

The first regular Council meeting for the month of September for the Municipality of North Perth was held on Monday, September 14th, 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
Director of Finance/Treasurer Frances Hale
Interim Public Works Director Gary Pipe
Fire Chief Ed Smith
Deputy Clerk Danette Beare
Perth County Planner Allan Rothwell

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: 437.09/09

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

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: 438.09/09

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

THAT:

The minutes of the August 24th, 2009 regular Council meeting as printed and earlier distributed, be approved and signed by the Mayor and the Clerk.

CARRIED

RESOLUTION: 439.06/09

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

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting
Resolution Cont'd on Page (605)

Resolution Cont'd from page (604)
concerning a Zoning By-law Amendment application affecting property in the Municipality of North Perth described as Part Lot 28, Concession 2, Wallace Ward owned by Tom and Lynn Kerr.

CARRIED

The minutes are attached as Schedule "A".

RESOLUTION: 441.09/09

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

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 Part Lot 60, Concession 1, Wallace Ward owned by Robert and Marilyn Mitchell.

CARRIED

The minutes are attached as Schedule "B".

RESOLUTION: 443.09/09

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

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting to consider the Drainage Report for the Zyta Municipal Drain 2009.

CARRIED

RESOLUTION: 444.09/09

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

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting to consider the Drainage Report for the Zyta Municipal Drain 2009.

CARRIED

A Public Meeting was held at 7:18 p.m. to consider the Engineer's Report prepared by Dietrich Engineering Limited, dated September 3rd, 2009 for the Zyta Municipal Drain 2009. Mr. William Dietrich reviewed the report. No one spoke in favour of the report. No one spoke in opposition of the report. Council was given an opportunity to ask questions. The public meeting was declared closed at 7:22 p.m.

RESOLUTION: 445.09/09

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

THAT:

The Council of the Municipality of North Perth will proceed to a Public Meeting to consider a proposed by-law to alter the Listowel Ward and Elma Ward boundaries in the Municipality of North Perth.

CARRIED

RESOLUTION: 446.09/09

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

THAT:

The Council of the Municipality of North Perth will hereby close the Public Meeting to consider a proposed by-law to alter the Listowel Ward and Elma Ward boundaries in the Municipality of North Perth.

CARRIED

A Public Meeting was held at 7:23 p.m. to consider a proposed by-law to alter the Listowel Ward and Elma Ward boundaries. Patricia Berfelz, Clerk explained the purpose for altering the Ward Boundaries. She also indicated that an Open House had been held on September 2nd, 2009 and notice was published in the Listowel Banner and The Plus and mailed to landowners informing them of this Public Meeting. No one spoke in favour of or in opposition to the proposed by-law. Patricia Berfelz, Clerk indicated that correspondence had been received from Chuck Egener, M.I.M.A. Municipal Relations Representative confirming that ward boundary changes will not affect assessment. Council was given an opportunity to ask questions. The public meeting was declared closed at 7:28 p.m.

RESOLUTION: 447.09/09

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

THAT:

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

- i) Mayors Report for the month of August
- ii) September 3rd, County Council Report
- iii) North Perth Planning Advisory Committee August 25th minutes
- iv) North Perth Committee of Adjustment August 25th minutes
- v) North Perth Building Report for the month of August
- vi) North Perth Animal Control Report for the month of August
- vii) Elma Logan Arena & Park Committee July 28th and August 10th minutes
- viii) Listowel Fire Station Committee August 18th and August 24th minutes

CARRIED

RESOLUTION: 448.09/09

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

THAT:

The Council of the Municipality of North Perth accept the Drainage Report for the Zyta Municipal Drain.

AND FURTHER THAT:

The Court of Revision for the Zyta Municipal Drain will be held on Monday, October 5th, 2009 at 6:45 p.m.

CARRIED

Frances Hale, Director of Finance/Treasurer reviewed a report regarding the Development Charges By-law - Temporary Dwellings. She was instructed to bring back the numbers for the following options:

- A percentage of 25% based on the life expectancy of the temporary dwelling; and
- Development charges only applied for hard services (i.e. roads, fire, police).

RESOLUTION: 449.09/09

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

THAT:

The Council of the Municipality of North Perth accept the tender from A.G. Hayter Contracting Ltd. in the amount of \$41,240.00 for the construction of the Martin-Joye Drain.

CARRIED

RESOLUTION: 450.09/09

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

THAT:

The Council of the Municipality of North Perth accept the price from Bio-Rem in the amount of \$84,000.00 plus taxes for the purchase of an odour control unit for the Septage Receiving Station.

CARRIED

Councillor Paul Horn, North Perth Recreation Complex Committee Chair reviewed the Communication Strategy Policy prepared by the committee. The following amendments were made to the policy as presented:

- The second line of #4 was removed;
- The first line of #6 was removed; and
- Item 6 c) was removed.

RESOLUTION: 451.09/09

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

THAT:

The Council of the Municipality of North Perth approve the North Perth Recreation Complex Communication Strategy dated July 2009 as attached.

CARRIED

The Communication Strategy as amended is attached as Schedule "C".

Councillor Doug Kellum, Listowel Fire Station Committee Chair updated Council on the activities of the committee.

Councillor Robert Martin, Administration Building Committee Chair updated Council on the activities of the committee.

RESOLUTION: 452.09/09

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

THAT:

The following accounts are approved for payment:

Resolution Cont'd on Page (608)

Resolution Cont'd from Page (607)	
General Administration	114,499.27
Business Improvement Association	13,991.01
Cemetery	4,279.74
Fire-Administration	2,537.35
Fire-Atwood Department	5,264.19
Fire-Elma Logan Department	5,055.35
Fire-Listowel Department	9,380.99
Day Care	3,797.51
Library	8,544.76
Police	155,672.51
Public Works & Sanitation-Capital	840,373.53
Public Works & Sanitation	106,232.42
Recreation	67,190.59
Payroll #18	105,878.37
Total	<u>1,442,697.59</u>

CARRIED

Mr. Allan Rothwell, County Planner reviewed the report dated August 13th, 2009 regarding an application for a zoning by-law amendment for property described as Part Lot 24, Concession 4 Wallace.

RESOLUTION: 453.09/09

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

THAT:

The Council of the Municipality of North Perth approve the recommendation from the North Perth Planning Advisory Committee that the application for a Zoning By-law Amendment by Richard and Denise Boisvert affecting a parcel of land described as Part Lot 24, Concession 4 (8639 Rd 164, Wallace Ward) proceed to a public meeting and be approved as a temporary use for a period of up to three years (under an agreement with the Municipality).”

CARRIED

RESOLUTION: 454.09/09

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

THAT:

By-law No. 103-2009, being a By-law to provide for a drainage works in the Municipality of North Perth in the County of Perth, be read a 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: 455.09/09

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

THAT:

By-law No. 108-2009, 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

RESOLUTION: 456.09/09

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

THAT:

By-law No. 109-2009, 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

RESOLUTION: 457.09/09

It was moved by: Terry Seiler, Seconded by: Jeff Bannerman

THAT:

By-law No. 126-2009, being a By-law to authorize the signing of a Lease Agreement with The Conestoga College LBS/Academic Upgrading Program, 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 following motion (458.09/09) was placed on the floor:

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

THAT:

By-law No. 128-2009, being a By-law to authorize the execution of an Agreement with Her Majesty The Queen in Right of 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.

Discussion followed regarding the Building Canada Fund – Communities Component (BCF-CC) application and the municipality's debt load.

RESOLUTION: 459.09/09

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

THAT:

Consideration of By-law No. 128-2009 be deferred until later in the meeting.

CARRIED

RESOLUTION: 460.09/09

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

THAT:

By-law No. 129-2009, being a By-law to authorize the signing of an agreement with the Avon Maitland District School Board, 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: 461.09/09

It was moved by: Julie Behrns, Seconded by: Terry Seiler

THAT:

By-law No. 130-2009, being a By-law to provide for a drainage works in the Municipality of North Perth, County of Perth, be introduced, read and considered read a first and second 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: 462.09/09

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

THAT:

By-law No. 131-2009, being a By-law to authorize the maintenance and repair of Wallace Drain No. 5 Municipal Drain, 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: 463.09/09

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

THAT:

By-law No. 132-2009, being a By-law to authorize the maintenance and repair of the Hamilton 'A' Municipal Drain, 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: 464.09/09

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

THAT:

By-law No. 133-2009, being a By-law to authorize the maintenance and repair of the Bolton Drain Branch 'B' Municipal Drain, 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: 465.09/09

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

THAT:

By-law No. 134-2009, being a by-law to adjust the Listowel and Elma Ward boundaries, 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 requested that consideration of By-law No. 136-2009 regarding the Infrastructure Stimulus Fund be deferred to September 21st, 2009 in order to review tax implications on landowners.

Deputy Mayor Behrns requested that the record show that she supports deferral on the following grounds:

1. tax implications;
2. the agreement was incomplete in the description of the Infrastructure project; and
3. several concerns with regards to changing the scope of the projects.

Staff indicated that there were deadlines that had to be met with regards to the application.

RESOLUTION: 466.09/09

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

THAT:

Consideration of By-law No. 136-2009 be deferred.

DEFEATED

RESOLUTION: 467.09/09

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

THAT:

By-law No. 136-2009, being a By-law to authorize the execution of an Agreement with Her Majesty The Queen in Right of 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

The deferred motion regarding the BCF-CC was brought back to the table for consideration.

RESOLUTION: 458.09/09

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

THAT:

By-law No. 128-2009, being a By-law to authorize the execution of an Agreement with Her Majesty The Queen in Right of 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: 468.09/09

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

THAT:

This Committee proceed “In Camera” at 9:20 p.m. to address a matter pertaining to:

- security of the property of the municipality or local board;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

CARRIED

RESOLUTION: 469.09/09

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

THAT:

The “In Camera Session” is now adjourned at 9:55 p.m. and the Council reconvene into regular open Council.

CARRIED

RESOLUTION: 470.09/09

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

THAT:

By-law No. 135-2009, being a By-law for the acquisition of land, 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: 471.09/09

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

THAT:

By-law No. 137-2009, 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: 472.09/09

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

THAT:

The Council meeting do now adjourn to meet again for general Council business on Monday, September 28th, 2009 at 7:00 p.m.

CARRIED

The meeting adjourned at 9:57 p.m.

M A Y O R

C L E R K

**SCHEDULE "A" TO THE MINUTES DATED
SEPTEMBER 14TH 2009**

RECORD OF PROCEEDINGS OF THE PUBLIC MEETING HELD IN THE MUNICIPALITY OF NORTH PERTH COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 14TH 2009 AT 7:04 P.M.

The purpose of the Public Meeting was to consider an amendment to the Town of North Perth's Zoning By-law 6-ZB-1999 for property described as Part Lot 28, Concession 2, Wallace Ward owned by Tom and Lynn Kerr.

Present for the Public Meeting were members of Council. Mayor Hollinger 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 August 25th, 2009 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 August 25th, 2009, on the subject property and the municipal website advising of the Public Meeting to consider the Zoning By-law Amendment.

Chairperson Hollinger requested Allan Rothwell, County Planner to comment on the application to amend the Town of North Perth's Zoning By-law.

Mr. Rothwell explained the purpose of the application is to amend the by-law to recognize two undersized agricultural parcels.

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

Chairperson Hollinger 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.

Tom Kerr, owner and applicant indicated that the zoning by-law amendment was one of the Conditions of Consent required by the County of Perth Land Division Committee.

Members of Council were given opportunity for comments.

The Chairperson asked Mr. Rothwell to explain the available options and rights of appeal to the public and Council.

RESOLUTION: 440.09/09

It was moved by: Julie Behrns, Seconded by: Terry Seiler

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 Part Lot 28, Concession 2, Wallace Ward owned by Tom and Lynn Kerr.

CARRIED

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

Patricia Berfelz
Clerk
Municipality of North Perth

**SCHEDULE "B" TO THE MINUTES DATED
SEPTEMBER 14TH 2009**

RECORD OF PROCEEDINGS OF THE PUBLIC MEETING HELD IN THE MUNICIPALITY OF NORTH PERTH COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 14TH 2009 AT 7:11 P.M.

The purpose of the Public Meeting was to consider an amendment to the Town of North Perth's Zoning By-law 6-ZB-1999 for property described as Part Lot 60, Concession 1, Wallace Ward owned by Robert and Marilyn Mitchell.

Present for the Public Meeting were members of Council. Mayor Hollinger 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 August 25th, 2009 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 August 25th, 2009, on the subject property and the municipal website advising of the Public Meeting to consider the Zoning By-law Amendment.

Chairperson Hollinger requested Allan Rothwell, County Planner to comment on the application to amend the Town of North Perth's Zoning By-law.

Mr. Rothwell explained the purpose of the application is to amend the by-law which will permit the construction of a dwelling in the "Hamlet/Village Residential Zone (HVR)". He also indicated that this amendment was a Condition of Consent by the County of Perth Land Division Committee.

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

Chairperson Hollinger 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.

Dale Hartung, applicant indicated that he would like to construct a new home in the rural setting.

Members of Council were given opportunity for comments.

The Chairperson asked Mr. Rothwell to explain the available options and rights of appeal to the public and Council.

RESOLUTION: 442.09/09

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

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 Part Lot 60, Concession 1, Wallace Ward owned by Robert and Marilyn Mitchell.

CARRIED

There being no further comments, the Chairman declared the Public Meeting closed at 7:17 p.m.

Patricia Berfelz
Clerk
Municipality of North Perth

**SCHEDULE "C" TO THE MINUTES DATED
SEPTEMBER 14TH 2009**

Attachment to Resolution No. 451.09/09

NORTH PERTH RECREATION COMPLEX

COMMUNICATION STRATEGY

Purpose & Scope

To provide a process by which all stakeholders are informed with the facts related to the ongoing development and progress of North Perth's Recreation Complex.

Our intention is to have the process enhance communications between the North Perth Recreation Complex Committee, Sub-committees, Council, the Media and the Public to ensure that the information being released is based on fact and not opinion.

Process

1. All project related information will flow through the North Perth Recreation Complex Committee (NPRCC"), when time is a concern, approval of communication can be achieved via email to the Committee members.
2. the NPRCC will be kept informed of the activities of the PM&PR via their Chair.
3. Council will be kept informed of the progress of the project through regular reports from the Chair of the NPRCC.
4. The Municipality of North Perth website will have current information posted.
5. Staff, Committee & Sub committee members will be instructed to forward questions and public inquiries to the appropriate communication method/medium.
6. PM&PR (Promotions, Media & Public Relations) shall include at a minimum:
 - a Updates from the NPRCC
 - b Fundraising Status
 - c Public Inquiry Report
7. Media releases will be issued regularly in an effort to provide the public and media with accurate information on the project.
8. Other measures as deemed necessary will be taken by the PM&PR Committee to ensure the compliance with the purpose of the Communication Strategy.