

Minutes - The Blue Mountains Council Meeting



MEETING DATE: August 27, 2007 – 7:00 p.m.

LOCATION: The Blue Mountains Council Chamber

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance.
- Also in attendance was Director of Planning Peter Tollefsen, Assistant Director of Engineering and Public Works John Caswell and Director of Building and By-law Enforcement David Finbow.
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda

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

THAT the Agenda of July 23, 2007 be adopted as circulated, including any items added to the Agenda, Carried.

- 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 paid to Mayor Anderson's father, Councillor McKean with regard to Agenda Item G.2, Accounts and cheques payable to his place of employment and Councillor Kennedy with regard to Agenda Item G.1, Accounts and a cheque payable to CK&A.

- Adoption of Consent Agenda

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

THAT the Consent Agenda of August 27, 2007 be adopted as circulated, less the Engineering and Public Works and Finance and Administration Committee Reports and the Police Services Board minutes, requested for separate review and discussion.

- Previous Minutes

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

THAT the Council Minutes of July 23, 2007 be adopted as circulated including any revisions to be made, Carried.

B. Deputations/Presentations

None

C. Correspondence as previously circulated

Regarding Item C.10, Great Lakes St. Lawrence Initiative, Mayor Anderson noted the group had serious concerns with the proposed BP refinery expansion and increased impact on Lake Michigan, as noted in the proposed Resolution.

Council then voted on the Resolution, Carried.

3. Animal Control Services, SRB.07.26

In speaking to the Report, Deputy Mayor McKinlay requested clarification on current areas of control practices, Director of Building and By-Law Enforcement David Finbow noting a proactive canine control is provided at this time.

David noted the intent of the Report was for Council to determine the level of desired animal control and regulation and therefore staffing and budget allocation, noting with current practices enforcement was at the limit given staffing.

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

THAT Council receives Staff Report SRB.07.26, "Animal Control Services", for information purposes;

AND THAT the Town will not include any enhanced or increased animal control during the 2008 budget process.

In speaking to the Motion, Deputy Mayor Duncan McKinlay noted the demand for enhanced animal control did not appear to be pressing and the situation could be monitored for another year.

David then noted there did not appear to be any increasing demand for additional services at present, but if additional services were provided it would be difficult to reduce it at a later date.

Duncan then questioned if private sector regulation might apply; David noting people are referred to active trappers where appropriate.

Duncan then questioned if feral cats could be addressed on private property, David noting the situation would be the similar to addressing wild animals.

Council then voted on the Resolution, Carried.

4. Municipal Act, 2001 Policy Development, A.07.22

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

THAT Council receive Staff Report A.07.22, "Municipal Act, 2001 Policy Development for information purposes.

In speaking to the Motion, Councillor Martin noted a draft Council Code of Conduct could be before Council in the near future.

Mayor Anderson then reported from the AMO Conference that a closed meeting investigation service would be made available to municipalities.

Council then voted on the Resolution, Carried

5. Processing of Correspondence, A.07.23

Deputy Mayor McKinlay then proposed a variation of the proposed Plan of Action with action correspondence to continue to show on Agendas with copies of any staff correspondence to be provided to Council together with the original letter.

Moved by: Michael Martin Seconded by: John McGee

THAT Council receive Staff Report A.07.23, "Processing of Correspondence" for information purposes;

AND THAT Council authorizes the proposed Correspondence Plan of Action as revised for the months of September and October, 2007 as a trial period, Carried.

6. Community Festival Designation

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

THAT Council of the Town of The Blue Mountains does hereby support and endorse the 2007 Beaver Valley Fall Fair as a Community Festival and significant event within the Town, Carried.

7. Noise By-law Exemptions – Thornbury Manor, Craigleith Ski Club

Councillor Kennedy then questioned rationale for the recommended exemption to end at 11:00 p.m., David Finbow noting it has been Department policy to consider exemptions up to 11:00 p.m. based on past practice.

Cam then noted other significant events were permitted later times for exemptions, David noting a revised Noise Regulation By-Law was being considered which would address the issue based on a noise level threshold measured by decibel levels.

Deputy Mayor McKinlay acknowledged the variation regarding certain events, adding the proponent had requested a time limit to 11:00 p.m., Councillor Martin adding events held in the Beaver Valley Community Centre are within a closed building.

Councillor McGee then questioned if there might be limits on the number of exemptions considered, further questioning the difference between commercial and residential noise activity.

David replied that exemption limits would be considered in the new By-law, adding that Noise By-Laws usually originate in order to regulate construction activity, adding that vibration is a problem as well.

Council then dealt with the following Recommendation,

Moved by: John McGee Seconded by: John McKean

THAT this Council hereby does authorize an exception to the provisions of the Town's Noise By-law, By-law No. 2002-9, to Meredith Brown, Thornbury Manor & Backdoor Pub for the lands known municipally as 27 Bridge Street

for September 1st, 2007 from 19:00 to 23:00. Notice to be provided in advance to neighbouring residents, Carried.

Regarding the recommended exemption for Craigleith Ski Club construction activity, Councillor Gamble noted there may be conflicts between users of Northwinds Beach on warm weather weekends and construction activity, particularly on Thanksgiving weekend, David noting he would research existing agreements between the Town and CSC for any restrictions uses and construction activity.

Mayor Anderson then proposed the matter be tabled pending additional information, the following Resolutions then presented:

Moved by: John McGee Seconded by: John McKean

THAT David Finbow and Shawn Everitt address and report back to Council on the possible conflict between construction and recreational use at Northwinds Beach during the proposed construction schedule, Carried.

Moved by: John McGee Seconded by: John McKean

THAT this Council hereby does authorize an exception to the provisions of the Town's Noise By-law, By-law No. 2002-9, to the Craigleith Ski Club to permit the making of construction noise for the Raw Water Intake Line Extension at North Winds Beach Park between 7:00 – 19:00 on Saturdays from September 10th, 2007 to October 31st, 2007, both inclusive, Carried.

E. New and Unfinished Business

1. Grey County Council Update

Deputy Mayor McKinlay reported that Grey County will be assuming 15/16 Sideroad and Scenic Caves Road from Ravenna east to Grey Road 19 as a County Highway, the process to be completed by May 15, 2008.

Mayor Anderson then noted the Grey Roots Facility enjoyed a significant increase in attendance in 2007, Councillor Gamble questioning if there was a standard admittance charge for the Grey Roots facility or if special promotion or free admittance was related to the increase, Deputy Mayor McKinlay noting he was unsure of the fee structure but there may be special promotional days and events, Duncan to research and report back on the matter.

2. Notice of Motion

Great Lakes – St. Lawrence Cities Initiative – BP refinery expansion, September 10, 2007 Agenda

3. Additions to Agenda

Council then dealt with the following Resolution as an addition to the Agenda:

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

THAT Council of the Town of The Blue Mountains does hereby support and endorse the 2007 "Taste of Blue" event in the Blue Mountain Village as a Community Festival and significant event within the Town.

In speaking to the Motion, Councillor McGee noted Council at present lacks criteria in considering such requests for designation of Community Events and development of same would be of benefit for such consideration.

Councillor McKean questioned if the event was for-profit or charitable, the Clerk unsure as the response was only recently received.

Deputy Mayor McKinlay then spoke in support of Councillor McGee's criteria and policy proposal.

Councillor Martin then questioned if the Town would attract liability from such a designation.

David noted the designation allows licensed establishments to extend their liquor licences to operate outside in the Village square or elsewhere, adding staff could consider designation criteria to be brought back to Council.

Council then voted on the Motion, Carried.

F. By-laws

1. Appointment of a Deputy Clerk

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

THAT By-law No. 2007-77, being a By-law to appoint Corrina Giles as Deputy Clerk for the purposes of the Corporation, be hereby enacted this twenty-seventh day of August, 2007, Carried.

2. Temporary Closing of a Highway (Beaver Valley Fall Fair)

Moved by: Cameron Kennedy Seconded by: John McKean

THAT By-law No. 2007-78, being a By-law to effect the temporary closing of a portion of Victoria Street south on September 8, in relation to the 2007 Beaver Valley Fall Fair, be hereby enacted this twenty-seventh day of August, 2007, Carried.

Note: Deputy Mayor McKinlay declared a potential conflict of interest with regard to Fall Fair organization and his daughter's volunteer involvement and did not take part in related discussion or voting.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (A. Gibson, EC King, Sadler's, Miller Waste, MSO)

Reports List

3. Engineering and Public Works, August 20, 2007

Deputy Mayor Duncan McKinlay then reviewed the Report, Councillor Gamble noting Orchard Park Drive will be reconstructed in the very near future, Duncan noting public notice will be given to residents.

Council then dealt with the following Resolution:

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

THAT the Engineering & Public Works Committee Report of August 20, 2007 be adopted as circulated, Carried.

4. Finance and Administration Committee, July 24, August 21, 2007

Mayor Anderson then noted the Town Affordable Housing Committee required some form of financial assistance if there was ever to be an affordable housing project in the area, adding any successful projects have received some level of financial assistance.

Ellen noted assistance would not have to be subsidization but rather Council support, Councillor Gamble noting the Committee would be open to considering some level of support for such a project, such as zero interest financing.

Deputy Mayor McKinlay then noted affordable housing projects could also be considered as a policy decision in the current Zoning By-law Review in terms of permitting apartment conversion of dwellings.

Regarding grant funding, Councillor Kennedy noted disparity in funding groups such as the Chamber of Commerce and Clarksburg Business Association, while the Thornbury Business Improvement Association (BIA) has to pay annual fees and provide their own services.

Councillor Gamble noted some Chamber projects benefited all parties, such as Jazz at the Bay and the Information Centre.

Bob further noted most of the Clarksburg Business Association funding requests were turned down.

Councillor Kennedy then noted concern that Council did not apply a BIA fee to the previously considered vendor's cart while funding other organizations.

Ellen then questioned if the BIA had considered expanding its area, Cam replying no.

Duncan then proposed background information on the BIA, Thornbury Chamber of Commerce and the Clarksburg Business Association be provided to Council to clarify background and operations.

Council then dealt with the following Resolution:

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

THAT the Finance and Administration Committee Reports of July 24 and August 21, 2007 be adopted as circulated, Carried.

Minutes List

6. Police Services Board, June 20, 2007

Councillor Kennedy then questioned the Security Alarm By-Law status, David noting the By-Law would be in effect as of September 1, 2007.

Deputy Mayor McKinlay then reported on vehicles speeding in residential areas and requested the portable speed display signs be used for often and at different locations.

Council then dealt with the following Resolution:

Moved by Cameron Kennedy Seconded by: John McGee

THAT the Police Services Board minutes of June 20, 2007 be received as circulated, Carried.

H. Next Meeting Date(s)

Council September 10, 24, 2007, October 10, 22, 2007
Planning Council September 5, 19, 2007

Engineering and Public Works Committee, September 11, 2007
Finance Administration Committee, September 25, 2007
Recreation Committee, September 20, 2007

I. Confirmation By-law and Adjournment

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

THAT By-law No. 2007-79, being a By-law to confirm proceedings of the Council of The Corporation of the Town of The Blue Mountains on August 27, 2007, be hereby enacted as passed this twenty-seventh day of August, 2007, Carried.

NOTE: Mayor Anderson and Councillors Kennedy and McKean had earlier declared pecuniary interests and did not take part in related discussion or voting.

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

THAT this Council does now adjourn at 8:47 p.m. to meet again September 10, 2007, at 7:00 pm or at the call of the Chair.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk