

Minutes - The Blue Mountains Council Meeting



MEETING DATE: June 9, 2008
LOCATION: L.E. Shore Memorial Library
PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor Martin, absent due to vacation.
- Also in attendance was CAO Paul Graham, Director of Engineering and Public Works Reg Russwurm, Manager of Waste & Waste Water Services John Caswell, Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Director of Recreation Shawn Everitt, Director of Finance Rob Cummings
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda
Moved by: John McKean Seconded by: John McGee
THAT the Agenda of June 9, 2008 be adopted as circulated, including any items added to the Agenda, Carried.
- The Clerk then noted a Motion to designate the Ford Wayne Gretzky Golf Tournament as a community festival and significant event would be an addition to the Agenda.
- No member declared a pecuniary interest with any matter as listed on the Agenda, save Mayor Anderson with regard to Agenda Item G.2, Accounts, and a cheque payable to her father, Deputy Mayor McKinlay with regard to Agenda Item D.7, Noise By-law Relief and his daughter's employment at an adjacent facility and Councillor Kennedy with regard to Agenda Item D.6, Pancake Breakfast and his BIA membership.
- Adoption of Consent Agenda
Moved by: Cameron Kennedy Seconded by: R.J. Gamble
THAT the Consent Agenda of June 9, 2008 be adopted as circulated, save the Recreation Committee Report dated May 29, 2008, requested for separate review and discussion, Carried.

NOTE: Mayor Anderson earlier declared a pecuniary interest with respect to Agenda Item G.2 and is deemed not to have voted on that matter.
- Previous Minutes
Moved by: R.J. Gamble Seconded by: John McGee
THAT the Council minutes of May 26, 2008 be adopted as circulated, including any revisions to be made, Carried.

B. Deputations/Presentations

7:05 pm – Rob Potter, Community Appreciation Award

Next as Rob Potter was in attendance, Mayor Anderson presented him with a certificate acknowledging his 27 years of work and support in the community.

Deputy Mayor McKinlay then thanked Rob on behalf of Town residents for his many years of accurate and fair reporting and wished Rob and his wife the best in the future.

Rob then thanked Council and those in attendance for their kind words and thoughts.

7:10 pm – Georgian Triangle Tourist Association, 2008 Municipal Grant Funding Linda Simpson, Executive Director

Next, as Linda Simpson, Executive Director of the Georgian Triangle Tourist Association was in attendance it was Council's pleasure to hear her regarding 2008 municipal grant funding for the Association.

Ray Latt then introduced the GTTA Board members in attendance.

Linda then noted it is the goal of the GTTA to promote the area as a recreation destination icon, noting the GTTA office is open 364 days of the year.

Linda noted the funding request to the Town has not increased for several years and increasing funding is sought in 2008 to continue quality destination marketing.

Councillor Martin then noted the GTTA works in a borderless manner on behalf of the region.

Councillor Gamble then questioned how far the See & Do Guide is distributed, Linda noting 110,000 copies are distributed across the Georgian Triangle and Greater Toronto Area throughout the year, noting the recent guide in the Mountain Life was an astounding success.

Michael then noted the funding request could be considered by the Finance and Administration Committee.

Board member Rick Offord then spoke, noting organizational membership has been revised over the past year, with 8 different industries represented on the Board, all volunteer members and they should all be recognized and valued.

Mayor Anderson then noted support for all volunteers in the region.

Linda then noted the Board has embarked on a strategic planning exercise in the past month.

Linda then thanked Council and retired from the meeting.

7:20 pm – Grey Roots Museum and Archives, Museum Overview 2008 Deputy Mayor McKinlay then presented a Grey Roots Museum and Archives overview.

Duncan then reviewed the Museum and Archive values of honouring and protecting the integrity of the past and present and respect for people and the land.

Duncan then noted 37 exhibits have been displayed since 2004, the majority of them focussed on County history, as well as children's programs, lecture serviced and other events.

Duncan then noted there are several private sponsorships for various events together with a great number of volunteers who work on displays and with the public.

Duncan noted \$75,000 was donated to the facility in 2007.

Duncan then noted visitor numbers had increased every year since 2004, and have doubled since 2006.

Councillor Gamble then questioned if the business plan considered reducing the annual municipal contribution, Duncan noting there had been a focus on controlling costs and improving value to the community.

Bob then questioned the children's programs, Duncan noting a program would run for a specific period on a revenue neutral basis.

Bob then noted the daycamp program would essentially serve the Owen Sound area, Duncan noting the facility was not in central downtown Owen Sound, no single site able to serve everyone in the County.

Mayor Anderson then noted the facility was excellent for families to utilize, Duncan noting all County schools had access to the facilities.

C. Correspondence as previously circulated

Council then dealt with the following Recommendation:

Moved by: John McKean Seconded by: John McGee

THAT this Council does hereby receive the Correspondence of June 9, 2008 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, Carried.

D. Motions and Staff Reports

D.1 Award of Tender for Construction of a Parking Lot at Tomahawk Recreation Complex Tender TBM-2008-35, DOR.08.24

Director of Recreation Shawn Everitt then reviewed the Report, noting the parking lot would be constructed with "B" and "A" gravel.

Council then dealt with the following Resolution:

THAT Council approve Staff Report DOR.08.24 "Award of Tender for Construction of a Parking Lot at Tomahawk Recreation Complex Tender TBM-2008-35" and does accept the recommendation to award the contract to

Brian Dinsmore Excavating and Haulage in the amount of \$54,626.48 plus GST, Carried.

D.2 Award of RFP for a Multi-use Facility Feasibility Study - Contract Number TBM-2008-22, DOR.08.25

Director of Recreation Shawn Everitt then reviewed the Report, noting the RFP was meant to gauge the public desire for multi-use amenities.

Councillor Martin then questioned the use of two other consulting firms together with Monteith Brown, Shawn noting the other consultants would provide specialized services within the project.

Michael then noted concern with only one bidder, that being the firm that completed the previous Leisure Activities Plan.

Michael further noted the contractor should not be paid until a final report is produced, CAO Paul Graham noting it is common to word the contract so as to phase payments on deliverables.

Councillor Kennedy then noted concern with paying a consultant to consider a multi-use facility at this time, noting existing Town amenities and facilities.

Mayor Anderson then noted this consideration came to light through the Leisure Activities Plan.

Councillor Gamble then noted perhaps Council is moving too fast with a multi-use facility, noting many of the proposed amenities are currently available through the private sector, for example the Plunge facility.

Deputy Mayor McKinlay then noted the RFP was considered during the 2008 budget process, with staff following the direction provided.

Councillor McGee then questioned if there would be any possibility of a partnership with Collingwood on such a facility.

CAO Paul Graham then noted it take such projects several years to complete, the current consideration the initiation of the visioning process.

Councillor McKean then noted the demographics of the municipality are changing significantly and such a study would be valuable at this time.

Council then dealt with the following Resolution:

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

THAT Council approve Staff Report DOR.08.25 "Award of RFP for a Multi-use Facility Feasibility Study - Contract Number TBM-2008-22" and does accept the recommendation to award the contract to Monteith Brown Planning Consultants in the amount of \$49,637.50 plus GST, Carried.

D.3 Off Leash Parks, DOR.08.26

Director of Recreation Shawn Everitt then reviewed the Report, noting it represented background information on consideration of an off-leash park.

Shawn noted current use of the ball diamonds was permitted but the areas were not fully enclosed.

Deputy Mayor McKinlay then questioned the area of the proposed park, Shawn noted it could range from one to several acres.

Duncan then questioned if the proposed locations would be considered an interim use, Shawn noting fencing would be required during use.

Duncan then questioned composting or sanitary disposal of dog waste, Shawn noting there is potential for either.

Councillor Kennedy then questioned if ball diamonds would be continued to be used by dog owners, Shawn replying yes, with the other sites considered pilot projects.

Cam then questioned if sports and off leash dog use created any health concerns, Shawn noting Staff were monitoring the situation and there did not appear to be a problem.

Councillor Gamble then noted concern with including the Swiss Meadows location in the proposal, with a steep incline and proximity to the water system, Shawn noting the sites would be investigated with other town staff who would identify Department concerns.

Bob then questioned liability, Shawn replying use would be at the owner's risk.

Councillor McKean then questioned if wireless fencing could be used with owners supplying collars, Shawn noting there are facilities where a collar is required for entrance.

Cameron then noted the presence of poison ivy at Peel Street location, Shawn replying he is aware and will consider this during review, Cameron noting the municipality may not be able to spray it any longer.

Duncan then noted dogs can catch poison ivy anywhere and to have them enclosed would be better than running at large.

Councillor Martin then noted possible resident concerns with the Swiss Meadows location.

Duncan then noted the Report only referred to investigation of two sites at this time.

Duncan then questioned if there were any such uses with public participation or user fees, Shawn replying they are quite often sponsored and partnered.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report DOR.08.26, "Off Leash Parks" for information purposes and consider Town Lands on Peel Street in the Thornbury area and Hamlet Road in the Swiss Meadows area as potential locations for off leash parks with further information to be provided in a subsequent report to Council, Carried.

D.4 Establish Development Charges Service Area 2 - Camperdown, FS.08.29

Director of Finance Rob Cummings then reviewed the Report, recounting the past public meeting.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report FS.08.29 "Establish Development Charges Service Area 2 – Camperdown".

AND WHEREAS Council has before it a Report entitled "Camperdown Service Area Development Charges Background Study", Water and Waste Water, dated May 2008, prepared by Hemson Consulting Ltd. (the "Study");

AND WHEREAS Council has reviewed the preliminary capital programs, contained in the Study, which were forwarded to Hemson Consulting Ltd. for consideration in their preparation of the Study and related circulations;

AND WHEREAS Council gave notice to the public and held a public meeting pursuant to Section 12 of the Development Charges Act, 1997 on May 26, 2008, prior to which the Study and the proposed Camperdown area development charges by-law were made available to the public;

AND WHEREAS following the Public Meeting, Council afforded the public an additional period of time for the submission of further written representations;

AND WHEREAS Council intends to ensure that the need for services attributable to anticipated development will be met;

NOW THEREFORE THAT Council does hereby approve the Study;

AND FURTHER THAT Council enact a By-law to establish area-specific development charges for Town of The Blue Mountains, Service Area 2 – Camperdown.

In speaking to the Motion, Councillor Gamble proposed including a reference to only water and waste water to identify those matters, Rob noting that was correct and the Town-wide development charge would apply to other matters. Council concurring that water and wastewater be inserted.

Councillor McGee noted he would not support the By-law based on previous discussions regarding the split between existing residences and development.

Councillor Martin then requested clarification that enactment of the proposed by-law would continue application of town-wide development charges in addition to the specific water and wastewater charges, Rob confirming same.

Council then voted on the Resolution, Carried.

D.5 Community Family Health Centres Launch of Fundraising Drive – Town Hall Site, SRB.08.35

Council then dealt with the following Resolution:

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

THAT COUNCIL receive Staff Report SRB.08.35 and authorize The North East Grey Health Clinic to use the Town Hall Site for their “Community Family Health Centres Launch of Fundraising Drive” on Saturday July 19th, 2008 from 3:00 p.m. to 8:00 p.m. subject to the provision of a Certificate of Insurance in the amount of \$5,000,000 naming the Town as a co-insured party with it being noted that The North East Grey Health Clinic are responsible for obtaining any and all permits and/or approvals related to the event; and

THAT COUNCIL authorize relief from the Noise By-law from 3:00 p.m. to 8:00 p.m. for this event; and

THAT COUNCIL authorize the Chief Building Official to waive the requisite building permit fees for the proposed tents, Carried.

D.6 Canada Day 2008 Pancake Breakfast – Town Hall Site, SRB.08.36

Note: Councillor Kennedy declared a pecuniary interest with respect to Agenda Item D.6 and his membership in the BIA and did not take part in related discussion or voting.

Council then dealt with the following Resolution:

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

THAT COUNCIL receive Staff Report SRB.08.36 and authorize the Thornbury BIA to use the Town Hall Parking Lot for their “Canada Day 2008 Pancake Breakfast” on July 1st, 2008 from 7:30 am to 11:00 am. save and except for that portion of the site/parking lot denoted as a Fire Route (the centre drive aisle from Bridge Street East through to the rear of the Engineering & Public Works Office Complex), Carried.

D.7 2071400 Ontario Limited, 53 Bruce Street South, “The Dam Pub” Request for Relief from the Noise By-law – June 12, 2008, SRB.08.37

Note: Deputy Mayor McKinlay declared a pecuniary interest with respect to Agenda Item D.7 and his daughter’s employment at an adjacent facility and did not take part in related discussion or voting.

In speaking to the Report, Councillor Gamble questioned the timing of the operation of the generator, Mayor Anderson noting at various times over a 24 hour period.

Councillor McKean then questioned why any after-hours testing would be required, Councillor Kennedy noting a two to four hour period should suffice.

Councillor McGee noted consultation with EMS staff as to what is proper testing protocol may be appropriate, Councillor Gamble noting no concern during normal business hours.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McGee

That EMS Staff be requested to provide a proper testing protocol for emergency preparedness generator testing, Carried.

D.8 “Bridges Tavern”, 27 Bridge Street East, SRB.08.34

In speaking to the Report, Deputy Mayor McKinlay noted three of the six requests complied or possible complied with previously approved criteria for exemption requests and Council then dealt with the following Motion:

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

THAT Items 2, 3 and 5 in Report SRB.08.34 be granted exemption from the Town’s Noise By-law for Bridges Tavern, 27 Bridge Street east.

In speaking to the Motion, Councillor Kennedy noted Item 1 was a request for a birthday party which could be considered a family gathering under the criteria., noting he believed the Noise By-law was impacting business operations in Thornbury.

Duncan then noted there had to be consideration of both business and peace and quiet for residents, adding Council is awaiting a revised Noise By-law.

Cam then noted the Item 4 request was associated with the August long weekend, also a matter in the criteria.

Councillor McKean then noted that exemptions for three consecutive nights may be excessive.

Councillor Martin then noted the Thornbury downtown is not an entertainment district and exemptions should be considered on an individual basis, adding he believes the August long weekend request for 3 straight nights is excessive.

Councillor Gamble then noted no concern with music until 11:00 p.m. on any night, given normal noise and activity along streets.

Cam then noted that several requests were before Council in this case to assist in summer scheduling.

The following amending Motion was then presented:

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

That Council authorize an exemption from the Town Noise By-law for Bridges Tavern, 27 Bridge Street east, for Item 1, June 21, 2008 from 7:00 pm to 11:00 pm, Lost.

Mayor Anderson then proposed the 6 request Items be considered individually.

Councillor McGee then proposed that Council exempt the noise restriction time for celebrations related to the Ford Wayne Gretzky golf tournament on a Town-wide blanket basis.

Council then voted on the main Motion, Lost.

Council then dealt with the following Resolutions:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT during events celebrating the Nationwide Ford Wayne Gretzky Golf Tournament on June 27 and 28, 2008, Council does hereby authorize a general exemption from the Town Noise By-law from 7:00 pm to 11:00 pm.

In speaking to the Motion, Deputy Mayor McKinlay questioned if all noises would be exempted or just entertainment, John clarifying only noises related to celebration of the tournament would be exempted./

Council then voted on the Resolution, Carried.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

That Council authorize an exemption from the Town Noise By-law for Bridges Tavern, 27 Bridge Street east, on June 21, 2008 from 7:00 pm to 11:00 pm, Lost.

Moved by: John McKean Seconded by: Cameron Kennedy

That Council authorize an exemption from the Town Noise By-law for Bridges Tavern, 27 Bridge Street east, on July 1, 2008 from 9:30 pm to 10:30 pm, Carried.

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

That Council authorize an exemption from the Town Noise By-law for Bridges Tavern, 27 Bridge Street east, on August 1 and 2, 2008 from 7:00 pm to 11:00 pm, Carried.

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

That Council authorize an exemption from the Town Noise By-law for Bridges Tavern, 27 Bridge Street east, on August 8, 2008 from 7:00 pm to 11:00 pm, Carried.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

That Council authorize an exemption from the Town Noise By-law for Bridges Tavern, 27 Bridge Street east, on August 30, 2008 from 7:00 pm to 11:00 pm, Lost.

D.9 Senior's Month "Discover the Possibilities", May 26 Correspondence

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

THAT Council hereby recognizes and celebrates the accomplishments of seniors and further does encourage older adults to "Discover the Possibilities" and continue to make their enormous contributions to their families, their communities and the Town of The Blue Mountains, Carried.

D.10 Ontario Family Fishing Weekend, Correspondence Item C.4

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

THAT Council of the Town of The Blue Mountains support and endorse the 2008 Family Fishing Weekend scheduled for Friday, July 4 through Sunday, July 6, 2008 as a licence-free fishing weekend, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Deputy Mayor McKinlay then noted the 5 Year Review Official Plan open houses are now scheduled.

E.2 AMO Board of Directors Update

None

E.3 Notice of Motion

None

E.4 Additions to Agenda

Council then dealt with the following Resolutions as additions to the Agenda:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council of the Town of The Blue Mountains does hereby endorse the Nationwide Ford Wayne Gretzky Golf Tournament June 23 to June 29 as a Community Festival and significant event within the Town, Carried.

Moved by: Michael Martin Seconded by: John McKean

THAT Council refer to Finance Committee the G.T.T.A. request of March 10, 2008 for additional funding subject to Report from CAO, Carried.

F. By-laws

Council then dealt with the following Resolutions:

F.1 By-law to Amend the Water Supply By-law (Outdoor use of water)

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

THAT By-law No. 2008 - 58, being a By-law to amend the definition of Outdoor use of water as contained in By-law No. 2008-02, being a By-law to provide for the regulation of water supply in the Town, be hereby enacted this ninth day of June, 2008, Carried.

F.2 Establishment of a No Stopping Zone

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

THAT By-law No. 2008 - 59, being a By-law to establish a No Stopping Zone on Russell Street north of the Mary Street intersection, be hereby enacted this ninth day of June, 2008, Carried.

F.3 By-law to Amend the Parks Use By-law

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

THAT By-law No. 2008 - 60, being a By-law to exempt weddings, family events and team photographs from vehicular parking restrictions, be hereby enacted this ninth day of June, 2008, Carried.

F.4 Camperdown Development Charges

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

THAT By-law No. 2008 - 61, being a By-law to establish area-specific development charges for the Town of The Blue Mountains, Service Area 2 Camperdown, be hereby enacted this ninth day of June, 2008, Carried.

F.5 By-law to Amend the Noise By-law

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

THAT By-law No. 2008 - 62, being a By-law to amend the Town Noise By-law by applying fees for exemptions, be hereby enacted this ninth day of June, 2008.

In speaking to the Motion, Councillor Kennedy noted concern with new charges for businesses, Councillor McGee concurring, adding he believed it was inappropriate to consider such charges until a new By-Law is completed.

Deputy Mayor McKinlay then noted the program would act as cost recovery for those ratepayers not affected or served by the variances.

Cameron then noted concern with no music permitted in Thornbury in the evenings while trying to attract tourists to local businesses.

Council then voted on the Resolution, Lost.

Councillor Gamble then noted there is general noise throughout the community after 11:00 a.m., Councillor Martin noting there are many residences in close proximity to the downtown businesses and areas exempted.

Duncan then noted Council will need to reconcile the needs of residents and the needs of the tourism and business sector and a public consultation process may be of benefit.

Bob then noted tourism is an economic driver throughout the community.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (A. Gibson)

Reports List (Adopt)

3. Engineering and Public Works Committee, May 27, 2008

4. Recreation Committee, May 29, 2008

Councillor Gamble then reviewed the Report, including establishment of a Museum Advisory Committee and Tomahawk Concept Plan.

Director of Recreation Shawn Everitt then reviewed the Concept Plan, including a previous visioning process.

Shawn noted there would be no soccer pitch lighting in the area.

Council then dealt with the following Resolution:

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

THAT the Recreation Committee Report of May 29, 2008 be adopted as circulated, including the Recommendations contained therein, Carried.

Minutes List (Receive)

None

H. Next Meeting Date(s)

Council June 23, July 14, August 18, September 8, 22, October 15 (Wed), 2008

Planning Council July 7, September 3 (Wed), October 6, 2008

All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, June 10, 2008

Finance and Administration Committee, June 24, 2008

Recreation Committee, June 26, 2008

I. Confirmation By-law and Adjournment

Councillor McKean then assumed the Chair as Mayor Anderson and Deputy Mayor McKinlay had previously declared pecuniary interests.

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

THAT By-law No. 2008 - 63, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on June 9, 2008, be hereby enacted as passed this ninth day of June, 2008, Carried.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT this Council does now adjourn at 9:25 p.m. to meet again June 23, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair., Carried.

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Ellen Anderson, Mayor

.....
Stephen Keast, Clerk