

The Corporation of the Township of Malahide

October 7, 2010 – 8:00 p.m.

The Malahide Township Council met in the Council Chambers at 8:00 p.m. with the following present:

Council: Mayor J. R. Wilson; Deputy Mayor D. Mennill; Councillor G. Cleminshaw; Councillor C. Glinski (arrived at 8:20 p.m.); Councillor M. Moore; Councillor M. Phillimore; and Councillor M. Widner.

Staff: Chief Administrative Officer/Clerk M. Casavecchia; Director of Physical Services R. Johnson; Director of Finance S. Wilson, Water/Waste Water Operations Manager, M. Taylor, Director of Fire and Emergency Services P. Groeneveld and Deputy Clerk D. Wilson.

CALL TO ORDER:

Mayor Wilson took the Chair and called the meeting to order at 8:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

No disclosures of pecuniary interests were declared.

MINUTES:

Moved by: Mark Widner
Seconded by: Dave Mennill

No. 522

THAT the minutes of the regular meeting of the Council held on September 18, 2010 be adopted as printed and circulated.

Carried.

PRESENTATIONS/DELEGATIONS/PETITIONS:

- Public Meeting – Noise By-law

The Mayor welcomed those in attendance and advised this was a Public Meeting to consider a by-law to regulate noise in the Township of Malahide.

The Mayor inquired if any persons wished to comment or ask questions concerning the proposed Noise By-law.

Grace Dempsey, of the Lyons Trailer Park, expressed concerns regarding excessive noise from the operation of stereos, barking dogs and honking horns. She was advised that previously the Township did not have a by-law to deal with these problems and that the proposed by-law will help to address incessant and reoccurring situations.

Kim Flintoft, Rush Creek Line, commended the Council for moving forward with the proposed by-law, especially relating to the use of firearms for recreational purposes.

Jim Vandenbrink, Carter Road and John Wise Line, expressed concerns regarding an "agricultural" processing business in his area and inquired when an agricultural activity becomes more than agricultural. The business on John Wise Line was formerly used for 4 weeks per year and is now operating at least 12 weeks with operations 24 hours per day. He indicated construction was also occurring on the property and he wanted to ensure they had the proper permits. Further, he voiced concern with respect to refrigerated trucks idling for many hours at a time.

Luke Kesteloot, John Wise Line, expressed concern regarding excessive dust, noise, and litter at this same operation. He felt there were noise problems as this operation was a 24 hour operation. He also felt there was a safety concern as some of the tractors were entering the property with many hoppers and no lights in the night.

The CAO/Clerk suggested it would be beneficial to meet with the business owners and area residents to discuss the concerns and attempt to resolve the issues to everyone's satisfaction. Upon receipt of a formal complaint, the Municipal Staff would review the operation to determine whether it meets legislative requirements and what could be done to alleviate the residents' concerns.

Councillor Glinski entered the meeting 8:20 p.m.

Anna VandenBrink inquired whether or not the property owner in question had obtained a building permit, and if such permit was required to be posted in a public area.

Gary Austin, Calton Line, advised that he supported the changes from the first draft to this final draft. He commended Council and Staff on their efforts to address resident concerns.

Mike Wolfe, Dingle Line, expressed concerns regarding how noise would be measured. The CAO/Clerk advised that the Township would not be measuring the noise, but rather would be responding to individual complaints, assessing the situation, and taking action as deemed appropriate for each respective situation.

The Mayor opened discussions up to the Members of Council for comments.

Councillor Cleminshaw confirmed that the enforcement of the proposed by-law would be based on individual complaints and that actions would typically be taken for repeat situations, not usually a one-time occurrence.

Councillor Widner suggested that noise from dirt bikes, snowmobiling, mud trucks should be reviewed in the future.

Moved by: George Cleminshaw
Seconded by: Mike Phillimore

No. 523

THAT By-law No. 10-65, being a by-law to regulate noise in the Township of Malahide, be given first, second and third readings, and properly signed and sealed.

Carried.

- Meeting to Consider Boughner Drain

Drainage Engineer, John R. Spriet, of Spriet Associates, appeared before the Council to present the Drainage Engineer's Report related to the Boughner Drain and outlined the nature of the proposed work.

Mayor Wilson inquired if any persons in attendance wish to comment or ask questions concerning the Drainage Report and there were none.

Mayor Wilson inquired if any persons, including Members of Council, would like to withdraw or add their names to the petition and there were none.

Moved by: Dave Mennill
Seconded by: Max Moore

No. 524

THAT the Malahide Township Council accepts the Engineer's Report on the Boughner Drain as prepared by Spriet Associates and dated September 23, 2010.

AND THAT By-law No. 10-66 being the Boughner Drain By-law be read a first and second time and provisionally adopted.

Carried.

Moved by: George Cleminshaw
Seconded by: Max Moore

No. 525

THAT the Court of Revision for the Boughner Drain be set for November 4, 2010.

Carried.

Moved by: Mark Widner
Seconded by: George Cleminshaw

No. 526

THAT the tenders for the construction of the Boughner Drain be requested for November 1, 2010, at noon.

Carried.

- Meeting to Consider Fuller Drain

Drainage Engineer, John R. Spriet, of Spriet Associates, appeared before the Council to present the Drainage Engineer's Report related to the Fuller Drain and outlined the nature of the proposed work.

Mayor Wilson inquired if any persons in attendance wish to comment or ask questions concerning the Drainage Report.

There was a concern expressed that the proposed drainage works did not extend all of the way to the Catfish Creek, but rather ends at the Walker's laneway. The Drainage Engineer advised that this was done because the area on the other side of the laneway is flood plain with no banks.

Mayor Wilson inquired if any persons, including Members of Council, would like to withdraw or add their names to the petition and there were none.

Moved by: Dave Mennill
Seconded by: Max Moore

No. 527

THAT the Malahide Township Council accepts the Engineer's Report on the Fuller Drain as prepared by Spriet Associates and dated September 24, 2010.

AND THAT By-law No. 10-67 being the Fuller Drain By-law be read a first and second time and provisionally adopted.

Carried.

Moved by: George Cleminshaw
Seconded by: Max Moore

No. 528

THAT the Court of Revision for the Fuller Drain be set for November 4, 2010.

Carried.

Moved by: Mark Widner
Seconded by: George Cleminshaw

No. 529

THAT the tenders for the construction of the Fuller Drain be requested for November 1, 2010, at noon.

Carried.

The Drainage Engineer and area residents retired from the meeting.

REPORTS:Director of Fire and Emergency Services

- Fire Services Activities– September 2010

Moved by: Chester Glinski
Seconded by: George Cleminshaw

No. 530

THAT Report No. F-10-32 entitled "Fire Service Activities – September 2010" be received.

Carried.

Director of Physical Services

- Springfield Waste Water Collection System: 2010 Second Quarter Report

The Water/Wastewater Manager informed the Council that there will be a water shut down in Port Bruce on October 25th from 10:00 p.m. to 6:00 a.m. for maintenance. This will result in a Boil Water Advisory being issued. Door-to-door notice will be provided to all affected properties.

Moved by: Dave Mennill
Seconded by: Max Moore

No. 531

THAT Report No. W-10-31, entitled "Springfield Waste Water Collection System: 2010 Second Quarter Report" be received.

Carried.

- Malahide Distribution System: 2010 First and Second Quarter Sample Report

Moved by: George Cleminshaw
Seconded by: Chester Glinski

No. 532

THAT Report No. W-10-32, entitled "Malahide Distribution System: 2010 First and Second Quarter Sample Report" be received.

Carried.

- Malahide Distribution System: 2010 Ministry of Environment Inspection Report

Moved by: Mike Phillimore
Seconded by: Max Moore

No. 533

THAT Report No. W-10-33 entitled "Malahide Distribution System: 2010 Ministry of Environment Inspection Report" be received.

Carried.

- Drainage Report

Moved by: Dave Mennill
Seconded by: George Cleminshaw

No. 534

THAT Report No. DR-10-19 entitled "Drainage Report" be received.

Carried.

- Activities Report: Roads Division

Moved by: Mark Widner
Seconded by: Chester Glinski

No. 535

THAT Report No. R-10-17 entitled "Activities Report: Roads Division" be received.

Carried.

- Project Status: Dorchester Road Bridge

Moved by: Max Moore
Seconded by: Mark Widner

No. 536

THAT the Director of Finance be requested to transfer to reserves any surplus realized on the Dorchester Road Bridge project in order to utilize such funds to complete the remaining road work on the project in 2011;

AND THAT the Municipal Staff be directed to schedule and complete the remaining road work in 2011.

Carried.

Director of Community & Corporate Services

- Building/By-law Enforcement – Council Report

Moved by: Chester Glinski
Seconded by: Mike Phillimore

No. 537

THAT Report No. BE-10-16 entitled Building/By-law Enforcement – Council report be received.

Carried.

- Community & Corporate Services – East Elgin Mapping Partnership with the County of Elgin.

Moved by: Dave Mennill
 Seconded by: Mike Phillimore

No. 538

THAT Report No. CS-10-21 entitled Community & Corporate Services – East Elgin Mapping Partnership with the County of Elgin be received.

Carried.

Director of Financial Services

- Accounts Payable

Moved by: George Cleminshaw
 Seconded by: Chester Glinski

No. 539

THAT Cash Disbursements Journal No. 874 to No. 876 in the amount of \$2,494,397.67 be approved.

Carried.

- Petty Cash Policy

Moved by: Max Moore
 Seconded by: George Cleminshaw

No. 540

THAT Report No. T-10-43 being a report with regard to a Petty Cash Policy be received;

AND THAT the Petty Cash Policy be approved;

AND THAT the Township's existing Petty Cash Funds of \$450.00 be consolidated into one General Petty cash Fund of \$250.00.

Carried.

- Municipal Grants – Firefighter Associations

Moved by: Dave Mennill
 Seconded by: Mike Phillimore

No. 541

THAT Report T-10-44 being a report regarding the request for a Municipal Grant to the Malahide Fire Department #3 Springfield and #4 Lyons Firefighter's Associations be received;

AND THAT a total grant be provided to Malahide Fire Department #3 Firefighter's Association in the amount of \$930.00 with regard to their July and December facility rental;

AND THAT a total grant be provided to Malahide Fire Department # 4 Firefighter's Association in the amount of \$400.00 with regard to their August and December facility rental.

Carried.

- Grant Policy – Founding & Local Organizations

Moved by: George Cleminshaw
 Seconded by: Max Moore

No. 542

THAT Report No. T-10-45 being a report regarding Grant Policy for Founding and Local Organizations be received;

AND THAT the Policy for Grants for Founding Organization and the Policy for Grants for Local Organizations be approved.

Carried.

- Additional Grant Policy for Founding & Local Organizations

**Moved by: Dave Mennill
Seconded by: Mark Widner**

No. 543

THAT Report T-10-46 being a report regarding the Additional Grant Policy for Founding and Local Organizations be received;

AND THAT the Additional Grant Policy for Founding Organization and Local Organizations be approved.

Carried.

- Policy for General Grants

**Moved by: George Cleminshaw
Seconded by: Mike Phillimore**

No. 544

THAT Report T-10-47 being a report regarding the Policy for General Grants be received;

AND THAT the Policy for General Grants be approved.

Carried.

- Request for Grant – Malahide Community Place Ontario Early Years & YWCA

**Moved by: Mike Phillimore
Seconded by: George Cleminshaw**

No. 545

THAT Report No. T-10-49 being a report regarding the Request for Grant for use of Malahide Community Place by Ontario Early Years and the YWCA of St. Thomas-Elgin be received;

AND THAT a 25% grant be provided to both Ontario Early Years and the YWCA not to exceed a total of \$153.56 with regard to their 2010 proposed rentals.

Carried.

Chief Administrative Officer/Clerk

- Activities Report September 2010 – Human Resources

**Moved by: Mark Widner
Seconded by: Max Moore**

No. 546

THAT Report No. HR-10-11 being an Activities Report September, 2010 – Human Resources be received.

Carried.

NEW BUSINESS:

- Elgin County Tourism Signage installation

Moved by: George Cleminshaw
Seconded by: Mike Phillimore

No. 549

THAT the Director of Physical Services be authorized to install Elgin County Tourism Signage, in accordance with the terms as set out in the correspondence received from Alan Smith, General Manager of Economic Development, dated September 29, 2010.

Carried.

- 2010 International Plowing Match

Deputy Mayor Mennill thanked those members of Council and Staff for their participation in the 2010 International Plowing Match.

- Speeding on Dingle Street

Councillor Phillimore advised that he had received concerns from some Dingle Street area residents regarding an increase in the number of speeding vehicles along Dingle Street, east of Aylmer. The Council asked that a request be forwarded to the OPP to monitor the speed of vehicles travelling on Dingle Street particularly during the periods before and after school.

CONFIRMATORY BY-LAW:

Moved by: Max Moore
Seconded by: Dave Mennill

No. 550

THAT By-law No. 10-68, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

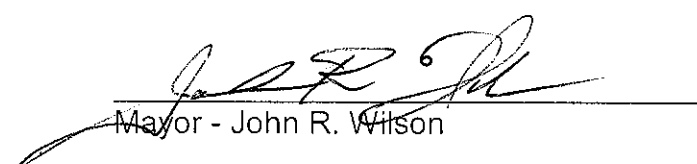
ADJOURNMENT:

Moved by: Chester Glinski
Seconded by: Mark Widner

No. 551

THAT the Council adjourn its meeting at 10:25 p.m. to meet again on October 21, 2010, at 8:00 p.m.

Carried.



Mayor - John R. Wilson

Clerk - M. Casavecchia