

A special meeting of Middleton Town Council was held at the Town Hall on Monday, July 04, 2016, starting at 7:00 p.m.

PRESENT

Chairing the meeting, Mayor Calvin Eddy; Deputy Mayor Dan Smith; Councillors Darren Boates, Gail Smith, Marc Britney and Melinda den Haan; Chief Administrative Officer, Rachel Turner; Director of Finance, Marianne Daine; and Recording Secretary, Sharon McAuley.

Also in attendance were: Director of Public Works, John Pearson; Kelly Ells and Lori Cox, Valley Regional Enterprise Network; John Thompson and Justin Westcott, Middleton Fire Department; Judy Himmelman, Walter Crocker, Diane Crocker, Brock Savage, Codi Cole, Neil Mitchell and two (2) citizens.

16.07.01 CALL TO ORDER

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

16.07.02 APPROVAL OF THE AGENDA

160704.01: It was moved and seconded to approve the agenda, as circulated. Motion carried.

16.07.03 PRESENTATION

.01 Presentation to Judy Himmelman

Mayor Eddy, on behalf of the Town and Council, presented Judy Himmelman with a framed picture of Councilor John Himmelman and stated that Councillor Himmelman:

- was a first time Councillor, a busy Councillor and a conscientious Councillor;
- sat on five committees and had a fondness for the Valley Waste Resource Management committee which was appreciated by the citizens of Middleton and committee members;
- is missed by Council and the citizens of Middleton.

Judy Himmelman left the meeting on 7:05 p.m.

16.07.04 RFD 016-2016 – PERMIT TO KEEP HORSES

Mayor Eddy informed Council that he had voted at the Committee of the Whole meeting to approve the permit to allow two (2) horses to be kept at 122 Main Street and although the applicant has done a tremendous job to mitigate any repercussions to the neighbours, the neighbours have valid concerns. In the past, citizens have not had objections to neighbours keeping horses and chickens and Council approved the applications. The permits are granted for one year and the neighbours have raised a valid concern that if there are complaints, it will not be easy to have the horse owner remove the horses.

Deputy Mayor Smith stated:

- the Town has permitted horses in the past and no one has complained;
- the Town permits horses and there is a recourse provision where Council can deny the renewal of the permit and have the applicant remove the horses;
- there can be problems and the Town will deal with them as they happen and not deny a permit based on what may happen.

Councillors Britney and Boates agreed with Deputy Mayor Smith.

Councillor den Haan appreciates both sides of the situation and if there is a problem, the Town has a process in place to rectify it. She agreed that the Town does need to clean up the process.

Councillor Smith concurs with what was said and stated that there is a process in place and it will have to be reviewed.

Members of the Gallery were asked to comment on the application.

Brock Savage stated/asked:

- the policy reads that if anyone objects, the application is dead;
- if he has problems with tenants/customers complaining about flies, horseflies, mice, etc, there is no baseline to say it is worse than it was prior to the horses being located nearby;
- it is not about the horses, it is about the fact that this is a Town and not an agricultural area;
- if there is a problem with too many mice, too many flies, what is the recourse?

Walter and Diane Crocker stated/questioned:

- they want to be good neighbours, but also have to take care of their investments;
- they moved to the Town to live in a Town, if they wanted to live near a farm, they would have moved to the country;
- the process has pitted neighbour against neighbour and hopes the Town will review the process, so it does not have to happen again;
- what regulations/standards are in place to measure if the horse owner is complying or not;
- if they have to sell their house next year and people do not want to live next door to horses, is the Town going to compensate them;
- the horse owner will lose money if she has to remove the horses.

160704.02: It was moved and seconded that Council approve the permit to allow two (2) horses to be kept at 122 Main Street. Motion carried with one (1) nay vote.

Walter Crocker, Diane Crocker, Brock Savage, and Codi Cole left the meeting at 7:32 p.m.

16.07.05

BUDGET APPROVALS

.01 General Operating Budget

160704.03: It was moved and seconded that it be resolved that the Council of the Town of Middleton estimates that the sum required for the lawful purposes of the Town for the year 2016/17, after crediting probable revenues from all sources, other than the rates for the year, is the sum of \$3,863,377 and; further resolved that the Town Council hereby authorizes the levying and collection of a rate for the current year of \$4.30 per \$100 on the value of the property assessed in the assessment roll as Commercial property and Business Occupancy and \$1.82 per \$100 on the value of the property assessed in the assessment roll as Residential and Resource property, the rate of \$2.98 per acre for property assessed in the assessment roll as Farm Acreage, and the rate of \$3.23 per \$100 on the value of the property assessed in the assessment roll as Seasonal Tourist Businesses, and a sewer service charge of a flat fee of \$250 plus an additional rate of \$0.23 per \$100 on the value of the property assessed in the assessment roll as taxable Residential and Commercial property on which any building is connected to the sewage system of the Town, these being the rates the

Council deems sufficient to raise the sum to defray the expenditures of the Town for the current year and; further resolved that the rates and taxes be due and payable September 30, 2016 and; further resolved that an interest rate of 24% per annum, compounded, be charged on the 2016/17 final tax bills still outstanding after September 30, 2016 and; further resolved that a sewer usage rate of \$1.085 per one cubic metre of water consumed by tax exempt properties, which are not paying full grants in lieu of taxation, be levied in accordance with the Sewer Service Charge Bylaw for the year 2016/17. Motion carried.

.02 Water Utility Budget

160704.04: It was moved and seconded that it be resolved that the Town of Middleton Water Utility Operating budgets for the years 2016/17, 2017/18 and 2018/19, with planned expenditure amounts of \$613,077, \$640,991 and \$640,991 respectively, and projecting annual surpluses of \$8,000 in 2016/17 and \$15,000 in 2017/18, be approved. Motion carried.

.03 Visitor Information Centre Budget

160704.05: It was moved and seconded that it be resolved that the 2016/17 Visitor Information Centre budget in the expenditure amount of \$19,956, being the estimated expenditure level required to operate the Centre for the current fiscal year, be approved. Motion carried.

16.07.06 RFD 014-2016 – AWARD OF TENDER – ASPHALT PATCHING AND PAVING

160704.06: It was moved and seconded, that Council award the tender to Dexter Construction Company Ltd. for Asphalt Patching and Paving for the 2016/17 season for spreader patching at \$118.00/ton plus HST, hand patching at \$189.00/ton plus HST and Bulk Sales (at Plant) for \$105.00/ton plus HST. Motion carried.

16.07.07 RFD 015-2016 – AWARD OF TENDER – THREE QUARTER TON TRUCK

Councillor Boates declared a conflict of interest and removed himself from the table, all discussion and voting on the matter of the award of tender for a three quarter ton truck.

160704.07: It was moved and seconded, that Council award the tender for a 2016 Three Quarter Ton Truck to Bruce Ford for \$34,043.00 plus HST. Motion carried.

Councillor Boates returned to the table.

16.07.08 OPERATING RESERVE FUND WITHDRAWAL – PAVING OF JUNCTION ROAD

160704.08: It was moved and seconded, that Council approve the expenditure of \$19,150.77 for the Town's portion of the paving of Junction Road with funding to be a withdrawal from the Town of Middleton Operating Reserve Fund. Motion carried.

16.07.09 ADJOURNMENT

160704.09: It was moved and seconded to adjourn the meeting at 7:38 p.m. Motion carried.


MAYOR


RECORDING SECRETARY