

**Municipality of South Bruce
Tuesday October 13, 2009**

The Regular Meeting of Municipal Council was held in the Council Chambers at 21 Gordon Street East, Teeswater and commenced at 6:25 p.m.

PRESENT AT MEETING:

Mayor: William Goetz

Deputy Mayor: Carl Zettel

Councillors: Ken Kueneman
Mike McDonagh
Les Nichols
Jason Rogers
Ron Schnurr

STAFF PRESENT: David Johnston, Administrator
Debra Roth, Clerk, Deputy Treasurer
Steve Schwippl, Recreation Supervisor (Part of meeting)
Sharon Chambers, Manager of Operations
Don Jackson, Municipal Inspector (Part of Meeting)
Kendra Reinhart, Treasurer (Part of Meeting)
Doug Reinhardt – (Part of Meeting)

OTHERS PRESENT: Mike Gutscher, Keith Campbell, Jim Whytock, Bruce Keith, Myles O'Donoghue, David Thompson, James Morgan, (press). These attending the PAC are recorded there.

1. CALL TO ORDER: Mayor Goetz called the meeting to order at 6:25 p.m.

2. ADDENDUMS TO AGENDA:

MOTION M09-459

Moved by Les Nichols

Seconded by Jason Rogers

Agenda That the Agenda for the Regular Council Meeting of October 13, 2009, be adopted as presented.

CARRIED.

3. DISCLOSURE OF PECUNIARY INTEREST AND NATURE THEREOF:

4. MINUTES OF THE PREVIOUS MEETING:

MOTION M09-460

Moved by Ken Kueneman

Seconded by Ron Schnurr

Minutes That the minutes for the Regular and Closed Meeting of September 22, 2009 and the Training Meeting of October 7, 2009 be adopted as circulated.

CARRIED.

5. BUSINESS FROM PREVIOUS MINUTES

5.1 Action Memo – reviewed

5.2 Medical Clinic – The Administrator confirmed that the by laws are finalized – the agreement with the Municipality still needs modification.

6. REPORTS

6.1 6:30 P.M. REPORT OF THE RECREATION SUPERVISOR

The report on the solar structure and panels was presented and is attached to the minutes. The Recreation Supervisor made his recommendation.

Report REC 10-09 SB1 Report on Mildmay Carrick Swimming Pool Pavilion Structure and Panels

The acceptance of lowest tender was discussed. Councillor Nichols and Zettel questioned the payback period. The Agreement has been received and the payback would be 6-8 year period. Kramer Construction provided assistance with the research and specs for this tender but the lowest tender was submitted by Ruetz Contracting. The Recreation Supervisor advised Council that the panels will be installed early in the spring and are approved by a separate motion.

A Recorded vote was requested by Mayor Goetz.

Yeas – Kueneman, McDonagh, Rogers

Nays - Goetz, Nichols, Schnurr, Zettel

MOTION M09-461

Moved by Carl Zettel

Seconded by Mike McDonagh

MCSP Tender That Council accept the tender from Mark Kraemer Construction for the Mildmay-Carrick Swimming Pool Pavilion Structure for the price of \$47,246.54 incl.

DEFEATED.

A recorded vote was requested by Mayor Goetz.

Yeas - Kueneman, McDonagh, Rogers, Schnurr, Zettel

Nays – Goetz, Nichols

MOTION M09-462

Moved by Jason Rogers

Seconded by Carl Zettel

MCSP Tender That Council accept the tender from Ruetz Contracting for the Mildmay-Carrick Swimming Pool Pavilion Structure for the price of \$47,200.00 taxes incl.

CARRIED.

MOTION M09-463

Moved by Ken Kueneman

Seconded by Ron Schnurr

MCSP Solar Panels That Council accept Solar Ontario Ltd.'s Request for Proposal for the Mildmay-Carrick Swimming Pool Solar System Project for the amount of \$33,335.00 taxes incl. with the addition of the solar hot water preheat system in the amount of \$4,500 taxes incl.

CARRIED.

MOTION M09-464

Moved by Jason Rogers

Seconded by Mike McDonagh

Report that we receive the Report of the Recreation Program and Facilities Supervisor #REC-10-09 SB1 for information purposes.

CARRIED.

6.2 6:50 P.M. REPORT OF THE MUNICIPAL INSPECTOR

The Municipal Inspector reviewed departmental activities during the month of September, 2009. The Report had been circulated to council prior to the Meeting.

6.2.1 Building – 10 permits issued to date – 148 permits this year

6.2.2 Zoning – 4 compliance certificates issued

6.2.3 By laws

Animal control – barking dog issues – one ticket issued

Parking - Absalom St. Mildmay – Chamber of Commerce wishes to have the 2 hour parking removed to allow employees of the main street businesses to park, since most of the employers along Elora St do not provide parking for their employees. A Petition was received. Council felt that Absalom St is required as overflow to Elora Street in order to accommodate customer parking. Council will not be changing the by law since alternate parking is available for employees in the municipal parking lot on Amon St, in the municipal lot behind the Medical Clinic and on First and Peter Street. The Municipal Inspector will meet with the Chamber of Commerce again to relay this information.

6.2.4 Drainage

Work on Drains must be completed by October 15, 2009

Sandy Meadows Subdivision Drainage – quote received in the amount of \$11,520.00. CBO asked for direction from council since the problem needs to be corrected. The Mayor asked the Treasurer for funding sources and was informed that the work would have to be funded from reserves. The Administrator commented on the maintenance period for the Subdivision Agreement and confirmed

that there were no problems during that time. His comments were that it is unclear whose responsibility it is and it now needs to be corrected. The Drainage Inspector is to approach the property owner regarding cost sharing. Mr. Jackson is to investigate the situation further and report to the next meeting. Drainage Inspector was directed to get two more quotes for the drainage work.

MOTION M09-465

Moved by Jason Rogers

Seconded by Carl Zettel

Bldg Report That we receive the September 2009 Building Report for information purposes.

CARRIED.

The Reports were suspended and the Council Meeting temporarily adjourned to meet as a Planning Advisory Committee.

MOTION M09-466

Moved by Ron Schnurr

Seconded by Mike McDonagh

PAC That we temporarily adjourn to meet as a Planning Advisory Committee and so hold a Public Meeting.

CARRIED.

**PLANNING ADVISORY COMMITTEE
PUBLIC MEETING
7:15 P.M.**

Call to Order –Chair Goetz called the Meeting to order.

Disclosure of Pecuniary Interest – Nil

Attendance: Chair Goetz , Members Kueneman, McDonagh, Nichols, Rogers, Schnurr and Zettel, David Johnston, Administrator, Debra Roth, Clerk, Don Jackson, Municipal Inspector, Sharon Chambers, Manager of Operations, Heather James, Bruce County Planning Department, Keith Campbell, Mike Gutscher, James Morgan, David Thompson, Myles O'Donoghue, Dave Thompson, Bruce Keith, Doug Kuntz, the applicant and Jerry Kuntz, neighbour.

Purpose of the Meeting:

A: To consider an application for an amendment to the Municipality of South Bruce Zoning By law by Doug Kuntz to rezone an existing residence for severance and to rezone lands for future residential lot creation and to recognize the existing undersized agricultural parcel. The Amendment is consistent with the PPS and complies with the County of Bruce Official Plan.

Ms. James reviewed the report for the members. The chair asked for comments from the floor. Member Zettel questioned the total parcel size. Ms James replied that in addition to the current severance, one lot is guaranteed perhaps two could be developed in the near future subject to SVCA approval. Mr. Kuntz confirmed this information. Ms. James confirmed that zoning change is in preparation for the installation of sanitary sewers and the future severance. Jerry Kuntz questioned the mapping on schedule A and the existing urban boundaries. Ms. James confirmed the boundaries on the map. Jerry Kuntz had concerns over the drainage ditch and who owned the land abutting it. Don Jackson entered the meeting as Drainage Inspector and attempted to answer Mr. Kuntz's questions. Mr. Jackson confirmed that the watercourse will remain as is. A recent survey will determine where the drain lies. Ms James recommended that the by law be deferred until the drain's location is confirmed.

Ms. James confirmed that the requirement of the Planning Act for a public meeting has been met tonight.

Ms James advised the members that she will be attending the Municipal Office the third Wednesday morning, monthly from 9:00 a.m. to 12:00 p.m.

MOTION M09-467

Moved by Les Nichols

Seconded by Mike McDonagh

PAC Recommendation That we, the Planning Advisory Committee for the Municipality of South Bruce receive and recommend approval of the Report dated October 13, 2009 under reference #Z-61-09.06 concerning the proposed

amendment to Municipality of South Bruce Zoning By Law #2002-15, and the Township of Culross Zoning By Law 20-1985, by Doug Kuntz to rezone an existing residence for severance, to rezone lands for future residential lot creation and to recognize the existing undersized agricultural parcel, in principle:

And that we further recommend that the Council of the Municipality of South Bruce defer the passage of the By law(s) until further information in regards to the drain is received.

CARRIED.

MOTION M09-468

Moved by Mike McDonagh

Seconded by Les Nichols

Regular Meeting that we do now adjourn the Planning Advisory Committee for South Bruce at 7:37 p.m. and reconvene at the Regular Council Meeting.

CARRIED.

7. DELEGATIONS

7:40 p.m. Delegation – Francis Illerbrunn attended to question the condition of his lawn after the reconstruction of Simpson St. He referred to a meeting with the Operations Supervisor regarding tree removal. At that time the Operations Supervisor promised replacement trees, but had not specified which trees. Mr Illerbrunn was also concerned over the layout and placement of the corner at Ignatz and Simpson St. during reconstruction. Mr. Illerbrunn stated that seven trees were removed. The Operations Supervisor confirmed that the trees were on private property, not municipal trees and the opinion of the Tree committee was not required. Mr. Illerbrunn agreed to have trees taken down and was not sure he wanted to replace them, since they were close to house. Mr. Illerbrunn is not happy with his lawn replacement. The weeds on the lawn allowance were sprayed by Future lawns at the expense of the Municipality. They used an organic weed spray as per legislation. The grass on the other lots along Simpson St., looks better because the other property owners have mowed their lawns. The Manager of Operations confirmed that the weed in question is yellow foxtail which is an annual grass and is controlled by mowing. Mr. Illerbrunn has refused and continues to refuse to mow. Mr. Illerbrunn further advised council that he does not wish to have snow blown on his lawn during winter snow removal. Manager of Operations asked if he had a concern with the way the snow is being blown. No answer was received. Councillor Kueneman stated that Mr. Illerbrunn puts salt on the sidewalk in early morning and perhaps we should do something in return. (This is voluntary) Manager of Operations stressed that cooperation from both sides is required. Councillor Schnurr asked Mr. Illerbrunn to confirm exactly what he is requesting from the Municipality: Mr. Illerbrunn advised as follows: he wants the existing lawn dug out; new topsoil (7 inches) placed, and that the corner slope be taken off and reshaped. Mr. Illerbrunn stated that he did not wish to have the lawn seeded but would pay for sod. Councillor Rogers stated that it is the municipality's responsibility to salt and sand sidewalk. The Mayor reminded Mr. Illerbrunn that if the grass had been mowed – weeds would be gone. Mr. Illerbrunn requested that council visit the site together. The Mayor advised Mr. Illerbrunn that he would be informed when such a visit takes place. No decision was made to change the current procedure of lawn rehabilitation.

6.3 8:15 P.M. REPORT OF THE MANAGER OF OPERATIONS - WATER AND WASTEWATER DEPARTMENTS

Report 2009-10-1 Water and Wastewater October 2009

The Manager of Operations presented the Water and Wastewater Report, which had been circulated to Council prior to the meeting. The complete report is attached to the minutes.

6.3.1 Administration and Legislation –

DWQMS – Council received training on October 7, 2009

Training – of all staff continues

**6.3.2 South Bruce Water Departments
Teeswater Water System**

A new hydrant had been installed in front of Teeswater Town Hall. Sample of water main will sent for testing in preparation for the sewer project.

Mildmay Water System

Pump house – a new pump is required and will be included in 2010 budget

MOE – full inspection completed

6.3.3 **Parks** – all samples clean

6.3.4 **Mildmay Waste Water Plant - nil**

6.3.5 **Teeswater Formosa Sewer Project**

Meetings – second meeting of Project Team was held on October 7, 2009. Brian Knox, County of Bruce Engineer attended to discuss coordination of road reconstruction project on Hillcrest St. A Public Meeting is still to be set. Letter send to residents regarding geotechnical investigations.

Potential contaminated sites have been identified. Concerns regarding pole replacement were expressed by Councilor McDonagh. Councillor Zettel was concerned over the placement of stakes and test holes in Formosa. Street refurbishment in Teeswater was questioned by Councillor Rogers – Manager of Operations replied that these will be identified ASAP.

MOTION M09-469

Moved by Les Nichols

Seconded by Mike McDonagh

Report that we receive Report #PW 2009-10-01 Water and Waste Water Activity Report for information purposes.

CARRIED.

6.4 **8:45 P.M. REPORT OF MANAGER OF OPERATIONS- ROADS, PARKS AND LANDFILL DEPARTMENTS**

The Manager of Operations presented the Roads, Parks and Landfill Report, which had been circulated to Council prior to the meeting. The complete report is attached to the minutes.

Report PW 2009-10-02 **Activity Report- Roads, Parks and Landfill**

6.4.1 **Transportation**

Ditching – October 15, deadline

Bruce County Road 6 - landfill drainage concern – letter received from George Spence. Bruce County will survey the existing elevations. A site meeting will be conducted.

6.4.2 **Winter Control**

Snow plow operator – unable to obtain a contractor. Recommend to perform work by using internal resources. Concerns over overtime pay The Manager of Operations was directed to continue with the hiring and to follow the present Employee Policy on this matter. The clerk will address the issue in the update of said policy before year end.

MOTION M09-470

Moved by Jason Rogers

Seconded by Ron Schnurr

Plow Operator That the former contract snow plow route be plowed using internal resources for the 2009/2010 winter season, and;
That the Operations Manager is authorized to re-hire five returning winter seasonal plow operators.

CARRIED.

6.4.3 **Safety Devices –**

Formosa Crossing –still being investigated. OPP has conducted radar checks and has issued several tickets. School crossing signs should be placed by the County of Bruce.

Vehicles Equipment and Maintenance

Massey tractor repairs – required

64.4 **Capital Projects**

Con 10 Bridge –BM Ross has asked to delay paving until spring of 2010

Coop dam removal – meeting cancelled – alternate date to be arranged

Peter St Reconstruction – came in under budget

Hillcrest Reconstruction – Public meeting held on September 30, 2009.

6.4.5 Parks

Formosa Parks – lawn tractor needs replacement

6.4.6 Waste Management.

Electronic Waste – not approved yet

Used Tire Program – now collecting tires at both landfills under this program free of charge.

Waste Management Technical Subcommittee – Mr. Knox felt that the County was acting in an assisting role but not in a position to take over waste management.

Teeswater Culross Landfill Site – MOE requires further information for the annual monitoring report

Invoice for restoration – Louis Court restoration contribution requested. Motion following. Manager of Operations will inform property owner.

MOTION M09-471

Moved by Les Nichols

Seconded by Mike McDonagh

Louis Court that \$100.00 be paid to Louis court property owner for boulevard restoration

DEFEATED.

MOTION M09-472

Moved by Les Nichols

Seconded by Ron Schnurr

Report that Report #PW 2009-10-2, Roads, Parks and Landfill Activity Report, be received for information purposes.

CARRIED.

6.5 9:35 P.M. REPORT OF THE ADMINISTRATOR

Report E#03-09

Economic Development in South Bruce

The Administrator presented a report of the Ontario Municipal Partnership Fund shortfalls. A spreadsheet outlining the funding for Bruce County Municipalities was presented and is attached to the rough minutes. It was recommended that a letter be sent to the Minister of Finance in a generic form and signed by the Mayor. It was suggested that we request delegation time with MPP on an individual basis. The Warden is meeting with Carol Mitchell on Friday October 16, 2009. The report is attached to the rough minutes.

MOTION M09-473

Moved by Mike McDonagh

Seconded by Les Nichols

Report that Report E03-09 be received for information purposes.

CARRIED.

6.6 ACCOUNTS PAYABLE

The Accounts were approved as circulated.

MOTION M09-474

Moved by Ken Kueneman

Seconded by Ron Schnurr

Accounts that the accounts in the amount of \$194,800.83 be approved for payment.

CARRIED.

At this time a motion to extend was presented in order to complete the business.

MOTION M09-475

Moved by Les Nichols

Seconded by Ken Kueneman

Extension of Meeting that pursuant to section A5.2 of the Municipality of South Bruce Procedure by law as amended, Council will extend the meeting beyond 10:00 p.m.

CARRIED.

7. DELEGATIONS (part of Public Works reports)

8. OTHER BUSINESS

- 8.1 Correspondence List** - reviewed
- 8.2 AMO Bulletin** – Built Environment AODA- support the AMO recommendations – Clerk to respond

MOTION M09-476

Moved by Mike McDonagh

Seconded by Carl Zettel

AODA Built Env.

That the Municipality of South Bruce endorses the AMO recommendation re the Case for Harmonization of the AODA Standards, in response to the Built Environment Standard.

And further that the Clerk forward our support as part of the public review process

CARRIED.

- 8.3 Mildmay G’Old Dusters Hockey Tournament** – Special Occasions Permit required – motion of support

MOTION M09-477

Moved by Ron Schnurr

Seconded by Jason Rogers

G’Old Dusters SOP

That the Council of the Municipality of South Bruce have no objection to the Mildmay G’old Duster Hockey Tournament and Fundraiser to be held on November 20th, 21st and 22nd, 2009

Special Occasion Permit required on November 20, 2009 7:00 p.m. to 1:00 a.m. November 21, 2009 11:00 a.m to 1:00 a.m. and November 22, 2009 12:00 noon to 7:00 p.m.

And further that the proceeds of the Community Festival be used to help pay for new capital equipment at the Mildmay Carrick Recreation Complex.

CARRIED.

- 8.4 Mildmay Carrick Fire Department** – Memo re Fire Tank – Issue resolved.

- 8.5 Mildmay Carrick Fire Department – Auxiliary Firefighters** - the Chief requested Council endorsement to run a program to allow auxiliary firefighters to attend training sessions.

MOTION M09-478

Moved by Jason Rogers

Seconded by Les Nichols

MCFD Auxiliary FF

That the Council of the Municipality of South Bruce support in principle the Auxiliary Firefighter program proposed by the Mildmay Carrick Fire Department, dependent on the availability of insurance coverage for the firefighters in training

CARRIED.

- 8.6 Formosa Rec. Centre** – The minutes of the annual Meeting were circulated to council. Charges for Ball Hockey were questioned and the Committee intends to continue to charge. The Drop in centre has started this weekend.

9. BY LAWS

By Law #2009-46

BEING A BY LAW TO CHANGE THE COMPOSITION OF THE COUNCIL OF THE MUNICIPALITY OF SOUTH BRUCE

A recorded vote was requested by Councillor Kueneman.

Yeas – Goetz, Nichols, Schnurr, Zettel

Nays – Kueneman, McDonagh, Rogers

MOTION M09- 479

Moved by Les Nichols

Seconded by Carl Zettel

1ST & 2ND Reading

That By law #2009-46 being a by law to change the Composition of the Council of the Municipality of South Bruce be read a first and second time.

CARRIED.

MOTION M09-480

Moved by Ron Schnurr

Seconded by Les Nichols

3rd Reading

That By law #2009-46 be read a third time and finally passed, signed and sealed.

CARRIED.

10. COUNCILLOR REPORTS -

Councillor Nichols

Wingham Doctor Recruitment – recruiter resigned to pursue further studies – candidates are being interviewed

BASWR– commodities prices have improved

Councillor Zettel

Brockton Doctor Recruitment – two new doctors are settling in. Clinic awaiting approval

BGHDTC- consultants have issued a report – survey for 2009 indicates that South Bruce has 5 clients (1%) – with 288 trips (2% of total trips) equaling \$18,380.30 (6.56% of the total budget)

Treasurer will make a cost comparison to the Wingham Transportation Corporation.

Councillor Rogers

Lamplighter Estate Sign - Noted that the Lamplighter Estate sign was moved from the corner of Ignatz and Elora St.

11. ADJOURNMENT:

MOTION M09-481

Moved by Mike McDonagh

Seconded by Jason Rogers

Adjournment

That we do now adjourn at 10:40 p.m., to meet again at 6:00 p.m. on October 27, 2009 or at the call of the Mayor.

CARRIED.

William Goetz, Mayor

Debra B. Roth, Clerk