



MINUTES Regular Council

June 28, 2022

6:00pm

Town Hall, Council Chambers

Council Present: Mayor Strathdee (in-person)
Councillor Craigmile (in-person)
Councillor Edney (in-person)
Councillor Luna (video conference)
Councillor Pridham (in-person)
Councillor Winter (in-person)

Council Regrets: Councillor Hainer

Staff Present: **In-Person**
Brent Kittmer, Chief Administrative Officer
Jenna McCartney, Clerk

Conference Line
Sarah Andrews, Library CEO
Grant Brouwer, Director of Community Services
Stephanie Ische, Director of Community Services
Jed Kelly, Director of Public Works
André Morin, Director of Corporate Services / Treasurer
Dave Blake, Environment Services Manager
Ray Cousineau, Facilities Manager
Jeff Wolfe, Infrastructure Services Manager

1. CALL TO ORDER

Mayor Strathdee called the meeting to order at 6:00 pm.

2. DECLARATIONS OF PECUNIARY INTEREST

Councillor Edney declared a conflict of interest for agenda item 8.5.1.

3. AMENDMENTS AND APPROVAL OF AGENDA

Resolution 2022-06-28-01

Moved By Councillor Pridham

Seconded By Councillor Edney

THAT the June 28, 2022 regular Council meeting agenda be accepted as presented.

CARRIED

4. PUBLIC INPUT PERIOD

In advance of the meeting, Frank Doyle of St. Marys Independent provided the following questions.

1. Would Council confirm their intentions for the upcoming election?
2. In the latest census, it was recorded that there are no residents in St. Marys over 100 years of age. Apparently there are or were 2 or 3 residents at a local nursing home over that age. Would the Town comment?

In response to the first question, Council stated whether they are preparing to run in the 2022 municipal election or if they have not decided at this time.

In response to the second question, Mayor Strathdee stated that staff are working with Stats Can staff to review the numbers and update as necessary.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

5.1 Statutory Public Meeting - 178 Queen Street West

5.1.1 Procedural Comments

Mayor Strathdee opened the public meeting and informed the public that if they wished to be notified of Council's decision related to the planning application, to contact the Clerk.

Jenna McCartney, Clerk, advised how notice was provided to the public.

Councillor Craigmile advised that at the May 30, 2022 meeting, the Planning Advisory Committee considered the Application and public comments, and recommended that Council proceed with the statutory public meeting.

5.1.2 Presentation (Town Planner)

Mark Stone, Planner for the Town of St. Marys, presented an overview of the planning application.

5.1.3 Presentation (Applicant and Agent)

Caroline Baker, Agent for the Applicant, presented an overview of the planning application.

5.1.4 Public Comments

John and Terri Thomson, 20 Ontario St. S., provided correspondence prior to the meeting. The summary of their comments includes:

- the driveway does not meet side yard setbacks
- concern about a retention dry well that causes water on the Thomson's driveway

There were no further comments from the public.

5.1.5 Council Questions

There were no questions from Council.

Mayor Strathdee thanked those who participated in the meeting and included that, should Council proceed with passage of the Zoning By-law Amendment, notice will be provided as prescribed by the Planning Act and a 20-day appeal period to the Ontario Land Tribunal applies.

5.2 Statutory Public Meeting - Zoning By-law Housekeeping Amendment

5.2.1 Procedural Comments

Mayor Strathdee opened the public meeting and informed the public that if they wished to be notified of Council's decision related to the proposed amendments, to contact the Clerk.

Jenna McCartney, Clerk, advised how notice was provided to the public.

Councillor Craigmile advised that at the May 30, 2022 meeting, the Planning Advisory Committee considered the proposed amendments to the Zoning By-law and public comments, and recommended that Council proceed with the statutory public meeting.

5.2.2 Presentation (Town Planner)

Mark Stone provided additional information regarding the proposed zoning amendments.

5.2.3 Presentation (Applicant and Agent)

There were no comments from Town staff.

5.2.4 Public Comments

Mr. King provided correspondence prior to the meeting. He had questions regarding Section 3.25 of the current By-law and suggested minor wording changes to Section 5.1.3A.

There were no further questions or comments from the public.

5.2.5 Council Questions

Councillor Luna inquired about the use of terminology related to nursing homes and homes for the aged. Mr. Stone stated that the concerns have been noted but not changed to ensure a conflict between current zoning and amended terminology does not present itself.

Mayor Strathdee thanked those who participated in the meeting and included that, should Council proceed with passage of the Zoning By-law Amendment, notice will be provided as prescribed by the Planning Act and a 20-day appeal period to the Ontario Land Tribunal applies.

6. ACCEPTANCE OF MINUTES

6.1 Special Council - June 13, 2022

Resolution 2022-06-28-02

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT the June 13, 2022 Special Meeting of Council meeting minutes be approved by Council and signed and sealed by the Mayor and Clerk.

CARRIED

6.2 ADHOC CAO Performance Review Committee - June 14, 2022

Resolution 2022-06-28-03

Moved By Councillor Craigmile

Seconded By Councillor Luna

THAT the June 14, 2022 ADHOC CAO Performance Review Committee meeting minutes be approved by Council and signed and sealed by the Mayor and Clerk.

CARRIED

6.3 Regular Council - June 14, 2022

Resolution 2022-06-28-04

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT the June 14, 2022 regular Council meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

7. CORRESPONDENCE

None.

8. STAFF REPORTS

8.1 Administration

8.1.1 ADMIN 35-2022 Council Calendar Proposed Revisions

Resolution 2022-06-28-05

Moved By Councillor Winter

Seconded By Councillor Pridham

THAT ADMIN 35-2022 Council Calendar Proposed Revisions report be received; and

THAT Council approve the revised 2022 Council calendar; and

THAT meetings of committees of Council end by October 21, 2022 unless the committee or board is legislated in nature and has a matter requiring review by the members; and

THAT Council direct staff to provide public notice of the revisions.

CARRIED

8.1.2 ADMIN 36-2022 Delegation of Authority Related to Municipal Freedom of Information and Protection of Privacy Act

Resolution 2022-06-28-06

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT ADMIN 36-2022 Delegation of Authority Related to *Municipal Freedom of Information and Protection of Privacy Act* be received; and

THAT in accordance with Section 3 and Section 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, Council delegates all its powers and duties as “Head” under the Act to the Clerk; and

THAT Council consider By-Law 70-2022, to delegate authority to the Clerk for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*; and

THAT staff report back to Council with an amendment to By-law 20 of 2016 regarding the delegation to the Mayor as the Head of the institution for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*.

CARRIED

8.1.4 ADMIN 38-2022 Noise By-Law Exemption Request for Army, Navy and Air Force #265

Resolution 2022-06-28-07

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT ADMIN 38-2022 Noise By-law Exemption Request for Army, Navy & Air Force #265 report be received; and

THAT Council provide an exemption to the Noise By-law on July 8, 2022 from 11:00 pm to 12:00 am and July 9, 2022 from 11:00 pm to 12:00 am, to Army, Navy & Air Force #265, subject to the condition of notifying all property owners within a 150m radius.

CARRIED

8.1.3 ADMIN 37-2022 Downtown Service Location Review Consulting Services RFP Award

Resolution 2022-06-28-08

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT ADMIN 37-2022 Downtown Service Location Review Consulting Services RFP Award be received; and

THAT the procurement for the Downtown Service Location Review be awarded to a+Link Architecture Inc. for the procured price of \$72,400.00, inclusive of all taxes and contingencies; and

THAT Council approves that the balance of the project costs not funded by the Municipal Modernization Phase 3 grant be funded from the 2019 Provincial One-Time Modernization Grant; and

THAT Council consider By-Law 71-2021, authorizing the Mayor and the Clerk to sign a professional services agreement with a+Link Architecture Inc.

CARRIED

8.2 Building and Development Services

8.2.1 DEV 47-2022 175 Queen St. E. (Town Hall) Mould Abatement

Resolution 2022-06-28-09

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT DEV 47-2022 Town Hall Mould Abatement report be received; and

THAT the procurement for mould abatement at Town Hall be awarded to JFM Environmental for the unbudgeted amount of \$19,900.00, exclusive of all taxes and contingencies; and,

THAT Council approve a project contingency of \$7,700; and

THAT Council approve the unbudgeted project costs to be funded from the Facilities Reserve; and

THAT Council consider By-Law 74-2022, authorizing the Mayor and the Clerk to sign a professional services agreement with JFM Environmental.

CARRIED

8.2.2 DEV 48-2022 Application for Zoning By-law Amendment (Z03-2022) for 178 Queen Street West by A. and N.D. Brooke

Resolution 2022-06-28-10

Moved By Councillor Edney

Seconded By Councillor Luna

THAT DEV 48-2022 Application for Zoning By-law Amendment (Z03-2022) by A. and N.D. Brooke for 178 Queen Street West be received;

THAT Council approve the Application for Zoning By-law Amendment (Z03-2022) for 178 Queen Street West; and,

THAT Council consider Zoning By-law Z152-2022 for 178 Queen Street West.

CARRIED

8.2.3 DEV 49-2022 Town of St. Marys Zoning By-law – Housekeeping Amendment

Resolution 2022-06-28-11

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT DEV 49-2022 Town of St. Marys Zoning By-law – Housekeeping Amendment report be received; and

THAT Council consider Zoning By-law Z153-2022 for housekeeping amendments to the Town's Zoning By-law.

CARRIED

8.3 Community Services

8.3.1 DCS 31 –2022 Huron Perth and Area Ontario Health Team Partnership Agreement

Resolution 2022-06-28-12

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT DCS 31-2022 Huron Perth and Area Ontario Health Team Partnership Agreement report be received; and

THAT Council approves partnership Option #1, to have the Town of St. Marys become a Formal Partner with the Huron Perth and Area Ontario Health Team; and,

THAT Councillor Luna be appointed to represent the Town of St. Marys on the Huron Perth and Area Ontario Health Team Board-to-Board Reference Group as required: and,

THAT Council consider By-law 72- 2022, authorizing the Mayor and the Clerk to sign Schedule B OHT Member Enrollment Form of the Huron Perth and Area Ontario Health Team Collaboration Agreement; and

THAT Council consider By-law 73-2022, amending By-law 95-2018, to appoint a member of Council to the Huron Perth and Area Ontario Health Team.

CARRIED

8.3.2 DCS 32-2022 Racket Courts

Resolution 2022-06-28-13

Moved By Councillor Pridham

Seconded By Councillor Edney

THAT DCS 32-2022 Racket Courts be received;

THAT Council approve moving to a cost recovery approach for the racket court operations through the implementation of “exclusive use” fees while maintaining free of charge public drop-in opportunities; and

THAT Council direct staff to work with the two local racket clubs to review possible fee structures and to develop a usage schedule that balances the need for “exclusive use” time and public use time; and

THAT staff report back to Council with a fee recommendation during the annual Fee By-law review.

CARRIED

8.3.3 DCS 33-2022 Teddy’s Field Lights Replacement

Resolution 2022-06-28-14

Moved By Councillor Edney
Seconded By Councillor Luna

THAT DCS 33-2022 Teddy's Field Light Replacement report be received; and,

THAT the procurement for the replacement of the lights and stands at Teddy's Field be awarded to Forman Electric Ltd. for the procured price of \$162,856.53, inclusive of a taxes and contingencies; and,

THAT Council consider By-Law 69-2022, authorizing the Mayor and the Clerk to sign the associated agreement.

CARRIED

8.3.4 DCS 34-2022 Ice Allocation Policy

Resolution 2022-06-28-15

Moved By Councillor Craigmile
Seconded By Councillor Pridham

THAT DCS 34-2022 Ice Allocation Policy report be received; and,

THAT the amended Ice Allocation Policy be approved, and the operating changes take effect for the 2022-2023 ice season.

CARRIED

8.3.5 DCS 35-2022 Declaration of Compliance

Resolution 2022-06-28-16

Moved By Councillor Winter
Seconded By Councillor Craigmile

THAT DCS 35-2022 Declaration of Compliance report be received; and

THAT Council authorize the Mayor to sign the Ontario Health Form of Declaration of Compliance Schedule F for the reporting period of April 1, 2021 to March 31, 2022

CARRIED

8.4 Corporate Services

8.4.1 COR 32-2022 Town Insurance Renewal

Resolution 2022-06-28-17

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT COR 32-2022 Town Insurance Renewal report be received;
and

THAT the Town of St. Marys renew its 2022 insurance contract with
Intact Public Entities for the term June 30, 2022 – June 30, 2023;
and

THAT the surplus of any insurance expense in 2021 be placed in
the Insurance Reserve for future use.

CARRIED

8.5 Public Works

Council took a brief break at 8:11 am.

Mayor Strathdee called the meeting back to order at 8:22 pm.

**8.5.1 PW 36-2022 Temporary Access Agreements for Wellington
Street Reconstruction Project**

Councillor Edney declared a conflict of interest.

Resolution 2022-06-28-18

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT PW 36-2022 Temporary Access Agreements for Wellington
Street Reconstruction Project report be received; and

THAT Council consider By-law 76-2022, authorizing the Mayor and
Clerk to enter temporary access agreements for the Wellington
Street reconstruction process with downtown property owners as
necessary to create temporary accesses for businesses and
residents during the Wellington Street construction project; and

THAT Council delegate authority to the Chief Administrative Officer
to add property owners to Schedule A of By-law 76-2022 should the
need arise throughout the term of the Wellington Street project and
to execute the appropriate right of way agreement with said
property owner

CARRIED

8.5.2 PW 40-2022 Vacant Lot Lease Agreement – Park Street

Resolution 2022-06-28-19

Moved By Councillor Winter

Seconded By Councillor Luna

THAT PW 40-2022 Vacant Lot Lease Agreement - Park Street report be received; and

THAT Council consider By-law 64-2022, authorizing the Mayor and Clerk to sign the necessary lease agreement with Forman Electric Ltd. for the use of a vacant lot on Park Street.

CARRIED

8.5.3 PW 41-2022 Vacant Lot on Water Street Lease Agreement

Resolution 2022-06-28-20

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT PW 41-2022 Vacant Lot on Water Street Lease Agreement report be received; and

THAT Council consider By-law 75-2022, authorizing the Mayor and Clerk to sign the associated lease agreement with Forman Electric Ltd. for the use of a vacant lot on Water Street South during the summer of 2022 to support summer operations at the Quarry.

CARRIED

8.5.4 PW 42-2022 Blue Box Program Transition

Resolution 2022-06-28-21

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT report PW 42-2022, Blue Box Program Transition be received; and

THAT Council endorses Option 2 as recommended within PW 42-2022 report and directs staff to defer any formal procurement of waste and / or recycling services until more information is known

regarding the blue box program's transition to producer responsibility; and

THAT Council authorize staff to negotiate changes to waste collection contracts as may be necessary through the blue box program transition period; and

THAT staff report back as necessary regarding any amendments to the existing municipal waste co-collection agreements.

CARRIED

8.5.5 PW 43-2022 Transition of Industrial Waste Surcharge Program

Resolution 2022-06-28-22

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT report PW 43-2022, Transition of Industrial Waste Surcharge Program be received; and

THAT Council approve the transition of the Industrial Waste Surcharge Program, effective July 1, 2022; and,

THAT Council consider By-law 65-2022, authorizing the Mayor and Clerk to enter into the Industrial Waste Surcharge Agreement with Cascades Containerboard Packaging St. Marys, A Division of Cascades Canada ULC; and,

THAT Council consider By-law 66-2022, authorizing the Mayor and Clerk to enter into the Industrial Waste Surcharge Agreement with Saputo Dairy Products Canada G.P.; and,

THAT Council consider By-law 67-2022, authorizing the Mayor and Clerk to enter into the Industrial Waste Surcharge Agreement with Perth County Ingredients; and,

THAT Council consider By-law 68-2022, authorizing the Mayor and Clerk to enter into the Industrial Waste Surcharge Agreements with Delmar Foods; and,

THAT By-laws 63-2006 and 76-2017 being by-laws authorizing Agreements with existing program users be repealed in their entirety; and,

THAT the Agreement between the Town of St. Marys and Shepherd Gourmet Dairy dated March 29, 2012 be repealed in its entirety; and,

THAT the Agreement between the Town of St. Marys and Perth County Ingredients dated May 20, 2011 be repealed in its entirety.

CARRIED

8.6 Consent Agenda - Monthly Reports

Resolution 2022-06-28-23

Moved By Councillor Edney

Seconded By Councillor Pridham

THAT consent agenda items 8.6.1 to 8.6.6 be received for information.

CARRIED

8.6.1 ADMIN 34-2022 June Monthly Report (Administration)

8.6.2 DEV 50-2022 June Monthly Report (Building and Development)

8.6.3 DCS 26-2022 June Monthly Report (Community Services)

8.6.4 COR 31-2022 June Monthly Report (Corporate Services)

8.6.5 FD 07-2022 June Monthly Report (Emergency Services)

8.6.6 PW 55-2022 June Monthly Report (Public Works)

9. EMERGENT OR UNFINISHED BUSINESS

None.

10. NOTICES OF MOTION

None.

11. BY-LAWS

Resolution 2022-06-28-24

Moved By Councillor Luna

Seconded By Councillor Edney

THAT By-Laws 64-2022, 65-2022, 66-2022, 67-2022, 68-2022, 69-2022, 70-2022, 71-2022, 72-2022, 73-2022, 74-2022, 75-2022, 76-2022, Z152-2022 and

Z153-2022 be read a first, second and third time; and be finally passed by Council, and signed and sealed by the Mayor and the Clerk.

CARRIED

- 11.1 By-Law 64-2022 Agreement with Forman Electric Ltd for land lease of a parcel on Park Street**
- 11.2 By-Law 65-2022 Industrial Waste Agreement with Cascades Containerboard Packaging St. Marys, A Division of Cascades Canada ULC for 304 James Street South and to repeal By-Law 63 of 2006**
- 11.3 By-Law 66-2022 Industrial Water Surcharge Agreement with Saputo Dairy Products Canada G.P for 38 Enterprise Drive**
- 11.4 By-Law 67-2022 Industrial Waste Surcharge with Perth County Ingredients for 20 Thames Road North**
- 11.5 By-Law 68-2022 Industrial Waste Surcharge Agreement with Delmar Foods for 25 South Service Road and repeal By-Law 76 of 2017**
- 11.6 By-Law 69-2022 Agreement with Forman Electric Ltd for Teddy's Field lighting**
- 11.7 By-Law 70-2022 Delegating to the Clerk the authority provided within the Municipal Freedom of Information and Protection of Privacy Act**
- 11.8 By-Law 71-2022 Agreement with a+ Link Architecture Inc for consulting services of downtown service location review**
- 11.9 By-Law 72-2022 Collaborative Agreement within Huron Perth and Area Ontario Health Team and become a Formal Member**
- 11.10 By-Law 73-2022 Amend By-Law 95 of 2018 to appoint a member to a committee or board**
- 11.11 By-Law 74-2022 Agreement with JFM Environmental Ltd for mould abatement at Town Hall**
- 11.12 By-Law 75-2022 Agreement with Forman Electric Ltd for land lease at 478 Water Street South**
- 11.13 By-Law 76-2022 Temporary Access Agreement with various property owners during Wellington Street reconstruction**
- 11.14 Z152-2022 Zoning By-Law Amendment 178 Queen Street West**
- 11.15 Z153-2022 General Housekeeping**

12. UPCOMING MEETINGS

July 19, 2022 - 9:00 am, Strategic Priorities Committee

July 26, 2022 - 6:00 pm, Regular Council

13. CONFIRMATORY BY-LAW

Resolution 2022-06-28-25

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT By-Law 77-2022, being a by-law to confirm the proceedings of June 28, 2022 regular Council meeting be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

14. ADJOURNMENT

Resolution 2022-06-28-26

Moved By Councillor Luna

Seconded By Councillor Edney

THAT this regular meeting of Council adjourns at 8:55 pm.

CARRIED

Al Stratthdee, Mayor

Jenna McCartney, Clerk