

THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

Regular Council Meeting

Meeting No. 11-2010

Date of Meeting: Monday, April 19, 2010

Members Present: Mayor Gord Minielly
Deputy Mayor Carolyn Jamieson
Councillor John Dehondt
Councillor Mark Simpson
Councillor Ruth Illman
Councillor Gerry Rupke
Councillor Doug Cook

Members Absent: Councillor Bill Weber
Councillor John Russell

Staff Present: C.A.O. John Byrne
Clerk Carol McKenzie
Director of Community Services Peggy Van Mierlo-West

Media Present: Lynda Rapley – The Lakeshore Advance
Gord Whitehead – The Standard

1. CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

2. DECLARATION OF PECUNIARY OR CONFLICT OF INTEREST

Mayor Minielly asked members to declare any pecuniary or conflict of interest that they may have and none were declared.

The April 19th Council meeting commenced at 6:00 p.m. in order to interview representatives from two consulting firms that submitted proposals for the preparation of a Roads Needs Study.

4. DELEGATIONS, PUBLIC MEETINGS & PRESENTATIONS

4.1 Applied Research Associates – Roads Needs Study Interview

Mr. Guy Cautillo and Mr. D.J. Swan representing ARA (Applied Research Associates) presented information on the Company, the proposed work schedule and methodology for the study, and background information on the company.

It was noted that the information compiled can be adapted to existing computer programs, and Lambton Shores' staff will be trained to interpret the results and to carry on the evaluations in the future.

4.2 McCormick Rankin Corporation – Roads Needs Study Interview

Mr Mick Oliveira, representing McCormick Rankin Corporation, attended the meeting and also provided an overview of the company, and outlined the proposed process for the needs assessment, including a methodology to measure successes and determine surface upgrade needs.

Mr. Oliveira also stated that the information compiled can be adapted to existing computer programs, and Lambton Shores' staff will be trained to interpret the results and to carry on the evaluations in the future.

Staff was asked to prepare a report on the options for the next meeting.

3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

3.1 Regular Council Meeting – April 6, 2010

The minutes of the April 6, 2010 regular Council meeting were reviewed, and Councillor Illman raised several questions regarding the celebration being planned by the Grand Bend Beach Enhancement fundraising committee to be held in conjunction with the Canada Day celebrations. Councillor Illman noted that she had suggested that the fundraisers contact The Shores fundraising committee, as they had included the celebratory gala in the fundraising. It was clarified that not all members of Council were in agreement with the celebrations as proposed.

**10-0419-01 Moved by: Councillor Rupke
Seconded by: Councillor Dehondt**

That the minutes of the regular Council meeting held the 6th day of April, 2010 be accepted as amended. Carried

4.3 Mr. Ed Fluter on behalf of the Area Residents with Concerns about the Proposed PVB Beach Volleyball on the North Beach in Grand Bend.

Mr. Fluter noted that he was speaking on behalf of a number of citizens that were opposed to the proposal allowing PVC to operate a beach volleyball program on the north beach in Grand Bend this summer. Mr. Fluter noted that over 300 names had been collected on a petition, and the names were not only representative of the beach front owners, but the immediate community, extended community, merchants and others. The concerns of the petitioners were outlined, and it was noted that the

communications with the residents had been abysmal. *(Note: a copy of the petition was not provided to Council)*

Councillor Rupke noted that Lambton Shores has been committed to bringing more people to Grand Bend, with the beach enhancement project and the Main Street improvements, and that Council had seen the Beach Volleyball as an another way to bring people to the area.

When asked if the group anticipated an increase in beach usage by the people coming for the volleyball, which would also enhance area businesses, Mr Fluter noted that 25 businesses had signed the petition in opposition and stated that a study done years ago show that young people coming to a community add very little to the commercial community as they tend to bring refreshments etc with them. He further noted that he did not believe that Grand Bend needed organized sports to bring people to the area.

In further discussions, it was noted that some residents had not received their notice of the information meeting yet, and it was confirmed that Council had instructed PVB to notify all residents in Plan 24, not just the beach front property owners.

Mayor Minielly advised that PVB will be hosting an information meeting on May 1, 2010 at which residents would be able to ask the questions of the company and after listening to both sides of the issues, Council would consider the future of the program. He noted that there were clauses in the agreement that allowed for the cancelation of the agreement under certain circumstances.

5. CORRESPONDENCE AND PETITIONS

5.1 Robert Renaud – Re: Use of Fifth Wheel Trailer at 7347 Arkona Road

Correspondence has been received from Mr. Robert Renaud requesting permission to have a 5th wheel trailer on his property at 7347 Arkona Road for a limited period of time, to house an ill relative.

**10-0419-02 Moved by: Councillor Simpson
Seconded by: Councillor Illman**

That the Municipality of Lambton Shores has no objection to the temporary placement of a 5th wheel trailer on a property located at 7347 Arkona Road on the condition that the property owner enters into an agreement with the municipality outlining the conditions of approval. Carried

6. CONSIDERATION OF COMMITTEE MINUTES & STAFF REPORTS

Corporate and Strategic

6.1 C.A.O. Report No. 10-2010 – Re: Establishment of a Planning Committee in Lambton Shores

In response to a recent request for a discussion paper on the merits of a Planning Committee, Chief Administrative Officer John Byrne presented C.A.O. Report No. 10-2010 for Council to consider. In the report, it was noted that the current process is for Council to serve as the Planning committee, which allows all members to be apprised of pending issues and ensures that the body accountable to the people and the Province is the one that makes the decisions. It also reduces approval times, as the matter does not need to be reviewed by a Committee, and then recommendations referred to Council.

Councillor Dehondt stated that he felt a Planning committee would help dispel the negativity in the community and show that Lambton Shores is receptive and supportive of business.

Councillor Illman noted that the current process allows all Councillors to have direct knowledge of all issues, and that the process is currently working well. She further noted that committees required staff time, and agreed that there are committees that could be beneficial; however, Council needs to be strategic and ensure that committees “add value”. It was noted that it is sometimes difficult for non Council members to make decisions when there is strenuous objections, which can result in Council overturning decisions, which strains relations between the committee and Council.

The differences between a volunteer committee, such as “Communities in Blooms”, and a committee that must follow prescribed provincial policies were discussed.

**10-0419-03 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Simpson**

That C.A.O. Report No. 10-2010, regarding the Establishment of a Planning Committee in Lambton Shores be received and filed.

Carried

6.2 PL Report 19-2010 – Re: Revised Site Plan for Veronica Brennan – Grog’s Pub & Grill – 8604 Lakeshore Road

At a previous Council meeting, the Planner had been asked to review the revised site plan submitted for Grog’s Pub & Grill at 8604 Lakeshore Road, and it was noted in the report that the site plan requirements from 2004 had not yet been completed. Mrs. Brennan was in attendance and explained the events that had precluded the completion of the original requirements, and noted that the main impediment had been the need to replace the septic system, and she outlined the delays encountered in obtaining approval from the Ministry of the Environment. The new system was completed in December of 2009, and the landscaping and improvements not impacted by the septic tank construction had been completed.

The original site plan called for a fence on the south property line; however, in order to obtain more room, the adjacent property has been purchased, and an application will be submitted to the Committee of Adjustment for permission to sever 12 feet from the newly acquired property to add to the "Grog's" property.

Mrs. Brennan requested until October 2010 to complete the property transfer, and have the fence installed, and the site plan requirements completed.

In Report No. 19-2010, the Planner recommended that a cash deposit be obtained, which would be used to complete the works if it was not undertaken by the owner.

**10-0419-04 Moved by: Councillor Simpson
Seconded by: Councillor Cook**

That Council approve in principle the revised site plan for Grog's Pub and Grill as detailed in PL Report No. 19-2010, and that the planner provide the final site plan agreement for Council's consideration at the May 3rd Council meeting. The agreement is to include a provision that the installation of the fence along the east side proceed no later than October 31, 2010; and a provision allowing the Municipality to complete the works if the time frames for the completion of the works established in the site plan agreement are not met, with the cost to complete the works to be charged to the property tax roll. Carried

Community Services

6.3 D.C.S. Report No. 24-2010 – Re: Lambton Shores' Recreation & Leisure Services Master Plan

D.C.S. Report No. 24-2010 reported that the recent request for proposals for the creation of a Recreation & Leisure Services master plan resulted in 4 proposals being received. Three of the consultants made short presentations to Council on April 13, 2010, and the subsequent recommendation was to accept the proposal submitted by Monteith Brown Planning Consultants.

**10-0419-05 Moved by: Councillor Rupke
Seconded by: Councillor Illman**

That Monteith Brown be awarded the contract for the creation of the Recreation and Leisure Services Master Plan for Lambton Shores as outlined in D.C.S. Report No. 24-2010. Carried

Administration & Finance

6.4 TR Report No. 22-2010 – Re: Draft March 2010 Year to Date Financial Statements

The 2010 year to date financial statements were presented in TR Report No. 22-2010 and it was noted that the statements were typical of first quarter operations.

**10-0419-06 Moved by: Councillor Simpson
Seconded by: Councillor Illman**

That the Draft 2010 Year to Date Financial Statements as outlined in Treasurer's Report No. 22-1010 be received and filed.

Carried

6.5 CL Report No. 22-2010 – Re: Building Permit Statistics – First 3 Months

The status of the Lambton Shores building permit activities during the first three months of 2010 were outlined in CL Report No. 22-2010, and it was noted that there has been a significant increase in the number and value of the permits to date.

**10-0419-07 Moved by: Councillor Illman
Seconded by: Councillor Cook**

That CL Report No.22-2010 providing information on the building permit statistics for the first three months of 2010 be received and filed.

Carried

7. BY-LAWS & RESOLUTIONS

There were no by-laws or resolutions for Council to approve.

8. ACCOUNTS

8.1 TR Report No. 21-2010 – Re: March, 2010 Cheque Register

The accounts for the month of March were presented for Council's review.

**10-0419-08 Moved by: Councillor Rupke
Seconded by: Councillor Simpson**

That the accounts for the month of March, 2010 in the amount of \$5,694,620.17 be approved.

Carried

9. COUNCILLOR REPORTS

Councillor Illman offered congratulations to Wanda Shipley of the "Forest Florist" on her recent award from Teleflora. Also noted was the success of the Tri-sport event in Forest

held April 9-10. Council was advised that the 2010 “Trash Bash” will be held on Earth Day (April 22) and meeting places have been arranged throughout the various communities. (In Grand Bend, the Trash Bash will be held on the 25th) Councillor Illman also extended an invitation to the Councillors to attend the Community Health Day on April 30 at the Forest Legion at noon, when information on the services that are available from the North Lambton CHC will be provided.

It was also noted that the next draft of the Lambton Shores Official Plan should be available for review in May.

Deputy Mayor Jamieson reported that the Lambton County Historical Society would be meeting at The Shores Recreation Centre on April 22nd, and that April 30th was “Emergency Preparedness Day” at the Clearwater Arena from 9 am until 2 pm.

Councillor Simpson reported that tickets were still available for the upcoming “Evening with Charlie Dobbin” at the Port Franks Hall on May 6th. Also noted was that the first draft of the A.B.C.A. Community Based Biodiversity Strategy for the Port Franks Area is now available.

10. NEW BUSINESS

Councillor Dehondt requested clarification on the statement made earlier in the meeting regarding the provision of meal coupons for the beach concession for the PVB participants. Director of Community Services Peggy Van Mierlo-West advised that Lambton Shores provides the opportunity for each minor sports group to have a “healthy lunch” available, with the costs charged back to the organizers.

Councillor Dehondt raised further questions regarding the PVB communication plan and options for the Municipality if the plan is unsuccessful, and Mayor Minielly noted that that the process approved was for the company to hold a public information meeting and Council would evaluate the program after that time.

The following motion was proposed:

10-0419-09 Moved by: Councillor Dehondt

That Council reconsider the approval of the PVB agreement.

The motion failed due to a lack of a seconder.

Councillor Dehondt advised that he had also been receiving questions regarding the reintroduction of timed parking on the Grand Bend Main Street, and asked if there were options to provide 30 minutes free parking or a grace period before tickets are issued.

It was noted that the enforcement of the regulations was only between the hours of 10:00 a.m. and 6:00 p.m., and at any other time, there would not be any restrictions on

the parking. In response to concerns that the minimum time to be purchased was 2 hours, it was noted that the machines would accommodate the purchase of a portion of an hour.

Mayor Minielly had been requested by the Forest Lawn Bowling Club for a letter in support of their application for a Trillium Grant.

**10-0419-09 Moved by: Councillor Illman
Seconded by: Councillor Rupke**

That the Municipality send a letter in support of the Trillium Grant application for enhancements for the property used by the Forest Lawn Bowling Club. Carried

11. DISCUSSION PERIOD

Mr. Eugene Dorey questioned if the Province had advised the Municipality of the maintenance program for the washrooms in Ipperwash, and was advised that this had not yet been resolved.

Mr. Cam Taylor asked about the early start time for the meeting, and it was suggested that changes in start times should be noted on the website.

Mr. Bob Sharen asked a question regarding the tender date for the Grand Bend Sewage Treatment Plant and was advised that the matter had not been included in the agenda, and an answer was not available. A discussion ensued regarding appropriate behaviour at meetings.

12. CONFIDENTIAL

**10-0419-10 Moved by: Councillor Rupke
Seconded by: Councillor Simpson**

That the Council meeting goes "In Camera" at 8:27 p.m. to discuss legal matters and will reconvene immediately thereafter. Carried

13. ADJOURN

**10-0419-11 Moved by: Councillor Rupke
Seconded by: Councillor Dehondt**

That the Council meeting adjourn at 9:07 p.m. Carried