

**MINUTES  
MUNICIPAL COUNCIL  
CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL  
SPENCERVILLE MUNICIPAL OFFICE  
MONDAY, MAY 28, 2018  
6:30 PM**

**PRESENT:**

Mayor Pat Sayeau  
Councillor Michael Barrett  
Councillor Gerry Morrell  
Councillor Karie Smail

**REGRETS:**

Deputy Mayor Peggy Taylor

**STAFF:**

Debra McKinstry, CAO/Clerk  
Dave Grant, Director of Operations  
Melanie Stubbs, Treasurer  
Rebecca Williams, Deputy Clerk

1. Call to Order

Mayor Sayeau called the meeting to order at 6:30pm and noted that there had been a 6:00pm ceremony to recognize the Spencerville Fair Royalty Program Youth Ambassadors.

2. Approval of the Agenda

R2018-169

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council approves the agenda as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof

Councillor Smail declared an interest on item 8d) as she lives on Walker St.

Councillor Barrett declared an interest on items 16a) as his parents-in-law are directly affected by the JRDR Drainage Referee ruling.

4. Delegations & Presentations – None

5. Minutes of the Previous Council Meetings

a) Regular Council – April 23, 2018

R2018-170

**Decision:** Moved by: M. Barrett seconded by: K. Smail that Municipal Council receives and approves the minutes of the Regular Meeting dated April 23, 2018.

Carried

6. Business Arising from the Previous Council Meeting – None

7. Committee Minutes

a) Public Library Board – March 27, 2018

R2018-171

**Decision:** Moved by: G. Morrell seconded by: K. Smail that Municipal Council receives the minutes of the Public Library Board meeting dated March 27, 2018.

Carried

b) Port Management Committee – April 18, 2018

R2018-172

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council receives the minutes of the Port Management Committee meeting dated April 18, 2018.

Carried

c) Recreation Advisory Committee – May 1, 2018

R2018-173

**Decision:** Moved by: M. Barrett seconded by: K. Smail that Municipal Council receives and approves the minutes of Recreation Advisory Committee meeting dated May 1, 2018.

Carried

d) Community Development Committee – May 7, 2018

R2018-174

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council receives and approves the minutes of Community Development Committee dated May 7, 2018.

Carried

e) Committee of the Whole – Administration & Finance – May 14, 2018

R2018-175

**Decision:** Moved by: G. Morrell seconded by: M. Barrett that Municipal Council receives and approves the minutes of the Committee of the Whole – Administration & Finance meeting dated May 14, 2018.

Carried

f) Committee of the Whole – Public Works, Environmental Services & Facilities – May 22, 2018

R2018-176

**Decision:** Moved by: M. Barrett seconded by: G. Morrell that Municipal Council receives and approves the minutes of Committee of the Whole – Public Works, Environmental Service & Facilities meeting dated May 22, 2018.

Carried

8. Action and Information Items from Committees

a) Port Capital Budget Amendment

R2018-177

**Decision:** Moved by: G. Morrell seconded by: K. Smail that Municipal Council amend the 2018 Port Capital Budget to include the cost of a replacement pickup truck for the Port General Manager, as recommended by the Port Management Committee.

Carried

b) King's Lock Distillery By-the-Glass License

R2018-178

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council support the King's Lock Craft Distillery in their application for a license to offer their products served by-the-glass, as recommended by the Community Development Committee.

Carried

c) Spencerville Legion Beer Garden Request

R2018-179

**Decision:** Moved by: M. Barrett seconded by: K. Smail that Municipal Council support the events of the Spencerville Legion, specifically their request to host two outdoor beer gardens on the following dates in 2018:

- August 18, 2018 - Ball Banquet
- September 22, 2018 – Legion Week Event

As recommended by the Committee of the Whole – Administration & Finance.

Carried

d) Walker St. Reconstruction Tender Award

Councillor Smail did not participate in the discussion or vote on the matter.

R2018-180

**Decision:** Moved by: M. Barrett seconded by: G. Morrell that Municipal Council:

1. Award the Walker Street Reconstruction Tender EC-PW-18-03 to Cornwall Gravel Company at a cost of \$1,087,943.00 plus HST.
2. Authorize the Director of Operations to execute contract documents.
3. Approve a 10% contingency, in the amount of \$108,794.00, to be used at the Director of Operations' discretion should any unforeseen issues arise during the project.

As recommended by Committee of the Whole – Public Works, Environmental Services & Facilities.

Carried

e) OCIF Top-Up Application Funding

R2018-181

**Decision:** Moved by: G. Morrell seconded by: K. Smail that Municipal Council:

1. Endorse the County Rd 2 Water & Sewer Rehabilitation as the selected project eligible for the 2018 OCIF Top-Up application-based component; and
2. Direct staff to prepare and submit an application under the 2018 intake prior to the August 28<sup>th</sup>, 2018 deadline.

As recommended by Committee of the Whole – Public Works, Environmental Services & Facilities.

Carried

f) Railway Right-of-Way Property Taxation

Members enquired as to the location of the three properties.

R2018-182

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council directs staff to request a review of the following railway right-of-way properties by the Ministry of Finance to determine if the high-tonnage rate applies:

- 0701-701-050-01150-0000
- 0701-702-005-58900-0000
- 0701-701-050-01160-0000

Carried

g) Spencerville Optimist Club Soapbox Derby

R2018-183

**Decision:** Moved by: M. Barrett seconded by: K. Smail that Municipal Council:

1. Support and approve the request for partial closure of Millar Rd on June 23, 2018 from Millar Rd west to County Rd 21 between the hours of 9am and 3:30pm for the Optimist Club Soapbox Derby; and
2. Residents directly affected by the road closure be notified by the Optimist Club; and
3. Direct staff to supply barricades, notify emergency services and post the road closure on social media.

Carried

9. Correspondence

R2018-184

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council receives the correspondence listings for the following dates as previously circulated:

- May 8, 2018
- May 14, 2018
- May 22, 2018

Carried

10. Approval of Municipal Disbursements

R2018-185

**Decision:** Moved by: M. Barrett seconded by: K. Smail that Municipal Council approves payment of municipal invoices circulated and dated as follows:

• Report dated May 3, 2018	\$275,196.60
• Report dated May 9, 2018	\$138,051.56
• Report dated May 23, 2018	\$288,212.55
<b>TOTAL:</b>	<b>\$701,460.71</b>

Carried

11. By-laws

a) Site Plan Control Agreement – Marshall

R2018-186

**Decision:** Moved by: K. Smail seconded by: M. Barrett that the mover be granted leave to introduce a by-law to authorize the execution of a site plan control agreement with Tabitha Marshall and Lyndon Marshall and this shall constitute first and second reading thereof.

Carried

R2018-187

**Decision:** Moved by: K. Smail seconded by: M. Barrett that a by-law to authorize the execution of a site plan control agreement with Tabitha Marshall and Lyndon Marshall be now read a third time and finally passed, signed, sealed and numbered 2018-27.

Carried

b) Appoint Building Inspectors

R2018-188

**Decision:** Moved by: M. Barrett seconded by: K. Smail that the mover be granted leave to introduce a by-law to appoint building inspectors for the

Township of Edwardsburgh Cardinal and this shall constitute first and second reading thereof.

Carried

R2018-189

**Decision:** Moved by: M. Barrett seconded by: K. Smail that a by-law to appoint building inspectors for the Township of Edwardsburgh Cardinal be now read a third time and finally passed, signed, sealed and numbered 2018-28.

Carried

c) Parking By-law & Set Fines

R2018-190

**Decision:** Moved by: G. Morrell seconded by: K. Smail that the mover be granted leave to introduce a bylaw to provide for the regulation of parking within the Township of Edwardsburgh Cardinal and this shall constitute first and second reading thereof.

Carried

R2018-191

**Decision:** Moved by: G. Morrell seconded by: K. Smail that a by-law to provide for the regulation of parking within the Township of Edwardsburgh Cardinal be now read a third time and finally passed, signed, sealed and numbered 2018-29.

Carried

d) Use of Corporate Resources Policy

R2018-192

**Decision:** Moved by: M. Barrett seconded by: K. Smail that the mover be granted leave to introduce a by-law to adopt a policy regarding the use of corporate resources for election purposes and this shall constitute first and second reading thereof.

Carried

R2018-193

**Decision:** Moved by: M. Barrett seconded by: K. Smail that a by-law to adopt a policy regarding the use of corporate resources for election purposes be now read a third time and finally passed, signed, sealed and numbered 2018-30.

Carried

e) Port – OnServe Managed Services Agreement

R2018-194

**Decision:** Moved by: K. Smail seconded by: M. Barrett that the mover be granted leave to introduce a by-law to enter into a managed services agreement for the Port of Johnstown with OnServe Inc. and this shall constitute first and second reading thereof.

Carried

R2018-195

**Decision:** Moved by: K. Smail seconded by: M. Barrett that a by-law to enter into a managed services agreement for the Port of Johnstown with OnServe Inc. be now read a third time and finally passed, signed, sealed and numbered 2018-31.

Carried

f) Amend By-law 2006-04 Site Plan Control Agreement

R2018-196

**Decision:** Moved by: M. Barrett seconded by: K. Smail that the mover be granted leave to introduce a by-law to authorize the amendment of a site plan control agreement as authorized by by-law 2006-04 and this shall constitute first and second reading thereof.

Carried

R2018-197

**Decision:** Moved by: M. Barrett seconded by: K. Smail that a by-law to authorize the amendment of a site plan control agreement as authorized by by-law 2006-04 be now read a third time and finally passed, signed, sealed and numbered 2018-32.

Carried

12. CAO's Administrative Update

The CAO summarized the report and highlighted that the upcoming Community Development meeting of June 4 has been cancelled. It was noted that the initial presentation by Novatech for the Official Plan review will take place on June 27 at 6:30pm and requires a quorum of Council present.

Council reviewed the CAO's administrative update and asked for clarification with respect to the Mary St. outlet estimated costs. Members confirmed that the in-house authored financial statements by the Treasurer will still require review by the Township appointed auditor. Council enquired if the Township has yet been able to recover insurance costs with respect to the 730 Truck Stop fire.

There was a general discussion with respect to the upcoming tax sales of properties in the Township, specifically regarding the administrative procedures to advertise the sales. Members confirmed that staff will prepare a report for an upcoming Committee meeting with respect to an agreement for disposal of non-GMO wash water from Ingredion through the Township WWTP.

R2018-198

**Decision:** Moved by: G. Morrell seconded by: K. Smail that Municipal Council receives the CAO's Administrative Report as presented.

Carried

13. Councillor Inquiries or Notices of Motion

Councillor Barrett requested that the resolution from the Township of Uxbridge with respect to Bill 16 (municipal authority over landfill sites) be brought forward to the next council meeting for discussion.

Councillor Smail provided an update with respect to the Dump to Donate event held on May 26<sup>th</sup>, noting that Skip Ventures raised over \$1300.

14. Mayor's Report

Mayor Sayeau reported the following:

- Sale of 3005 County Road 21 property closed on May 25. Gryphon Engineering Services are the new owners.
- Greenery placing ads in the Prescott Journal and have website set up with information and allowing public to submit questions
- Port Management Committee to donate \$2000 towards MP Brown's Ice Pad fund. Presentation of donation will take place in Gananoque, date yet to be determined
- Met with OPP and discussed matters with respect to the 401 detour routes and possible passage of a by-law to prohibit truck traffic on Cedar Grove Rd
- North Channel Supply commences construction of facility

R2018-199

**Decision:** Moved by: G. Morrell seconded by: K. Smail that Municipal Council receives the Mayor's Report as presented.

Carried

15. Question Period – None

16. Closed Session

R2018-200

**Decision:** Moved by: K. Smail seconded by: G. Morrell that Municipal Council proceeds into closed session at 7:08pm in order to address a matter pertaining to:

- The receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose; Specifically: JRDR Drain and Minutes of Closed Session dated April 23, 2018

Carried

Councillor Barrett left the chamber and did not participate in the discussion or vote on the matter.

Council recessed for 5 minutes to clear the chambers.

R2018-201

**Decision:** Moved by: K. Smail seconded by: G. Morrell that the closed meeting does now adjourn and the open meeting of Municipal Council does now resume at 7:35pm.

Carried

Councillor Barrett resumed his seat once the closed session of Council adjourned.

R2018-202

**Decision:** Moved by: G. Morrell seconded by: K. Smail that Municipal Council approves the minutes of closed session dated April 23, 2018.

Carried

Mayor Sayeau reported that the CAO provided Council with an update with respect to the JRDR Drain and Council provided direction to staff in relation to JRDR Drain costs. Minutes of the closed session of April 23 were reviewed.

17. Confirmation By-law

R2018-203

**Decision:** Moved by: G. Morrell seconded by: K. Smail that the mover be granted leave to introduce a by-law to adopt, confirm and ratify matters dealt with by resolution and this shall constitute first and second reading thereof.

Carried

R2018-204

**Decision:** Moved by: G. Morrell seconded by: K. Smail that a by-law to adopt, confirm and ratify matters dealt with by resolution be now read a third time and finally passed, signed, sealed and numbered 2018-33.

Carried

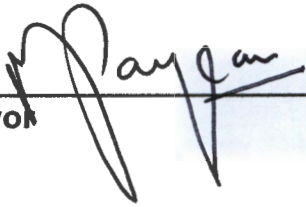
18. Adjournment

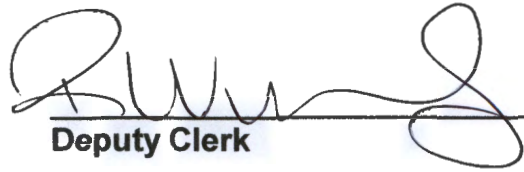
R2018-205

**Decision:** Moved by: K. Smail seconded by: M. Barrett that Municipal Council does now adjourn at 8:50 pm.

Carried

These minutes were adopted by Council this 25<sup>th</sup> day of June, 2018.

  
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Mayor

  
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Deputy Clerk