

MINUTES
MUNICIPAL COUNCIL

Monday, October 30, 2023
6:30 PM
South Edwardsburgh Community Centre
24 Sutton Dr.
Johnstown Ontario

PRESENT: Mayor Tory Deschamps
Deputy Mayor Stephen Dillabough
Councillor Joe Martelle
Councillor Waddy Smail
Councillor Chris Ward

STAFF: Dave Grant, CAO
Rebecca Crich, Clerk
Sean Nicholson, Treasurer
Gord Shaw, Director of Operations
Mike Spencer, Manager of Parks, Recreation & Facilities
Candise Newcombe, Deputy Clerk

1. Call to Order

Mayor Deschamps called the meeting to order at 6:33 p.m.

2. Approval of Agenda

Decision: 2023-269

Moved by: S. Dillabough

Seconded by: C. Ward

That Municipal Council approves the agenda as presented.

Carried

3. Disclosure of Pecuniary Interest or Conflict of Interest & the General Nature Thereof

None.

4. Delegations & Presentations

a. Clare Kinlin - Byers Rd

Mr. Kinlin provided a history of events regarding the Byers Road property and highlighted his goals of holding Council accountable for maintaining transparency with the public.

There was discussion regarding past issues with the industrial waste disposal zoning designation of the Byers Road property, closed session meeting procedures, accountability of the United Counties of Leeds and Grenville (UCLG), and the responsibilities of Township Council to its residents.

Council reviewed the closed session meeting investigator process with the Township's Integrity Commissioner, identified as Mr. Tony Fleming, of Cunningham, Swan Law Firm. Members provided a high level overview of the subject of the closed session meeting held at the September 11 Committee of the Whole - Administration and Operations meeting.

Mr. Kinlin inquired about the process for changing the current zoning of the Byers Road property. It was noted that the Byers Road property was

owned by UCLG, therefore the UCLG would be the deciding body on zoning designation. Members reviewed the process for applying to be a delegation at the UCLG County Council meeting.

5. Consent Agenda

Decision: 2023-270

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives and approves the following consent agenda items as presented:

- a. Regular Council - September 25, 2023 [See item 6a]
- b. Special Council - October 10, 2023 [See item 6b]
- c. Special Council - October 16, 2023 [See item 6c]
- d. Committee of the Whole - Administration and Operations - September 11, 2023 [See item 8a]
- e. Port Management Committee - September 18, 2023 [See item 8b]
- f. Public Library - September 26, 2023 [See item 8c]
- g. Committee of the Whole - Community Development - October 2, 2023 [See item 8d]
- h. Committee of the Whole - Administration and Operations - October 10, 2023 [See item 8e]
- i. Application for Severance 2460 Rooney Rd (Smith) [See item 9a]
- j. Request for Easement - 2099 Dundas (Speska Holding Inc) [See item 9b]

Carried

6. Minutes of the Previous Council Meetings

- a. Regular Council - September 25, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Regular Council meeting dated September 25, 2023.

Carried

- b. Special Council - October 10, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Special Council meeting dated October 10, 2023.

Carried

- c. Special Council - October 16, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward
Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Special Council meeting dated October 16, 2023.

Carried

7. Business Arising from the Previous Council Meeting (if any)

None.

8. Committee Minutes

- a. Committee of the Whole - Administration & Operations - September 11, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward
Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Committee of the Whole - Administration and Operations meeting dated September 11, 2023.

Carried

- b. Port Management Committee - September 18, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward
Seconded by: W. Smail

THAT Municipal Council receives the minutes of the Port Management Committee meeting dated September 18, 2023.

Carried

- c. Public Library - September 26, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward
Seconded by: W. Smail

THAT Municipal Council receives the minutes of the Public Library meeting dated September 26, 2023.

Carried

- d. Committee of the Whole - Community Development - October 2, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward
Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Committee of the Whole - Community Development dated October 2, 2023.

Carried

- e. Committee of the Whole - Administration & Operations - October 10, 2023 - CONSENT

Decision: 2023-270

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Committee of the Whole - Administration and Operations meeting dated October 10, 2023.

Carried

9. Action and Information Items from Committees

- a. Application for Severance - 2460 Rooney Rd (Smith) - CONSENT

Decision: 2023-270

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council recommend in favour of severance B-111-23 (2460 Rooney Rd - Smith) with the following conditions:

1. That the owner obtain relief from the Zoning Bylaw, to the satisfaction of the Township, that permits the accessory structure on the severed lands, with all levels of appeal exhausted; and
2. That the owner provide evidence, to the satisfaction of the Township, that the existing shared well is disconnected from the accessory building on the severed lot. Each shall be serviced by individual water supply and sewage disposal systems.

As recommended by the Committee of the Whole - Community Development.

Carried

- b. Request for Easement - 2099 Dundas (Speska Holdings Inc.) - CONSENT

Decision: 2023-270

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council:

1. Proceed with the request for an easement over 2093-2095 Dundas St. in favour of 2099 Dundas St.; and
2. Authorize staff to obtain legal support in drafting an easement agreement for Council's consideration that deals with the maintenance and use of the land as requested by the Owner of 2099 Dundas St.

As recommended by the Committee of the Whole - Community Development.

Carried

- c. Navigi and Systems Mapping Proposal

Decision: 2023-271

Moved by: S. Dillabough

Seconded by: C. Ward

THAT Municipal Council direct staff to work with HelpSeeker Technologies to implement the proposed Navigi supply mapping project, as recommended by the Committee of the Whole - Community Development.

Carried

d. County Rd 2 - Debenture Report

Council discussed debenture options, payback structure options and reviewed the benefits of the longer debenture period based on the estimated lifecycle of the asset. Council confirmed that the debentured amount will be borne by benefiting users of the Cardinal water/sewer system.

Decision: 2023-272

Moved by: S. Dillabough

Seconded by: C. Ward

THAT Municipal Council direct the Treasurer to engage Infrastructure Ontario to secure a 20-year debenture, payable semi-annually in the amount of \$1,030,150.00 to complete funding for the County Road 2 project, as recommended by the Committee of the Whole - Administration and Operations.

Carried

e. New Scott Road Transfer Site 60% Design

Council noted the attentiveness of staff in incorporating the various modifications noted by Council into the future transfer site design.

Decision: 2023-273

Moved by: W. Smail

Seconded by: C. Ward

THAT Municipal Council:

1. Review the 60% design and associated estimates provided by Jp2G; and
2. Direct staff to advise Jp2G of any changes and to proceed with the final design.

As recommended by the Committee of the Whole - Administration and Operations.

Carried

10. Correspondence

Decision: 2023-274

Moved by: S. Dillabough

Seconded by: C. Ward

THAT Municipal Council receives the correspondence listings for the following dates as previously circulated:

- September 27, 2023
- October 4, 2023
- October 11, 2023
- October 18, 2023
- October 26, 2023

Carried

The upcoming Economic Development Summit was highlighted and members of Council were encouraged to attend. Members that wish to attend were advised to contact the Clerk prior to the registration deadline.

11. Municipal Disbursements

Decision: 2023-275

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives the payment of municipal invoices circulated and dated as follows:

| | |
|--|----------------|
| • Report dated September 29 (2023-185) | \$146,954.60 |
| • Report dated September 29 (2023-186) | \$2,046,109.03 |
| • Report dated October 16 (2023-193) | \$197,405.09 |
| • Report dated October 19 (2023-195) | \$218,566.10 |
| • Report dated October 19 (2023-196) | \$93,092.00 |
| • Report dated October 19 (2023-197) | \$303,096.86 |
| Total: | \$3,005,223.68 |

Carried

12. By-laws

- a. Option to Repurchase Agreement - 2506418 Ontario INC. (Purplefarm)

Council confirmed that both parties were mutually supportive of the terms and conditions within the agreement.

Decision: 2023-276

Moved by: C. Ward

Seconded by: W. Smail

THAT the mover be granted leave to introduce a bylaw to authorize the Mayor and CAO to execute an option to repurchase agreement between the Corporation of the Township of Edwardsburgh Cardinal and 2506418 Ontario Inc., and this shall constitute first and second reading thereof.

Carried

Council commended staff on collaboration efforts and achieving an agreement to allow additional flexibility for Purplefarm to achieve their development goals. Members highlighted that Council made the decision to provide additional support through the option to repurchase agreement and encourage development opportunities within the Township.

Decision: 2023-277

Moved by: C. Ward

Seconded by: W. Smail

THAT a bylaw to authorize the Mayor and CAO to execute an option to repurchase agreement between the Corporation of the Township of Edwardsburgh Cardinal and 2506418 Ontario Inc., be now read a third and final time and finally passed, signed, sealed and numbered 2023-55.

Carried

- b. Agreement of Purchase and Sale - Alantra Leasing Inc.

Decision: 2023-278

Moved by: W. Smail
Seconded by: S. Dillabough

THAT the mover be granted leave to introduce a bylaw to authorize the Mayor and CAO to execute an agreement of purchase and sale between the corporation of the Township of Edwardsburgh Cardinal and Alantra Leasing Inc/Location Alantra Inc., and this shall constitute first and second reading thereof.

Carried

Members noted that items such as the negotiation of agreements of purchase and sale, such as this one, must take place in closed session.

Decision: 2023-279

Moved by: W. Smail
Seconded by: S. Dillabough

THAT a bylaw to authorize the Mayor and CAO to execute an agreement of sale between the corporation of the Township of Edwardsburgh Cardinal and Alantra Leasing Inc/Location Alantra Inc., be now read a third and final time and passed, signed, sealed and numbered 2023-56.

Carried

13. **CAO's Administrative Update**

Council reviewed the CAO's administrative update and discussed the following items:

- Possible future coverage of capital costs and cost/revenue sharing agreement between Rideau St. Lawrence and the Township for the installation of EV Charging Stations.
- Confirmed the Official Plan Amendment (OPA) public meeting advertising and schedule for November 20, noting the open house time of 4:00 p.m.- 6:00p.m. and the public meeting to follow at 6:00 p.m.
- Estimated timeframe for completion of Lockmaster's Meadow subdivision.
- Estimated timeframe for completion of the Johnstown tennis court remediation project.
- Inquired about the possibility of extending the Cardinal dock season prior to removal and requested future discussion regarding extending the season in future years.
- Supported the efforts made with the Cardinal and Johnstown Trunk or Treat events held on October 29.
- Discussed the strategic placement of the trees planted along Legion Way and inquired about the process of future relocation of the seedlings should the need be required.
- Discussed the cancelled snow removal contract with the Township and noted it was due to increased insurance rates.

Decision: 2023-280

Moved by: W. Smail
Seconded by: S. Dillabough

THAT Municipal Council receives the CAO's Administrative Report as presented.

Carried

14. **Councillor Inquiries or Notices of Motion**

Councillor Smail noted his impending absence from November 6 – 18.

Deputy Mayor Dillabough requested a future discussion item on the parameters of the proposed charge for the use of the Cardinal boat launch and timeline for seasonal dock installation and removal.

15. Mayor's Report

Mayor Deschamps reported on the following:

- Highlighted the installation and locations of the Township's Remembrance Day banners throughout the Township.
- Attended the Poppy Pinning Ceremony for the Cardinal and Spencerville Legions on October 27 at the Johnstown Community Centre.
- Attended the Kings Day event at the Ingredion Centre.
- Noted good attendance at the Trunk or Treat events held in Cardinal and Johnstown on October 29.
- Thanked staff for their assistance in drafting a letter to the Minister of Transport Canada, the Honorable Pablo Rodriguez respecting the Seaway strike.
- Wished son a Happy 11th Birthday.

Decision: 2023-281

Moved by: S. Dillabough

Seconded by: C. Ward

THAT Municipal Council approves the Mayor's report as presented.

Carried

16. Question Period

Questions/comments were raised with respect to the following:

- Sought confirmation on and was informed of the confidentiality of the civic number of the Byer's Road property.

17. Closed Session

Decision: 2023-282

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council proceeds into closed session at 8:01 p.m. in order to address a matter pertaining to:

- a. Section 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees: Specifically: Operational Sustainability.
- b. Section 239(2)(c) Acquisition or disposition of land by the municipality or local board; Specifically: Minutes of closed session dated August 28, 2023.

Carried

- a. Section 239 (2)(b) Personal matters about an identifiable individual, including municipal or local board employees: Specifically: Operational Sustainability
- b. Section 239(2)(c) Acquisition or disposition of land by the municipality or local board; Specifically: Minutes of August 28, 2023

Decision: 2023-283

Moved by: C. Ward
Seconded by: W. Smail

THAT the closed meeting of Municipal Council does now adjourn and the open meeting does now resume at 8:59 p.m.

Carried

18. Report Out of Closed Session

Council met in closed session to discuss personal matters about an identifiable individual and requested the CAO return with additional information and reviewed the minutes of closed session.

Decision: 2023-284

Moved by: W. Smail
Seconded by: C. Ward

THAT Municipal Council receives and approves the minutes of Closed Session dated August 28, 2023.

Carried

19. Confirmation By-law

Decision: 2023-285

Moved by: W. Smail

THAT a by-law to adopt, confirm and ratify matters dealt with by resolution be now passed, signed, sealed and numbered 2023-57.

Carried

20. Adjournment

Decision: 2023-286

Moved by: C. Ward

That Municipal Council does now adjourn at 9:02 p.m.

Carried

Mayor

Deputy Clerk