



CORPORATION OF THE TOWN OF PETROLIA

COUNCIL MINUTES

Monday, July 14th, 2014

7:00 p.m.

Council Chambers, Victoria Hall

1. CALL TO ORDER

Mayor McCharles called the meeting to order at 7:00 pm

2. ROLL CALL

Council:

John McCharles, Mayor
Tim Brown, Councillor
Joel Field, Councillor
Mary-Pat Gleeson, Councillor
Helen Havlik, Councillor
Mary-Jane Samela, Councillor
Liz Welsh, Councillor

Staff:

Manny Baron, CAO/Clerk
Joe Adams, Director of Operations
Rick Charlebois, Director of Corporate Services/Treasurer
Dave Menzies, Director of Community Services
Mandi Pearson, Deputy Clerk/Operations Clerk

Regrets:

Richard Poore, Director of Performing Arts

3. INSPIRATIONAL MESSAGE

Councillor Welsh gave the inspirational message.

“Summer: Hours get Lighter, Skin gets Darker, Water gets Warmer, Drinks get Colder, Music gets Louder, Nights get Longer, Life gets Better.”

– Unknown

4. DECLARATION OF PECUNIARY INTEREST

- None at this time

5. ADOPTION OF AGENDA

MOVED: Tim Brown

SECONDED: Mary-Pat Gleeson

“THAT the Agenda be approved as submitted”

Carried

C - 01 – 07/14/2014

6. CONSIDERATION OF MINUTES OF PREVIOUS MEETING(S)

- a) Review and Adoption of the Minutes of Regular Council held in open session dated Monday, June 16, 2014;

MOVED: Liz Welsh

SECONDED: Helen Havlik

“THAT the minutes of the Regular Meeting of the Town of Petrolia Council from Monday, June 16, 2014 be approved as submitted.”

Carried

C - 02 – 07/14/2014

7. RECOGNITIONS / AWARDS / ANNOUNCEMENTS

- July 28th – Blood Donor Clinic;
- Summer Camp at the OHDCC is in full swing;
- July edition of the Petrolia Connection is available online or for pick up at Town Hall and all happenings are listed out;
- Councillor Field:
 - Fire Chief Lawrence Swift would like to let Council know of some preliminary work that will be starting for the Fire Hall addition, work for the underground will be beginning this week, a fence will be going up in this area. Also donations are going well, but are still very much welcome.
 - Pizzafest, Canada Day, Art in the Park and the Barn Dance, what great events our Town has put on this summer so far! All events have been well organized by the staff involved and supported by great volunteers and the service clubs in Petrolia. These events offer a great time for residents and bring visitors to our community.....Thank you to all involved with the events, truly a job well done!
 - Mayor McCharles: Thank you to Mr. Menzies and staff they do a super job and go above and beyond and that is very appreciated, also thanks to Councillor Field as he is a very active member of the Community Services Committee and these events.
- Councillor Samela: would like to note how impressed with Art in the Park and those volunteers who bring great vendors and a good event to the Town.
- Mayor McCharles: Canada Sings is currently on stage at the VPP and if you have not already gotten your tickets, you should do so. This show is a great performance and some really wonderful talent.

8. DELEGATIONS / FIRST OPPORTUNITY FOR PUBLIC TO ADDRESS COUNCIL

- Presentation from Rob Nesbitt, Planner regarding update to the Signage By-Law as before Council for consideration;
 - Regulations as they were amended a few years back are working well, but as staff we have noticed an opportunity for fine tuning;
 - Agriculture is not really a regulation required in the Town, so notations of that have been removed;
 - Window signs, this technology is coming and we have not had a complete set of regulations for them, this by-law now does;
 - Clarification is now provided better for signage specific to the downtown district;

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- Minor Variance, this does not allow flexibility for Council's discretion, as previously worded a minor variance was being required where not necessary so that has been removed;

Councillor Welsh: Pole Signs, are more than one being allowed with this change?

Mr. Nesbitt – No, under the commercial section it is noted, this was a duplicate reference in the previous by-law.

9. UNFINISHED BUSINESS

- Presentation from Rob Nesbitt, Planner regarding Parkside Crescent
 - An update to Parkside Crescent and the concerns that have been brought forward to our attention as staff and also the Council's attention. I have attended the site and do not find any violations under the regulations set out for parking an RV, Boat, etc... under the zoning By-Law. Under the Zoning By-Law these items are allowed and are set out very specific;
 - To be parked 1 metre away from any side or rear yard
 - If you can gain access through your own property without encroaching onto the neighbours property the items can be stored in a rear yard
 - Currently the homeowner is able to abide by the regulations as set out in the Zoning By-Law
 - The owner of the property with the RV and Boat has been spoken to and the regulations were clearly explained, I am confident that the resident does understand them
 - If there was a violation of the Zoning By-Law staff could proceed further, as there is not this matter is a dispute between neighbours and not a municipal matter.
- Rick Elliott from BDO
 - The audited statement as prepared by BDO is before Council tonight for review, to go along with this our professional opinion is found on page 2;
 - Page 3 highlights the consolidated statement;
 - Page 4, notes the statement of operations, demonstrates a surplus of \$552,000.00, and for internal reporting the Town had a surplus of \$90.00;
 - The audited statement has been prepared in accordance with the Accounting standards that regulate us

10. NEW BUSINESS

- i) Report dated July 14, 2014 from Dave Menzies, Director of Community Services regarding Festival Status for the Petrolia & Enniskillen Fall Fair;

MOVED: Liz Welsh

SECONDED: Mary Jane Samela

“THAT the Council of the Town of Petrolia, grants the Petrolia & Enniskillen Agricultural Society's request for exemption to the Town's noise By-Law and grant permission to all related fair activities on September 5, 6, and 7, 2014 AND THAT the Festival Status be granted for their special events application with the AGCO.”

Carried

C - 03 – 07/14/2014

11. REPORTS –MOTION REQUIRED (BY DEPARTMENT)

a) Finance

- i) Report dated July 14, 2014 from Rick Charlebois, Director of Corporate Services/Treasurer regarding 2014 Second Quarter Financial Reports;

MOVED: Tim Brown

SECONDED: Mary-Pat Gleeson

“THAT the Council of the Town of Petrolia, receive and file this report.”

Carried

C - 04 – 07/14/2014

- ii) Report dated July 14, 2014 from Rick Charlebois, Director of Corporate Services/Treasurer regarding 2013 Financial Audit and Draft 2013 Financial Statements;

MOVED: Liz Welsh

SECONDED: Mary Jane Samela

“THAT the Council of the Town of Petrolia, approve the draft financial statements as presented”

Carried

C - 05 – 07/14/2014

- iii) Report dated July 14, 2014 from Rick Charlebois, Director of Corporate Services/Treasurer Cost Sharing of Asset Management expenses;

MOVED: Mary-Pat Gleeson

SECONDED: Helen Havlik

“THAT the Council of the Town of Petrolia, approve the proposed cost-sharing arrangement as detailed in Schedule A attached as part of this report”

Carried

C - 06 – 07/14/2014

b) Water

- i) Report dated July 14, 2014 from Joe Adams, Director of Operations regarding Water Tower – temporary out of service date;

MOVED: Tim Brown

SECONDED: Joel Field

“THAT the Council of the Town of Petrolia, receive and file this report.”

Discussion:

Councillor Welsh: will this occur every two years?

Mr. Adams – no, the process after this inspection will be by cameraed reports at 4 years and 10 years.

Mayor McCharles: will water pressure be affected?

Mr. Adams – no, pressure will remain the same as we will account for that at the plant when by-pass occurs.

Carried
C - 07 – 07/14/2014

c) **Operations**

- i) Report dated July 14, 2014 from Joe Adams, Director of Operations regarding Tile Yard Line - road drainage works;

MOVED: Tim Brown

SECONDED: Joel Field

**“THAT the Council of the Town of Petrolia, support the assessment as outlined in the Engineers Report provided by Enniskillen Township;
AND THAT the residents assessed are responsible for payment of their assessed portion.”**

Discussion:

Andy Hart, 562 First Ave

- We agree that the work is necessary and costs need to be covered
- Our concern is that this drain effects a bordering municipality, and should we have to pay for this expense, as Town residents?
- With Princess Street, those residents did not have to pay extra.
 - o Mr. Adams – Princess Street was a repair and not a new or replacement drain project
- We would like to see a policy in place regarding this drainage.
 - o Mayor McCharles – *the Drainage Act* is the Policy and the Town along with all other municipalities abide by the regulations set out in the Act. Any policy we may pass if we took that route, our by-law would be superseded by *the Drainage Act*.

Mayor McCharles:

- at current practice and in the future storm water management is addressed in the Plan of Subdivision, this is addressed prior to any Town approvals through application to the Ministry of Environment.
- Storm Water Management through the Plan of Subdivision is at the Developer's expense
- At the time that the Plan of Subdivision was passed for the development where the residents affected by this Drain reside, storm water management was not mandated as part of the Plan and that is unfortunate.

Councillor Brown:

- We have truly looked at this many ways and investigated well. We as Council have an Act to regulate our actions and to abide by, we understand and appreciate the residents positions, it's not that we don't understand.

Mary Lynn McCallum – Councillor for the Township of Enniskillen:

- When maintenance is needed in the future, the residents will also then receive an assessment for the maintenance that will need to be paid..

Councillor Field:

- I personally have spoken with Councillors in other Municipalities and they have re-iterated to me that they do the same, as we are considering doing.

Mayor McCharles:

- It should also be remembered that Town residents as a whole are contributing to the cost of this project, as the Town was assessed a portion of approx.. \$37,000.00 to be paid, this will come from general levy funds.
- Once the invoice is received by the residents affected can they ask for the expense to be debentured?

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- Mr. Adams- Yes, this would be possible the Act notes that it would be a 5 year term for the dollar value being requested at about 8% interest.

Carried

C - 08 – 07/14/2014

d) Community Services

- i) Report dated July 14, 2014 from Dave Menzies, Director of Community Services regarding Leaf Pick up;

MOVED: Mary-Pat Gleeson

SECONDED: Mary Jane Samela

“THAT the Council of the Town of Petrolia, staff proceeding with extending the Leaf Collection service as provided by Laura and Scott O’Hara through to December 14, 2018.”

Carried

C - 09 – 07/14/2014

- ii) Report dated July 14, 2014 from Dave Menzies, Director of Community Services Special Event Request for Rotary Band Shell;

MOVED: Liz Welsh

SECONDED: Helen Havlik

“THAT the Council of the Town of Petrolia, approve this request to have music in the band shell at Victoria Park July 27, August 17 & 24, 2014.”

Carried

C - 10 – 07/14/2014

e) Administration

- i) Report dated July 14, 2014 from Mandi Pearson, Deputy Clerk/Operations Clerk regarding Electronic Waste event funds received;

MOVED: Joel Field

SECONDED: Tim Brown

“THAT the Council of the Town of Petrolia, receive and file this report.”

Carried

C - 11 – 07/14/2014

- ii) Report dated July 14, 2014 from Mandi Pearson, Deputy Clerk/Operations Clerk regarding Committee of Adjustment and Court of Appeal update;

MOVED: Mary-Pat Gleeson

SECONDED: Joel Field

“THAT the Council of the Town of Petrolia, receive and file this report.”

Carried

C - 12 – 07/14/2014

- iii) Report dated July 14, 2014 from Mandi Pearson, Deputy Clerk/Operations Clerk regarding restoration work at Hillsdale Cemetery;

MOVED: Mary Jane Samela

SECONDED: Liz Welsh

“THAT the Council of the Town of Petrolia, approves the two year marker and monument restoration plan as submitted by Memorial Restorations”

Discussion:

Councillor Welsh: A small note, to say that the Heritage Tour of the Cemetery raises money to contribute to these expenses for restoration.

Carried

C - 13 – 07/14/2014

- iv) Report dated July 14, 2014 from Manny Baron, CAO/Clerk regarding addition of 10 years to current agreement with Southside for the CLFHT lands;

MOVED: Liz Welsh

SECONDED: Tim Brown

“THAT the Council of the Town of Petrolia, approve a ten(10) year extension to the currently settled forty (40) year Ground Lease to create a fifty (50) year Ground Lease Agreement with Southside Construction Group at 4130 Glenview Road, grounds occupied by the Central Lambton Family Health Team Building; AND THAT the Mayor and CAO/Clerk are hereby authorized to sign and execute this extension agreement.”

Discussion:

Councillor Welsh: Why the Change?

Mr. Baron : Southside approached staff and noted their commitment for the building, that they are not going anywhere and would like to have the time period extended.

Carried

C - 14 – 07/14/2014

- v) Report dated July 14, 2014 from Manny Baron, CAO/Clerk regarding Enniskillen Water Agreement – new 20 year;

MOVED: Helen Havlik

SECONDED: Tim Brown

“THAT the Council of the Town of Petrolia, receive and file this report.”

Carried

C - 15 – 07/14/2014

- vi) Report dated July 14, 2014 from Manny Baron, CAO/Clerk regarding By-Law Enforcement update;

MOVED: Mary-Pat Gleeson

SECONDED: Mary Jane Samela

“THAT the Council of the Town of Petrolia, receive and file this report.”

Carried

C - 16 – 07/14/2014

f) Performing Arts & Marketing

- i) Report dated July 14, 2014 from Laurissa Ellsworth, Manager of Marketing regarding Canadian Anti-Spam Legislation;

MOVED: Mary-Pat Gleeson

SECONDED: Helen Havlik

“THAT the Council of the Town of Petrolia, receive and file this report.”

Carried

C - 17 – 07/14/2014

12. CORRESPONDENCE – NO ACTION REQUIRED

- a) Catch Basin Larviciding to begin;
- b) AMO Watch File – June 19, 2014;
- c) Correspondence from the Office of the Fire Marshal and Emergency Management;
- d) County of Lambton News Release – study impact of Circles on Children;
- e) AMO Watch File – June 26, 2014;
- f) AMCTO legislative express for June;
- g) AMO Watch File – July 3, 2014;
- h) OGRA Heads Up – July 2, 2014;
- i) AMO – Policy Update, Ontario Speech from the Throne – July 3, 2014;
- j) County of Lambton News Release – Warden’s Charity Picnic;
- k) AMO report – Accountability Act;
- l) AMO Watch File – July 10, 2014;
- m) AMCTO Statement – Wynne Government and Accountability Act;
- n) Letter from Minister Ted McMeekin;
- o) AMO – LAS investment basics seminar;
- p) Notice of Public Meeting from Enniskillen Township – Zoning By-Law Amendment;

MOVED: Joel Field

SECONDED: Tim Brown

“THAT the above correspondence items a) through p) , be received and filed”

Discussion:

Mayor McCharles: The Warden’s Charity Picnic was recently held and raised \$9000.00, congratulations to all involved in that success.

Carried

C - 18 – 07/14/2014

13. CORRESPONDENCE / ITEMS - MOTION REQUIRED

- None.

14. SECOND OPPORTUNITY FOR PUBLIC TO ADDRESS COUNCIL

Doris Kretschmann – 4013 Henderson Drive

- There are no people in the pool, the music is broken there and people don’t know where the pool is;

- There are too many people at the Seniors Program offered on Thursday, they are just stuffing their faces, these people should be using the pool instead;
- There needs to be more marketing, as no one knows where the pool is;
- The pool needs more use by referral from Doctors for their patients

Councillor Gleeson:

- The Boomers Program is important for Seniors socially;
- Doctors have been given the tools for referral of their patients and can use their prescription pad;
- There are many seniors involved in the wellness area at the Centre and take part in the programs offered there;

Mr. Menzies:

- The pool is very busy, swim lessons especially as those are currently maxed out;
- Overall the attendance at the pool has been up over the past 6 months;
- Our pool is ranked in the top 10 provincially for operations;
- The Boomers Program has over 75 people who utilize this great social day out, this amount has increased substantially over the past year

16. IN CAMERA SESSION

Sec 239(4) of the Act

- None

15. RISE AND REPORT

- None

16. CONSIDERATION OF BY-LAWS

First and Second reading

- a) By-Law Number 33-2014 being a By-Law of the Corporation of the Town of Petrolia Appoint Councillors and Ratepayers to Various Duties;
- b) By-Law Number 34-2014 being a By-Law of the Corporation of the Town of Petrolia to authorize the execution of an Agreement between the Town of Petrolia and the Township of Enniskillen for the sale of potable water;
- c) By-Law Number 35-2014 being a By-Law of the Corporation of the Town of Petrolia to Authorize a policy and procedure for Property Standards Charge Out of Expenses;
- d) By-Law Number 36-2014 being a By-Law of the Corporation of the Town of Petrolia to regulate Signs and Other Advertising Devices;
- e) By-Law Number 37-2014 being a By-Law of the Corporation of the Town of Petrolia to Confirm the Resolutions and Motions of the Council of the Town of Petrolia which were adopted up to and including June 16,2014;

MOVED: Tim Brown

SECONDED: Mary-Pat Gleeson

“THAT By-Law a) through e) be read a first and second time.”

Carried

C - 19 – 07/14/2014

Third and Final reading

MOVED: Joel Field

SECONDED: Liz Welsh

“THAT By-Law Number 33-2014 being a By-Law of the Corporation of the Town of Petrolia Appoint Councillors and Ratepayers to Various Duties be read a Third Time and Finally Passed.”;

Carried

C - 20– 07/14/2014

MOVED: Joel Field

SECONDED: Liz Welsh

“THAT By-Law Number 34-2014 being a By-Law of the Corporation of the Town of Petrolia to authorize the execution of an Agreement between the Town of Petrolia and the Township of Enniskillen for the sale of potable water be read a Third Time and Finally Passed.”;

Carried

C - 21 – 07/14/2014

MOVED: Joel Field

SECONDED: Liz Welsh

“THAT By-Law Number 35-2014 being a By-Law of the Corporation of the Town of Petrolia to Authorize a policy and procedure for Property Standards Charge Out of Expenses be read a Third Time and Finally Passed.”;

Carried

C - 22 – 07/14/2014

MOVED: Joel Field

SECONDED: Liz Welsh

“THAT By-Law Number 36-2014 being a By-Law of the Corporation of the Town of Petrolia to regulate Signs and Other Advertising Devices be read a Third Time and Finally Passed.”;

Carried

C - 23 – 07/14/2014

MOVED: Joel Field

SECONDED: Liz Welsh

“THAT By-Law Number 37-2014 being a By-Law of the Corporation of the Town of Petrolia to Confirm the Resolutions and Motions of the Council of the Town of Petrolia which were adopted up to and including June 16,2014 be read a Third Time and Finally Passed.”;

Carried

17. ADJOURNMENT

MOVED: Mary Jane Samela

SECONDED: Helen Havlik

“THAT the July 14, 2014 meeting of the Council of the Town of Petrolia be adjourned to the next regular scheduled meeting of Council to be held on Monday, August 11, 2014 or to the call of the Chair.”

Carried

C - 25 – 07/14/2014

The meeting adjourned 8:14 p.m.

John McCharles
Mayor

Manny Baron
CAO/Clerk