection purposes and interest will be charged accordingly; and
- c. Related legal or registration fees paid prior to the issuance of a building permit;

And that direction be given to staff to development agreement for further consideration.”

Discussion followed regarding the need for this request as well as setting a precedent.

With 2/3 consent from Council, Mr. John O’Malley was permitted to speak.

Mr. O’Malley indicated he has two condo units sold but is unable to finalize the transfer and be paid because the planning process has not been completed to permit the sale of these condo units. This delay has resulted in a cash flow problem. This request to defer development charges will enable him to begin construction of the next phase of this development. He assured Council that he will pay the development charges as soon as he receives payment for the two completed units.

RESOLUTION: 212.05/10

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

THAT:

Resolution Cont’d on Page (766)

Resolution Cont'd from Page (765)

The Council of the Municipality of North Perth agrees to amend the main motion to strike out the number "280" and replace with "180", insert the word "permit" in Section a. after the word occupancy and change the last clause to read "And that direction be given to staff to develop an agreement for further consideration".

CARRIED

RESOLUTION: 213.05 /10

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

THAT:

The Council of the Municipality of North Perth agrees to defer the payment of development charges applicable to 855 Wallace Avenue South and enter into an agreement with the owner which:

- a. Defers payment of the development charges for 180 days from date of building permit issue or the date of occupancy permit whichever is first;
- b. Unpaid development charges after the deferred date, will be deemed to be as if taxes for collection purposes and interest will be charged accordingly; and
- c. Related legal or registration fees paid prior to the issuance of a building permit;

And that direction be given to staff to develop an agreement for further consideration.

CARRIED

Councillor Paul Horn, Recreation Complex Committee Chair had nothing to report.

Councillor Doug Kellum, Listowel Fire Station Chair indicated that the project was progressing and on schedule.

Councillor Robert Martin, Administration Building Committee Chair indicated that the next meeting will be held on Friday, May 7th, 2010.

RESOLUTION 214.05/10

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

THAT:

The following accounts are approved for payment:

General Administration	119,579.70
Business Improvement Association	1,751.29
Cemetery	97.59
Fire-Administration	-
Fire-Atwood Department	441.87
Fire-Elma Logan Department	375.13
Fire-Listowel Department	1,020.48
Day Care	1,435.27
Library	2,344.09

Resolution Cont'd on Page (767)

Resolution Cont'd from Page (766)

Police	854.87
Public Works & Sanitation-Capital	-
Landfill	-
Roads	7,721.99
Sewer & Water	25,937.29
Recreation	43,692.33
Payroll #9	95,315.70
Fire Department Payroll	71,174.59
Total	<u>371,742.19</u>

CARRIED

RESOLUTION: 215.05/10

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

THAT:

The Council of the Municipality of North Perth approve the request from the North Perth Chamber of Commerce to close Derry Street between Maitland Avenue and Elm St. on May 14th, 2010 from 4:00 p.m. to 8:00 p.m. and May 15th, 2010 from 9:00 a.m. to 6:00 p.m. for the Home & Lifestyles Show;

AND FURTHER THAT:

The North Perth OPP, Fire Department, North Perth Public Works Department and Perth County EMS will be advised of this event

CARRIED

RESOLUTION: 216.05/10

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

THAT:

Consideration of By-law No. 50-2010, be deferred to the May 17th, 2010 Council meeting.

CARRIED

RESOLUTION: 217.05/10

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

THAT:

By-law No. 51-2010, being a By-law to adopt the current estimates and to establish tax rates for the year 2010, 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: 218.05/10

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

THAT:

By-law No. 54-2010, 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

RESOLUTION: 219.05/10

It was moved by: Jeff Bannerman, Seconded by: Dave Johnston

THAT:

This Committee proceed “In Camera” at 8:15 p.m. to address a matter pertaining to:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; regarding Scott vs Municipality of North Perth; and
- The receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose; regarding Scott vs Municipality of North Perth.

CARRIED

RESOLUTION: 220.05/10

It was moved by: Jeff Bannerman, Seconded by: Dave Johnston

THAT:

The “In Camera Session” is now adjourned at 8:25 p.m. and the Council reconvene into regular open Council.

CARRIED

RESOLUTION: 221.05/10

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

THAT:

By-law No. 55-2010, 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: 222.05/10

It was moved by: Randy Pettapiece, Seconded by: Meredith Schneider

THAT:

The Council meeting do now adjourn to meet again for general Council business on Monday, May 17th, 2010 at 7:00 p.m.

CARRIED

The meeting adjourned at 8:26 p.m.

M A Y O R

C L E R K