

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, MAY 7th, 2013 – 7:12 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler
 Councillors David Blaney, Frank Stretton, Dianne Diehl,
 Alvin McLellan, Andrew Flowers, William Siemon, Robert Fisher,
 Nathan Marshall, Les Falconer and Larry McGrath

Members Absent: nil

Staff Present: CAO/Clerk, Brad Knight
 Treasurer-Finance Manager, Paula Michiels
 Public Works Coordinator, Barry Mills
 Chief Building Official, Paul Josling
 Executive Assistant, Janice Andrews

CALL TO ORDER

Mayor MacLellan called the meeting to order at 7:12 p.m.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

Councillor Blaney declared a conflict of interest on agenda items 8.09.1 and 8.09.2 as he has a financial interest in wind turbine development.

DEPUTATIONS

The following members of the public were in attendance – Pat Moylan, Carolanne Doig, Maureen Agar, Lisa Campbell, Brad Campbell and Marian Pullman.

Larissa Panici and Brandon Heater of CanAcre on behalf of NextEra Energy Inc. were also in attendance.

7:05 p.m. Senior Planner Sandra Weber
 – Huron County Planning & Development – Urban Design

Huron County Planning & Development Department Senior Planner Sandra Weber attended before Council to present the Urban Design Guide that was adopted by Huron County Council on February 6th, 2013. Ms. Weber presented a powerpoint presentation to Council summarizing the key points within the Guide and recommended Huron East Council adopt the Urban Design Guide to be used as a guideline for the Municipality.

Moved by Nathan Marshall and seconded by Joseph Steffler:
 That Huron East Council adopt the “Urban Design Guide: Traditional
 Downtowns in Huron County” as a guideline for the Municipality of Huron East.
 Carried.

Adopt County
 Urban Design
 Guide

COUNCILLORS ISSUES

Seaforth Foodland Fire – Update

Mayor MacLellan advised that little information has become available since the special meeting on April 30th regarding the fire at the Seaforth Foodland grocery store. Sobey’s engineers have been on-site and continue to investigate whether a new building can be erected on the existing footings. Economic Development Officer Jan Hawley advised the owners of potential sites both on the Main Street and around Seaforth have been contacted for consideration as alternative locations and any information received has been directed to Seaforth Foodland owner Steve Del Chiaro for consideration. CAO/Clerk Knight noted that shuttle service is being provided to other local grocery stores in Brussels, Clinton and Mitchell on weekdays from Monday to Friday. Mayor MacLellan noted the shuttle service is a good service in the short term although he has received feedback from business owners in the down town area that have already noticed a drop in business, and recognized the need for a grocery store and the draw it creates to shoppers. CAO/Clerk Knight advised that Senior Planner Sandra Weber has been contacted directly by planning staff representing the parent company Sobey’s and dialogue is ongoing between Mr. Del Chiaro, and Sobey’s as well as planning and design staff on the building design and services.

MINUTES OF THE PREVIOUS MEETING

Moved by Alvin McLellan and seconded by David Blaney:
That Council of the Municipality of Huron East approve the following
Council Meeting Minutes as printed, circulated and amended.

Meeting
Minutes

- a) Regular Meeting – April 16th, 2013
- b) Special Meeting – April 16th, 2013
- c) Special Meeting – April 29th, 2013

Carried.

ACCOUNTS PAYABLE**DEPUTATIONS**

7:30 p.m. Daniel Malek

Seaforth resident Daniel Malek attended before Council to express concern over the lack of response to the file he had presented to Council at their regular meeting on November 6th, 2012. Council were provided with a copy of correspondence dated April 17th, 2013 from CAO/Clerk Brad Knight responding to Mr. Malek's list of 40 issues, although the issues generally seemed to summarize Mr. Malek's concerns about the Seaforth tennis courts, Rob's Gym and municipal grants.

7:45 p.m. R. J. Burnside & Associates Limited

Report – Melady Drainage Works 'A' Drain Improvement, 2013

Tom Pridham, P. Eng. of R. J. Burnside & Associates Limited, attended before Council to review the Melady Drainage Works 'A' Drain Improvement, 2013 Report, serving the Boundary Road 183, parts of Lot 30, Concession 2 in the Municipality of West Perth and parts of Lot 1 and 2, Concession 1 and part of Lot 2, Concession 2, Tuckersmith Ward. Mr. Pridham gave a summary of his report and answered questions of Council. The total estimated cost of the Melady Drainage Works 'A' Drain Improvement, 2013 is \$54,000.

Moved by Les Falconer and seconded by Larry McGrath:
That Huron East Council accept the report of R. J. Burnside & Associates
Limited on the Melady Drainage Works 'A' Drain Improvement, 2013 and
designate it as By-Law 27-2013 and the Court of Revision be set for
Tuesday, June 4th, 2013 at 7:00 pm. Carried.

Accept Report
Melady Drain

Moved by Andrew Flowers and seconded by Les Falconer:
That Council of the Municipality of Huron East authorize R. J. Burnside &
Associates to proceed to call for tenders on the Melady Drainage Works, 'A'
Drain Improvement, 2013 with tenders to close on Thursday, May 30th, 2013
at 12:00 noon. Carried.

Call for Tenders
Melady Drain

8:00 pm Jim and Janet Papple – Transmission Line Route – NextEra Energy Project

Janet Papple attended before Council requesting support of their request to NextEra Energy to provide a safer alternative route for the proposed transmission line. The Papple's requested the transmission line be relocated from the proposed route within the Centennial Road allowance to a location south of their residence. Their proposed location would increase the distance between their residence and the transmission line. Mayor MacLellan advised that the Province has regulations in place for installation of electrical lines and the Municipality has no authority in regard to the placement of the line on a municipal right of way. Deputy Mayor Steffler suggested that Council could consider supporting the request of the Papples to relocate the line.

Moved by Joseph Steffler and seconded by Andrew Flowers:
That Council of the Municipality of Huron East submit a letter supporting
the request of Jim and Janet Papple to relocate the transmission line on
their property at Centennial Road to NextEra Energy. Carried.

Support Papple
Request to
Relocate
Transmission Line

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

CAO/Clerk – 23 Godeich Street East, Seaforth Ward

CAO/Clerk Knight reviewed his report to Council concerning the outstanding building and property violation orders against 23 Goderich Street East, Seaforth Ward. The Chief Building Official has issued an order to remedy an unsafe building and the By-Law Enforcement Officer issued a property standards violation concerning the fuel pumps. The deadline to comply with both orders was May 2nd, 2013. The Municipality has issued letters by registered mail to the owner and mortgagee that the Municipality will commence the removal of the pumps and demolition of the building on the week of May 13th. It was also noted the environmental consultant has agreed to conduct some environmental assessment work as the building is being torn down.

Moved by Nathan Marshall and seconded by Robert Fisher:
That Council acknowledge the outstanding building and property violation orders against 23 Goderich Street East, Seaforth and concur with staff recommendations to remove the building and fuel pumps. Carried.

Remove Bldg.
and Pumps
23 Goderich St.
Seaforth Ward

CAO/Clerk – Housekeeping By-Laws

CAO/Clerk Knight reviewed his report to Council and provided background information to the various by-laws being considered at the meeting.

Public Works Coordinator – Roadside Mowing Program

Public Works Coordinator Mills reviewed his report to Council concerning the roadside mowing program. In order to maintain the 2013 grass cutting budget and considering the additional information received on weed control, it was recommended to move the second cut scheduled for September ahead to August. He noted that the contractor is willing to adjust the cutting timeline although it may leave the grass a little longer for the winter.

Moved by Les Falconer and seconded by Alvin McLellan:
That Council authorize the Public Works Coordinator to request the grass cutting contractor to move the second cut of roadside mowing to August, 2013. Carried.

Second Cut
Roadside Mowing
August, 2013

CAO/Clerk – Update on Seaforth Foodland Fire

CAO/Clerk Knight reviewed his information report providing an update on the Seaforth Foodland fire. The site clean up continues and plans are being developed for a new facility. Options with respect to a temporary facility are being explored. The insurance representatives will be on site during the weekend and officials from Sobeys will be here early next week.

Moved by Dianne Diehl and seconded by Frank Stretton:
That Council of the Municipality of Huron East receive the following Reports of Municipal Officers as presented:

- a) CAO/Clerk
- b) Public Works Coordinator

Receive
Reports

Carried.

CORRESPONDENCE

Moved by Alvin McLellan and seconded by Larry McGrath:
That Council of the Municipality of Huron East endorse the resolution of the Municipality of East Ferris urging the Government of Ontario to suspend the Feed in Tariff programs and study the overall impacts of renewable energy in relation to need, cost, employment, environment and health and true sustainability. Defeated.

Defeat
Resolution
Municipality of
East Ferris

Moved by Les Falconer and seconded by Robert Fisher:
That the motion to consider providing financial support to the Municipality of Central Huron to assist with their appeal of the County of Huron Official Plan Amendment No. 3 be tabled until further information is provided. Carried.

Table Motion
Municipality of
Central Huron

Moved by Frank Stretton and seconded by Joseph Steffler:
That the Municipality of Huron East endorse the resolution of the Municipality of Kincardine petitioning the Ministry of Transportation to change the definition of off-road vehicle under the Highway Traffic Act and associated regulations to include side-by-side off-road vehicles, 4 seat SideXSide vehicles, and two-up all-terrain vehicles in order for them to be driven on highways under the same conditions as all-terrain vehicles. Carried.

Endorse
Resolution
Municipality of
Kincardine

Moved by Andrew Flowers and seconded by Nathan Marshall:
That Council of the Municipality of Huron East endorse the resolution of the Ontario Convenience Stores Association supporting the Ontario Government's 2012 Budget commitments to eradicate contraband tobacco through the implementation of additional regulatory, enforcement and other provisions in Bill 186 and amendments to the Tobacco Tax Act. Carried.

Endorse
Resolution
Ontario
Convenience
Stores Association

UNFINISHED BUSINESS**Duke Street Extension**

Councillor Fisher questioned the status of the Duke Street Extension, Seaforth Ward. Mayor MacLellan advised that no new additional information is available as the road extension is dependent on the development of property owned by the Seaforth Hospital Trust

NEW BUSINESS**Brussels Compost Site**

Councillor McLellan advised that after the recent ice storm, residents in Ethel did not have a location to take their branches during regular hours. The Public Works Coordinator noted the compost site north of Brussels can be used for this purpose.

SDCC Roof

Councillor Fisher advised he had received a complaint that the roof on the Seaforth & District Community Centres is leaking. Councillor Flowers advised the SDCC Committee is aware of the roof leak and advised they are looking at solutions, noting the roof is 30 years old.

MUNICIPAL DRAINS**TILE DRAINAGE****FINANCIAL REPORT****PLANNING**

Moved by Alvin McLellan and seconded by Dianne Diehl:
That Council of the Municipality of Huron East have no objection to the severance application of 1568577 Ontario Ltd. c/o Teresa Ann DeWetering (B71/12), Lot 18, Concession 8, Grey Ward, provided the following conditions are met:

No Objection
Consent B71/12
DeWetering

- i) that the severed and retained lands be rezoned to AG4 and AG2 respectively
 - ii) that \$500 be paid to the Municipality as cash-in-lieu of parkland
 - iii) that Section 65 of the *Drainage Act* be satisfied to the satisfaction of the Municipality
- Carried.

INFORMATION ITEMS

Moved by Nathan Marshall and seconded by Andrew Flowers:
That Council of the Municipality of Huron East receive the following Board and Committee Meeting Minutes as submitted:

Receive Board/
Committee
Minutes

1. Joint Cemetery Board Meeting – April 3rd, 2013
 2. Cranbrook Cemetery Committee – April 3rd, 2013
 3. Huron East Administrative Committee – April 9th and 29th, 2013
 4. Huron East Water & Sewer Committee – April 9th, 2013
 5. Huron East Health Centre Management Committee – April 18th, 2013
 6. Huron East/Brussels Community Development Trust – April 11th, 2013
 7. Seaforth & District Community Centres Management Committee – March 14th and April 11th, 2013
- Carried.

CLOSED SESSION**BY-LAWS**

Moved by Larry McGrath and seconded by Les Falconer:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Law No. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 for 2013. Carried.

Introduce
By-Laws

By-Law 24-2013 – Amend Entrance Permit Policies – amend By-Law 23-2001 and 3-2007

By-Law 25-2013 – Zoning Amendment – Lot 23, Concession 3, McKillop Ward (VandenHengel)

By-Law 26-3013 – Zoning Amendment – Part Lot 40, Registered Plan 133, Vanastra, Tuckersmith Ward (Bowman/Neely)

By-Law 27-2-013 – Melady Drainage Works, ‘A’ Drain Improvement 2013 (1st and 2nd readings)

- By-Law 28-2013 – Deem part of registered plan of subdivision not to be registered plan of subdivision – Part Lot 6, E/S Centre Street, Plan 232 and Lot 6, W/S Mill Street, Plan 232, Tuckersmith Ward
- By-Law 29-2013 – Authorize Policy for Administration and Issuing of Permits for Private Crossings on Municipal Drains
- By-Law 30-2013 – Authorize Addendum to Lease Agreement – Huron Community Family Health Team
- By-Law 31-2013 – Authorize Addendum to Lease Agreement – Dr. Shepherd
- By-Law 32-2013 – Huron East Health Centre – Municipal Capital Facility – FHT
- By-Law 33-2013 – Huron East Health Centre – Municipal Capital Facility – CCAC
- By-Law 34-2013 – Confirm Council Proceedings

Carried.

- Moved** by Nathan Marshall and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 24 for 2013, a by-law to amend By-Law 23-2001 and By-Law 3-2007 to amend Entrance Permit Policies, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Amend
Entrance Permit
Policies
- Moved** by Andrew Flowers and seconded by David Blaney:
BE IT HEREBY RESOLVED that By-Law 25 for 2013, a by-law to amend the zoning on Lot 23, Concession 3, McKillop Ward, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Rezoning
Lot 23, Con. 3
McKillop
VandenHengel
- Moved** by Les Falconer and seconded by Larry McGrath:
BE IT HEREBY RESOLVED that By-Law 26 for 2013, a by-law to amend the zoning on Part Lot 40, Registered Plan 133, Vanastra, Tuckersmith Ward, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Rezoning
Lot 40, Plan 133
Vanastra
Bowman/Neely
- Moved** by Andrew Flowers and seconded by Les Falconer:
BE IT HEREBY RESOLVED that By-Law 27-for 2013, a by-law to provide for borrowing on the credit of the Municipality the sum of \$54,000 for the completion of the Melady Drainage Works ‘A’ Drain Improvement, 2013, be given first and second readings. Carried.
- Melady Drain
1st & 2nd readings
- Moved** by Frank Stretton and seconded by Joseph Steffler:
BE IT HEREBY RESOLVED that By-Law 28 for 2013, a by-law to deem part of registered plan of subdivision not to be registered plan of subdivision – Part Lot 6, E/S Centre Street, Plan 232 and Lot 6, W/S Mill Street, Plan 232, Tuckersmith Ward, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Deem not to be
Plan of Subdiv.
Pt.Lot 6 Plan 232
Egmondville
- Moved** by Dianne Diehl and seconded by Andrew Flowers:
BE IT HEREBY RESOLVED that By-Law 29 for 2013, a by-law to authorize a policy for the Administration and Issuing of Permits for Private Crossings on Municipal Drains, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Policy
Permits for
Private Crossings
on Municipal
Drains
- Moved** by Joseph Steffler and seconded by Frank Stretton:
BE IT HEREBY RESOLVED that By-Law 30-2013, a by-law to amend By-Law 69 of 2008, 42 of 2009 and 62 of 2011 and authorize an addendum to the lease agreement with the Huron Community Family Health Team, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Addendum to
Lease Agreement
FHT
- Moved** by David Blaney and seconded by Les Falconer:
BE IT HEREBY RESOLVED that By-Law 31 for 2013, a by-law to amend By-Law 14-2009 and authorize an addendum to the Lease Agreement with Dr. Shepherd, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Addendum to
Lease Agreement
Dr. Shepherd

Moved by Dianne Diehl and seconded by Nathan Marshall:
BE IT HEREBY RESOLVED that By-Law 32 for 2013, a by-law to exempt municipal capital facilities or parts thereof exempt from property taxation and deem the Huron East Health Centre as a municipal capital facility, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Municipal
Capital Facility
FHT

Moved by Frank Stretton and seconded by Dianne Diehl:
BE IT HEREBY RESOLVED that By-Law 33 for 2031, a by-law to exempt municipal capital facilities or parts thereof exempt from property taxation and deem the Community Care Access Centre as a municipal capital facility, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Municipal
Capital Facility
CCAC

Moved by Alvin McLellan and seconded by David Blaney:
BE IT HEREBY RESOLVED that By-Law 34 for 2013, a by-law to confirm the proceedings of Council, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Confirm
Proceedings

ADJOURNMENT

Moved by Frank Stretton and seconded by Joseph Steffler:
The time now being 10:20 p.m.
That the meeting do now adjourn until May 21st, 2013 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk