

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
Tuesday, January 6, 2009
7:05 p.m.

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

Staff: Urbanski, Glassford, Compeau, Johnston, Underwood, Bell and Carman.

Mayor Eddy in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the Brant County Council agenda and addendum for the January 6, 2009 meeting be approved as distributed.

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Paris Old Town Hall**

Deano Wilson Rouse advised that over the past month since she became aware that the Paris Old Town Hall was for sale, she has been working diligently to protect this historical building and save it from being demolished. She has received a great amount of support from Paris residents, noting that in eight days approximately 1,800 people have signed a petition to save the Old Town Hall. Ms. Wilson Rouse outlined various research she has done on the Old Town Hall that was built in 1853/54, including information on the structure from the book "Cornerstones of Order" and a survey that was completed in the past week by York University Professor Malcolm Thurlby, an international expert on medieval art and Gothic architecture. His report noted that this building is a national treasure because it is the earliest Gothic style civic hall in Canada. Ms. Wilson Rouse stressed the importance of protecting the town's cultural history for the benefit of future generations.

In response to questions, Ms. Wilson Rouse advised that she has not specifically contacted the Brant Cultural Centre Board to discuss their interest in use of this building. Although she has contacted many local service groups for their support, her first priority is to save the building and then later decide on its use. Due to time constraints, there has been no attempt to form a foundation to preserve the building. It was noted that an Open House will be held at the Old Town Hall on Saturday, January 10 from 5 – 8 p.m. for anyone interested in touring this facility.

Councillor Haggart indicated that he had discussed matters relating to the purchase of the Paris Old Town Hall with the current property owner, and he requested that Council meet in camera to discuss property negotiation matters.

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Moved by – Councillor Wheat
Seconded by – Councillor Atfield

That the order of business of the January 6 Council agenda be changed to allow Council to consider Agenda Item 15(c) – Property Negotiations.
. Carried

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That Council go In Camera in the Lower Meeting Room to discuss a property negotiations issue.
. Carried

In Camera at 7:45 p.m. in the Lower Meeting Room. This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated January 6, 2009. **The meeting resumed in Open Session in the Council Chambers at 8:10 p.m.**, on motion of Councillors Coleman and Hodge.

PARIS OLD TOWN HALL

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That the feasibility of the purchase of the Paris Old Town Hall located at 13 Burwell Street be referred to staff to prepare a report for consideration at the January 20 Council meeting regarding all aspects related to the potential purchase of this building.

. Carried unanimously

MINUTES

Moved by – Councillor Gatward
Seconded by – Councillor Haggart

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

Moved by – Councillor Simons
Seconded by – Councillor Schmitt

That the minutes of the December 18, 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 Gatward

That the following Information Report be received:

1. Applications to be heard at the January 22 Committee of Adjustment meeting;

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And that the following Consent Communications items be received:

1. AMO Member Communications:
 - a. Notification of Federal Gas Tax Fund payments for 2010 – 2014.
 - b. Request from AMO Chair to lobby for additional infrastructure funding from the Federal and Provincial Governments.
 - c. Request for support of the AMO position on the Waste Diversion Act and the Blue Box Program Plan Review
 - d. Federal Gas Tax – Announcement of Four-Year Funding Extension.
2. Hon. Dwight Duncan, Minister of Finance and Hon. Jim Watson, Minister of Municipal Affairs and Housing – Announcement of 2009 Ontario Municipal Partnership Fund (OMPF) allocations for 2009.
3. Debbie Zimmerman, Chair of MPAC:
 - a. 2008 Assessment Update
 - b. Current Value Interpretation of “Bank Towers” ARB decision.
4. FCM Members’ Advisory re: 2009 Federal Budget.
5. Ontario Good Roads Association Board Brief.
6. Ministry of Municipal Affairs and Housing – December *Update* newsletter
7. E-mails from Sandra Cooke, Mount Pleasant and Sarah Mulder, Paris Ringette regarding the Twin Pad Complex Project.
8. Grand Erie Training and Adjustment Board – Winter Newsletter and Workforce Focus for November 2008.
9. Crossing All Bridges Learning Centre Inc. December newsletter.
10. Thank you from Emily LaRonde, Public Works, for Christmas gift voucher.
11. Minutes of Meetings:
 - a. City of Brantford Environmental Policy Advisory Committee – December 11, 2008.
 - b. Grand River Conservation Authority – November 28, 2008.
12. Ministry of Tourism – reminder of January 16 application deadline for *Celebrate Ontario 2009* for funding towards community festivals and events.

. Carried

PARKS AND RECREATION

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

1. That Councillor Wheat be elected as Chair of the Parks and Recreation Committee.
2. That Councillor Schmitt be elected as Vice Chair of the Parks and Recreation Committee.
3. Whereas additional works over and above the \$31,000 budgeted for the Paris Lions’ Park Stairs Replacement project were required to complete the project;

Be it hereby resolved that the additional \$5,700 required to complete the Paris Lions’ Park Stairs Replacement works be allocated from the 2008 surplus Capital Budget for playground replacements.
4. Whereas at the November 4, 2008 meeting of Council the recommendation was passed to cease operation of the Paris Community Pool;

And whereas the County of Brant determined that a feasibility study at a cost of \$50,000.00 was not required;

And whereas staff was directed to provide information on how to proceed with the provision of aquatic services in the County of Brant;

And whereas staff has anticipated that a detailed analysis and report with suggested recommendations for Council will be provided by the aquatic consultant, within six months of having been retained by the County;

Be it hereby resolved that an aquatic consultant be hired at an upset limit of \$20,000.00 plus GST;

And that during the first two months of having been retained by the County, that the aquatic consultant complete a thorough review of temporary options and the cost of said options that may be available to the County to successfully operate the Pool for the 2009 season;

And that during the balance of the six months of having been retained by the County, the aquatic consultant complete an aquatic service analysis including public consultation and location review to determine the best course of action for the continued operation of a Pool in the County of Brant.

5. That staff continue with testing for alternative ground cover.

6. Whereas Paris District High School is trying to re-establish a football program;

And whereas the effort to re-establish the football program is going to take a considerable fundraising effort to outfit the football team(s) and provide minimal additional equipment needed to run the program;

And whereas areas such as the current field conditions and on-going care and maintenance is also another area that will need attention;

And whereas the school currently does not have any basic turf equipment to take care of minimal turf care such as rolling, aerating and over seeding;

Be it hereby resolved that County of Brant staff be allowed to, on their own time and on a voluntary basis only, use the County of Brant Parks equipment to give support with some of the turf maintenance at the Paris District High School football field, on a temporary basis, for the initial season.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

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

. Carried

EMERGENCY SERVICES

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

1. That Councillor John Wheat be elected as Chair of the Emergency Services Committee.

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2. That Councillor Kevin Hodge be elected as Vice Chair of the Emergency Services Committee.

Moved by – Councillor Wheat

Seconded by – Councillor Schmitt

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

. Carried

TWIN PAD BUILDING

Councillor Coleman presented the following report from the December 18, 2008 meeting of the Twin Pad Building Committee, it being agreed that Recommendation 3 would be referred back to the Twin Pad Building Committee for clarification of the wording “to provide the design, contract administration and construction of the Twin Pad Arena”:

1. That Councillor Brian Coleman be elected as Chair of the Twin Pad Building Committee.
2. That Councillor Murray Powell be elected as Vice-Chair of the Twin Pad Building Committee.

3. **Referred back to the Twin Pad Building Committee for clarification** ~~Whereas on May 1, 2007, the Council of the County of Brant approved the delivery method of developing the Twin Pad Arena project by an Architectural and Engineering Design team;~~

~~And whereas on December 18, 2007, the Council of the County of Brant approved the awarding of the contract to Shore Tilbe Irwin & Partners (STIP) to provide the Design, Contract Administration and Construction of the Twin Pad Arena;~~

~~And whereas on November 4, 2008, the Council of the County of Brant approved the Schematic Design and Construction Cost Estimate at cost of \$22,515,433 for the Twin Pad Arena and authorized Shore Tilbe Irwin & Partners to proceed to working drawings and tender specifications;~~

~~Be it hereby resolved that current delivery method of development of the Twin Pad Complex, of continuing the contractual agreement with Shore, Tilbe, Irwin & Partners, to provide the Design, Contract Administration and Construction of the Twin Pad Arena, continue to the completion of the project.~~

4. In an effort to facilitate communication between attendees of the micro-planning meetings, the Twin Pad Building Committee and Council, that Councillor Powell attend at the micro-planning meetings as a representative of the Twin Pad Building Committee.
5. That Mayor Eddy, CAO Urbanski and the Director of Community Services be appointed as liaison, on behalf of the Twin Pad Building Committee, to advocate and position for Provincial and/or Federal project funding for the County of Brant Twin Pad Complex.

Moved by – Councillor Coleman
Seconded by – Councillor Powell

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

. Carried

In response to a question regarding the impact of the proposal to build a new City sports complex in the City's northwest area, Councillor Coleman noted that this proposal was only a suggestion at this time and that M.P.P. Levac had supported the County's application to the Building Canada fund for the County's Twin Pad Complex.

PLANNING ADVISORY

Councillor Chambers presented the following report from the December 15, 2008 special meeting of the Planning Advisory Committee:

1. That the following requests for Settlement Area Expansions, as submitted for consideration as part of the review of the 5 Year Update to the Official Plan, be approved:
A-3, A-6, A-20, A-34, F-18 and H-7
2. That Submission F-12, as received from Dan and Regina Schieman, be referred back to Planning staff for further review, with particular consideration being given to Minimum Distance Separation requirements, and further report to a future Planning Advisory Committee meeting.
3. That based upon Provincial Policy requirements and the plan for the Greater Golden Horseshoe, the following requests for Settlement Area Expansions, as submitted for consideration as part of the review of the 5 Year Update to the Official Plan, be denied:
A-8, A-22, A-33, A-35, A-36, A-37, A-40, B-9, E-7 A&B, E-8 A&B; E-9, F-14, F-19, F-20, H-10 and H-17
4. That the following submissions, requesting Settlement Area Expansions, as part of the 5 Year Update to the Official Plan, be referred to staff for further review and report.
A-5, A-38 and F-13

Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That the report of the Planning Advisory Committee from its December 15, 2008 meeting be adopted.

. Carried

In response to a question, Councillor Chambers noted that the staff reports on the submissions that have been referred for further review and report will not be dealt with at the January 7 Official Plan meeting, but will be considered at a future meeting.

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PLANNING ADVISORY

Councillor Schmitt presented the following report from the December 17, 2008 meeting of the Planning Advisory Committee:

1. That Councillor Steve Schmitt be elected as Chair of the Planning Advisory Committee.
2. That Councillor Hodge be elected as Vice Chair of the Planning Advisory Committee.
3. That Zoning By-law Amendment File No. ZBA25/08/SS, from IBI Group, agent for 1590361 Ontario Inc., applicant / owner of Lot 1 of Plan 1029, County of Brant, in the geographic Township of Brantford, located at 22 Airport Road, wherein the application proposes to change the existing Special Industrial zoning to permit the establishment of a brick manufacturing facility and accessory uses at the previously mentioned location, be tabled.
4. That File No. ZBA26/08/MD, from Stubbe Farm Products, owner of Part of Lot 24, Concession 9, geographic Township of Burford, County of Brant, located at 383 Harley Road, to rezone and amend the zoning requirements of the subject lands, specifically, to permit an office use 77.25 metres (180.0 metres currently required) from Muir Road and 15.0 metres from the northerly lot line, and to reduce the rear yard (easterly setback) for non-manufacturing building or structures associated with and / or accessory to the permitted manufacturing and fabricating business to 15.0 metres (65.0 metres currently required), be approved.
5. That File No. PS3/08/MD, from J.H. Cohoon Engineering Limited, agent for 832605 Ontario Inc., owner of Part of Lot 6, Range 1, EMPR, geographic Township of Brantford, County of Brant, to develop a portion of the property for seven residential lots, be deferred, until such time as the technical concerns of both the Grand River Conservation Authority and the County of Brant can be addressed.
6. That File No. ZBA30/08/MD, from Plansmith Urban and Rural Planning, agent for the County of Brant, owner of Part of Lot 11, Concession 2, geographic Township of Brantford, County of Brant, located at the southeast intersection of Rest Acres Road and Powerline Road to rezone the subject lands from Agricultural (A) to Recreational (RE), be approved.
7. That the consideration of the Application for Plan of Condominium / Subdivision File No. PS4/08 received from J.H. Cohoon Engineering Ltd., agent for Stirling Bridge, applicant of Lots 39 to 55 inclusive and Part of Lot 38, West of Mill Race and East of Elm Street, Lots 1 to 10 inclusive, West of Elm Street, Part of Elm Street, Part of the Mill Race and Lot 1, Block 57, Registered Plan 492, in the former Town of Paris, in the County of Brant, located at 80 Willow Street, wherein it is proposed to redevelop this property for a 112 unit freehold, common elements plan of Condominium / Subdivision be tabled.
8. That staff be authorized to sign the Contract for Additional Project Fees with MMM Group Limited, for the additional work required in connection with the Official Plan update, at a cost of \$14,775, inclusive of disbursements and exclusive of GST.
9. That prior to Council's acceptance of the conditions contained in the draft plan of approval for File No. PS1/07/SS from King & Benton Development Corp., owner of Part of Lot 9 and Lot 10, Concession 2, Rest Acres Road and Bethel Road, County of Brant,

geographic Township of Brantford, that the County solicitor be requested to review said conditions, in an effort to protect the best interests of the County and to provide comment on the risk being taken by the County.

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

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

. Carried

Councillor Haggart noted that he did not vote on Recommendation 7 because of a legal matter he is involved in regarding this property.

POLICE SERVICES

The Police Services Board Committee minutes of December 17, 2008 were received as information.

CORRESPONDENCE

1. Anne Geary, Green Heron Books, Paris – Request for changes to intersection of Mechanic Street and Grand River Street North to improve safety

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the letter from Anne Geary, Green Heron Books, Paris, requesting changes to the intersection of Mechanic Street and Grand River Street North to improve safety be referred to the Public Works Committee for consideration.

. Carried

Councillor Powell suggested that the Public Works Committee consider prohibiting left-hand turns from Mechanic Street on to Grand River Street North.

2. Jim Quin, Manager of Technical Services, City of Brantford – Reminder of request for funding from the County of \$300,000 for airside infrastructure projects at the Brantford Airport

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the letter from the City of Brantford regarding the request for funding of \$300,000 for infrastructure projects at the Brantford Airport be referred for consideration during the 2009 budget deliberations.

. Carried

In response to a question, the Treasurer advised that this funding request has been included in a list of items that Senior Administration has recommended not be approved as part of the 2009 budget.

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3. SCOR (South Central Ontario Region) – Request for funding of \$5,000 in 2009

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the request from SCOR for funding of \$5,000 in 2009 be referred for consideration during the 2009 budget deliberations.

. Carried

4. Board of Directors, Friends of Paris Culture – Position on the Paris Old Town Hall

Moved by – Councillor Wheat
Seconded by – Councillor Hodge

That the position of the Board of Directors of the Friends of Paris Culture on the Paris Old Town Hall be received as information.

. Carried

QUESTIONS

1. In response to a question regarding “shovel-ready” projects for applications for Federal infrastructure funding, the Director of Public Works advised that the County has a number of projects that would qualify, two examples being roadways that require hot-mix resurfacing and water reservoir upgrades. The County’s consulting engineers are currently working on the Paris High Level Bridge project so that it may also qualify for funding. Ms. Compeau noted that allocation of the \$3.2 million infrastructure funding received in 2008 would be discussed during 2009 budget deliberations.

It was suggested that Council should also consider long-term infrastructure projects that will meet future needs and provide an investment to the municipality, such as purchasing and servicing lands for an industrial park. The Director of Public Works pointed out that the County has begun engineering work to develop costs to provide services to the Village of Burford, so that this information is available for submission for the next round of the Building Canada funding.

It was suggested that Council should hold a visioning session to consider options and set a framework to meet the long-term needs of the municipality. C.A.O. Urbanski noted that consulting fees to complete a strategic vision for the County were removed from the 2009/10 Capital budgets. He suggested that there may be an opportunity to explore the County’s future direction at the Corporate Development Committee level, once the 2009 budget process has been completed.

OTHER BUSINESS

1. The City of Brantford advised that the City/County Boundary Negotiations Committee meeting scheduled for January 13 has been cancelled. They City will advise of alternate dates for a meeting once Mayor Hancock returns from vacation.
2. “Braiding Cultural Bridges” workshop sponsored by the Ministry of Municipal Affairs and Housing Western Office and the N’Amerind Friendship Centre to be held in London on February 5, 2009.

2. Mayor Eddy noted the contributions of Expositor reporter John Zronik, who will be leaving the Expositor following four and one-half years of covering the County of Brant Council meetings.

In Camera at 9:10 p.m. to discuss personal matters about an identifiable individual and litigation matters, on motion of Councillors Coleman and Hodge.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated January 6, 2009.

Open Session at 10:50 p.m., on motion of Councillors Schmitt and Coleman.

BY-LAWS

Moved by – Councillor Simons
Seconded by – Councillor Haggart

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

- By-law Number 1-09 to provide for an interim tax levy, the payment of taxes and for penalty and interest of 1.25% per month.
- By-law Number 2-09 to authorize the borrowing of money to meet expenditures in 2009.
- By-law Number 3-09 to authorize an agreement with Park Lane Terrace, operated by Ontario 1537413 Ltd., regarding property located in Part of Lot 29, Concession 2, geographic Township of South Dumfries, former Town of Paris.
- By-law Number 4-09 to amend By-law Number 110-01 for property located in Part of Lot 11, Concession 2, geographic Township of Brantford to change the present Agricultural zone to permit a recreational use (County of Brant, southeast corner of Rest Acres Road and Powerline Road).
- By-law Number 5-09 to amend By-law Number 110-01 for property located in Part of Lot 24, Concession 9, geographic Township of Burford, to amend the regulations associated with the present special provision Agricultural (A-94) zone (Stubbe's Farm Products, 20 Muir Road South).
- By-law Number 6-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Haggart

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

- By-law Number 1-09 to provide for an interim tax levy, the payment of taxes and for penalty and interest of 1.25% per month.
- By-law Number 2-09 to authorize the borrowing of money to meet expenditures in 2009.
- By-law Number 3-09 to authorize an agreement with Park Lane Terrace, operated by Ontario 1537413 Ltd., regarding property located in Part of Lot 29, Concession 2, geographic Township of South Dumfries, former Town of Paris.

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- By-law Number 4-09 to amend By-law Number 110-01 for property located in Part of Lot 11, Concession 2, geographic Township of Brantford to change the present Agricultural zone to permit a recreational use (County of Brant, southeast corner of Rest Acres Road and Powerline Road).
- By-law Number 5-09 to amend By-law Number 110-01 for property located in Part of Lot 24, Concession 9, geographic Township of Burford, to amend the regulations associated with the present special provision Agricultural (A-94) zone (Stubbe's Farm Products, 20 Muir Road South).
- By-law Number 6-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Haggart

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

- By-law Number 1-09 to provide for an interim tax levy, the payment of taxes and for penalty and interest of 1.25% per month.
- By-law Number 2-09 to authorize the borrowing of money to meet expenditures in 2009.
- By-law Number 3-09 to authorize an agreement with Park Lane Terrace, operated by Ontario 1537413 Ltd., regarding property located in Part of Lot 29, Concession 2, geographic Township of South Dumfries, former Town of Paris.
- By-law Number 4-09 to amend By-law Number 110-01 for property located in Part of Lot 11, Concession 2, geographic Township of Brantford to change the present Agricultural zone to permit a recreational use (County of Brant, southeast corner of Rest Acres Road and Powerline Road).
- By-law Number 5-09 to amend By-law Number 110-01 for property located in Part of Lot 24, Concession 9, geographic Township of Burford, to amend the regulations associated with the present special provision Agricultural (A-94) zone (Stubbe's Farm Products, 20 Muir Road South).
- By-law Number 6-09 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 11:00 p.m. to meet again on **Tuesday, January 20, 2009 at 7:00 p.m.** in the Council Chambers.

Mayor

Date Minutes Approved

Clerk