

THE CORPORATION OF THE TOWNSHIP OF TAY
REGULAR COUNCIL MEETING
WEDNESDAY, JUNE 10TH, 2009
7:00 P.M.

PRESENT: Mayor Scott Warnock
Deputy Mayor Michael Ladouceur
Councillor James Pearsall
Councillor Rick Black
Councillor Nelson Baumgardner
Councillor Axel Frandsen
Councillor Bill Rawson

STAFF PRESENT: Alison Thomas, Clerk
Mara Burton, Director of Planning & Development
Joanne Sanders, Director of Finance
Nick Colucci, Director of Public Works
Brian Thomas, Fire Chief

1. CALL TO ORDER:

Mayor Warnock called the meeting to order at 7:00 p.m.

2. MOMENT OF SILENT REFLECTION:

Mayor Warnock called for a moment of silent reflection.

3. DECLARATIONS OF INTEREST:

There were no declarations of interest.

4. CORRESPONDENCE:

MOVED BY: COUNCILLOR AXEL FRANDBEN

SECONDED BY: COUNCILLOR RICK BLACK

**THAT THE CORRESPONDENCE BE DIRECTED TO FILE WITH
THE EXCEPTION OF THOSE ITEMS BEING REFERRED TO
COMMITTEE CHAIRPERSONS.**

CARRIED.

5. DELEGATIONS:

5.1 Presentation by Skyline Development – Re: Master Development Plan
& Direction to Proceed

Council received a presentation Mr. Paul Ward on behalf of Skyline
Development regarding the results of the Skyline Charette and the concept
plans that will be used for future planning submissions for the development.

Cont'd...

Mr. Ward provided an update on Phase 1 of the development and how the Port McNicoll property will work with Horseshoe Valley to create one destination opportunity. He outlined the steps taken so far in the development of the land use plan which is intended to ensure that the development plan is viable. He reported that as the projects work forward through the planning processes that the public will be given opportunity to comment on the development of the site.

Mr. Ward noted that the master plan is designed to ensure that there is connectivity to the water and existing village. The goal is to develop a mixed use rejuvenated downtown area within Port McNicoll which will include new civic amenities and conveniences (i.e. walking paths, sustainable neighbourhoods, etc.). Mr. Ward highlighted that the intent is to connect area residents to the water to create a busy tourist and economic harbour that will be open to everyone with a diverse commercial space.

Mr. Ward outlined the plans for the former grain elevator slip (i.e. hotel, artisan area), the waterfront commercial area, parkland area, and mixed neighbourhoods throughout the development. He reported that they have named the joint Port McNicoll-Horseshoe Valley development as Georgian Valley so as to focus funding opportunities on the scale of the venture and enhance future tourism destination potential.

Mr. Black outlined what steps will need to be taken to secure private and public funds to ensure that the project develops over the next decade. He outlined the investment made so far by Skyline Developments, such as land acquisitions and servicing. Mr. Black highlighted that information sessions will be held with the public to fully explain the development and Skyline Developments will continue to work with both affected Township Councils' on the specific details of the Plan to ensure the work continues. In addition, he reported on the local benefits that will come in the short-term and long-term as a result of the development of the site (i.e. construction, tourism jobs and revenues).

Mr. Black commented that public and private partnerships will be essential for the success of the project, but highlighted that community involvement and input will be equally as important. In conclusion, he requested that Council approve in principle the draft master plan for the site and idea of a formal private/public partnership so that the project may progress.

MOVED BY: COUNCILLOR RICK BLACK

SECONDED BY: COUNCILLOR AXEL FRANSEN

WHEREAS THE COUNCIL OF THE TOWNSHIP OF TAY HAS RECEIVED A PRESENTATION FROM SKYLINE INTERNATIONAL DEVELOPMENT WITH RESPECT TO THE DEVELOPMENT OF ITS PROPERTY IN PORT MCNICOLL INCLUDING A MASTER LAND USE PLAN; AND CONT'D...

WHEREAS THE PORT MCNICOLL MASTER PLAN, AS PREPARED BY SKYLINE, IS TO BE USED AS THE BASIS FOR INITIATING THE SUBMISSION OF PLANNING APPLICATIONS TO THE TOWNSHIP FOR FORMAL CONSULTATION WITH THE TOWNSHIP AND THE PUBLIC VIA THE PLANNING PROCESS; NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF TAY SUPPORTS IN PRINCIPLE THE CONCEPTS OF THE LAND USE PLAN.

CARRIED.

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR
SECONDED BY: COUNCILLOR AXEL FRANSEN

WHEREAS THE COUNCIL OF THE TOWNSHIP OF TAY HAS RECEIVED A DELEGATION FROM SKYLINE INTERNATIONAL DEVELOPMENT REQUESTING THAT THE MUNICIPALITY ENTER INTO AN AGREEMENT TO ACQUIRE CONSULTING SERVICES WITH RESPECT TO ITS DEVELOPMENT; AND WHEREAS THE SCOPE OF THE PROPOSED PROJECT WILL REQUIRE COORDINATION AND APPROVALS THAT WILL BE DIFFICULT TO ACHIEVE IN A TIMELY MANNER WITHOUT PROFESSIONAL ASSISTANCE; NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF TAY HEREBY AUTHORIZE STAFF TO INVESTIGATE FURTHER THE NEEDS IDENTIFIED AND TO DRAFT AN AGREEMENT FOR COUNCIL'S CONSIDERATION, SUCH AGREEMENT TO INCLUDE THE FINANCIAL OBLIGATIONS OF THE MUNICIPALITY, THE DEVELOPER, AND THE SELECTED CONSULTING FIRM.

CARRIED.

6. MUNICIPAL REPORT NO. 2009-06-01:

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR
SECONDED BY: COUNCILLOR AXEL FRANSEN

THAT MUNICIPAL REPORT NO. 2009-06-01 BE AND IS HEREBY ADOPTED AS FOLLOWS:

- | | | |
|-------------|-------------|--------------|
| 1. CARRIED | 6. CARRIED | 11. CARRIED |
| 2. CARRIED | 7. CARRIED | 12. CARRIED |
| 3. CARRIED | 8. CARRIED | 13. CARRIED |
| 4. CARRIED | 9. CARRIED | 14. DEFEATED |
| 5. DEFEATED | 10. CARRIED | 15. CARRIED |

CARRIED.

7. OTHER BUSINESS:

7.1 Verbal Report – Clerk – Re: Land Sale – 20 Sunset Court:

Council considered a verbal report from the Clerk regarding the sale of 20 Sunset Court.

The Clerk provided an overview of the land sale process noting that all requirements under the Land Sale Policy have been met. Mayor Warnock inquired as to whether or not there were any questions from the public regarding the sale of the land. No public comments were received.

The Clerk reported that the required land sale by-law is before Council for consideration later in the meeting.

7.2 Verbal Report – Dir. of Planning & Development – Re: Proposed Deeming, Lots 18 & 19 Plan M-2:

Council considered a verbal report from the Director of Planning and Development regarding the proposed deeming of Lots 18 & 19 on Plan M-2. The Director reported that the deeming by-law is required to ensure that the two parcels being sold from 20 Sunset Court are merged with the abutting lands.

The Director of Planning & Development reported that the required deeming by-law is before Council for consideration later in the meeting.

7.3 Verbal Report – Clerk – Re: Appointment of Canine Control Officer:

Council considered a verbal report from the Clerk regarding the appointment of a new canine control officer.

The Clerk reported that the required appointment by-law for the new canine control officer is before Council for consideration later in the meeting.

7.4 Verbal Report – Dir. Of Public Works – Re: Hogg Valley Road Reconstruction Project:

Council considered a verbal report from the Director of Public Works regarding the Hogg Valley Reconstruction Project.

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR BILL RAWSON

THAT WHEREAS THE TOWNSHIP OF TAY HAS BEEN SUCCESSFUL IN RECEIVING INFRASTRUCTURE STIMULUS FUNDING FOR THE HOGG VALLEY ROAD RECONSTRUCTION PROJECT WHICH IS ESTIMATED TO COST \$2.5 MILLION;

AND WHEREAS THIS PROJECT HAS NOT BEEN INCLUDED IN THE 2009 CAPITAL BUDGET;

CONT'D...

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY AUTHORIZES THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH THE PREPARATION AND ISSUANCE OF TENDERS FOR THE COMPLETION OF SAID WORKS.

CARRIED.

7.5 Verbal Report – Dir. Of Public Works – Re: Port McNicoll STP Remediation Project:

Council considered a verbal report from the Director of Public Works regarding the Port McNicoll STP Remediation Project.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

WHEREAS THE MUNICIPALITY TENDERED FOR THE EQUALIZATION STORAGE PROJECT IN 2008; AND

WHEREAS NADECO LIMITED WAS THE LOW TENDER AT THE TIME AND ACCEPTED AN EXTENSION TO FEBRUARY 28, 2009 FOR COUNCIL TO ACCEPT THE TENDER; AND

WHEREAS THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY, BY MOTION ON FEBRUARY 11, 2009, DIRECTED STAFF TO ADVISE NADECO LIMITED THAT THE TENDER COULD NOT BE ACCEPTED AT THAT TIME; AND

WHEREAS THE TOWNSHIP OF TAY APPLIED FOR FUNDING UNDER INTAKE 2 OF THE BUILD CANADA FUND FOR THE REMEDIATION OF THE PORT MCNICOLL SEWAGE TREATMENT PLANT WHICH INCLUDED THE CONSTRUCTION OF THE EQUALIZATION STORAGE TANK; AND

WHEREAS THE MUNICIPALITY HAS BEEN ADVISED THAT THE GRANT APPLICATION WAS SUCCESSFUL; AND

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY AUTHORIZES STAFF TO PROCEED AS FOLLOWS:

- 1. THAT SHOULD THE LOW BIDDER (NADECO LIMITED) ADVISE THAT THEY ARE PREPARED TO ENTER INTO AN AGREEMENT TO PROCEED WITH THE WORK BASED ON THE LOW BID PREVIOUSLY SUBMITTED TENDERED PRICE, THAT COUNCIL ACCEPTS THE TENDER SUBMITTED BY NADECO LIMITED AND AUTHORIZES STAFF TO PREPARE THE NECESSARY BY-LAW AND PROCEED WITH THE WORK.**

OR

CONT'D...

2. THAT SHOULD THE LOW BIDDER (NADECO LIMITED) ADVISE THAT THEY ARE NOT WILLING TO ENTER INTO AGREEMENT TO PROCEED WITH THE WORK BASED ON THE LOW BID PREVIOUSLY SUBMITTED TENDERED PRICE, THAT COUNCIL AUTHORIZES THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH THE PREPARATION AND ISSUANCE OF TENDERS FOR THE EQUALIZATION STORAGE PROJECT.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

WHEREAS THE TOWNSHIP OF TAY APPLIED FOR FUNDING UNDER INTAKE 2 OF THE BUILD CANADA FUND FOR THE REMEDIATION OF THE PORT MCNICOLL SEWAGE TREATMENT PLANT WHICH INCLUDED THE CONSTRUCTION OF THE EQUALIZATION STORAGE TANK; AND

WHEREAS THE MUNICIPALITY HAS BEEN ADVISED THAT THE GRANT APPLICATION WAS SUCCESSFUL; AND

WHEREAS THE 2009 CAPITAL PROGRAM HAS BEEN APPROVED BUT DOES NOT INCLUDE THE REPLACEMENT OF CASSETTES AND THE NECESSARY ENGINEERING WORK TO INCREASE THE PLANT CAPACITY;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY AUTHORIZES THE DIRECTOR OF PUBLIC WORKS TO ENGAGE THE SERVICES OF GE ZENON AND XCG TO COMMENCE THE NECESSARY WORK AS IDENTIFIED IN THE REMEDIATION REPORT OF FEBRUARY 18, 2009, WHICH WAS PREPARED BY XCG.

CARRIED.

8. BY-LAWS:

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT LEAVE BE GRANTED TO INTRODUCE BY-LAWS 2009-33, 2009-34, 2009-35, 2009-36, 2009-37 AND 2009-38.

CARRIED.

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANSEN

THAT BY-LAWS 2009-33, 2009-34, 2009-35, 2009-36, 2009-37 AND 2009-38 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.

CARRIED.

9. NOTICES OF MOTION:

None were presented.

10. IN CAMERA SESSION:

MOVED BY: COUNCILLOR RICK BLACK

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

THAT COUNCIL ADJOURN TO AN IN CAMERA SESSION;

**AND FURTHER THAT THIS PORTION OF THE MEETING BE
CLOSED TO THE PUBLIC PURSUANT TO THE FOLLOWING
SECTION(S) - AS MARKED, OF SECTION 239, SUBSECTION (2)
OF THE MUNICIPAL ACT, 2001;**

- **PERSONNEL MATTERS ABOUT AN IDENTIFIABLE
INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL
BOARD EMPLOYEES (PROVINCIAL ORDER ON A
SPECIFIC LOCATION).**

CARRIED.

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR NELSON BAUMGARDNER

**THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION AT
8:28 P.M. AND RETURN TO THE REGULAR MEETING.**

CARRIED.

MOVED BY: COUNCILLOR NELSON BAUMGARDNER

SECONDED BY: COUNCILLOR JIM PEARSALL

**THAT THE REPORT OF THE COMMITTEE OF THE WHOLE BE
ADOPTED AS READ.**

CARRIED.

11. ADJOURNMENT:

MOVED BY: COUNCILLOR AXEL FRANDBSEN

SECONDED BY: COUNCILLOR RICK BLACK

**THAT THIS REGULAR MEETING OF COUNCIL ADJOURN AT
8:29 P.M. AND TO RECONVENE ON JULY 8, 2009 AT 7:00 P.M.**

CARRIED.

MAYOR

CLERK