



The Corporation of the Township of Perry

MINUTES
REGULAR MEETING
Wednesday, November 6, 2019
7:00 p.m.
Council Chambers
(1695 Emsdale Road, Emsdale, ON)

Any and all Minutes are to be considered Draft until approved by Council at a Regular Meeting of Council

In Attendance:

Council Members:

Mayor Norm Hofstetter
Councillors: Jim Cushman, Joe Lumley,
Margaret Ann MacPhail and Paul Sowrey

Municipal Staff:

Beth Morton, Clerk-Administrator;
Kim Seguin, Treasurer-Tax Collector
Mike Wilmon, Chief Building Official and By-
law Enforcement Officer

Members of the Public:

See Sign in sheet

Declaration of Pecuniary Interest

None

Resolution No. 2019-394

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry approves the Minutes of the following Meeting(s) as presented:

- 3.1. Regular Meeting of Council on Wednesday, October 16, 2019

Carried

Resolution No. 2019-395

Moved by: Jim Cushman

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:23 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Lot 7, Plan 209 and Part of the Original Shore Road Allowance in front of Lot 34, Concession 1 and Lot 34, Concession 2, in the Township of Perry, designated as Part 1 on Plan 42R-20151 located at 57 Sherwood Drive. (Laar)

Carried

Resolution No. 2019-396

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry receive the report prepared by Beth Morton, Clerk/Administrator for lands legally described as Lot 7, Plan 209 and Part of the Original Shore Road Allowance in front of Lot 34, Concession 1 and Lot 34, Concession 2, in the Township of Perry, designated as Part 1 on Plan 42R-20151 located at 57 Sherwood Drive to allow for exceptions to the Shoreline Residential (SR) Zone within the Zoning By-law 2014-21. (Laar)

Carried

Resolution No. 2019-397

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:27 p.m. in order to recommence the Regular Council Meeting of November 6, 2019.

Carried

Resolution No. 2019-398

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:32 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Part of Lot 15, Concession 11, designated as Part 3 on Plan 42R-9455 located at 12 Highway 518 E. (Ferrante Capital Corp.)

Carried

Resolution No. 2019-399

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry receive the report prepared by Beth Morton, Clerk/Administrator for lands legally described as Part of Lot 15, Concession 11, designated as Part 3 on Plan 42R-9455 located at 12 Highway 518 E to allow for an exception the Commercial General (CG) Zone within Zoning By-law 2014-21.

Carried

Resolution No. 2019-400

Moved by: Margaret Ann MacPhail

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:38 p.m. in order to recommence the Regular Council Meeting of November 6, 2019.

Carried

Resolution No. 2019-401

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry has received the Minutes and/or Reports from the following Municipal Boards and Committees:

- 5.1 **Perry Township Public Library**
 - 5.1.1 October 2019 Minutes
 - 5.1.2 CEO Report – September 2019
- 5.2 **EMS Advisory Committee**
 - 5.2.1 August 2019 Minutes
- 5.3 **Recreation and Culture Committee**
 - 5.3.1 October 2019 Minutes
- 5.4 **North Bay Parry Sound District Health Unit**
 - 5.4.1 Medical Officer of Health Report – September 2019
- 5.5 **ACED Committee**
 - 5.5.1 September 2019 Minutes

Carried

Resolution No. 2019-402

**Moved by: Joe Lumley
MacPhail**

Seconded by: Margaret Ann

Be it resolved that the Council of the Township of Perry has received the Monthly Reports, as circulated, from the following Municipal Departments:

- 6.1 **Fire Department**
 - 6.1.1. Fire Training Report – September
 - 6.1.2. Fire Training Report - October
- 6.2. **By-law Enforcement**
- 6.3. **Transfer Station**
 - 6.3.1. Tipping Fees – October
 - 6.3.2 Tipping Fees YTD
- 6.4. **Public Works**
- 6.5. **Building Department**
- 6.6. **Finance Department – YTD Budget**
- 6.7. **ACED CEDO Report**
- 6.8. **Planning Department**

Carried

Resolution No. 2019-403

Moved by: Margaret Ann MacPhail

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2019-64 “Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry” be given first and second reading.

Carried

Resolution No. 2019-404

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that By-law No. 2019-64 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2019-405

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2019-65 "Being a By-law to Establish and Regulate a Fire Department" be given first and second reading.

Carried

Resolution No. 2019-406

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2019-65 "Being a By-law to Establish and Regulate a Fire Department" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2019-407

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that By-law No. 2019-66 "Being a By-law to amend By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands legally described as Part of Lot 26, Concession 10, Township of Perry, designated as Part 1 on Plan 42R-11004" be given first and second reading.

Carried

Resolution No. 2019-408

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2019-66 "Being a By-law to amend By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands legally described as Part of Lot 26, Concession 10, Township of Perry, designated as Part 1 on Plan 42R-11004" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2019-409

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2019-67 "Being a By-law to provide for the execution of a Subdivision Agreement with the Owner of the land described as Part Lot 5, Concession 6, in the Township of Perry, District of Parry Sound" be given first and second reading.

Carried

Resolution No. 2019-410

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that By-law No. 2019-67 "Being a By-law to provide for the execution of a Subdivision Agreement with the Owner of the land described as Part Lot 5, Concession 6, in the Township of Perry, District of Parry Sound" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2019-411

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2019-68 "Being a By-law authorizing the execution of RFP 2019-016 HD Plow and Harness between Northern Upfitters and the Corporation of the Township of Perry" be given first and second reading.

Carried

Resolution No. 2019-412

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that By-law No. 2019-68 "Being a By-law authorizing the execution of RFP 2019-016 HD Plow and Harness between Northern Upfitters and the Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2019-413

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry hereby receive the November 6, 2019 Health and Safety Update from the Clerk/Administrator.

Carried

Resolution No. 2019-414

Moved by: Joe Lumley

Seconded by: Jim Cushman

Whereas the Council of the Township of Perry has received a request from the District of Parry Sound Violence Against Women Coordinating Committee to lower the Canadian flag on December 6th in recognition of Violence Against Women Day;

Now therefore be it resolved that Council hereby approves the lowering of the flag at the Municipal Office on December 6th, 2019 in recognition of Violence Against Women Day.

Defeated

Council directed that rather than lowering the flag that the Township advertise the Violence Against Women Day by placing posters within the Municipal Office, municipal bulletin board and on the Facebook page. Further, Council directed that staff prepare a draft Flag policy for discussion and consideration at a future meeting of Council.

Resolution No. 2019-415

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry continue the practice of providing a \$100 gift certificate from Hope's Clover Farms to all permanent, part-time and temporary Township of Perry employees, in recognition of the Christmas holiday.

Carried

Resolution No. 2019-416

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry hereby appoint Ron Attridge as caretaker of St. Marks Cemetery and St. Andrews Cemetery.

Carried

Resolution No. 2019-417

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry hereby accept the Proposal from Tatham Engineering for Engineering Services to complete a Road Needs Study and Facilities and Equipment Assessment for the quoted amount of \$52,720 plus HST.

Carried

Resolution No. 2019-418

Moved by: Margaret Ann MacPhail

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry hereby direct that the 2019 \$25,000 budgeted amount for Asset Management expenses be set aside in reserves and be brought forward in the 2020 Budget.

Carried

Resolution No. 2019-419

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry hereby direct that the engineering fees budgeted for the Emsdale Community Centre/Library in the amount of \$70,000 be set aside in reserves and brought forward into the 2020 budget to offset costs.

Carried

Resolution No. 2019-420

Moved by: Joe Lumley

Seconded by: Jim Cushman

Whereas the Province of Ontario has legislated in the Building Code Act that "the council of each municipality is responsible for the enforcement of this Act in the municipality" and "the council of each municipality shall appoint a chief building official and such inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction",

And Whereas "the council of a municipality may pass by-laws applicable to the matters for which and in the area in which the municipality has jurisdiction for the enforcement of this Act",

And Whereas the Province has asked local municipal governments to find

efficient and cost effective ways to deliver municipal services is now asking these same municipalities to collect a tax on their behalf to create a new “Delegated Administrative Authority” to deliver services that have historically been the responsibility of the Ontario Government,

And Whereas Premier Ford stated in his keynote address at the Association of Ontario Municipalities 2019 Conference that “we can’t continue throwing money at the problem (broken systems) as our predecessors did, into top-down, big government schemes. That is neither compassionate nor sustainable”,

And Whereas alternative methods of building administration and enforcement have been proposed in this consultation that remove municipal authority but not the associated liability,

Now therefore be it resolved that the Council of the Township of Perry requests that the Province of Ontario research their own efficient and cost effective means to deliver their own services, work with current building sector groups that, for the past fifteen years, have been filling the voids as the Ministry of Municipal Affairs and Housing has severely reduced its service delivery role and provide documented evidence based justification to all Ontario municipalities that the creation of a new

“Delegated Administrative Authority” is necessary prior to any legislative changes to the Building Code Act, with regard to building service delivery, are introduced in the Legislature; and

Further be it resolved that a copy of this motion be sent to The Honorable Doug Ford, Premier of Ontario, The Honorable Steve Clark, Minister of Municipal Affairs and Housing, The Honorable Jim McDonnell, Parliamentary Assistant for Municipal Affairs and Housing and The Honorable Norm Miller MPP for Parry Sound Muskoka; and

Further be it resolved that a copy of this motion be sent to the Associations of Municipalities of Ontario (AMO) and all Ontario Municipalities for their consideration.

Carried

Resolution No. 2019-421

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry hereby rescinds the appointments of Carol Ann Stevens and Mary Johnston to the Recreation and Culture Committee as appointed by Resolution No. 2019-43.

Carried

Resolution No. 2019-422

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry authorize the redemption of the KCU RIC and deposit to the Scotiabank current account.

Carried

Resolution No. 2019-423

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry hereby direct the Treasurer to invest \$1,260,000.00 into the Scotiabank GIC at the 1 year non-redeemable rate of 2.31%.

Carried

Resolution No. 2019-424

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry hereby accept the Proposal from WSP Canada Inc. for the term 2020-2024 under the terms as set out in the RFP 2019-017 and provided for in their Proposal No. P19-11043-91 October 2019.

Carried

Resolution No. 2019-425

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry hereby receives Correspondence Items 10.1 to 10.13. as outlined in the Agenda of November 6, 2019.

Carried

Resolution No. 2019-426

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved in accordance with Section 239 of the *Municipal Act, 2001*, as amended, Council shall proceed into 'Closed Session' at 9:46 p.m. in order to address matters relating to Section 239 (2)(d) labour relations or employee negotiations (Deputy Fire Chief position); and (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (update on litigation matter).

Carried

Resolution No. 2019-429

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry hereby reconvenes the November 6, 2019 Regular Meeting of Council at 9:53 p.m.

Carried

Reporting out of Closed

Council was provided with an update on the Deputy Fire Chief position; and an ongoing litigation matter.

The meeting adjourned at approximately 9:53 p.m.

Dated this 20th day of November, 2019.

Original Signed by Norm Hofstetter
Norm Hofstetter, *Mayor*

Original Signed by Beth Morton
Beth Morton, *Clerk-Administrator*