

**MINUTES  
MUNICIPAL COUNCIL  
CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL  
SPENCERVILLE MUNICIPAL OFFICE  
MONDAY, JUNE 24, 2019  
6:30 PM**

**PRESENT:**

Mayor Pat Sayeau  
Deputy Mayor Tory Deschamps  
Councillor Hugh Cameron  
Councillor Stephen Dillabough  
Councillor John Hunter

**STAFF:**

Debra McKinstry, CAO/Clerk  
Dave Grant, Director of Operations

1. Call to Order

Mayor Sayeau called the meeting to order at 6:30pm.

2. Approval of the Agenda

R2019-201

**Decision:** Moved by: T. Deschamps seconded by: J. Hunter that Municipal Council approves the agenda as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof – None

4. Delegations & Presentations

a) Small Business Enterprise Centre

Ms. Onstein was in attendance to provide Council with an overview of the Small Business Enterprise Centre and to help promote entrepreneurship in the area. Ms. Onstein outlined the core services and resources provided by the SBEC, noting that the SBEC has been mandated to increase self-employments and create sustainable businesses. Ms. Onstein noted that SBEC assists startup companies and the summer company program for students between the ages of 15-29. It was noted that the SBEC hosts events and provides training activities through the year.

Council briefly discussed the various programs and activities provided by the SBEC, specifically with respect to the assistance given to start-up and existing businesses that have been in existence for under 5 years. It was noted that the Grenville Community Futures Development Corporation is able to assist other long-term businesses looking to expand.

Council thanked Ms. Onstein for her attendance.

5. Minutes of the Previous Council Meetings

a) Regular Council – May 27, 2019

R2019-202

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council receives and approves the minutes of the Regular Meeting dated May 27, 2019.

Carried

6. Business Arising from the Previous Council Meeting – None

7. Committee Minutes

a) Public Library Board – April 23, 2019

R2019-203

**Decision:** Moved by: H. Cameron seconded by: S. Dillabough that Municipal Council receives the minutes of the Public Library Board meeting dated April 23, 2019.

Carried

b) Port Management Committee – May 22, 2019

R2019-204

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council receives the minutes of the Port Management Committee meeting dated May 22, 2019.

Carried

c) Public Meeting – Killick Rezoning of 208 Dobbie Rd

R2019-205

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council receives the minutes of the Public Meeting - Killick Rezoning of 208 Dobbie Rd dated May 27, 2019.

Carried

d) Community Development Committee – June 3, 2019

R2019-206

**Decision:** Moved by: T. Deschamps seconded by: J. Hunter that Municipal Council receives and approves the minutes of the Community Development Committee meeting dated June 3, 2019.

Carried

e) Committee of the Whole – June 10, 2019

R2019-207

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council receives and approves the minutes of the Committee of the Whole Meeting dated June 10, 2019.

Carried

f) Committee of the Whole – Administration & Finance – June 10, 2019

R2019-208

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council receives and approves the minutes of the Committee of the Whole – Administration & Finance meeting dated June 10, 2019.

Carried

g) Public Meeting – Bessette Rezoning of 13 Riddell Rd & 1717 County Rd 2 – June 17, 2019

R2019-209

**Decision:** Moved by: T. Deschamps seconded by: J. Hunter that Municipal Council receives the minutes of the Public Meeting - Bessette Rezoning of 13 Riddell Rd and 1717 County Rd 2 dated June 17, 2019.

Carried

h) Public Meeting – Hartle Rezoning of 331 Walter St – June 17, 2019  
R2019-210

**Decision:** Moved by: H. Cameron seconded by: S. Dillabough that Municipal Council receives the minutes of the Public Meeting - Hartle Rezoning of 331 Walter St dated June 17, 2019.

Carried

i) Committee of the Whole – Public Works, Environmental Services & Facilities – June 17, 2019

R2019-211

**Decision:** Moved by: H. Cameron seconded by: S. Dillabough that Municipal Council receives and approves the minutes of the Committee of the Whole – Public Works, Environmental Services & Facilities meeting dated June 17, 2019.

Carried

8. Action and Information Items from Committees

a) MMAH Modernization Funding – Service Delivery Review

R2019-212

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council directs staff to draft and issue an RFP for an internal service delivery review with the express purpose of identifying efficiencies that will result in cost savings for the municipality, as recommended by Committee of the Whole.

Carried

b) AMCTO Modernizing the Voters' List – Position Paper

R2019-213

**Decision:** Moved by: T. Deschamps seconded by: J. Hunter

**WHEREAS** concerns over the quality of the Municipal Voters' List is not a new phenomenon; and

**WHEREAS** in 2012 and 2019, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) published Position Papers with respect to Modernizing the Voters' List, and have been advocating for transformational changes to the way that Ontario creates and maintains the Voters' List for municipal elections; and

**WHEREAS** the Preliminary List of Elections, which forms the Voters' List in Ontario for municipal elections, is supplied by data from the Municipal Property Assessment Corporation (MPAC); and

**WHEREAS** despite the incremental changes made by MPAC, MPAC has a limited ability to fix the currency and accuracy issues that impair the current process and the Voters' List continues to be flawed with data inaccuracies and outdated information; and

**WHEREAS** the Township of Edwardsburgh Cardinal processed over 400 corrections and added over 300 eligible electors to the Voters' List during the 2018 municipal election; and

**WHEREAS** a transformational solution to the way the Voters' List is created and managed is required;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Township of Edwardsburgh Cardinal endorses AMCTO's Modernizing the Voters' List Position Paper and supports the re-establishment of the multi-stakeholder working group in exploring and identifying ways to create and maintain the Voters' List for Municipal Elections;

**AND FURTHER** that a copy of this resolution be circulated to the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Association of Municipalities of Ontario (AMO).

Carried

c) Spencerville Legion beer Garden Request

R2019-214

**Decision:** Moved by: H. Cameron seconded by: J. Hunter that Municipal Council supports the events of the Spencerville Legion, specifically their request to host two outdoor beer gardens on the following dates in 2019:

- August 24, 2019 – Ball Banquet
- September 14, 2019 – Spencerville Fair Weekend

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

Carried

d) Reserve Fund Transfer – Water & Wastewater

R2019-215

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council approve the transfers to and from the reserve fund account from the operating account for the Water and Wastewater funds in accordance with the below table, as recommended by Committee of the Whole – Administration & Finance.

G/L Account #	Fund Name	Balance prior to Adjustments	Adjustment Reason	Amount of Adjustment	Adjusted Year End Balance of Reserve Fund
98-3803	Industrial Park Wastewater	\$19,846.02	Add capital levy amount collected in 2018	\$2,351.51	\$22,197.51
98-3804	Industrial Park Water	\$80,721.48	Subtract operating deficit from Ind Park Wastewater	(\$24,537.56)	\$56,183.92
98-3804	Industrial Park Water	\$56,183.92	Add operating surplus from Ind Park Water	\$27,572.85	\$83,756.77
98-3806	Spencerville Wastewater	\$246,955.69	Add operating surplus	\$43,150.54	\$290,106.23
98-3808	Cardinal Wastewater	\$204,177.19	Add operating surplus	\$27,282.92	\$231,460.11
98-3811	Cardinal Water	\$555,989.45	Subtract operating deficit	(\$57,358.00)	\$498,631.45
	<b>Net Total Adjustments</b>			<b>\$18,462.26</b>	

Carried

e) 2018 Year-End Township Surplus

R2019-216

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council approve the allocation of the 2018 surplus to the capital expenditure reserves, as recommended by Committee of the Whole – Administration & Finance.

Account #	Reserve	Balance before transfer	Transfer of 2018 Surplus	Post Audit Balance
01-3511	Administration	\$94,181.06	\$1,443.67	\$95,624.73
01-3514	Fire Department	\$246,680.48	\$17,751.47	\$264,431.95
01-3520	Public Works	\$403,621.85	\$116,264.13	\$519,885.98
01-3527	Recreation	\$127,958.07	\$10,342.26	\$138,300.33

01-3525	Environmental Services- Storm Sewers	\$46,028.93	\$8,470.79	\$54,499.72
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Carried

f) 2019 PSAB Budget Addendum

R2019-217

**Decision:** Moved by: H. Cameron seconded by: S. Dillabough that Municipal Council adopt the 2019 PSAB Budget Addendum report to meet the requirements of Regulation 284-09, as recommended by Committee of the Whole – Administration & Finance.

Carried

g) Vacant Land Disposal – Dundas St

R2019-218

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council authorize the Mayor and CAO/Clerk to execute a purchase and sale agreement with respect to the vacant land legally described as Part of Lot 290, Plan 25, Part 1 on Plan 15R11989 PIN 68152-0066.

Carried

h) Temporary Road Closure Request – Art Ramble – Water St

R2019-219

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council:

1. Approves the request for the closure of Water St on Sunday July 14, 2019 between 10am and 5pm local time; and
2. Directs staff to supply barricades and work with the SBCC to ensure notification is provided to the affected residents and emergency services.

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

Carried

i) ATV Club – Use of RAP on Unopened Road Allowances

Members confirmed that the Johnstown ATV Club will be informed of Council's decision.

R2019-220

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council only permit the use of fill materials as defined by the Ontario Ministry of Environment (MOE) in their Proposed Excess Soil Policy Framework for repairs on unopened road allowances, as recommended by Committee of the Whole – Public Works, Environmental Services & Facilities.

Carried

j) Port – Railway Bridge Repairs

R2019-221

**Decision:** Moved by: T. Deschamps seconded by: J. Hunter that Municipal Council:

1. Approves the adjustments made in the 2019 Capital Budget for the Port of Johnstown, as attached; and
2. Awards the Rail Bridge Repair 2019 project #323-001 to Willis Kerr Contracting in the amount of \$770,974.78 (excluding HST) plus a 15% contingency.

As recommended by the Port Management Committee.

Carried

k) Port Tenant – Consent for New Building Addition

R2019-222

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council approves the request for an addition to the building owned by Joe Francica and Susan Neilsen, located at 3307 Windmill Lane, identified as Port lease P-37, as recommended by the Port Management Committee.

Carried

l) Cardinal WTP Berm Retaining Wall Tender Award

Council briefly discussed the grant application cost estimate versus the bid tenders received. It was noted that SNC will reimburse the Township 50% of the project cost.

R2019-223

**Decision:** Moved by: H. Cameron seconded by: T. Deschamps that Municipal Council:

1. Receive the engineer's recommendation letter; and
2. Award the construction of the WTP berm retaining wall to Robert Nash Excavating Inc. in the amount of \$48,518.25; and
3. Authorize staff to execute contract documents and approve a 10% contingency to be used at the Director of Operations' discretion, should any unforeseen issues arise during the project.

Carried

m) Purchase Pick-Up Truck

Council reviewed the breakdown of costs and noted that the purchase will increase capital expenditures. It was noted that the purchase of the truck will result in operational cost savings as no lease payments will be incurred.

R2019-224

**Decision:** Moved by: J. Hunter seconded by: H. Cameron that Municipal Council purchase the GMC Sierra 1500 Limited 4WD Double Cab from Riverside Motors Ltd for \$35,978.00 plus HST as an unbudgeted capital expense and direct staff to execute purchase documents.

Carried

9. Correspondence

R2019-225

**Decision:** Moved by: H. Cameron seconded by: T. Deschamps that Municipal Council receives the correspondence listings for the following dates as previously circulated:

- May 30, 2019
- June 6, 2019
- June 13, 2019
- June 20, 2019

Carried

10. Approval of Municipal Disbursements

Council reviewed the disbursements and discussed the following items: fuel purchase, part-time employee contract payment, planning charges, fire response payment, animal control, various mechanical repairs, hydro pole repairs, and the Township's mechanism for invoicing.

R2019-226

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council approves payment of municipal invoices circulated and dated as follows:

• Report dated June 18, 2019	\$2,241,529.77
• Report dated June 18, 2019	\$ 239,039.32
<b>TOTAL:</b>	<b>\$2,480,569.09</b>
	Carried

11. By-laws

a) Amend Zoning By-law 2012-35 – Bessette

R2019-227

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that the mover be granted leave to introduce a by-law to amend the Comprehensive Zoning By-law 2012-35 as amended (Bessette), and this shall constitute first and second reading thereof.

Carried

R2019-228

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that a by-law to amend the Comprehensive Zoning By-law 2012-35 as amended (Bessette), be now read a third time and finally passed, signed, sealed and numbered 2019-30.

Carried

b) Amend Zoning By-law 2012-35 - Hartle

R2019-229

**Decision:** Moved by: H. Cameron seconded by: T. Deschamps that the mover be granted leave to introduce a bylaw to amend the Comprehensive Zoning By-law 2012-35 as amended (Hartle), and this shall constitute first and second reading thereof.

Carried

R2019-230

**Decision:** Moved by: H. Cameron seconded by: T. Deschamps that a by-law to amend the Comprehensive Zoning By-law 2012-35 as amended (Hartle), be now read a third time and finally passed, signed, sealed and numbered 2019-31.

Carried

c) Site Plan Control Agreement Amendment - Logistec

R2019-231

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough that the mover be granted leave to introduce a bylaw to authorize amendment to the site plan control agreement (Logistec) registered as instrument PR177792 as authorized by by-law 2003-38 and this shall constitute first and second reading thereof.

Carried

R2019-232

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough that a by-law to authorize amendment to the site plan control agreement (Logistec) registered as instrument PR177792 as authorized by by-law 2003-38 be now read a third time and finally passed, signed, sealed and numbered 2019-32.

Carried

d) Fit for Duty Policy

The CAO provided a brief explanation of how issues are addressed when it is identified that an individual may not be fit for duty.

R2019-233

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough that the mover be granted leave to introduce a by-law to establish a fit for duty policy and this shall constitute first and second reading thereof.

Carried

R2019-234

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough that a by-law to establish a fit for duty policy be now read a third time and finally passed, signed, sealed and numbered 2019-33.

Carried

e) South Dundas Automatic Aid Agreement

R2019-235

**Decision:** Moved by: J. Hunter seconded by: T. Deschamps that the mover be granted leave to introduce a bylaw to authorize an automatic aid agreement with the Municipality of South Dundas for fire, rescues and emergency services and this shall constitute first and second reading thereof.

Carried

R2019-236

**Decision:** Moved by: J. Hunter seconded by: T. Deschamps that a by-law to authorize an automatic aid agreement with the Municipality of South Dundas for fire, rescues and emergency services be now read a third time and finally passed, signed, sealed and numbered 2019-34.

Carried

f) Half Load Restrictions By-law

R2019-237

**Decision:** Moved by: J. Hunter seconded by: T. Deschamps that the mover be granted leave to introduce a bylaw to designate half load restrictions on roads within the boundaries of the Township of Edwardsburgh Cardinal and this shall constitute first and second reading thereof.

Carried

R2019-238

**Decision:** Moved by: J. Hunter seconded by: T. Deschamps that a by-law to designate half load restrictions on roads within the boundaries of the Township of Edwardsburgh Cardinal be now read a third time and finally passed, signed, sealed and numbered 2019-35.

Carried

g) Amend Public Library Board By-law 2018-78

R2019-239

**Decision:** Moved by: H. Cameron seconded by: J. Hunter that the mover be granted leave to introduce a bylaw to amend by-law 2018-78 to appoint members of the Edwardsburgh Cardinal Public Library Board and this shall constitute first and second reading thereof.

Carried

R2019-240

**Decision:** Moved by: H. Cameron seconded by: J. Hunter that a by-law to amend by-law 2018-78 to appoint members of the Edwardsburgh Cardinal Public Library Board be now read a third time and finally passed, signed, sealed and numbered 2019-36.

Carried



12. CAO's Administrative Update

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

- Free public swimming at Township pools
- Ice rental contracts for fall and winter use at the arenas

R2019-241

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council receives the CAO's Administrative Report as presented.  
Carried

13. Councillor Inquiries or Notices of Motion

Deputy Mayor Deschamps introduced a motion with respect to the high-water levels affecting the St. Lawrence Seaway and Great Lands region. It was noted that the procedural by-law states that notices of motion can be introduced at the current meeting but should be dealt with at a subsequent meeting. There was consensus from Council to supersede the by-law and vote on the motion during the current meeting due to the nature and timeframe of the contents of the motion.

Council discussed Plan 2014, specifically with respect to various problems and issues that have arisen due to flooding along the St. Lawrence Seaway. It was noted that MPP Clark has written to the International Joint Commission with respect to flood management.

R2019-242

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough  
**WHEREAS** twice in the 3 years since Plan 2014 has been implemented, the Township has seen 100-year historical high-water levels on the St. Lawrence Seaway and the Great Lakes region; and  
**WHEREAS** much of this area remains within the historically high-water levels as of June 20, 2019; and  
**WHEREAS** the high-water levels have resulted in property damage and hardship to the residents of the Township of Edwardsburgh Cardinal, including erosion along the many shorelines; and  
**WHEREAS** the high-water levels have delayed the placement of municipal and private docks which has resulted in greatly reduced numbers of sport and recreational activities and anglers accessing the waterways; and  
**WHEREAS** the high-volume outflows (presently 10,400/m) cause dangerous conditions for ship navigation, requiring tugs to pilot ships to and from the lock areas, and make recreational use difficult; and  
**WHEREAS** the long-term effects of the high-water levels, while unknown, may impact economic development, tourism, and the ecosystem; and  
**WHEREAS** the Township of Edwardsburgh Cardinal Water Treatment Plant has been threatened by the flooding, which could put the drinking water system for the entire Village of Cardinal at risk; and  
**WHEREAS** the Township of Edwardsburgh Cardinal has partnered with South Nation Conservation, under the National Disaster Mitigation Program, for the construction of a flood mitigation berm at the Cardinal Water Treatment Plant;  
**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Township of Edwardsburgh Cardinal calls on the International Joint Commission to immediately complete a study of the flood for 2017 and 2019, identifying improved ways of managing high-water levels along the St. Lawrence Seaway and Great Lakes region, with a view to rescinding and replacing Plan 2014;  
**AND FURTHER THAT** that a copy of this resolution be circulated to the Association of Municipalities of Ontario (AMO) and the International Joint Commission.

Carried

14. Mayor's Report

Mayor Sayeau reported on the following:

- National Trade Corridor Funding application meeting with MP Drouin
- Highway 401 traffic control concerns. Discussed using Township Public Works Department employees and/or volunteer Fire Fighters to perform traffic control
- Sent thank you letters to P&G and Ingredion for cleanup day in Johnstown and Cardinal
- Port of Johnstown presentation at the 60<sup>th</sup> anniversary of the Seaway

R2019-243

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough that Municipal Council receives the Mayor's Report as presented.

Carried

15. Question Period – None

16. Closed Session

R2019-244

**Decision:** Moved by: J. Hunter seconded by T. Deschamps that Municipal Council proceeds into closed session at 8:15 p.m. in order to address a matter pertaining to:

- Personal matters about an identifiable individual, including municipal or local board employees; Specifically: **Succession Planning and Minutes of Closed Session dated May 27, 2019**
- Proposed or pending acquisition or disposition of land by the municipality or local board; Specifically: **Industrial Land**

Carried

Council recessed for 5 minutes to clear the chambers. The Director of Operations left the meeting.

R2019-245

**Decision:** Moved by: J. Hunter seconded by: T. Deschamps that the closed meeting does now adjourn and the open meeting of Municipal Council does now resume at 9:20 p.m.

Carried

R2019-246

**Decision:** Moved by: T. Deschamps seconded by: S. Dillabough that Municipal Council approves the minutes of closed session dated May 27, 2019.

Carried

R2019-247

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that Municipal Council authorizes the Mayor and Clerk to execute an offer to purchase and to negotiate within the parameters as directed.

Carried

Council reviewed and discussed a succession plan for the municipality in detail.

17. Confirmation By-law

R2019-248

**Decision:** Moved by: H. Cameron seconded by: J. Hunter that a by-law to adopt, confirm and ratify matters dealt with by resolution be now passed, signed, sealed and numbered 2019-37.

Carried

18. Adjournment

R2019-249

**Decision:** Moved by: S. Dillabough seconded by: H. Cameron that  
Municipal Council does now adjourn at 9:24 pm.

Carried

These minutes were adopted by Council this 22<sup>nd</sup> day of July, 2019.

  
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Mayor

  
\_\_\_\_\_  
Deputy Clerk