

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
Tuesday, October 7, 2008
7:00 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Simons, Haggart, Powell, Atfield, Coleman and Gatward.

Regrets: Councillor Chambers and Hodge.

Staff: Fiebig, Compeau, Johnston, Bell, Staley and Carman.

Mayor Eddy in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Schmitt
Seconded by – Councillor Coleman

That the Brant County Council agenda and addendum for the October 7, 2008 meeting be approved as distributed, with the following additions:

- Continuation of the Brant County Power Shareholder's meeting during the In Camera portion of the meeting
- Brant Cultural Centre sign on the eastern bank of the Grand River in downtown Paris

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Master Aging Plan for Brantford and Brant County**

Karen Williamson, a member of the Steering Committee for the Master Aging Plan, provided background information on the development of the Master Aging Plan for Brantford and Brant County, noting that this plan provides for the delivery of a comprehensive and coordinated set of community services to older adults in our communities who have a wide range of needs.

Dr. David Sheridan of Shercon Associates advised that he was hired to prepare the plan, with funding assistance from a Trillium Foundation grant. Research was undertaken through interviews and meetings with service providers, community forums, review of relevant reports and a demographic analysis of the City and County. A Steering Committee for the Master Aging Plan was established to monitor the project and assemble the final report. Transportation, housing, social and recreational opportunities, safety, professional and retail services, and health care were identified as seniors' needs in the community. Five broad goals, broken down into fifteen objectives and suggested strategies, are proposed to address these needs:

- Establishing and maintaining a supportive infrastructure
- Optimizing community programs and services
- Fostering health and wellness for seniors
- Continuously improving support systems
- Raising the profile of seniors in the community

Mary Burnett, Chair of Steering Committee, reviewed the recommendations included in the report, noting that City and County Council are being requested to receive the Master Aging Plan and direct staff to review the objectives, priorities and suggested strategies in the report. Staff should report back to their Councils by the end of 2008 on specific items that are or could be addressed by the municipality through departmental programs, service plans and/or work plans. Ms. Burnett noted that all levels of government and community agencies are not prepared to meet the needs of our aging population.

Moved by – Councillor Haggart
Seconded by – Councillor Gatward

That the County of Brant Council receive the report “A Community for a Lifetime – Master Aging Plan” and refer it to the Corporate Development Committee for further consideration.

. Carried

Use of St. George Cemetery Driveway

Mark Newell, 253 St. George Road, provided information on use of the cemetery driveway adjacent to his property for activities not related to the cemetery use. He requested that a fence be erected along the south side and west end of the cemetery in order to prevent these uses. In response to a question, he noted that the tree nursery owner has two other accesses on his own property that he can use, rather than the cemetery driveway.

Moved by – Councillor Simons
Seconded by – Councillor Wheat

That the request from Mark Newell to install fencing along the southern side and western end of the St. George Cemetery to prevent access to adjacent properties be referred to the Cemetery Advisory Committee for consideration.

. Carried

2008 Assessment Update

Seeli Mathews, Municipal Relations Manager for the Brant-Haldimand-Norfolk Office of the Municipal Property Assessment Corporation, reviewed the roles, responsibilities and relationships of MPAC, customer service enhancements, the Ontario Property Assessment Process and legislative changes as a result of Bills 187 and 44. Ms. Mathews outlined the information included in the 2008 Property Assessment Notice, including the phasing in of the assessment values from 2009 to 2012. Information was provided on the “AboutMyProperty” service and the process for a Request for Reconsideration. Ms. Mathews provided 2008 assessment update highlights of the changes by tax class, changes in selected residential properties, and changes in the average assessed value of selected residential properties.

In response to questions, it was noted that requests for information for comparable properties should be available within one week of the request being made. Although the assessment increases are phased in over four years, the decreases are implemented fully in the first year.

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Tow Truck Charges

Hal Rothenberg provided specific examples of towing and storage charges that Brant County Towing/Silverline Towing is charging for vehicles parked in the parking lot behind the Paris Medical Centre. He noted that since May, fifty vehicles have been targeted in this location. The tow trucks do not have a schedule of fees in their trucks, and the vehicle owners are required to pay the fees in cash before their vehicle is released. Mr. Rothenberg suggested that businesses in the downtown area may be affected if these practices are allowed to continue, and requested that Council convene a meeting of all the proponents involved to work out a solution. Proper and adequate signing, gates at the entrance, renting parking spaces to other businesses, etc. are some of the solutions that could be considered. He suggested that if the County does not have a parking by-law, it should pass one, as well as considering the licensing of tow truck operators and circulating a resolution to AMO, our M.P. and M.P.P. and other Ontario municipalities on this issue.

Mayor Eddy responded that the Police Services Board is recommending that staff investigate creating a towing truck by-law to regulate towing charges for the County. Councillor Haggart advised that he has received numerous complaints about the towing charges for vehicles parked in that specific lot. Andre Roberts of G. K. York who owns the Paris Medical Building advised that he was unaware of the charges being levied, and has subsequently given notice to the tow truck company that their agreement for towing services will be terminated. As well, new signage will be erected in the lot on October 8. G. K. York is willing to work with the County to resolve parking issues in this lot and address additional parking capacity that may be available for uses beyond the Medical Centre.

It was agreed that Mr. Rothenberg's presentation would be tabled for a report from staff regarding the proposed towing by-law.

MINUTES

Moved by – Councillor Simons
Seconded by – Councillor Haggart

That the minutes of the September 16, 2008 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

CONSENT ITEMS

Moved by – Councillor Coleman
Seconded by – Councillor Powell

That the following Consent Information Report items be received:

1. Fire Prevention Week activities in Brant County for October 4 – 13.
2. Decisions from the September 25, 2008 Committee of Adjustment meeting.
3. Lake Erie Source Protection Update for September 2008.
4. Social Services Committee minutes – August 13, 2008.
5. Notice of events planned for County of Brant libraries to celebrate "Ontario Public Library Week – October 18-25, 2008

And that the following Consent Communications items be received:

1. AMO Member Communications:
 - a. National Do Not Call List – Implications for Municipal Candidates in Ontario
 - b. Local Government Week – October 19-25, 2008.
 - c. Application Site for Intake One of Building Canada Fund Communities Component now open
 - d. Input wanted on AMO immigration Paper – “Putting out the Welcome Mat: Why Immigration matters to Ontario municipalities”
 - e. Report on August 2008 AMO Board meeting.
 - f. 2007 AMO Annual Report
 - g. Federal Election - Seeking Fairness for Ontario and Investment in Communities
2. Letter from Haldimand County regarding the Grand River Notification Agreement.
3. Ministry of Natural Resources – information on municipalities who permit Sunday hunting.
4. Information and resource manual for Local Government Week, October 19 - 25, 2008.
5. Ministry of Health Promotion – requesting Expressions of Interest in Sport Hosting Events for 2009 - 2010.
6. Hydro One – information on results of Conservation and Demand Management program that was launched in 2005.
7. Ministry of Municipal Affairs and Housing – Update for September 2008.
8. Thank you to Council and County staff from the St. George Apple Fest Committee for their assistance with this year’s event.
9. *GRCA Minutes* newsletter for September 2008.
10. Minutes of Meetings:
 - a. Grand River Conservation Authority – August 22 and September 16.
 - b. Long Point Region Conservation Authority – August 6, 2008.
 - c. Paris BIA – September 9, 2008.

. Carried

PLANNING ADVISORY

Councillor Haggart presented the following report from the September 17, 2008 meeting of the Planning Advisory Committee, it being agreed that Recommendation 3 would be dealt with separately:

1. That File Number ZBA21/08/MD from Robyn Baker, Agent / Applicant for Shannon Baker, Owner / Applicant of Part Lot 7, south of St. Andrew Street, County of Brant, in the former Town of Paris, located at 38 St. Andrew Street, Paris, to temporarily rezone the subject lands for a period of ten (10) years, wherein this timeframe an existing detached garage will be converted into a second dwelling unit, be approved.
2. That File No. ZBA22/08/SS from Joe and Sylvia Miller, Owner / Applicant of Part Lots 1 & 2, Concession 6, County of Brant, geographic Township of Burford, located at 17 Sixth Concession Road, to rezone a portion of the subject lands to Village Residential Type 1 or VR1 Zone to recognize the existing residential use on a provisionally created residential lot, be approved.
3. That the application received from First Urban Inc., Agent / Applicant for Ronald and Donna Mason, owner of Part Lot 10, Concession 1, County of Brant, geographic Township of Brantford, located at 1084 Rest Acres Road, Part 2 on Plan 2R-5915, to change the present Official Plan designation and present Zoning By-Law regulations in order to permit a range of commercial uses, institutional uses and automotive uses on the subject lands, be approved;

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And that the requested Official Plan Amendment and Rezoning By-law Amendment, as submitted by Mr. Ian Lord, included in the Addendum to the Planning Advisory Committee meeting of September 27, 2008, as "Item 2", and attached hereto, be approved.

4. That the "Suggested Process of Evaluation of Written Requests Received on the Official Plan Review", as contained in Planning Report PA-08-53, be used to review the various written submissions received;

That the Planning Advisory Committee meet on the following dates at 7:00 p.m., in County of Brant Council Chambers, in order to review and consider the various submissions:

- Monday, October 20, 2008;
- Thursday, October 30, 2008;
- Monday, November 3, 2008;
- Thursday, November 6, 2008;
- Thursday, November 13, 2008;
- Monday, November 17, 2008

That County Planning staff and MMM Group Limited be authorized to circulate the revised draft Official Plan to Government Agencies and County Departments to receive input from those circulated;

And that the revised draft document be specifically circulated to Six Nations with a further request to meet and discuss its contents and the Official Plan process.

Moved by – Councillor Haggart
Seconded by – Councillor Simons

That Recommendations 1, 2 and 4 of the Planning Advisory Committee report from its September 17, 2008 meeting be adopted.

. Carried

A copy of correspondence from First Urban dated September 19, 2008 was provided confirming two undertakings in regard to their applications for amendments to the Official Plan and Zoning By-law for property located at 1084 Rest Acres Road.

Moved by – Councillor Haggart
Seconded by – Councillor Simons

That Recommendation 3 of the Planning Advisory Committee report from its September 17, 2008 meeting be adopted.

. Carried

EMERGENCY SERVICES

Councillor Wheat presented the following report from the September 23, 2008 meeting of the Emergency Services Committee:

1. That the Ambulance Service be authorized to replace two ambulances with new Ford Diesel vehicles from Crestline Coach at a cost of \$118,464 each, with delivery to be scheduled for January and March, 2009.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the report of the Emergency Services Committee from its September 23, 2008 meeting be adopted.

. Carried

PARKS AND RECREATION

Councillor Wheat presented the following report from the September 23, 2008 meeting of the Parks and Recreation Committee:

1. Whereas the South Dumfries Community Centre expansion project has completed the public meeting process;

And whereas the South Dumfries Community Centre Building Committee has approved the schematic design, as presented by Group Eight Engineering Ltd.;

Be it hereby resolved that Group Eight Engineering be authorized to proceed to the development of working drawings, project specifications and tender documents for the proposed addition to the South Dumfries Community Centre.

2. Whereas the Syl Apps Repositioning Ad Hoc Committee had requested staff to investigate further the trade-in value for the current Resurfice ice machine;

And whereas County of Brant Council, via 2008 budget deliberations, allocated \$70,000 toward the purchase of a replacement ice resurfacing machine for the Syl Apps Community Centre, to replace the existing 1995 Resurfice machine currently in use;

And whereas the decision and future use of the Syl Apps Community Centre has not been determined by Council;

And whereas the Resurfice ice machine has passed the recommended life span and there is significant value in the \$18,000.00 trade-in offer;

Be it hereby resolved the staff continue to proceed with the purchase of the Zamboni[®] ice resurface machine as previously presented to committee with the trade in of the existing 1995 Resurfice ice machine.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the report of the Parks and Recreation Committee from its September 23, 2008 meeting be adopted.

. Carried

In response to a question, it was noted that the Syl Apps Repositioning Ad Hoc Committee will be considering the future of the Syl Apps arena, community centre and the Optimist Building located on the same property.

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POLICE SERVICES BOARD

Councillor Powell presented the following report from the September 18, 2008 meeting of the Police Services Board:

1. That the County of Brant staff investigate creating a towing by-law to regulate towing charges for the County of Brant.

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the report of the Police Services Board from its September 18, 2008 meeting be adopted.

. Carried

TWIN PAD BUILDING COMMITTEE

Councillor Coleman presented the following report from the September 18, 2008 meeting of the Twin Pad Building Committee:

1. That the Twin Pad Arena Campaign Steering Committee be comprised of those members of Council currently serving as members of the Twin Pad Arena Building Committee, being Mayor Eddy, Councillors Coleman, Schmitt and Powell.

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the report of the Twin Pad Building Committee from its September 18, 2008 meeting be adopted.

. Carried

Councillor Coleman noted that in addition to the input received at the public meeting on the Twin Pad Arena, the public have been requested to submit written comments by October 10. In response to a question, it was noted that Wilmot Township will be providing costing information for their twin pad arena project in the format required.

COMMITTEE OF MANAGEMENT – JOHN NOBLE HOME

The Committee of Management – John Noble Home minutes of October 1, 2008 were received as information.

STAFF REPORTS

Prescribing Fees for Material related to the Official Plan Update

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That the County's Fee By-law Number 6-08 be amended to include the following fees:

Draft Official Plan text	\$ 25.00
Draft Official Plan Schedules	\$ 50.00

One large County Map of Land Use	\$ 20.00
1 Small Map (11x17) of any Schedule	\$ 5.00
Watson and Associates Population and Employment Study	\$ 30.00
Municipal Comprehensive Review of Employment Lands (Maps included)	\$ 50.00
Final Text of Official Plan	\$ 25.00
Final Schedules of the Official Plan	\$ 50.00
CD of Final Official Plan	\$ 20.00
Copy of Official Plan Submissions (3 Binders of all individual requests)	\$250.00

. Carried

Request to Close Oak Park Road for Railway Repairs

Moved by – Councillor Coleman
Seconded by – Councillor Atfield

Whereas on October 6, 2008, Canadian National Railway (CN) has requested to coordinate repairs to railway crossings on Oak Park Road located between Paris Road and Powerline Road;

Be it hereby resolved that Oak Park Road be temporarily closed to all motorists at the tracks located between Paris Road and Powerline Road from Monday, October 20, 2008 to Friday, October 24, 2008 while Canadian National Railway repairs the railway crossing;

And that advance signing be installed once the necessary by-law has been approved.

. Carried

INFORMATION REPORTS

1. Report from Brant County Health Unit on Adult Mosquito Collection Data in the County of Brant and the City of Brantford, and specific data for trap at 107 West Quarter Townline Road (which was installed at the County's request).

CORRESPONDENCE

1. Brant Haldimand Norfolk Catholic District School Board – notice of review of Education Development Charges for the City of Brantford and the County of Brant.
2. Max Chernesky requesting hard surfacing of a section of Onondaga Townline Road

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That the correspondence from Max Chernesky requesting hard surfacing of a section of Onondaga Townline Road be referred to Public Works Committee for consideration.

. Carried

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3. Request from Jerry and Ellen Horak for a sidewalk/pathway on the east side of East River Road between Eagle Ridge Court and Rothwell Court

Moved by – Councillor Coleman
Seconded by – Councillor Atfield

That the request from Jerry and Ellen Horak for a sidewalk/pathway on the east side of East River Road between Eagle Ridge Court and Rothwell Court be referred to Public Works Committee for consideration.

. Carried

OTHER BUSINESS

1. Information on the Counties and Regions Conference to be held from October 27 – 29, 2008 at the Four Points Sheraton in London.
2. Due to the fact that the October 7 Public Works Committee meeting was cancelled, it was agreed that the meeting would be rescheduled to 1:00 p.m. on Thursday, October 16, subject to confirmation.
3. Councillor Simons advised that she has received several complaints about the Brant Cultural Centre sign that has been erected on the eastern bank of the Grand River. She questioned the motion approved by Council for this sign and whether it complies with the County's new sign by-law.

Moved by – Councillor Simons
Seconded by – Councillor Atfield

That the matter of the Brant Cultural Centre sign on the eastern bank of the Grand River be referred to County staff for the preparation of a report.

. Carried

4. Councillor Haggart expressed his concern that the original interview date of September 27 had been changed by the Mayor after he was contacted by another Councillor who was not able to attend on the 27th. Councillor Haggart noted that this was a major disregard for a date that had been set by Committee of the Whole and changed without Committee's approval. He also suggested that the process of interviewing the candidates has been flawed by the change of interview dates and by the lobbying of a Councillor for a particular candidate. Councillor Haggart stressed the importance of the selection of a C.A.O. and the need to move on with the process as quickly as possible, since Rick Fiebig will be retiring by the end of November, 2008.

Mayor Eddy responded that he requested a change in dates for the interviews because of his concern that a quorum of Council would not be present for the interviews scheduled for September 27.

BY-LAWS

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the following by-laws be now read a first time:

- By-law Number 180-08 to amend County of Brant Fence By-law Number 54-03 (Grand Erie District School Board, 205 King Edward Street).
- By-law Number 181-08 to authorize an agreement with IBI Group for engineering services for storm sewer installation and road reconstruction on Mile Hill Road, Phase 2.
- By-law Number 182-08 to authorize an agreement with McCormick Rankin Corporation for structure consulting engineering services over a five-year term.
- By-law Number 183-08 to amend County of Brant Fees and Charges By-law Number 6-08 (fees for Five-Year Official Plan Review documents).
- By-law Number 184-08 to amend Traffic By-law Number 182-05 (speed limit on a portion of County Highway 2 near Middle Townline Road).
- By-law Number 185-08 to authorize an Amending Agreement between Her Majesty the Queen in Right of Ontario, as represented by the Minister of Municipal Affairs and Housing, regarding the purchase of two properties in Newport which may have been compromised by a Grand River slope failure.
- By-law Number 186-08 to repeal By-law Number 212-06 authorizing an Amending Agreement with 1386171 Ontario Inc. (100 Consolidated Drive).
- By-law Number 187-08 to amend By-law Number 110-01 for property located in Part of Lots 1 and 2, Concession 6, geographic Township of Burford (Miller, 17 Sixth Concession Road).
- By-law Number 188-08 to amend the Official Plan for the County of Brant for property located in Part of Lot 10, Concession 1, geographic Township of Brantford to change the land use designation from Agricultural to a General Commercial Area – Special Policy Area 2 (First Urban, 1084 Rest Acres Road).
- By-law Number 189-08 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Township of Brantford, to change the present Agricultural Restrictive to permit commercial uses (First Urban, 1084 Rest Acres Road).
- By-law Number 190-08 to authorize the temporary closing of Oak Park Road at the CN Railway crossing for five days during the period October 20 – 24, 2008 in order to allow Canadian National Railway to carry out repairs.

. Carried

In response to a question, Director of Public Works advised that McCormick Rankin was chosen to provide structure consulting engineering services as a result of an RFP. Information on the pricing will be provided to Councillor Powell for his information.

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the following by-laws be now read a second time and all clauses and preamble be adopted:

- By-law Number 180-08 to amend County of Brant Fence By-law Number 54-03 (Grand Erie District School Board, 205 King Edward Street).
- By-law Number 181-08 to authorize an agreement with IBI Group for engineering services for storm sewer installation and road reconstruction on Mile Hill Road, Phase 2.
- By-law Number 182-08 to authorize an agreement with McCormick Rankin Corporation for structure consulting engineering services over a five-year term.

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- By-law Number 183-08 to amend County of Brant Fees and Charges By-law Number 6-08 (fees for Five-Year Official Plan Review documents).
- By-law Number 184-08 to amend Traffic By-law Number 182-05 (speed limit on a portion of County Highway 2 near Middle Townline Road).
- By-law Number 185-08 to authorize an Amending Agreement between Her Majesty the Queen in Right of Ontario, as represented by the Minister of Municipal Affairs and Housing, regarding the purchase of two properties in Newport which may have been compromised by a Grand River slope failure.
- By-law Number 186-08 to repeal By-law Number 212-06 authorizing an Amending Agreement with 1386171 Ontario Inc. (100 Consolidated Drive).
- By-law Number 187-08 to amend By-law Number 110-01 for property located in Part of Lots 1 and 2, Concession 6, geographic Township of Burford (Miller, 17 Sixth Concession Road).
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- By-law Number 190-08 to authorize the temporary closing of Oak Park Road at the CN Railway crossing for five days during the period October 20 – 24, 2008 in order to allow Canadian National Railway to carry out repairs.

. Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the following by-laws be now read a third time, passed, signed and sealed:

- By-law Number 180-08 to amend County of Brant Fence By-law Number 54-03 (Grand Erie District School Board, 205 King Edward Street).
- By-law Number 181-08 to authorize an agreement with IBI Group for engineering services for storm sewer installation and road reconstruction on Mile Hill Road, Phase 2.
- By-law Number 182-08 to authorize an agreement with McCormick Rankin Corporation for structure consulting engineering services over a five-year term.
- By-law Number 183-08 to amend County of Brant Fees and Charges By-law Number 6-08 (fees for Five-Year Official Plan Review documents).
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- By-law Number 189-08 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Township of Brantford, to change the present Agricultural Restrictive to permit commercial uses (First Urban, 1084 Rest Acres Road).
- By-law Number 190-08 to authorize the temporary closing of Oak Park Road at the CN Railway crossing for five days during the period October 20 – 24, 2008 in order to allow Canadian National Railway to carry out repairs.

. Carried

In Camera at 9:10 p.m. to discuss labour negotiations and litigation matters, on motion of Councillors Coleman and Gatward.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated October 7, 2008.

Open Session at 9:40 p.m., on motion of Councillors Coleman and Powell.

UNION NEGOTIATIONS

Moved by – Councillor Atfield
Seconded by – Councillor Schmitt

That the Memorandum of Agreement between the County of Brant and the Power Workers' Union for a three-year collective agreement be approved;

And that the Mayor and the Clerk be authorized to sign the amended collective agreement.

. Carried

CONFIRMING BY-LAW

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That By-law Number 191-08 to confirm the proceedings of Council be now read a first time.

. Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That By-law Number 191-08 to confirm the proceedings of Council be now read a second time and all clauses and preamble be adopted.

. Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That By-law Number 191-08 to confirm the proceedings of Council be now read a third time, passed, signed and sealed.

. Carried

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NEXT MEETING

The meeting adjourned at 9:40 p.m. to meet again on **Tuesday, October 21, 2008 at 7:00 p.m.** in the Council Chambers, Paris.

Mayor

Date Minutes Approved

Clerk