

Minutes of Regular Council Meeting
January 26, 2009 @ 5:00 p.m.
Town Hall Council Chambers
105 Elgin Street West, Arnprior, Ontario

Present:

Mayor Terry Gibeau
Reeve Walter Stack
Councillor Nancy, F. Black
Councillor Mark Willmer
Councillor W.J. (Jack) Lammert
Councillor Tom Peckett
Councillor Eric Burton

Also Present:

Larry Donaldson, CAO
Monique Ouellet, Town Clerk
Janet Collins, Director of Public Works
John Steckly, Engineering Technologist
Maureen Spratt, Deputy Clerk

1. CALL TO ORDER

Mayor Gibeau called the meeting to order at 5:00 p.m.

2. ADOPTION OF AGENDA

Resolution No.17-09

Moved by W.J. (Jack) Lammert

Seconded by Mark Willmer

BE IT RESOLVED THAT the agenda for the Regular Meeting of Council dated January 26, 2009 be adopted as circulated, with the addition of Item 11c) By-law permitting an encroachment at 80 Elgin Street West, and Item 18d) Personal matter about an identifiable individual, pursuant to Section 239(2)(b) of the Municipal Act, 2001, as amended.

Resolution CARRIED
(As amended)

3. DISCLOSURES OF PECUNIARY INTEREST

Mayor Gibeau declared the following pecuniary interest;

“Pecuniary interest in a Closed Session Item 18b) Pending or Potential Litigation.”

4. ADOPTION OF PREVIOUS MINUTES

Resolution No.18-09

Moved by Nancy F. Black

Seconded by Tom Peckett

BE IT RESOLVED THAT the minutes of the Regular Council meeting dated January 12, 2009 be adopted.

Resolution CARRIED

5. DELEGATIONS / PRESENTATIONS

The Director of Public Works and Engineering introduced Mr. John Steckly, Engineering Technologist. Mr. Steckly noted it was his pleasure to be working for the Town of Arnprior and was looking forward to working with Members of Council and staff.

MTO – Transfer of South Service Road to the Town of Arnprior

Mr. Myers provided an update to the Hwy 417 project in general and specifically that MTO would like the Town of Arnprior to take over the south service road, at the completion of construction. Mr. Myers explained the road is approximately 1.8 km. in length and should be completed in the fall of 2009. On question of Mayor Gibeau, with regards to the whole project, Mr. Myers explained a project with a similar scope had a costing of approximately seventy-two million dollars. The Chief Administrative Officer advised Council that staff will be coming back to Council with an exemption to the noise by-law, as there is a need for construction to take place overnight for a two week period. The Deputy Clerk confirmed that a resolution transferring the road to the Town of Arnprior, as well as, providing a name for the south service road will be forwarded to the Ministry of Transportation.

6. PUBLIC MEETINGS

None

7. MATTERS TABLED/DEFERRED/UNFINISHED BUSINESS

None

8. STAFF REPORTS

a) Arnprior BIA

Resolution No. 19-09

Moved by Mark Willmer

Seconded by Eric Burton

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BE IT RESOLVED THAT the Clerk be directed to formally inform the Arnrior BIA that the members appointed by By-law No. 4590-06, as amended continue to hold office until the expiration of the term of Council, pursuant to the provisions set out in the Town of Arnrior By-law No. 3336-83; and pursuant to the provisions set out in section 204(10) of the Municipal Act, 2001, as amended.

Resolution CARRIED

The Town Clerk provided an overview of the report, highlighting that the Municipal Act clearly states that the term of management for the BIA is the same as the term of council, and therefore the appointed members are to remain until 2010.

9. COMMITTEE REPORTS AND MINUTES

a) Committee of the Whole Report dated January 19, 2009

Resolution No. 20-09

Moved by Tom Peckett

Seconded by Nancy F. Black

BE IT RESOLVED THAT Council hereby approves the recommendations contained in the attached Committee of the Whole Report dated January 19, 2009, 2008; and

Further that all the recommendations contained in the said report be deemed to have been adopted independently and hereby be numbered accordingly.

Resolution CARRIED

Resolution No. 21-09

Moved by Tom Peckett

Seconded by Nancy F. Black

BE IT RESOLVED THAT pursuant to Section 11(101). Of the Municipal Act, the Council of the Corporation of the Town of Arnrior adopt a by-law to permit three (3) canopy overhangs on Lots 33 and 35, Registered Plan No. 7 on Elgin Street to encroach approximately 1.1' onto part of the Elgin Street road allowance;

AND FURTHER THAT the encroachments be permitted as long as they exist, without an annual charge;

AND FURTHER THAT any removals, relocations or damage caused to municipal

infrastructure or property, shall be reinstated by the developer, to existing condition or better.

AND FURTHER THAT the Town not be held responsible or liable for any damage to the encroachments due to any future municipal operations.

Resolution CARRIED

Resolution No. 22-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Council receive an application to amend Zoning By-law No. 4990-01, for part Blocks 61 and 62, Plan 49M-48, Riverwood Estates Subdivision to reduce the minimum frontage for semi-detached units.

AND FURTHER THAT pursuant to Section 34(12) of the Planning Act, R.S.O. 1990, Ch.P.13 that Council hold a public meeting regarding the proposed amendment, to allow for public review and comment.

Resolution CARRIED

Resolution No. 23-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Council approve the Electricity Procurement Program (Program) in partnership with Local Authority Services (LAS), a wholly owned subsidiary company of the Association of Municipalities of Ontario;

AND FURTHER THAT Council approve the process for entry into the Electricity Procurement Program;

AND FURTHER THAT the Town enter a maximum "hedge" level of 75% to ensure a predictable electricity price;

AND FURTHER THAT the Chief Administrative Officer and/or the Treasurer have the authority to administer program-related decisions.

Resolution CARRIED

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Resolution No.024-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Council direct staff bring forward a By-law to establish a policy for the Sale and other Disposition of Land pursuant to Section 270(1) of the Municipal Act, 2001, as amended for Council's consideration at the next regular meeting of Council.

Resolution CARRIED

Resolution No.025-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT the Committee of the Whole of Council approve the 2009 interim tax levy and rates as provided in the draft By-law attached to the Interim Tax Levy By-law report dated January 19, 2009.

Resolution CARRIED

Resolution No.026-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Council receives as information the 2008 Building Activity Annual Report.

Resolution CARRIED

Resolution No.027-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Correspondence Package No.I-09-003-01 be received as information and filed according.

Resolution CARRIED

Resolution No.028-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Correspondence Package No. A-09-002-01 be received and that the recommendations outlined be brought forward for Council's consideration except Item No. 2, being a request for support of the United Counties of Stormont, Dundas and Glengarry of their resolution No. 2008-139 regarding indigent funerals; and further that staff follow up on this matter and report back to Council.

Resolution CARRIED

Resolution No.029-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT Council of the Corporation of the Town of Arnprior agrees to accept the transfer of the South Service Road (SSR) from White Lake Road to Baskin Drive upon completion of construction, and
FURTHER THAT the Town of Arnprior, at a later date, provide the Ministry of Transportation with a road name and applicable 911 signage.

Resolution CARRIED

Resolution No.030-09

Moved by Tom Peckett

Seconded by Nancy F. Black

THAT the correspondence dated January 1, 2009 from HMCS – Marina Inc., informing the Town of the intention to terminate the lease agreement, be referred to the appropriate staff to obtain a report and recommendation.

Resolution CARRIED

10. MOTIONS TO ADOPT DECISIONS

None

11. BY-LAWS

a) By-Law No. 5685-09 – Sale and Disposition of Land Policy

Resolution No. 031-09

Moved by Mark Willmer

Seconded by Nancy F. Black

BE IT RESOLVED THAT By-Law No. 5685-09, being a By-law to establish a policy for the sale and other disposition of land, be and it is hereby enacted and passed.

Resolution CARRIED

b) By-Law No. 5686-09 – Interim Tax Levy

Resolution No. 032-09

Moved by Eric Burton

Seconded by Tom Peckett

BE IT RESOLVED THAT By-Law No. 5686-09, being a By-law to provide for an interim tax levy and to provide for the collection thereof and to further provide for penalty and interest in default of payment thereof be and it is hereby enacted and passed.

Resolution CARRIED

c) By-Law No. 5687-09 – Permit an Encroachment

Resolution No. 033-09

Moved by Mark Willmer

Seconded by Nancy F. Black

BE IT RESOLVED THAT By-Law No. 5687-09, being a By-law to permit an encroachment at 80 Elgin Street West onto the Elgin Street road allowance in the Town of Arnprior, be and it is hereby enacted and passed.

Resolution CARRIED

12. NOTICE OF MOTION

None

13. REEVES REPORT FROM COUNTY COUNCIL

Reeve Stack informed Council that he will provide information from the OVTA to

the Deputy Clerk for circulation. Reeve Stack provided the following brief summary of the Finance and Administration Committee;

- Ontarians with Disabilities Act – looking for interest in a workshop
- Changes to the Ontario Human Rights Code – interest in a workshop – suggesting that the Chief Administrative Officer speak directly with Mr. Bruce Beakley at the County
- Proposed policy to Council to reduce mileage from .52 to .46,
- Public Works has a fleet management program to make vehicles available to reduce mileage costs
- Provincial Offences Act – uncollected fines has reached \$69,000 – process is working – recently collected a 1975 fine
- Budget Workshop day was held on January 22, 2009 – budget has been received and process will complete on January 28th – currently at 2.91%, council will be reviewing line by line and ask those departments what it would take to achieve a target of less than 3%
- The next County Council meeting is Wednesday, January 28, 2009 and the May meeting will take place at CFB Petawawa.

On question of Councillor Lammert staff will review the Town's mileage policy and advise Council if amendments to the policy are required.

14. CORRESPONDENCE & PETITIONS

Resolution No. 034-09

Moved by W.J. (Jack) Lammert

Seconded by Eric Burton

BE IT RESOLVED THAT Correspondence Package No. I-09-004-01 be received as information and filed accordingly.

Resolution CARRIED

Councillor Burton referred to Item No. 4 Town of Renfrew – Hall Avenue Fire – commending the Town of Renfrew, and Deslaurier for getting back to business as quickly as possible.

Mayor Gibeau referred to Item No. 2 Partners in Caring Campaign, noting that the fundraiser is facing its final challenge in raising the last \$600,000 and that hopefully the fundraising will be completed in 2009.

Councillor Lammert thanked the Deputy Clerk for providing the information on indigent funerals and noted he would now fully support a resolution to review the fees associated with indigent funerals, as well as, requesting a cost of living allowance.

15. NEW BUSINESS

Off Street Parking – Mayor Gibeau

Mayor Gibeau noted he met with representatives from Giant Tiger, to discuss their grand opening on February 20th and 21st, as well as discussing the off street parking in the area. Mayor Gibeau noted the Town of Arnprior reduced the number of parking spaces required for the parking lot at Shoppers Drug Mart, and would therefore, request that they utilize the spaces for parking and remove their garbage bins. Mayor Gibeau requested that staff report back to Council regarding the matter.

Historic Plaque – Mayor Gibeau

Mayor Gibeau noted that the developer for the Shoppers Drug Mart was to consider erecting a plaque recognizing the buildings that were formerly in the development and requested staff report back to Council regarding this matter.

16. ANNOUNCEMENTS

Mayor Gibeau noted there are changes coming to the Arnprior Chronicle-Guide, and that the February 1st edition will be the last of the Tuesday editions as the newspaper is going to a free Thursday edition. Mayor Gibeau noted the Arnprior paper has been in the Town for the past 130 years, with a number of local characters, including, Pat Robinson, Pansy Laderoute, Derek Walter and Jason Marshall contributing to it's success. Mayor Gibeau noted the changes to the paper are a reflection of the times and is looking forward to the changes.

17. MEDIA QUESTIONS

None

18. CLOSED SESSION (5:45 p.m.)

Resolution No. 035-09

Moved by Walter Stack

Seconded by Mark Willmer

BE IT RESOLVED THAT Council move into closed session pursuant to Section 239 of the Municipal Act, 2001, as amended to discuss the following items:

- a) Proposed or pending acquisition or disposition of land, pursuant to section (2)(c) of the Municipal Act, 2001, as amended.
- b) Litigagtion or potential litigation, pursuant to section (2)(e) of the Municipal Act, 2001, as amended.
- c) Personal matters about an identifiable individual, pursuant to section 2(b) of the Municipal Act, 2001, as amended
- d) Personal matters about an identifiable individual, pursuant to section 2(b) of the Municipal Act, 2001, as amended.

Resolution CARRIED

Mayor Gibeau vacated the Council Chambers at 6:15 p.m.

RESUME IN OPEN SESSION (6:50 p.m.)

Resolution No. 36-09

Moved by Nancy F. Black

Seconded by Mark Willmer

BE IT RESOLVED THAT Council reconvenes in regular meeting; and FUTHER confirm that the following items were discussed; and confirm that item c) and d) were discussed before item b) :

- a) Proposed or pending acquisition or disposition of land, pursuant to section (2)(c) of the Municipal Act, 2001, as amended.
- b) Correspondence Litigagtion or potential litigation, pursuant to section (2)(e) of the Municipal Act, 2001, as amended.
- c) Personal matters about an identifiable individual, pursuant to section 2(b) of the Municipal Act, 2001, as amended
- d) Personal matters about an identifiable individual, pursuant to section 2(b) of the Municipal Act, 2001, as amended

Resolution CARRIED

19. CONFIRMATORY BY-LAW

Resolution No. 037-09

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Moved by Mark Willmer

Seconded by Walter Stack

BE IT RESOLVED THAT By-law No. 5688-098 being a By-law to confirm the proceedings of the Regular Meeting of Council held on the 26th day of January, 2009, be enacted and passed.

Resolution CARRIED

20. ADJOURNMENT

Resolution No. 038-09

Moved by Walter Stack

Seconded by Nancy F. Black

BE IT RESOLVED THAT this meeting adjourns at 6:52 p.m.

Resolution CARRIED

Mayor Terry Gibeau

Maureen Spratt, Deputy Clerk