



**MINUTES**  
**For the Regular Meeting of the**  
**Council of the Municipality of West Grey**  
**Held on Wednesday, September 5, 2018 at 9:00 a.m.**  
**At the Council Chambers – West Grey Municipal Office**

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<u>Council</u>	Mayor Kevin Eccles, Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor Rebecca Hergert, Councillor Doug Hutchinson, Councillor Rob Thompson
<u>Absent</u>	Councillor Carol Lawrence
<u>Staff</u>	Laura Johnston, CAO/Deputy Clerk; Mark Turner, Clerk; Rob Martin, Police Chief. Director of Infrastructure and Public Works; Phil Schwartz, Fire Chief - during reports.

**Moment of Reflection**

**Declarations of Pecuniary Interest – None**

**Closed Session**

**Cutting-Thompson, Whereas, the Municipal Act, S.O. 2001, Section 239 (2), as amended, authorizes Councils of municipalities to close to the public a meeting or part of a meeting for dealing with certain subject matters, Now therefore be it resolved that, the Council of the Municipality of West Grey, does now go into a closed session of Council at 9:02 a.m., with the CAO/Deputy Clerk, Clerk, and Police Chief, to discuss items that relate to personal matters about an identifiable individual, including municipal or local board employees; and a proposed or pending acquisition or disposition of land by the municipality or local board (Proposed new West Grey Police Building/Property & Rockwood Terrace). #263-18 Carried.**

**Hergert-Cutting, Be it resolved that, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 10:13 a.m. #264-18 Carried.**

(Mayor Eccles confirmed that only closed session items identified were discussed in closed session)

**Matters Arising from the Closed Session – None**

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**Comment Period**

Steve Townsend noted all Committee meetings aren't listed on the West Grey website, and questioned how notice provision for committee meetings work. Mayor Eccles responded that municipal staff attempts to get all West Grey Committee meeting notices on the West Grey website, although the Municipality does not have control over other joint committees, etc.

**Public Meetings – None**

**Part I - Consent Agenda**

**Hergert-Cutting, Be it resolved that, Items A1 to B1 inclusive, contained in Part 1 – Consent Agenda, be adopted, as printed; And further that, authorization be given for the action to be taken as may be necessary to give effect to the recommendations contained therein. #265-18**

**Adoption of Minutes**

**Council:**

- A1 Minutes of Regular Council Meeting – August 23, 2018 (draft)
- Minutes of Committee of the Whole – August 27, 2018 (draft)

**Committees:**

- A2 Normanby Recreation Advisory Committee – July 25, 2018
- West Grey Committee of Adjustment – August 27, 2018 (draft)

**Other**

- A3 Elmwood Community Centre Board – July 17, 2018 & August 13, 2018 – resolution #266-18

**Thompson-Bell, Be it resolved that, the Minutes of the Regular Council Meeting held on August 23, 2018, and the Minutes of the Committee of the Whole Meeting held on August 27, 2018; be adopted, as printed; Further that, the Minutes of the West Grey Committees – A2, be received, as circulated; And further that, the Minutes of the Other Committees – A3, be received, as circulated. #266-18 Carried.**

**Routine Department Reports**

- B1 Clerk – Report #CC 09/05/18 – resolution #267-18 to #269-18

**Bell-Thompson, Be it resolved that, the Council of the Municipality of West Grey hereby approves proceeding with the Durham Arena LED interior lights with an estimated net cost of just under \$2,500.00, as recommended by the Committee of the Whole. #267-18 Carried.**

**Thompson-Bell, Resolved that, the Council of the Municipality of West Grey hereby approves the closure of the West Grey Municipal Office on December 24,**

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**2018 and modified business hours of 8:30 a.m. to 4:00 p.m. on December 27, 28 & 31, with an emergency contact number being provided for essential services, as recommended by the Committee of the Whole. #268-18 Carried.**

**Hutchinson-Thompson, Resolved that, the Council of the Municipality of West Grey hereby appoints Deputy Mayor Bell and Mayor Eccles (alternate) to the South Grey Bruce Hospice Committee, as recommended by the Committee of the Whole. #269-18 Carried.**

**Miscellaneous Correspondence** (For Information Only - Not Circulated but Available for Viewing at Meeting)

- C1 City of Toronto – request for support of a resolution of Toronto Council asking the Chief Coroner of Ontario to take immediate steps to address gun violence
- C2 Town of Oakville – request for support of a resolution of Oakville Council asking the Federal & Provincial Governments to limit and regulate the display and distribution of materials and displays that contain disturbing images

**Future Committee Meetings**

- D1 West Grey Parks Committee – September 5, 2018, 7:00 p.m., Durham Fire Hall
- West Grey Committee of Adjustment – September 10, 2018, 1:00 p.m., West Grey Municipal Office
- West Grey Committee of the Whole (Planning) – September 10, 2018, 1:30 p.m., West Grey Municipal Office
- Elmwood Fire Department Joint Board of Management – September 12, 2018, 6:00 p.m., Elmwood Fire Hall

**Part II - Regular Agenda**

**Communications from the Mayor and Council**

Mayor Eccles, Deputy Mayor Bell, and Councillors Cutting, Hergert, and Hutchinson, reported on past activities and events since the last regular meeting of Council, and on upcoming events and activities.

**Delegations**

**Bib Barger**

Mark (Bib) Barger and his wife came before Council requesting West Grey pass a by-law to restrict the use of firearms in close proximity to dwellings, due to target shooting happening near their residence, with a 3 year-old child being outside and down range. Mr. Barger is a target shooter and hunter, but opined that what the neighbours were doing is dangerous.

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Mr. Barger suggested a by-law be passed not permitting shooting within 100 metres of a dwelling, and no shooting before 1:00 p.m. on Sundays.

Chief Martin indicated you cannot legislate courtesy, but any firearms restrictions may infringe on property rights. Police average a couple calls/week regarding target shooting. Chief Martin also noted that hunting occurs before 1:00 p.m., so the proposed timeframe restriction would be problematic. Mr. Martin is not certain that a by-law would work, but stated he can call his colleagues to determine if there are sample firearms restriction by-laws. Chief Martin indicated such a by-law would be difficult to enforce as “close proximity” would have to be defined, and police would have to enter onto properties. Chief Martin stated the police would likely not have the resources to enforce a firearms restriction by-law. Officers can investigate if it is a careless use of firearms if shooting occurs when a child is down-range.

Mr. Barger stated the individuals in question knew a 3 year-old child was outside and down-range.

Council requested the Police Chief and Clerk to investigate any sample discharge of firearms by-law. The Firearms Act may supersede municipal authority.

Wayne Morgan, Heritage Planner

Wayne Morgan, Heritage Planner, presented his report, “Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 240 Garafraxa Street North – “Durham Carnegie Free Library” (Former Durham Public Library Building), and a powerpoint presentation to Council.

Mr. Morgan is recommending Council express its intent to designate the subject property under Section 29 of the Ontario Heritage Act for the reasons noted in his report.

The designation process includes expressing its intent to designate; the intent is published locally and to Ontario Heritage Trust with a 30 day objection period; and if there are no objections, Council passes by-law and registers it on title. If there is an objection, it is referred to the Conservation Review Board (CRB). The CRB holds a hearing and renders an opinion to Council. Council makes a decision in light of the CRB opinion.

Council can choose which features are designated. Mr. Morgan stated that frequently it is just the exterior of buildings that are designated, however, the interior features are impressive as well, so certain interior features have been listed as heritage features, but not all. For instance, Mr. Morgan is not recommending the book shelves being designated as heritage features. Mr.

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Morgan is not recommending the heritage feature designations be limited to just the exterior features.

Council will consider the report further at the September 24, 2018 Committee of the Whole meeting.

Clerk questioned if the windows were proposed to be replaced with more energy efficient windows, but retain the woodwork would that be permitted. Mr. Morgan indicated if the window features were designated, Council would have to approve any changes, and as long as the changes were similar in shape and structure to the original, it could likely be supported.

Tye Constantinescu & Daniel Pebsworth

Tye Constantinescu & Daniel Pebsworth came before Council to discuss Neustadt Lagoon/Cemetery Road issues.

Ms. Constantinescu and Mr. Pebsworth live on Cemetery Road in Neustadt. Their property does not have municipal water and is currently serviced by wells. They do not drink the water from their well as it makes them sick. They would like testing done by a third party by the Neustadt Lagoon to determine if there is any contamination impacting the abutting properties, including testing for e-coli.

Ms. Constantinescu and Mr. Pebsworth presented a petition from property owners along Cemetery Road requesting consideration to extend the watermain.

Mayor Eccles indicated private well testing is not something that he can recommend to Council, as it would be the owner's responsibility. There are test holes the municipality has by the former Neustadt Landfill site and Lagoon that are monitored on an on-going basis.

The Director of Infrastructure and Public Works noted the Neustadt Lagoon is tested for various chemicals. The lagoon is coated with an impermeable clay layer. Property owners can get free e-coli tests done by the Health Unit. The Director suggested some testing be done to confirm if there is any contamination from the lagoon.

Council questioned if they have done their own tests. Mr. Pebsworth responded that they have not conducted their own tests. The Director opined the tests would cost between \$200-\$300.

Ms. Constantinescu stated he still wants the watermain extended and a fire hydrant installed nearer the properties.

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Council requested the Director of Infrastructure and Public Works to get a costing on extending the watermain and fire hydrant, and any appropriate testing for West Grey to complete.

Mr. Pebsworth questioned why there are “no drinking sign” in the West Grey Office washrooms. Mayor Eccles indicated it is required by the Health Unit as the building is not on the municipal water system and has public access.

**Business Arising from the Previous Meeting - None**

**Staff Reports**

Director of Finance/Treasurer - Report #FTR 09/05/18

Approval of Accounts, Voucher #16-2018 – resolution #270-18

**Cutting-Bell, Be it resolved that, the Director of Finance/Treasurer be authorized to pay the accounts presented as Voucher No. 16-2018 in the amount of \$697,672.05, of the Municipality of West Grey. #270-18 Carried.**

Director of Infrastructure and Public Works – Report #DIPW 09/05/18

Hosting Wood Research and Development (WRD) Training Module – resolution #271-18

Purchase of Grey County Transportation’s Used Wood Chipper (West Grey purchased a used 2007 Vermeer wood chipper from Grey County for \$7,500.00 (received for information)

Amendment to Waste Management Collection Agreement (An amending By-law will be prepared for consideration for approval during the September 17, 2018 Council meeting.)

Bentinck Bridge Report Amendments (The report has undergone a few corrections since it was first introduced. The amended Report will be posted on the West Grey website.)

Tender WG#18-12 Structure Barrier Guiderail installation – resolution #272-18

**Thompson-Bell, Resolved that, the Council of the Municipality of West Grey hereby approves the free use of a municipal facility for the Hybrid Inspection, Maintenance, Restoration and Design of Timber Bridges nationwide training module hosted by Wood Research and Development (WRD), in exchange for two free seats for West Grey at the training module – a value of \$1,000 per seat. #271-18 Carried.**

**Hutchinson-Bell, Resolved that, the Council of the Municipality of West Grey hereby awards Tender #WG18-12 for Structure Barrier Guide Rail Installation to Owen King Limited for a total value of \$103,525.00 excluding taxes. #272-18 Carried.**

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Fire Chief – Report #09/05/18

Expansion of the Ontario Naloxene Program to Fire Services (A By-law will be prepared for consideration during the September 17, 2018 Council meeting.)

**By-Laws – First, Second & Third Readings**

- 95-2018 A By-law to authorize the Mayor and Clerk to enter into a Site Plan Control Agreement between the Municipality of West Grey and Trevor Bruce Gilkinson (owner) and Donald Oliver Smith (mortgagee) on lands described as PT LT 5 W of Queen Street, 6 W of Queen Street, PL 500 Durham as in GS115823; WEST GREY, PIN 37317-0358 (LT) – resolution #273-18
- 96-2018 A By-law to confirm the proceedings of the September 5, 2018 Council meeting – resolution #274-18

**Cutting-Hergert, Be it resolved that, By-law Number 95-2018, being a By-law law to authorize the Mayor and Clerk to enter into a Site Plan Control Agreement between the Municipality of West Grey and Trevor Bruce Gilkinson (owner) and Donald Oliver Smith (mortgagee) on lands described as PT LT 5 W of Queen Street, 6 W of Queen Street, PL 500 Durham as in GS115823; WEST GREY, PIN 37317-0358 (LT), be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. #273-18 Carried.**

**Thompson-Hutchinson, Be it resolved that, By-law Number 96-2018, being a bylaw to confirm the proceedings of the September 5, 2018 Council meeting, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. #274-18 Carried.**

**New Business - None**

**Addendum - None**

**Notice of Motion/Direct Motions - None**

**Closed Session – Incomplete Items Only**

Council temporarily adjourned for lunch at 12:07 p.m., and reconvened the meeting at 1:02 p.m. Council returned to closed session at 1:03 p.m. - resolution #275-18

**Hergert-Thompson, Be it resolved that, the Council of the Municipality of West Grey hereby returns to Open Session Council at 2:13 p.m. #275-18 Carried.**

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**Matters Arising from Closed Session – Incomplete Items Only – None**

**Question Period (completed prior to lunch hour)**

David Wilde questioned if the designation of the Durham Carnegie Library will include the cost of bringing up to date a huge crack in the porch that may need repaired. Mayor Eccles responded that this is not part of the mandate of the heritage report, as it just deals with features that are proposed to be designated. The owners would be responsible for any necessary repairs/maintenance.

Stephen Townsend questioned if Council agrees to a sufficient number of changes to potential designated heritage features, can the Durham Carnegie Library lose its heritage designation. Mayor Eccles indicated he is not sure to what extent Council would be involved. Council noted the actual lot is designated, including the building, and hopefully Council would not permit major changes to any heritage designated features.

Bob Miller asked why West Grey paid \$20,000 for new fuel tanks. Mayor Eccles indicated the fuel tanks needed replaced before they start leaking to avoid any potential environmental damage.. Bob Miller questioned what the cost was to repair the fire truck – Mayor Eccles will check the cost. Mr. Miller questioned if the municipality has issues with dogs running at large – Mayor Eccles responded affirmatively. Bob Miller questioned the merits of the wood bridge consultant, citing concerns with the Heritage Bridge cost over-runs.

**Municipal Act – Notices - None**

**Adjournment**

**Cutting-Hergert, Resolved that, we do now adjourn at 2:14 p.m., to meet again on September 17, 2018, 7:00 p.m., or at the call of the Mayor. Carried.**

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(Signed)  
Kevin Eccles, Mayor

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(Signed)  
Mark Turner, Clerk