

Minutes - The Blue Mountains Council Meeting



MEETING DATE: May 25, 2009
LOCATION: L.E. Shore Memorial Library
PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance.
- Also in attendance was CAO Paul Graham, Director of Planning and Building Services David Finbow, Director of Recreation Shawn Everitt, Director of Financial & Information Services Robert Cummings, Director of Engineering and Public Works Reg Russwurm, Manager of Water & Wastewater Services John Caswell, Communications & Economic Development Coordinator Lisa Kidd and Chief Librarian Carol Cooley.
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:

Moved by: John McKean Seconded by: R.J. Gamble

THAT the Agenda of May 25, 2009 be approved as circulated, including any items added to the Agenda, unanimously Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save Mayor Anderson with regard to Agenda item G.1 and G.2, Accounts & Invoices and cheques payable to her father and Councillor Kennedy with regard to Agenda Item G.1 and G.2 Accounts and Invoices and cheques payable to his daughter.
- Adoption of Consent Agenda

Moved by: John McGee Seconded by: Michael Martin

THAT the Consent Agenda of May 25, 2009 be adopted as circulated, less any items requested for separate review and discussion, unanimously Carried.

Previous Minutes

Moved by: John McKean Seconded by: Cameron Kennedy

THAT the Council minutes of May 11, 2009 be adopted as circulated, including any revisions to be made, unanimously Carried.

There was no business arising from the minutes at that time.

B. Deputations/Presentations

None

C. Correspondence as previously circulated

Moved by: Michael Martin Seconded by: John McKean

THAT this Council does hereby receive the Correspondence of May 25, 2009 and further does support the Staff Recommendation made with regard to the Correspondence items, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated, unanimously Carried.

D. Motions and Staff Reports

D.1 Accessibility for Ontarians with Disabilities Act- Employment Standard Response, CEDC.09.08

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Staff Report, CEDC.09.08, "Accessibility for Ontarians with Disabilities Act- Employment Standard Response", for information purposes, unanimously Carried.

D.2 Consultant Selection- Development of an Economic Development Strategy and Action Plan for The Blue Mountains, CEDC.09.07

Councillor Gamble then questioned when will the Economic Development Plan will be available for public viewing, Communications & Economic Development Coordinator Lisa Kidd replying February, 2010.

Deputy Mayor McKinlay then questioned if this strategy will tie into the County or region, Lisa replying the terms of reference ask that the consultant will work with regional groups, including the County and neighbouring municipalities to compliment neighbours and further noted the plan will be in keeping with the Town's Economic Sustainability Plan.

Councillor Martin then noted the Georgian Triangle Tourist Association is preparing an Economic Development Strategy with the Trillium Grant funding and asked that the consultant be in contact with the Georgian Triangle Tourist Association to coordinate their efforts.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: John McGee

THAT Council approve the selection of Land Use Research Associates (LURA) as the Consultant to develop an Economic Development Strategy and Action Plan for The Blue Mountains as per Request for Proposal TBM-2009-15, in the amount of \$76,805 and;

THAT Council approve a shortfall of \$6,805 be taken from the proposed 2010 Economic Development Reserve which historically has been funded at a rate of \$15,000 annually since 2007 and;

FURTHER THAT Council authorize the Mayor and Clerk to execute an agreement with LURA, once approved by the Town's Solicitor for these consulting services relating to the development of an Economic Development Strategy and Action Plan, Carried.

D.3 Information Regarding Business Improvement Area Legislation, FIS.09.28

Director of Finance Rob Cummings reviewed the Report and noted the Report is for information purposes only, further noting he feels the Report is required to provide information regarding recent correspondence regarding the possible dissolution of the BIA. Rob reviewed the legislation and noted the Town needs to ensure that the person responsible for paying the property taxes is the person signing the Petition, not necessarily both the property owner and tenant.

Rob then noted if the BIA is dissolved, where liability exceeds assets, that the Town could collect on current commitments of the BIA. Rob then reviewed the CAUSE funding provided to BIA and reviewed the principle balance outstanding.

Councillor Kennedy questioned what if both tenant and landlord indicate they are both responsible for paying taxes, Rob replying the Town would require proof of who is paying the taxes. Rob noted staff is new to this issue.

Councillor Martin then spoke, noting the Report is good information for council information, noting no action is required right now.

Councillor Gamble then questioned if a budget has been submitted for the 2009 BIA taxation, Rob replying the Town's budget has adopted a portion of the budget, but the entire budget has not been received yet. Rob then noted the liability must be covered off.

Councillor McGee then questioned if the property taxes referred to are the municipal tax portion or if the County and school board portions are included, Rob replying it is the total property taxes levied.

Cameron then spoke, noting every operating business pays a percentage of the BIA levy divided by the number of members, further noting one problem with the dissolution of the BIA is that the BIA has entered into a number of contracts for upcoming events and noted the Town would have to honour these contracts.

Deputy Mayor McKinlay reviewed the legislation of dissolution and questioned if there is a way to help the BIA, Rob replying there is no prescriptive type information in the legislation.

Cameron then spoke, noting BIA members do not see where their money goes, and further noted the fees pay for the flowers, banners, assists with the cost of events and pays down debt.

Councillor Martin noted the Clerk has final certification of what is right or wrong in dissolution procedure.

Rob then noted the Town has worked with the BIA in the past few years with the watering of flowers.

Council then dealt with the following Resolution

Moved by: Michael Martin Seconded by: D.R. McKinlay

THAT Council receive Staff Report FIS.09.28, "Information Regarding Business Improvement Area Legislation" for information purposes, Carried.

D.4 Capital Water & Sewer Charge – Lora Bay Water & Sanitary Sewer Works, FIS.09.30

Moved by: D.R. McKinlay Seconded by: John McKean

THAT Council receive Staff Report FIS 09.30, "Capital Water & Sewer Charge – Lora Bay Water & Sanitary Sewer Works", for information purposes; and,

THAT Council authorize staff to present the proposed By-laws at the June 22, 2009 regular meeting of Council for adoption; and,

FURTHER THAT the proposed By-laws addresses benefitting properties and future benefitting properties and allows for two payment options for benefitting property owners as follows:

Water Works

Service Area 1

1) Payment in full of \$9,180.00 due by August 7, 2009

2a) A portion of the loan is financed by the Developer at a payment of \$4,091.49 with a 20 year term at 0% interest per annum. The balance owing on the loan may be repaid at any time. If a benefitting property is sold or transferred, the balance of the loan becomes due and payable.

2b) And the balance of \$5,088.51 with a 20 year term at 6% interest per annum. The balance owing on the loan may be repaid at any time, including interest to date with no penalty applied. If a benefitting property is sold or transferred, the balance of the loan becomes due and payable.

Service Area 2

1) Payment in full of \$2,611.00 due by August 7, 2009

2a) A portion of the loan is financed by the Developer at a payment of \$2,018.30 with a 4 year term at 0% interest per annum. The balance owing on the loan may be repaid at any time. If a benefitting property is sold or transferred, the balance of the loan becomes due and payable.

2b) And the balance of \$592.70 with a 4 year term at 6% interest per annum. The balance owing on the loan may be repaid at any time, including interest to date with no penalty applied. If a benefitting property is sold or transferred, the balance of the loan becomes due and payable.

Service Area 3

1) Payment in full of \$1,460.00 due by August 7, 2009

2a) A portion of the loan is financed by the Developer at a payment of \$1,128.58 with a 4 year term at 0% interest per annum. The balance owing on the loan may be repaid at any time. If a benefitting property is sold or transferred, the balance of the loan becomes due and payable.

2b) And the balance of \$331.42 with a 4 year term at 6% interest per annum. The balance owing on the loan may be repaid at any time, including interest to date with no penalty applied. If a benefitting property is sold or transferred, the balance of the loan becomes due and payable.

Sanitary Sewer Works

Service Area 1

1) Payment in full of \$11,509.00 due by August 7, 2009

2a) A portion of the loan is financed by the Developer at a payment of \$2,402.80 with a 20 year term at 0% interest per annum. The balance owing on the loan may be repaid at any time. If a benefiting property is sold or transferred, the balance of the loan becomes due and payable.

2b) And the balance of \$9,106.20 with a 20 year term at 6% interest per annum. The balance owing on the loan may be repaid at any time, including interest to date with no penalty applied. If a benefiting property is sold or transferred, the balance of the loan becomes due and payable.

Service Area 2

1) Payment in full of \$14,461.00 due by August 7, 2009

2a) A portion of the loan is financed by the Developer at a payment of \$3,689.87 with a 20 year term at 0% interest per annum. The balance owing on the loan may be repaid at any time. If a benefiting property is sold or transferred, the balance of the loan becomes due and payable.

2b) And the balance of \$10,771.13 with a 20 year term at 6% interest per annum. The balance owing on the loan may be repaid at any time, including interest to date with no penalty applied. If a benefiting property is sold or transferred, the balance of the loan becomes due and payable.

Service Area 3

1) Payment in full of \$8,644.00 due by August 7, 2009

2a) A portion of the loan is financed by the Developer at a payment of \$1,153.66 with a 20 year term at 0% interest per annum. The balance owing on the loan may be repaid at any time. If a benefiting property is sold or transferred, the balance of the loan becomes due and payable.

2b) And the balance of \$7490.34 with a 20 year term at 6% interest per annum. The balance owing on the loan may be repaid at any time, including interest to date with no penalty applied. If a benefiting property is sold or transferred, the balance of the loan becomes due and payable.

And further that a Public Information Centre (PIC) will be held on May 30, 2009 and a Public Meeting will be held on June 8, 2009 to provide the residents an opportunity to comment on the proposed By-laws.

In speaking to the Motion, Deputy Mayor McKinlay noted this Report lays out the different service areas in Lora Bay and authorizes staff to present the by-law at the June 22, 2009 Council Meeting.

Director of Financial & Information Services Rob Cummings then spoke, noting a Public Information Session regarding this matter is scheduled for Saturday May 30.

Council then voted on the Resolution, Carried.

D.5 Georgian Trail Resurfacing Proposal, DOR.09.30

Councillor Gamble then noted the Finance & Administration Committee is aware of the contents of this Report and further noted the Georgian Trail Board of Management met and learned of the RInC program and noted funding would be applied for through the Georgian Ski & Cycle Association and that paving would only occur in built-up areas and the balance of the trail would be resurfaced with screenings to bring the trail to a higher standard.

Councillor Martin then referenced contribution by Collingwood and Meaford and questioned what if the grants received are not equal, Bob replying the local share of funding is in place, further noting the details are not totally worked out.

Councillor McKean questioned what the budget impact would be, Bob replying this is a million dollar project divided in thirds, further noting an advance would be requested by the Georgian Trail.

Councillor McGee then questioned what the process is to obtain input from residents, Bob replying initially the Georgian Trail was proposed to be paved, further noting the financing was not in place at that time.

John then confirmed there is no plan for public input, Bob further noting there should have been input from the public, but noted the grant application must be submitted by May 31 so no input was received because the application time was short.

Deputy Mayor McKinlay then spoke, noting the original plan was to pave the Georgian Trail and further noted in the past, the sharing of money as referenced in the Georgian Trail Management Agreement has worked without any problems in the past.

Bob then spoke, noting as a result of the Provincial declaration of no pesticide use, the weeds are encroaching onto the trail and the trail is narrowing in places, further noting this funding from the RInC program would assist with these maintenance issues. Duncan then spoke, noting traffic counting equipment is available through the County or the Town if the Georgian Trail would like to use it to identify traffic patterns on the trail.

Councillor McKean then spoke, noting when urban areas are paved generally the traffic will increase and speed will increase, Councillor Kennedy noting the trail is signed well for speed and stop signs, Bob further noting those users who do not like to stop at road crossings and may prefer to travel on the road versus the trail.

Councillor Martin then spoke, noting council should receive more information on the project, further questioning if the Board knows if they need an Environmental Assessment, Cameron replying Meaford would not need an Environmental Assessment, just trail maintenance and further noted the trail would be paved versus screenings.

Duncan then noted the Georgian Trail Board has in the past been challenged to do annual maintenance because of the cost and this larger project would relieve the Town of a lot of responsibility and cost in the future.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council receive staff report DOR.09.30 "Georgian Trail Resurfacing Proposal" for information purposes, Carried.

D.6 International Council for Local Environmental Initiatives, CAO.09.02

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council authorize the Town to join the International Council for Local Environmental Initiatives (ICLEI – Local Governments for Sustainability) as a full member and that the first year's membership fee will be a total of \$600.00 (USD) unanimously Carried.

D.7 Acquisition of 177 Bruce Street, CAO.09.03

CAO Paul Graham then reviewed the Report and background of the property, noting the property is being offered for sale by the Estate of Helen Carscadden, adding an internal discussion ensued to consider the purchase of the property so as to have the land to expand the library in the future. Paul noted the Library Board believes the library will need to be expanded in the future as satellite libraries are not being considered. Paul further noted the Town is currently in possession of an offer of sale for \$240,000 plus legal fees and land transfer taxes.

Councillor Gamble then recounted the history of the L.E. Shore family and of the library and noted the library should not deter from the current award winning design. Bob noted any expansion should go to the east and south of the building, adding he would not be in support of an expansion to include this property, with regard to respecting decisions of former Council and the L.E. Shore Memorial Foundation.

Mayor Anderson then questioned Bob where parking would be located if the library were expanded to the east and south of the building, Bob replying if the library wants land that it should approach the house to the east of the building.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: D.R. McKinlay

THAT Council authorize the purchase of 177 Bruce Street in Thornbury at a cost of approximately \$244,000 as offered by the estate of the owner and;

THAT Council authorize the Chief Administrative Officer to arrange for the acceptance of the owner's offer and;

That Council authorize the Mayor and Clerk to execute the necessary documents to transfer the property into the Town's ownership.

In speaking to the Motion, Deputy Mayor McKinlay responded to Councillor Gamble's concerns, noting an addition to the library would not be disrespectful to the Committee and or the L.E. Shore family, further noting a design could complement the current structure and would be an obstacle that the Town could overcome. Duncan further noted there is money in the property acquisition fund through development charges and noted this property is of value to the Town.

Councillor Martin then spoke to the Resolution as a library board member, noting any expansion would be best left to engineers and consultants and they would be

in contact with the original engineers, further noting if the Town does not take advantage of this opportunity that it may not be available in the future.

Council then voted on the Resolution, Carried.

D.8 At the Shore: A Mayors' Collaborative Action Plan to Protect the Great Lakes, CAO.09.04

CAO Paul Graham then spoke to the Report, noting the Town was invited by the Great Lakes & St. Lawrence Cities Initiative to participate in the preparation of an action plan to present to the Provincial Government, adding the Report summarizes the work completed and presented on May 5. Paul noted the action plan was well received by the Ministers and at the same time a discussion paper was released by the Province entitled "Healthy Great Lakes, Strong Ontario".

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council endorse the Action Plan known as, "At the Shore: A Mayors' Collaborative Action Plan to Protect the Great Lakes" and;

THAT this resolution be forwarded to the Ontario Ministers of Environment, Natural Resources and Agricultural, Food and Rural Affairs and;

FURTHER THAT this resolution be forwarded to the Great Lakes & St. Lawrence Cities Initiative for distribution to its municipal members.

In speaking to the Resolution, Councillor Gamble questioned if there is any potential resolution to the algae infestation along the Georgian Bay shoreline, Mayor Anderson replying algae changes from community to community and is difficult for the Province to deal with, CAO Paul Graham spoke noting all parties recognize algae as a challenge and further noted all three levels of government need to get involved and further noted climate change is a major part of the problem. Paul noted the purpose of the work is to get all three levels of government involved and support to deal with the Great Lakes.

Council then voted on the Resolution, unanimously Carried.

Paul then noted the Town of The Blue Mountains was the first Municipality to pass such a Resolution and noted this Resolution would be circulated to others. Mayor Anderson then noted this Resolution should be sent to the Federation of Canadian Municipalities for their information.

D.9 Cops for Cancer Event Run - Events Permit Exemption, Corr. Item C.1

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

THAT Council does hereby grant an exemption from the permit requirements of Roads Use for Events By-law No. 2005-34 for a Cops for Cancer running event from Beaver Valley Outreach on Bruce Street south to Thornbury Carquest on King Street east on June 9, 2009, it being noted police escort vehicles will be present and The Blue Mountains OPP will organize and conduct the proposed event, unanimously Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Deputy Mayor McKinlay then noted Grey County has completed extensive repair on County Road 119 east of Ravenna, further noting other construction projects are proceeding.

Duncan then noted he and Mayor Anderson attended the roundabout groundbreaking ceremony last week.

Duncan then noted the paving contracts were completed in 2008 and some remedial work will be completed this year.

E.2 Notice of Motion

None

E.3 Additions to Agenda

None

F. By-laws

None

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (Al Gibson, Maggie Kennedy)

Reports List (Adopt)

3. Finance & Administration Committee, May 19, 2009

H. Notice of Meeting Dates

Council June 8, 22, July 13, August 10, September 14, 28, October 14 (Wed), 26, November 9, 23, December 14, 2009

All Council meetings to be at the Library unless otherwise noted

Finance and Administration Committee, June 16, 2009
Infrastructure and Recreation Committee, May 26, 2009
Planning Committee, June 1, 2009

I. Closed Session

Moved by: D.R. McKinlay Seconded by: John McGee

THAT with regard to subsection 239 of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board;

AND with regard to consideration of road re-alignment and land exchange with the Cedar Run Horse Park, Carried.

Council moved into closed session at 8:13 pm.

Council moved into open session at 8:54 pm.

I. Confirmation By-law and Adjournment

Moved by: R.J. Gamble Seconded by: John McKean

THAT By-law No. 2009 - 37, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on May 25, 2009, be hereby enacted as passed this eleventh day of May, 2009, Carried.

Moved by: Cameron Kennedy Seconded by: Ellen Anderson

THAT this Council does now adjourn at 9:00 p.m. to meet again June 8, 2009, 7:00 pm, L.E. Shore Library, or at the call of the Chair, unanimously Carried.

.....
Ellen Anderson, Mayor

.....
Corrina Giles, Deputy Clerk