

CORPORATION OF THE MUNICIPALITY OF BRIGHTON
COUNCIL MEETING
May 4th, 2009

The Council of the Corporation of the Municipality of Brighton met on the above date at 6:30 p.m. in the Council Chambers.

MEMBERS PRESENT: Mayor- Chris Herrington, Councillors Brian Ostrander, Chuck Ward, Emily Rowley, Craig Kerr, Mike Vandertoorn and Dave Cutler

Staff Members: Gayle Frost, CAO; Jim Phillips, Director of Public Works; Ken Hurford, Director of Planning; and Helen Bryant, Administrative Assistant

1. CALL TO ORDER @ 6:30 p.m.

2 APPROVAL OF AGENDA -

RESOLUTION NO. 09-221

Moved by Dave Cutler, seconded by Chuck Ward -That the Municipality of Brighton Council approves the Agenda for the May 4th 2009 Council Meeting subject to the deletion of Item 12.3 Harbour Master and Item 8.1 delete delegate Clare Paterson and 8.2 add Angela Clarke

Carried

3 DECLARATIONS OF PECUNIARY INTERESTS & THE GENERAL NATURE THEREOF

Councillor Mike Vandertoorn declared a conflict with the portion dealing with Item 5.1 and Item 7.1 and Item 7.2 – owner of the property on the agenda

Mayor Herrington declared a conflict with Item 15.1 as her daughter is a member of the Farmers' Market

4. ART PRESENTATION TO COUNCIL – Linda Whaley – Did not attend

RESOLUTION NO. 09-222

Moved by Chuck Ward, seconded by Dave Cutler -That the Municipality of Brighton Council now moves into the statutory public portion of this meeting pursuant to the Planning Act.

Carried

Councillor Mike Vandertoorn declared a conflict with this item and left the chambers. He did not take part in the discussion or vote on this matter

5. STATUTORY PUBLIC MEETING UNDER THE PLANNING ACT

1. Rezoning Z03-2009 - Mike & Jennifer Vandertoorn- owners, Agent: Doug LeBlanc

Doug LeBlanc as agent for Mike and Jennifer Vandertoorn has submitted an application for a consent for a lot addition and an amendment to the Comprehensive Zoning By-law (No. 140-2002, as amended). The lands subject to these applications are situated in Part of Lot 28, Concession 'A'. The purpose of the Consent Application is the severance of 8.45 hectares (20.9 acres) of vacant land from the rear portion of 15580 County Road No. 2, to be added to 15598 County Road No. 2. The area being severed is 8.45 hectares (20.9 acres). The retained portion of 15580 County Road No. 2 would have an area of 4.49 hectares (11.1 acres) and a frontage of approximately 148 metres (485.45 feet). The severed parcel has no road frontage and would merge in title with 15598 County Road No. 2, (Property Roll No. 14 08 206 040 025-05) to create a parcel of 23.11 hectares (57.13 acres). The subject lands are currently zoned Rural (RU) with Resource Reserve Area Overlay Zone and Flood Prone Area Overlay Zone in the Comprehensive Zoning By-Law 140-2002. The rezoning application proposes that the parcel to be retained be rezoned to a special Rural Exception Zone to recognize the reduced lot area that is less than the minimum required for the Rural (RU) Zone. The area subject to the Flood Prone Overlay Zone will remain unchanged.

Councillor Mike Vandertoorn returned to chambers

RESOLUTION NO. 09-223

Moved by Chuck Ward, seconded by Dave Cutler -That the Municipality of Brighton Council now closes the statutory public portion of this meeting pursuant to the Planning Act.

Carried

6. APPROVAL OF COUNCIL MINUTES

1. Council Minutes of April 20, 2009

RESOLUTION NO. 09-224

Moved by Mike Vandertoorn, seconded by Emily Rowley -That the Municipality of Brighton Council approves the minutes of the Council Meeting of April 20, 2009

Carried

Councillor Mike Vandertoorn declared a conflict with items 7.1 & 7.2 and left the chambers. He did not take part in the discussions or vote on the matters

7. PLANNING ISSUES

1. Consent B04-2009 – Mike & Jennifer Vandertoorn Agent: Doug Leblanc

RESOLUTION NO. 09-225

Moved by Emily Rowley, seconded by Craig Kerr - That the Municipality of Brighton Council grants Consent Application B04-2009 subject to the following conditions:

1. That the retained parcel be rezoned to a special rural Exception Zone to recognize a minimum lot area of 4.25 hectares;
2. That the severed parcel merge in title with the lands having a municipal Roll No. of 1408 206 040 02505 and a civic address of 15598 County Road No. 2
3. That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped; and
4. That three paper copies and a digital copy of a registerable survey and the appropriate deeds be prepared and deposited with the Municipal Clerk within one year of the granting of consent.

Carried

2. By-Law 024-2009 – Mike & Jennifer Vandertoorn

RESOLUTION NO. 09-226

Moved by Craig Kerr, seconded by Emily Rowley - That the Municipality of Brighton Council gives By-Law 024-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO AMEND BY-LAW 140-2002 AS IT APPLIES TO CERTAIN LANDS LOCATED IN PART OF LOT 28, CONCESSION "A" TO CHANGE THE ZONING FROM THE RURAL (RU) ZONE WITH THE FLOODPRONE AREA OVERLAY ZONE TO THE RURAL EXCEPTION NO. 32 (RU-32) WITH THE FLOODPRONE AREA OVERLAY ZONE.

Carried

Councillor Mike Vandertoorn returned to the chambers

8. DELEGATIONS

1. Holly Kassay – Northumberland Child Development Centre

RESOLUTION NO. 09-227

Moved by Mike Vandertoorn, seconded by Emily Rowley - That the Municipality of Brighton Council receives the information presented from: Holly Kassay – Northumberland Child Development Centre

Carried

2. Lynne Hanasiewicz & Tom McDowell & Angela Clarke -Community Living – Proclamation for Community Living Month

RESOLUTION NO. 09-228

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council proclaims May as Community Living Month and to thank Lynne Hanasiewicz, Tom McDowell and Angela Clarke for their delegation

Carried

9. STAFF UPDATES

1. Gayle Frost, CAO
 - (a) Council Meeting Date Change

RESOLUTION NO. 09-229

Moved by Brian Ostrander, seconded by Chuck Ward - That the Municipality of Brighton Council approves changing the date for the Council meeting of August 17th, 2009 to August 24th, 2009

Carried

- (b) Strategic Plan Policy and 2009 Review

RESOLUTION NO. 09-230

Moved by Brian Ostrander, seconded by Dave Cutler - That the Municipality of Brighton Council approve the Strategic Planning Policy as presented and That the Strategic Planning Tracking Documents be referred to the May 11th Committee of the Whole meeting for review.

Carried

- 2. Jim Phillips, Director of Public Works
 - (a) Sale of Surplus Sweeper

RESOLUTION NO. 09-231

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council accepts the bid from Dan O'Brien in the amount of \$752.00 for the 1993 Johnson 4000 street sweeper and the revenue be placed in the equipment reserve for future acquisitions

Carried

- (b) Stormwater Recommendations

RESOLUTION NO. 09-232

Moved by Chuck Ward, seconded by Dave Cutler - That the Municipality of Brighton Council adopts the GENIVAR Stormwater Report 2009 as the guiding document for storm water management and accept the report from the Director of Public Works and Environmental Services to implement the recommendations in the study by addressing the short-term needs and develop standards and guidelines for storm water management and appropriate provisions in new development and subdivision agreements.

Carried

- (c) Public Works & Environmental Services Restructuring

RESOLUTION NO. 09-233

Moved by Craig Kerr, seconded by Mike Vandertoorn - That the Municipality of Brighton Council accepts the report from the Director of Public Works and Environmental Services to phase in the changes to the management and supervisory positions for the Public Works operations and the Environmental Services operations.

Prior to voting on Resolution No. 09-233 the following amending resolution was put forward

RESOLUTION NO. 09-234

Moved by Brian Ostrander, seconded by Emily Rowley - That the Municipality of Brighton Council amends the motion to add and further that no further hiring in the Public Works Department occur without the approval of Council

A recorded vote was requested by Councillor Mike Vandertoorn to amend the original motion with the following results:

Dave Cutler	Nay	Brian Ostrander	Yea
Chris Herrington	Nay	Emily Rowley	Yea
Craig Kerr	Yea	Mike Vandertoorn	Nay
Chuck Ward	Nay		
	3 Yeas	4 Nays	

Defeated

A vote was taken on Resolution NO. 09-233

RESOLUTION NO. 09-233

Moved by Craig Kerr, seconded by Mike Vandertoorn - That the Municipality of Brighton Council accepts the report from the Director of Public Works and Environmental Services to phase in the changes to the management and supervisory positions for the Public Works operations and the Environmental Services operations.

Carried

10. MEMBER REPORTS

- 1. Mayor Herrington – QHC & Quinte West Brighton Healthcare Advisory Committee

RESOLUTION NO. 09-235

Moved by Emily Rowley, seconded by Craig Kerr -That the Municipality of Brighton Council receives the report from Mayor Christine Herrington re: QHC and Quinte West Brighton Healthcare Advisory Committee

Carried

11. UNFINISHED BUSINESS - NONE

12. RESOLUTIONS & BY-LAWS –

1. Approval of Accounts

RESOLUTION NO. 09-236

Moved by Mike Vandertoorn, seconded by Emily Rowley -That the Municipality of Brighton Council approves the payment of the accounts listed on the cheque listings dated April 29, 2009 for \$ 322,462.67 as paid.

Carried

2. By-Law 025-2009 – By-Law to Authorize an Agreement – Ontario Street Sidewalk

RESOLUTION NO. 09-237

Moved by Dave Cutler, seconded by Chuck Ward – That the Municipality of Brighton Council gives By-Law 025-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE A STANDARD CROSSING RECONSTRUCTION AGREEMENT BETWEEN THE CANADIAN NATIONAL RAILWAY COMPANY AND THE MUNICIPALITY OF BRIGHTON FOR THE CONSTRUCTION OF A SIDEWALK AT ONTARIO STREET

Carried

3. By-Law 026 -2009 - By Law to Appoint a Harbour Master – deleted from agenda

13. REPORTS OF ADVISORY COMMITTEES OF COUNCIL

1. Community Events - April 14/09

RESOLUTION NO. 09-238

Moved by Chuck Ward, seconded by Dave Cutler – That the Municipality of Brighton Council approves the report from Community Events – Apr 14/09

Carried

2. Physician Recruitment – April 23/09

RESOLUTION NO. 09-239

Moved by Emily Rowley, seconded by Mike Vandertoorn – That the Municipality of Brighton Council approves the report from the Physician Recruitment Committee – April 23/09

Carried

- 2.(a) By-Law # 027-2009 Establish Medical Student Fund

RESOLUTION NO. 09-240

Moved by Brian Ostrander, seconded by Chuck Ward – That the Municipality of Brighton Council gives By-Law 027-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO ESTABLISH A RESERVE FUND AND TERMS UNDER WHICH TRANSACTIONS MAY BE PROCESSED FOR A MEDICAL STUDENT FUND

Carried

3. Railway Committee – Apr 14/09

RESOLUTION NO. 09-241

Moved by Craig Kerr, seconded by Emily Rowley – That the Municipality of Brighton Council approves the report from the Railway Committee – Apr 14/09

Carried

14. REPORTS OF STATUTORY COMMITTEES, BOARDS & EXTERNAL AGENCIES

1. PRMPA – Jan 30 & Feb 27/09
2. Chamber of Commerce – Mar 23/09
3. Chamber of Commerce Quarterly Report – March 31/09
4. QEDC – Mar 30/09
5. DBIA – Apr 1/09
6. LTC – Apr 9/09
7. PSB – Feb 24/09

RESOLUTION NO. 09-242

Moved by Craig Kerr, seconded by Emily Rowley – That the Municipality of Brighton Council receives the report from: 1. PRMPA – Jan 30 & Feb 27/09 2. Chamber of Commerce – Mar 23/09 3. Chamber of Commerce Quarterly Report – March 31/09 4. QEDC – Mar 30/09 5. DBIA – Apr 1/09 6. LTC – Apr 9/09 7. PSB – Feb 24/09

Carried

15. CORRESPONDENCE

1. Brighton Farmers' Market re: July & Aug. add Wednesdays and Fridays as well as Saturdays

As Mayor Herrington declared a conflict of interest on this matter, Councillor Cutler assumed the chair for this portion of the meeting. Mayor Herrington did not take part in the discussion or vote on the matter.

RESOLUTION NO. 09-243

Moved by Mike Vandertoorn, seconded by Emily Rowley - That the Municipality of Brighton Council supports the Correspondence from the Brighton Farmers' Market to hold market days also on Wednesday and Fridays.

Carried

Mayor Herrington reassumed the chair

2. Lower Trent Conservation-Seeking Endorsement to Undertake the Expanded 2008-09 ODWSP

RESOLUTION NO. 09-244

Moved by Craig Kerr, seconded by Emily Rowley - That the Municipality of Brighton Council adopts the draft Two Year Time of Travel Zone around the Brighton well that has been delineated on the Map provided as part of the overall Wellhead Protection Study conducted by XCG Consultants Ltd on behalf of the Lower Trent Region Conservation Authority for purposes of the Ontario Drinking Water Stewardship Program.

Carried

16. FYI CORRESPONDENCE

1. Pete Alker re: Waste Management
2. Canada Post – Traffic Safety Assessment Criteria

RESOLUTION NO. 09-245

Moved by Emily Rowley, seconded by Craig Kerr -That the Municipality of Brighton Council receives the FYI Correspondence 1) Pete Alker re: Waste Management 2. Canada Post – Traffic Safety Assessment Criteria

Carried

17. QUESTION PERIOD – Residents & Press

18. IN CAMERA SESSION - NONE

19. CONFIRMATORY BY-LAW NO. 028 - 2009

RESOLUTION NO. 09-246

Moved by Emily Rowley, seconded by Mike Vandertoorn-That the Municipality of Brighton Council gives By-Law No. 028 -2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE MUNICIPALITY OF BRIGHTON MEETING HELD ON MAY 4th, 2009

Carried

20. ADJOURNMENT

RESOLUTION NO. 09-247

Moved by Brian Ostrander, seconded by Chuck Ward - THAT the meeting be adjourned, Council to meet again on May 19th, 2009 or at the call of the Mayor.

Carried