

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
MONDAY, JULY 20th, 2015 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan,
 Councillors Alvin McLellan, John Lowe, Dianne Diehl,
 David Blaney, Brenda Dalton, Kevin Wilbee and Raymond Chartrand

Members Absent: Deputy Mayor Joseph Steffler, Councillors Robert Fisher,
 Nathan Marshall and Larry McGrath

Staff Present: CAO/Clerk, Brad Knight
 Public Works Coordinator, Barry Mills
 Economic Development Officer, Jan Hawley
 Executive Assistant, Janice Andrews

CALL TO ORDER

Mayor MacLellan called the meeting to order at 7:00 p.m.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

DEPUTATIONS

Glen Orth and Jeff Miller were in attendance to hear the proceedings of Council.

7:00 p.m. Bob Trick – Animal Control Officer

CAO/Clerk Brad Knight reviewed his report to Council dated July 16th, 2015 concerning the new animal control by-law to be considered by Council later in the meeting. The Clerk noted the draft animal control by-law had been reviewed at the June 23rd, 2015 Administrative Committee meeting with By-Law Enforcement Officer Bruce Brockelbank and Animal Control Officer Bob Trick present. The original animal control by-law was passed in 2001 and there were three areas of significant change incorporated into the new by-law.

- i) placing limits on the number of dogs and cats that can be kept on residential properties
- ii) listing of prohibited animals
- iii) Provincial Offences short form wording establishing fines for offences

Animal Control Officer Bob Trick was in attendance to answer any questions of Council concerning the proposed by-law. Mr. Trick noted the addition of short form wording is a benefit and allows enforcement of set fines with a ticket issued.

COUNCILLORS ISSUES

MINUTES OF THE PREVIOUS MEETING

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

Meeting
 Minutes

- a) Regular Meeting – July 7th, 2015

Carried.

ACCOUNTS PAYABLE

Moved by Raymond Chartrand and seconded by Dianne Diehl:
 That the accounts payable in the amount of \$1,534,440.49 be approved
 for payment. Carried.

Accounts
 Payable

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

CAO/Clerk – Café and Patio By-Law

CAO/Clerk Brad Knight reviewed his report to Council dated July 17th, 2015 concerning the new Café and Patio By-Law to be considered by Council later in the meeting. Council gave the by-law two readings at the June 2nd, 2015 meeting and it was referred to the Economic Development Committee for review and while the Committee had not recommend any change, he made a couple of changes and updates to the by-law. The Clerk outlined changes that have been made to the original document as follows:

- 3.8 Music → initially there was a provision that all music cease by 9:00 p.m. – this was expanded to allow music to 10:30 pm on Friday and Saturday nights.
- 3.12 Occupancy → reference to Part 3 of the Ontario Building Code has been included with specific reference to Table 3.1.17.1 (occupancy load) and Section 3.7.4.3 (plumbing fixture requirements). It was suggested that the occupancy load of an outdoor café/patio be limited to 50% of the interior occupant load to recognize that the outdoor area is secondary to the main use inside the building.

It was noted that the revised Café and Patio By-Law would be considered by Council later in the meeting.

CAO/Clerk – Huron East Procedural By-Law 43-2015

CAO/Clerk Brad Knight reviewed his report to Council dated July 13th, 2015 concerning the new Huron East Procedural By-Law. The draft procedural by-law has been reviewed at two meetings of the Administrative Committee and one meeting of Council. From the last meeting of Council, several minor housekeeping amendments were recommended and a copy of the revised procedural by-law was to be presented for consideration by Council later in the meeting.

Mayor MacLellan noted that Section 29 of the By-law had been amended to eliminate two clauses that seemed to contradict each other with respect to a “2/3” requirement of Council to temporarily suspend provisions in the by-law compared to a simple majority vote. He suggested that there should be areas that a simple majority should be sufficient and asked Council to defer the by-law until the next meeting to allow staff to review the wording.

CAO/Clerk – Service Delivery Review

CAO/Clerk Brad Knight reviewed his report to Council dated June 30th, 2015 and provided a complete review of the 2013 Service Delivery Review document and additional reports that went to Council along with the relevant minutes from the meetings. It was noted that Council dedicated time during 2013 and 2014 and attempted to follow a schedule over several months to further review services. The services were reviewed in the order of the Financial Information Return (FIR). The reports that were prepared for Council reviewed the level of services pre and post amalgamation and made cost comparisons between pre-amalgamation services and post-amalgamation services. It had been noted that changes in legislation had changed some levels of service while Provincial funding over the past 13 years had also shifted responsibilities for funding services.

Council were advised the Finance Manager-Treasurer/Deputy Clerk was preparing a financial analysis from the 2013 FIR and that report will be presented to the August 4th, 2015 meeting.

Moved by David Blaney and seconded by Alvin McLellan:
That Huron East Council receive the following Reports of Municipal Officers
as presented:

- 1) CAO/Clerk

Receive
Municipal
Reports

Carried.

CORRESPONDENCE

Moved by Brenda Dalton and seconded by Kevin Wilbee:
That correspondence received from the Tweed Disaster Relief Committee
requesting financial donation be received and filed. Carried.

Receive/File
Tweed Disaster
Relief Committee

UNFINISHED BUSINESS

Councillor McLellan – G2G Rail Trail

Councillor McLellan requested the Mayor to provide an update from the County of Huron regarding the G2G Rail Trail. Mayor MacLellan advised that County Council is not directly involved, however the Planning Department, acting as a mediator, is currently working through a number of concerns with adjacent landowners, agricultural groups and G2G Inc. and minutes from those meetings will be forwarded to the lower tier municipalities.

NEW BUSINESS

Performance Review

Mayor MacLellan questioned Council on how they wished to proceed with the performance review of the CAO/Clerk. The Mayor advised he and the Deputy Mayor would complete the review with the CAO/Clerk and questioned if Council wished to be provided a summary of the information prior to the discussion with the CAO or after.

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East add an item on the August 4th, 2105 meeting agenda on how to proceed with the performance review of the CAO. Carried.

Add Item
Next Agenda

MUNICIPAL DRAINS

Moved by Dianne Diehl and seconded by Alvin McLellan:
That pursuant to Section 84 of the *Drainage Act*, that Council accept the request of Ralph Haverkamp and Bryan Morton to abandon the Livingston Municipal Drain west of lot line 29-30, concession 15 in the Grey Ward and that notice of the proposed abandonment be sent to all property owners. Carried.

Accept Request
Abandonment
Livingston
Municipal Drain

TILE DRAINAGE

FINANCIAL REPORT

PLANNING

Moved by Alvin McLellan and seconded by Dianne Diehl:
That Council acknowledge receipt of the July 16th, 2015 report from Huron County Planner Claire Dodds on the severance application of Bruce Mann, Lot 35, Concession 15, Grey Ward (B36/15) noting that Council passed a resolution on July 7th, 2015 supporting the severance with conditions. Carried.

Planners Report
Consent B36/15
Brad Mann

INFORMATION ITEMS

Moved by Raymond Chartrand and seconded by Kevin Wilbee:
That Huron East Council receive the following Board and Committee Meeting Minutes as submitted:

- 1) Huron East Water & Sewer Committee – June 9th, 2015
- 2) Huron East Administrative Committee – June 23rd, 2015

Carried.

Board/Committee
Meeting Minutes

CLOSED SESSION

Moved by John Lowe and seconded by Dianne Diehl:
That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 10:17 p.m. to go into Closed Session to discuss the following:

- i) 239(2)(c) – litigation (Huron East vs. Affordable Housing)
- ii) 239(2)(c) – proposed or pending disposition of land (Lot 24, Plan 192, Brussels)

Carried.

Closed Session

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East resumes the regular Council meeting at 10:34 p.m. Carried.

Resume Regular
Council Meeting

Moved by John Lowe and seconded by David Blaney:
That Council declare Lot 24, Plan 192 (Brussels) surplus and authorize staff to issue a Request for Proposal for the sale of the property, with the deadline for the Request for Proposal being 12:00 pm on Friday, August 21st, 2015. Carried.

Declare Surplus
Lot 24, Plan 192
Brussels
Issue RFP

BY-LAWS

Moved by David Blaney and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that leave be given to introduce By-Laws No. 35, 44, 45, 46, 47, 48 and 49 for 2015.

Introduce
By-Laws

By-Law 35-2015 – Regulation and Licence for Sidewalk Patios and Cafés (3rd reading)

By-Law 44-2015 – Animal Control

By-Law 45-2015 – Schade Municipal Drain Maintenance (1st and 2nd readings)

By-Law 46-2015 – Knechtel Municipal Drain Maintenance (1st and 2nd readings)

By-Law 47-2015 – Authorize Purchase – Lot 197, Plan 131, Vanastra, Tuckersmith Ward (Affordable Housing Corporation) (1st and 2nd readings)

By-Law 48-2015 – Temporary Road Closure – Huron Street, Seaforth Ward

By-Law 49-2015 – Confirm Council Proceedings

Carried.

Moved by Raymond Chartrand and seconded by David Blaney:
BE IT HEREBY RESOLVED that By-Law 35 for 2015, a by-law to adopt regulations and licence fees for sidewalk patios and cafés, be given third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Regulate
Licence for
Sidewalk Patio
and Cafés

Moved by Brenda Dalton and seconded by John Lowe:
BE IT HEREBY RESOLVED that By-Law 44 for 2015, a by-law to regulate animal care and control, 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.

Animal
Control

Moved by Alvin McLellan and seconded by Brenda Dalton:
BE IT HEREBY RESOLVED that By-Law 45 for 2015, a by-law to authorize maintenance of the Schade Municipal Drain, be given first and second readings. Carried.

Schade Drain
Maintenance
1st & 2nd readings

Moved by Kevin Wilbee and seconded by Brenda Dalton:
BE IT HEREBY RESOLVED that By-Law 46 for 2015, a by-law to authorize maintenance of the Knechtel Municipal Drain, be given first and second readings. Carried.

Knechtel Drain
Maintenance
1st and 2nd readings

Moved by Raymond Chartrand and seconded by Dianne Diehl:
BE IT HEREBY RESOLVED that By-Law 47 for 2015, a by-law to authorize purchase of Lot 197, Plan 131 (Vanastra), Tuckersmith Ward, from Affordable Housing Ontario Corporation, be given first and second readings. Carried.

Purchase
Lot 197, Plan 131
Vanastra
Affordable
Housing

Moved by John Lowe and seconded by David Blaney:
BE IT HEREBY RESOLVED that By-Law 48 for 2015, a by-law to temporarily stop up a portion of Huron Street, Seaforth 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.

Temporary Road
Closure
Huron Street
Seaforth Ward

Moved by Brenda Dalton and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 49 for 2015, 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 Council
Proceedings

ADJOURNMENT

Moved by Alvin McLellan and seconded by Brenda Dalton:
The time now being 10:47 p.m.
That the meeting do now adjourn until August 4th, 2015 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk