

The Corporation of the Town of Plympton-Wyoming
Regular Council Meeting

Date: Wednesday, September 29, 2010
Time: 2:00 p.m.
Location: Plympton-Wyoming Council Chambers
546 Niagara St., Wyoming, Ont.

Council Members Present: Lonny Napper, Mayor
Don Nelson, Deputy Mayor
Gary DeBoer
Ben Dekker
Paul Kingston
Ron Schenk
Muriel Wright

Staff Members Present: Kyle Pratt, Chief Administrative Officer (C.A.O.)
Caroline DeSchutter, Clerk
Stan Calow, Superintendent of Public Works

Call to Order

At 2:00 p.m., Mayor Lonny Napper called the meeting to order.

Declaration of Pecuniary Interest/Conflict-of-Interest

No declaration was made by any one member of Council at this time. Mayor Napper requested Council members to make the appropriate declaration if necessary throughout the business of the meeting.

Adoption of Council Meeting Minutes

Motion #1 – Moved by Ben Dekker, Seconded by Muriel Wright that the minutes of the Regular Council Meeting of September 8, 2010 be approved as printed and distributed. **Motion Carried.**

Motion #2 – Moved by Don Nelson, Seconded by Gary DeBoer that the minutes of the Special Public Meeting of September 8, 2010 (Huroncrest Phase II Official Plan/Rezoning Application) be approved as printed and distributed. **Motion Carried.**

Motion #3 – Moved by Ron Schenk, Seconded by Gary DeBoer that the minutes of the Closed Council Meeting (4:30 p.m.) of September 8, 2010 be approved as printed and distributed. **Motion Carried.**

Motion #4 – Moved by Muriel Wright, Seconded by Ben Dekker that the minutes of the Closed Council Meeting (8:40 p.m.) of September 8, 2010 be approved as printed and distributed. **Motion Carried.**

No business arising from previous meeting minutes was presented or addressed by Council or staff at this time.

Public Works Department

Public Works Superintendent Stan Calow joined Council in discussion at this time. Reference was made to Mr. Calow's Memo regarding "Erosion of Access to Beach in Blue Point Subdivision", which was the topic being addressed by a scheduled delegation at this meeting.

Mr. Calow also made reference to a required by-law to endorse Council's earlier decision endorsed by resolution for the municipality's participation in O.G.R.A.'s Municipal DataWorks Program.

Motion #5 – Moved by Muriel Wright, Seconded by Ben Dekker that By-law Number 104 of 2010, being a by-law to authorize an Agreement between the Town of Plympton-Wyoming and O.G.R.A. (Ontario Good Roads Association), being a Municipal DataWorks Provision Agreement, be taken as read a first, second and third time, finally approved, and the Mayor and Clerk/Deputy Clerk authorized to sign the said by-law accordingly. **Motion Carried.**

Planning & Zoning Department

Planning Assistant Carlie Burns and County Planner Will Nywening joined Council at this time to address items on the Planning & Zoning Agenda.

Correspondence – Action-Required Items

1) **Building Services Department – Invoices**

Motion #6 – Moved by Gary DeBoer, Seconded by Ron Schenk that the Accounts as listed in the attached form be approved by the Plympton-Wyoming Council for payment (Planning & Zoning Agenda): Inv. #17986 – County of Lambton, Building Services Department – Building Permit Inspections - \$4,728.72; Inv. #17987 – County of Lambton, Building Services Department – Property Standards Inspections - \$1,371.99; Inv. #17990 – County of Lambton, Building Services Department – Miscellaneous Billing - \$535.30. **Motion Carried.**

2) **Report by Will Nywening - Subdivision Fees**

Following discussion with Mr. Nywening, the following resolution was approved by Council:
Motion #8 – Moved by Ben Dekker, Seconded by Muriel Wright that Council endorse Recommendations #1, 2 and 3 made by Will Nywening in a Report to Council dated September 24, 2010, regarding Subdivision Development Fees. **Motion Carried.**

3) **Report by Carlie Burns - Huroncrest Right-of-Way**

Motion #7 – Moved by Gary DeBoer, Seconded by Don Nelson that Council acknowledge the Recommendation made by Carlie Burns in a Report to Council dated September 23, 2010 regarding Beach Right-of-Way at Huroncrest Subdivision, and direct staff to request signing of the r-o-w with "No Motorized Vehicles" signs. **Motion Carried.**

Correspondence – Information Items

- 4) Committee of Adjustment Decisions from August 24, 2010 Meeting
- 5) Committee of Adjustment Notices for September 27, 2010 Meeting
- 6) Memo from Dave Posliff - Final Approval of Standard Plan of Condominium Application
- 7) Annual Compliance Report - Edgewater Construction, Plympton-Wyoming

- 8) Official Plan & Zoning By-law Review - Petition Regarding Removable Dwellings in Blue Point
- 9) Email Regarding Wind Turbines, *Darren White Truly Speaks for the Ordinary Quiet Majority. Can Others Be So Brave?*
 - Emailed to all members of Council, copies available upon request

Business Arising from Previous Meetings

- 10) Property Standards Update (In Camera Session)
- 11) Report by Will Nywening - Huron Crest Building Permit Update (In Camera Session)

Closed Meeting Session

At 2:35 p.m., Council moved into a Closed Session for the purpose of staff's update regarding Property Standards issues.

Motion #9 – *Moved by Paul Kingston, Seconded by Ben Dekker that Council move into a Closed Meeting Session for the purpose of discussion regarding Personal Matters about an Identifiable Individual.*

Motion Carried.

Motion #10 (3:00 p.m.) - *Moved by Muriel Wright, Seconded by Paul Kingston that the Closed Meeting Session be adjourned.*

Motion Carried.

- 12) Robert Gray's Report to Council - Removable Dwellings in Blue Point
 - following discussion, Will Nywening was asked to confirm with the solicitor the contents of the recommendations made to Council

Following review of the said Agenda, the following motion was approved by Council:

Motion #11 – *Moved by Ron Schenk, Seconded by Gary DeBoer that all items on the Planning/Zoning Agenda for the September 29, 2010 Regular Council Meeting, not otherwise addressed by Council resolution, be noted as received by the Plympton-Wyoming Council.*

Motion Carried.

Delegation – 3:00 p.m. – Kristen Rodrigues & Wayne Worsley, 4210 Blue Point Drive

Re: Beach Access Property Concerns

Others present during this discussion with Council included Will Nywening, Carlie Burns, and Stan Calow. With reference to a letter submitted to Council, dated August 10th, 2010, included in Council's Agenda package, Ms. Rodrigues outlined her concerns and inquiries regarding "Proposed Maintenance Work on Road Allowance in Blue Point Subdivision". Following the discussion held, staff was asked to research background information relating to the said property to facilitate further consideration of the requests being made.

At 3:30 p.m., the delegations as well as Will Nywening, Carlie Burns and Stan Calow, made their exit from the Council Chambers. Council recessed briefly, and returned to the meeting's Agenda.

Accounts

Motion #12 – Moved by Don Nelson, Seconded by Ron Schenk that the Accounts as listed in the attached form be approved by the Plympton-Wyoming Council for payment:

- a) Town of Plympton-Wyoming
 - Animal Control Pay List
 - Drainage Superintendent Pay List
 - General Pay List
 - Public Works Pay List
- b) CH2M Hill OMI
 - July 1 – August 27, 2010 Invoice
- c) Feenstra’s Towing and Transport
 - 3963 Pointview Drive Invoice
- d) NorthWest Consulting
 - Kongas Subdivision
 - Carmichael Drain Branches A & B
 - Colborne Street Municipal Drain
 - Ken Dobbin Proposed Subdivision
 - Miscellaneous Engineering Services

Motion Carried.

Staff Reports

During review and consideration of the various Staff Reports presented, the following motions were approved by Council:

Motion #13 - Moved by Ron Schenk, Seconded by Don Nelson that the Carmichael Drain Improvement and Branches A, B & C Report, as prepared and submitted by Will Bartlett, Northwest Consulting Engineers, dated September 17, 2010, be received by Council, and a Consideration Meeting be scheduled to be held on October 27, 2010, commencing at 4:30 p.m. in the Plympton-Wyoming Council Chambers.

Motion Carried.

Motion #14 – Moved by Gary DeBoer, Seconded by Ron Schenk that Don Nelson be appointed as the representative for the Municipality on the Carmichael Drain Improvement and Branches A, B and C.

Motion Carried.

Motion #15 – Moved by Ben Dekker, Seconded by Muriel Wright that Council acknowledge “Staff Reports” as listed in the attached form not otherwise addressed in resolution form by Council:

- a) Carol Hoskin
 - Update on Tax and Tax Arrears Issues
- b) MPAC
 - Second Quarterly Report 2010
- c) NorthWest Consulting
 - Carmichael Drain Improvement and Branches A,B & C
- d) Jen Turk
 - Complaint Listing (*compiled from front office staff*)
- e) Lyndon Security Services Inc.
 - Queen Street Lot Reports

- f) Stan Calow
 - Erosion of the Access to the Beach in Blue Point Subdivision

Motion Carried.

Councillors' Reports

Motion #16 – Moved by Muriel Wright, Seconded by Paul Kingston that the Councillors' Reports as listed in the attached form be noted as received by the Plympton-Wyoming Council, and filed accordingly:

- a) Mayor Lonny Napper
 - News Release – Research Group Presents Draft Plan to Support Newcomers and Immigrants in Sarnia-Lambton
 - News Release – Robert Tremaine to Lead County's Cultural Services Division

Motion Carried.

Committee Meeting Minutes & Reports

Motion #17 – Moved by Gary DeBoer, Seconded by Don Nelson that the Committee Meeting Minutes and Reports as listed in the attached form be noted as received by the Plympton-Wyoming Council:

- a) Town of Plympton-Wyoming
 - Parks & Recreation Board – June 10, 2010 Meeting Minutes
 - Wyoming to Reeces Corners Trail Committee – September 22, 2010 Meeting Agenda and September 7, 2010 Minutes
 - Wyoming Public Cemetery Board – June 21, 2010 Meeting Minutes
 - Wyoming Fire Department – August 3, 2010 Meeting Minutes
- b) Lambton County Regional Trail Committee
 - September 8, 2010 Meeting Minutes
 - October 15, 2010 Invitation to Website Launch Event
- c) Lambton Farm Safety
 - September 20, 2010 Meeting Agenda
 - June 21, 2010 Meeting Minutes

Motion Carried.

By-laws

Subsequent to the Clerk's explanation of the requirement for revision, the following motion was approved:

Motion #18 – Moved by Muriel Wright, Seconded by Ben Dekker that to reflect SCRCA fee structures, and to correct a text error, the Planning Fees By-law #15 of 2005, be amended to replace the following fees:

- (a) Official Plan Amendments \$1,200
- (b) Zoning By-law Amendments \$1,000
- (c) Minor Variance Applications \$ 350
- (d) SCRA Review Fee \$ 100

Motion Carried.

Motion #19 - Moved by Don Nelson, Seconded by Ron Schenk that By-law Number 102 of 2010, being a by-law to approve an Amending Agreement between the Town of Plympton-Wyoming and Her Majesty the Queen n right of Ontario as represented by the Ministry of Community Safety & Correction Services (O.P.P. Contract Extension) be taken as read a first, second and third time, finally approved, and the Mayor and Clerk/Deputy Clerk authorized to sign the said by-law accordingly. **Motion Carried.**

Motion #20 – Moved by Ron Schenk, Seconded by Gary DeBoer that By-law Number 103 of 2010, being a by-law to approve an Agreement between the Town of Plympton-Wyoming and Her Majesty the Queen in right of Ontario as represented by the Ministry of Community & Correction Services (O.P.P. Contract - 5-Year Term) be taken as read a first, second and third time, finally approved, and the Mayor and OClerk/Deputy Clerk authorized to sign the said by-law accordingly. **Motion Carried.**

Correspondence – Action-Required Items

Motion #21 – Moved by Ben Dekker, Seconded by Paul Kingston that we accept the complaint of Dennis Ramsay on the McIlwain Drain, and that Arnold Hoekstra be instructed to investigate and make the necessary repairs. **Motion Carried.**

Motion #22 – Moved by Gary DeBoer, Seconded by Don Nelson that Correspondence relating to “Action-Required Items” as listed in the attached form, not otherwise addressed by resolution, be noted as received by the Plympton-Wyoming Council, and filed accordingly:

- a) Resolution(s)
 - Town of Petrolia - Emergency Department at CEE Hospital
 - Corporation of the County of Huron – microFIT Application Process
- b) MMAH
 - 2010 Ontario West Municipal Conference
- c) Forum for Young Canadians
 - Application Form for 2010-2011
- d) BOOST
 - Proclamation – October as Child Abuse & Neglect Prevention Month and October 1st, 2010 as Go Purple for Prevention Day
- e) Sarnia-Lambton Chamber of Commerce
 - Action Call Regarding EI Premiums
- f) Letter of Concern(s)
 - Proposed Maintenance Work on Road Allowance in Blue Point Subdivision
- g) Sarnia Heavy Construction Association
 - General Meeting – October 12, 2010
- h) Emergency Management Ontario
 - JEPP 2011/2012
 - St. Clair Sector Status – Field Officer Position
- i) Ministry of Transportation
 - Notice of Study Commencement
- j) Union Gas
 - Application Filed with the Ontario Energy Board – Rates
- k) Drain Maintenance Request(s)
 - McIlwain Drain
- l) AMO
 - Head of Council and Councillor Training 2010-2011

Motion Carried.

Correspondence – Recommended Reading & Routine Approval/Information Items

Motion #23 – Moved by Muriel Wright, Seconded by Ben Dekker that Correspondence relating to “Recommended Reading” and “Routine Approval and Information Items” not otherwise addressed by resolution, be noted as received by the Plympton-Wyoming Council, and filed accordingly.

New Business

Wyoming/Reeces Corners Trail Project

Councillor Dekker advised Council that the Trail Committee had met on September 22nd, at which time an Information Package had been endorsed for distribution by Committee members to large business and corporate groups initially. He advised that the Committee planned to meet later in the month to update each other regarding progress made, and to eventually plan to approach local groups and businesses.

New Business – Council Members & Staff

Councillor Wright updated Council regarding the upcoming preparations for the opening of the landfill gas emissions plants locally.

In response to C.A.O. Kyle Pratt’s inquiries to Council, it was confirmed that the request for input from Council in the ongoing consultation process being conducted by Lambton County’s Housing Services Department be deferred to the new term of Council.

Approval of Confirming By-law

Motion #24 – Moved by Ben Dekker, Seconded by Paul Kingston that By-law Number 105 of 2010, being the Confirming By-law for the Regular Council Meeting of September 29, 2010, be taken as read a first, second and third time, finally approved, and the Mayor and Clerk/Deputy Clerk authorized to sign the said by-law accordingly.

Motion Carried.

Meeting Adjournment

Motion #25 – Moved by Don Nelson, Seconded by Gary DeBoer that the Regular Council Meeting be adjourned until the next Regular Meeting, to be held on October 13, 2010, commencing at 5:00 p.m.

Motion Carried.

The meeting was adjourned at 4:30 p.m.

Clerk

Mayor