

THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

Regular Council Meeting

Meeting No. 18-2010

Date of Meeting: Monday, July 5, 2010

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

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

Media Present (for public portion): Gord Whitehead – Various Publications

1. CALL TO ORDER

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

**10-0705-01 Moved by: Councillor Rupke
Seconded by: Councillor Illman**

That the Council meeting goes “In Camera” at 5:00 p.m. to discuss a property (legal) matter and will reconvene immediately thereafter. Carried

Council rose and reported progress on a legal matter at 6:25 p.m. and adjourned for dinner.

The meeting reconvened at 7:00 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 with respect to the business itemized on the agenda and none were declared.

3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

3.1 Regular Council Meeting – June 21, 2010

The minutes of the regular Council meeting held the 21st day of June, 2010 were reviewed.

Councillor Dehondt noted that the minutes did not reflect the fact that he had supported the Council attending the information meeting proposed by the Zone 3 Community Association and asked that the minutes be amended to include reference to this support.

With respect to the Recreation and Leisure Master Plan report, Director of Community Services Peggy Van Mierlo-West stated that the consultants would like the initial meeting with Council to be sooner rather than later, and asked if they could attend the July 13, 2010 meeting, which was approved.

**10-0705-02 Moved by: Councillor Rupke
Seconded by: Councillor Illman**

That the minutes of the June 21st regular meeting of Council be accepted as amended. Carried

4. DELEGATIONS, PUBLIC MEETINGS & PRESENTATIONS

4.1 Forest Business Improvement Area (B.I.A.) – Re: Signage, Entrance & Awning Improvement Loan Program

Glen Van Valkenburg, Chair of the Forest Business Improvement Area attended Council to provide details on the newest promotional project, being “A Signage, Entrance and Awning Improvement Loan Program”.

The proposal stems from the Community Improvement Plans that recommended designating the Forest downtown as a heritage area, and developing a common theme. The B.I.A. Board of Directors are asking Council to consider including the program in the 2011 budget.

Councillor Dehondt stated his support for the project, and noted that it should be expanded to the entire municipality, and that the Forest B.I.A. model could be a template for the other communities. He also suggested that the amortization of the loan be for a longer period of time, and that a portion of the funds be forgivable.

Councillor Illman thanked the B.I.A. and Planner Patti Richardson for the work to date and for highlighting the heritage aspects of the community, and asked that the proposal be referred to staff for comments.

**10-0705-03 Moved by: Councillor Rupke
Seconded by: Councillor Illman**

That the Signage, Entrance & Awning Improvement Loan program, proposed by the Forest B.I.A. be approved in principal for use throughout the Municipality, and that the matter be referred to staff for comments, and included for consideration in the 2011 budget.

6.1 C.A.O. Report No. 24-2010 Re: Zone 3 Wastewater Collection System

At the June 20th Council meeting, the Chairman of the Zone 3 Community Group asked Council to attend a public meeting to discuss their concerns with the proposed expansion of the wastewater collection system. In C.A.O. Report No. 24-2010, Chief Administrative Officer John Byrne noted that at this time, Lambton Shores is in the midst of the E.A. phase of the project, which allows all property owners in Zone 3 to request clarification on any aspect of the proposal, or have questions answered, or request a “Bump Up”. Also noted was the fact that the staff and the consultants were working with the Zone 3 group responding to the issues raised, and will continue to do so throughout the process. It was also noted that many of the concerns of the group relate to issues that are still being addressed, as the project is still far from completed.

Mr. Byrne did stress the importance of providing regular updates to the residents on items such as pressure sewers in other areas, the final water testing results, and providing an explanation on the Environmental Assessment process, similar to what was provided during the rural water project.

A discussion ensued as to the best method of providing this information and when further information would be available, and it was reiterated that Council had not made any final decisions on the type of system that will be used, timelines or costs etc.

**10-0705-04 Moved by: Councillor Illman
Seconded by: Councillor Rupke**

That the invitation of the Zone 3 Community Group Committee to attend a Public Meeting relating to the development of the Zone 3 Wastewater Collection system be respectfully declined at this time and that the municipality connect directly with the Zone 3 residents with information updates. Carried

Although the motion passed, it was noted that any member of Council had the option to attend the meeting.

5. CORRESPONDENCE & PETITIONS

There was no correspondence or petitions for Council to review.

6. CONSIDERATION OF COMMITTEE MINUTES & STAFF REPORTS

Corporate & Strategic

6.2 C.A.O. Report No. 25-2010 – Re: Mid Year Report – January to June 2010

C.A.O. Report No. 25-2010 provided a comprehensive review of the accomplishments to date in 2010, including the revitalization of Grand Bend Main Street with improved accessibility, safer sidewalks, and the enhancement of the streetscapes with trees, planters, street lights and other fixtures. In addition, a new parking lot was developed to offset the reduced number of parking spaces on the Main Street.

The Thedford Village Green project has resulted in a beautiful, functional and fully accessible parkette and play ground area for the Village and the new gazebo, trees and lighting has helped to transform the downtown core, and the area is being enjoyed by the community and visitors to the area.

In Forest, the replacement of the old cast iron water lines continues which will reduce the required repairs to the system, and improve the pressure in the lines.

The Roads Needs Assessment will provide information on the condition of existing roads and will rank the condition of each road against set criteria to help determine future capital investments.

Another positive impact on the community is the success of the “Communities in Bloom” program which has unified the various geographic areas of the Municipality, and this community wide effort resulted in the awarding of “5 blooms” to Lambton Shores in 2009, as well as an award for community involvement.

The Legacy Centre Fundraising group has been very successful to date, raising over \$225,000.00 in the community. The renovation and expansion of the Legacy Centre is well underway, and will be the first LEED certified building in Lambton Shores, and will contain a new community hall, day care centre, library and an improved arena, all of which will be totally accessible.

Other items of note were the newly created “Recreation and Leisure Guide” for residents and visitors to the area, the efforts to bring Beach Volleyball programming to Grand Bend, and the commencement of the Recreation and Leisure Master Plan earlier this year.

Building activities continue to be strong in 2010, as Lambton Shores’ remains a preferred destination for many home owners and the updating of the Official Plan will ensure that development reflects the community’s priorities and will be more user friendly than the existing document.

Council continues to work with the Municipalities of South Huron and Bluewater on the Grand Bend Area Wastewater Treatment Plant, and is trying to proactively address the wastewater needs of the subdivisions south of Grand Bend, with work including ground water analysis and undertaking the necessary process to review an expansion of the Grand Bend Wastewater Collection System.

Lambton Shores was awarded a “PRO Award” for excellence in the design for the Grand Bend beach, and the Blue Flag status was again achieved for the Municipal beach and marinas.

Councillor Illman noted the positive interaction with the community on many of the projects, such as the Community Improvement Plans, Recreation and Leisure Master Plan, Legacy Centre Design Committee, Village Green consultation, etc.

**10-0705-05 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Cook**

That C.A.O. Report No. 25-2010 regarding a mid-year report from January to June, 2010 be received and filed. Carried

Community Services

6.3 D.C.S. Report No. 41-2010 – Re: Zone 3 – 30 Day Review Period Extension

In Report 41, Director of Community Services Peggy Van Mierlo-West advised that the Grand Bend and Area Sanitary Sewage Master Plan, which was completed in 2006, identified the Zone 3 area as a high priority for servicing. After reviewing the alternatives, the consultant determined that the low pressure sanitary sewage collection system would be the most cost effective and environmentally sensitive option.

The Ministry of the Environment has reviewed the comments received from residents during the Environment Assessment process, and have asked that the notice of completion be re-issued for an additional 30 days, and be advertised during the summer months with a notice sent to each property owner to ensure that the seasonal residents have an opportunity to comment on the proposal. Ms. Van Mierlo-West advised that the new due date for comments is August 14, and the Municipality and its consultant will continue to work with the groups that had previously submitted comments.

**10-0705-06 Moved by: Councillor Weber
Seconded by: Deputy Mayor Jamieson**

That D.C.S. Report No. 41-2010 regarding the Zone 3 – 30 day review period extension be received and filed. Carried

6.4 D.C.S. Reports No. 43-2010 – Re: Zone 3 – Golder Associates Technical Review

During the June 7th Council meeting, questions submitted by Dr. Belkie pertaining to Golder Associates technical review were referred to Mr. Bidell and the draft response to the issues raised was included as part of D.C.S. Report No. 43-2010.

It was suggested by Councillor Dehondt that it may be advantageous for Dr Belkie and Mr. Biddel to sit down and discuss the various issues, as they are looking at the issues from two different perspectives.

**10-0705-07 Moved by: Councillor Rupke
Seconded by: Councillor Russell**

That D.C.S. Report No. 43-2010 regarding the Zone 3 – Golder Associates technical review of the Zone 3 Committee's questions on groundwater testing be received and filed. Carried

6.5 D.C.S. Report No. 45-2010 – Re: Class Environmental Assessment – Additional Work

In D.C.S. Report No. 45-2010, Director of Community Services Peggy Van Mierlo-West outlined the additional work that will be required to comply with the Ministry of the Environment's request to extend the review period on the Class E.A. for Zone 3, and to respond to any questions raised during the extended review period. In order to address the issues raised, the recommendation was to retain Dillon Consulting to assist the Municipality, and that an upset limit of \$ 10,500.00 excluding taxes, be approved for this additional work.

**10-0705-07 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Illman**

That D.C.S. Report No. 45-2010 be approved and that Dillon Consulting be directed to continue with the additional works required during the extended Environmental Assessment review period for the South Grand Bend 'Zone 3 Sanitary Sewage Collections System' in the upset limit of \$10,500. (plus taxes).

Carried

6.6 D.C.S. Report No. 46-2010 – Re: Proposed Benefit Concert, Esli Dodge Conservation Area

A request has been received for permission to use Esli Dodge Conservation Area for a benefit concert in support of a local resident. The planned events include children's activities, and a benefit concert. With respect to the noise emanating from the concert, the Lambton Shores' noise by-law does not restrict noise when used in a reasonable manner in conjunction with a public celebration, as long as the event has the written permission of the municipality.

**10-0705-09 Moved by: Councillor Weber
Seconded by: Councillor Dehondt**

That D.C.S. Report No. 46-2010 be approved and that the event organizer be permitted to host the requested benefit concert at Esli Dodge Conservation Area.

Carried

Administration & Finance

6.7 TR Report No. 32-2010 – Re: Fee Update

TR Report No. 32-2010 outlined changes required in Municipal fees and in the wording associated with the establishment of the Municipal fees in order to comply with the new H.S.T. regulations.

**10-0705-10 Moved by: Councillor Dehondt
Seconded by: Councillor Cook**

That Council approves the fees as outlined in Treasurer's Report No. 32-2010 and By-law 63 of 2010 be passed.

Carried

6.8 CL Report No. 52-2010 – Re: Joint Election Compliance Audit Committee – Update

Clerk Carol McKenzie provided an update on the joint Election Compliance Audit Committee that will serve the Municipality of Lambton Shores and 7 other municipalities in Lambton County. A draft by-law and terms of reference for the Committee has been established, based on the Municipal Act requirements, and a copy was provided to Council for their review.

**10-0705-11 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Rupke**

That the draft by-law and terms of reference for the establishment of a Joint Compliance Audit Committee, as outlined in CL Report No. 52-2010 be approved. Carried

7. BY-LAWS & RESOLUTIONS

**10-0705-12 Moved by: Councillor Simpson
Seconded by: Councillor Rupke**

That the following by-laws be read a first, second and third time, passed and numbered appropriately, signed by the Mayor and Clerk and engrossed in the by-law book:

- By-law 61-2010 – Confirm Resolutions to Date
- By-law 63-2010 – Fees for Municipal Services – HST.

Carried

8. ACCOUNTS

There were no accounts for Council to review.

9. COUNCILLOR REPORTS

Councillor Dehondt reported on the fabulous July 1 Grand Bend Main Street opening that included a classic car parade and ending with the Canada Day fireworks display.

Deputy Mayor Jamieson advised Council of a planned event for the Village of Thedford, Funion Days on the August Civic holiday weekend. Also mentioned was an article in the Milestone Magazine regarding the benefits of using hot mix for fixing pot holes in the winter instead of cold patch, and Director of Community Services Peggy Van Mierlo-West was asked to provide a costing for this.

Councillor Illman reported that the Forest Herb Farm received the Premier's Award for Agri-Food Innovation Excellence, and it was noted that owner Cynthia Cook was on the cover of the current Harrowsmith Magazine. Mrs. Illman also noted that the Forest Canada Day celebration had the best turn out to date, and that the open house for the proposed "Jericho Wind Farm" was well attended.

Mrs. Illman also brought forward to Council the request from Townsend Meadows for the construction of a sidewalk on Union Street, which was referred to staff, and she also advised that the Communities in Blooms judges would be in Lambton Shores on July 26-28.

Councillor Rupke brought to Council's attention that the congestion at the boat launch area in Ipperwash at the end of the road allowance endings was particularly bad this past weekend, with people parking inappropriately at the water's edge and blocking others from launching their boats. He noted that as there aren't regulations in place, the By-law officer is unable to ticket or tow vehicles, and staff was directed to prepare a report on the issue for the next meeting.

**10-0705-13 Moved by: Councillor Rupke
Seconded by: Councillor Russell**

That staff be instructed to prepare a report and bylaw for the next meeting, dealing with methods of controlling parking at the ends of the 3 Ipperwash Road Allowance endings that are used to launch boats. Carried

10. NEW BUSINESS

A letter has been received from the Grand Bend Farmers' Market for permission to use temporary directional signs on Wednesday mornings when the market will be open.

**10-0705-14 Moved by: Councillor DeHondt
Seconded by: Councillor Simpson**

That permission be granted to the Grand Bend Farmers' Market requesting permission to use temporary signs from 6:30 a.m. to 1:00 p.m. on Wednesday's during the Market season, to direct persons to the Market. Carried

11. DISCUSSION PERIOD

A member of the audience asked for a copy of the letter from the Ministry of the Environment regarding the extension of the E.A. review period, and it was noted that a copy would be put on the website.

Mr. Sharon noted that, with respect to the Technical Review of the Zone 3 Committee's concerns, the Golders Associates representative is not a "Doctor", and that it was a draft report that Council was discussing.

Mr. Lewis asked for details on the specifications that were used to design Eilber Street and inquired about the setback and sight line design requirements for the Main Street project in Grand Bend. His concern was that in the areas where the sign walls have been installed, a vehicle would be required to drive into the roadway to see oncoming traffic. Director of Community Services Peggy Van Mierlo-West will request "EDA Collaborative" to submit the design criteria.

A discussion ensued regarding various aspects of the E.A. process, and the capability of the plant to deal with nitrates.

Mr. Jim Hansen inquired what the standard Lambton Shores meeting pay was, and Clerk Carol McKenzie advised that non Council members received \$100.00 per meeting.

12. CONFIDENTIAL

**10-0705-15 Moved by: Councillor Weber
Seconded by: Councillor Illman**

That the Council meeting goes "In Camera" at 8:10 p.m. to discuss legal matters and will reconvene immediately thereafter.

Carried

Council rose and reported progress on legal matters at 8:20 p.m..

13. ADJOURN

**10-0705-16 Moved by: Councillor Russell
Seconded by: Councillor Simpson**

That the Council meeting adjourns at 8:20 p.m. Carried