

Meeting No. 21
Date: May 24th, 2011
Time: 7:00 p.m.
Location: Sydenham

Present: **Mayor** **Gary Davison**
 Deputy Mayor **Mark Tinlin**
 Councillors, **John McDougall**
 Allan McPhail
 Cam Naish
 Bill Robinson
 Del Stowe
 Ron Vandewal
 Larry York

Staff: **Wayne Orr, Chief Administrative Officer**

1. Call to Order

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

2. Declaration of Pecuniary Interest.

There were no declarations of pecuniary interest.

3. In-Camera

Council moved in-camera to discuss personnel issues.

Council returned to open session at 7:30 p.m. with delegations.

4. Delegations

(i) Roxanne Wright – Day Property Rezoning

Roxanne Wright addressed Council. She indicated that she lives directly across from the Day property and is speaking on behalf of 40 people who have signed the petition. They anticipate and are seeking a continuation of a rural life style and while they have previously not had any concerns with the annual grass drag races, the new proposal is unacceptable to them. She expressed concern over the notification process and that outsiders appear to have equal voice at the meeting as opposed to taxpayers. She provided counter points to the previous discussions by Mr. McGuire at an earlier Council meeting on the success of the program in Madoc and reiterated concerns with noise. The decibel levels stated were on a per bike basis and the noise is incrementally louder because of multiple vehicles. In general the proposal increases stress and results in a loss of enjoyment to property owners. She went on to indicate that noise levels were loud when even inside her home and that this is illegal racing according to township by-laws. She questions the potential economic benefits given that food concessions arrive on race days and sell on-site. She also indicated that the property is used by RV's and trailers as a camping facility. Based on this increased traffic, there may be a need for a traffic study to address this property. She indicated that they are looking for a motion to defer pending a traffic study and community consultation. She pointed out that there has been a previous accident during the grass drags at this entrance. In speaking with residents of Madoc, she discovered that the volume of activity has jumped dramatically over the course of one year from what was initially introduced there. She questioned how the township would be able to monitor decibels and noise concerns and how long after operations begin before any concerns just simply fall on deaf ears and are not addressed. A copy of Ms. Wrights notes were provided along with an updated copy of the original petition.

Mayor Davison asked if anyone else in the public wished to speak.

Rob Driscoll who lives in front of the Day property also spoke about his concerns about the noise and dust. He indicated that he believes that 95% of the racers are good people, but opposed to where it is going not that one can exist somewhere. He has concerns with the process that has been used in getting to this point, he has seen vehicles leaving the driveway fish tailing out of the Day property and is concerned that children are in the area and the driveway is single lane and has no passing options. He questioned the use of a slip lane similar to the greenhouse on Road 38 and questioned if it was installed who would end up paying for it, the taxpayer or the developer.

Councillor Stowe indicated that his son was involved in racing years ago and questioned what has changed.

Mayor Davison commented that racing has grown over the years.

Roxanne Wright commented that there have now been two tracks built on the property.

Councillor Robinson indicated that he has yet to indicate how he would be voting on this issue and the issues from the past are not relevant with the current discussions and decision. He indicated to the audience and Council that when all information is available and considered that he will vote and let people know his intentions.

Councillor Vandewal asked if there was anything that would be acceptable to residents or is it simply not an option.

There was a suggestion that the activities should take place at a municipal park rather than benefitting private business.

Jen Scott who lives directly across from the property indicated that she moved there three years ago seeking a quiet rural setting. She was concerned with noise, dust, traffic and environmental impact, the exhaust fumes and fuel and oil leakage. She is concerned that the water on the track is from Millhaven Creek which she questions whether it is environmentally sensitive. She asked Council if they would support motor racing in their back yard.

Rob Driscoll spoke again indicating that he is not against it but believes there should be a better place for it. He characterized himself as a patient person and generally not a complainer but now feels at wits end, neighbours who are retired are also frustrated with the situation. He did point out that as a volunteer firefighter they have been paged and called out to medical calls on this site and that the increased services are a municipal cost as well.

Councillor Stowe asked if any sound attenuation or dusk control would be acceptable and indicated that he has to feel comfortable with the outcomes before proceeding.

Mayor Davison commented on the impact on the K & P Trail.

Martin Thomas from Amey Road spoke. He too had moved to the area seeking the tranquility nature of a rural community. He commented that history can show us where this is moving forward and for the past 25 years has been illegal activity and it has been growing over that time. He cautioned Council that their role is to be the stewards of the community as a whole and why should there be a focus on attenuation rather than enforcement of the appropriate zoning. With reference to the "not in my backyard" philosophy, he commented that this service is not an essential service such as having a landfill site and that as a result there is more opportunity for debate and discretion in the debate to approve something of this nature. He commented that the impact on people extends far beyond those living as immediate adjacent property owners. He also commented that the image that this type of activity produces is contrary to the image that is promoted by the township as a location of lakes, rivers, trees and quiet tranquility.

Cathy Thomas indicated that with the noise and dust to the point where you can't talk on the phone or hear the television in your own home when these events are on. She indicated that the constant sound creates constant stress and has impact on livestock as

well. She commented that it is not simply during the race events but that the noise goes well on past midnight and runs for three consecutive days.

Mr. Driscoll agreed that the noise is continuous or constant for three days and that the property is charging for campsite rentals during that period. The visitors do not leave after the races rather they are staying at the campsites. Even well into the evening with no lights, you can hear the bikes running and he indicated 11:15 p.m. as one example. He questioned if the property was going to be gated and fenced to keep children out of the property as well as keep the people from the trail off those tracks.

Mel Therien who lives across from the Day property commented that the trail has been bulldozed as a result of trying to access water. He reiterated the point that our website projects a much different image for the township than this type of activity.

There were some questions raised with regard to the number of buildings on this site.

Councillor York questioned the impact on the adjacent property owner and accessing water.

Mayor Davison pointed out that the degree of bulldozing was a concern between two private property owners and is not before Council.

Councillor Vandewal commented that he agreed that he did not want this in his back yard but questioned how do we regulate it, what could be done and what will be permitted because without any regulation we still have the activity happening.

Deputy Mayor Tinlin indicated that he has previously lived within four miles of a race track and commented that he can't see how we can permit this in the township.

Jen Scott quoted sections from the township by-law indicating that motorized racing is not permitted anywhere within the township under current regulations and therefore enforcement should be in place now.

Councillor Stowe questioned the legal non-conforming use and can we in fact regulate given its long standing history.

Councillor Vandewal commented that people were opposed to a business development park as well as subdivisions in Sydenham and that there are always individuals who are not satisfied with change.

Rob Driscoll pointed out that in those situations there is additional tax revenue for the township.

5. Business Items

(i) Agreement between the Township and Limestone District School Board

With regard to agreement between the Township of South Frontenac and the Limestone District School Board for use of The Point, Ashley Brown presented her report to Council and reviewed the questions that she had posed.

Councillor Vandewal indicated that there was a definite need for clarifications of roles and costs.

Councillor McPhail indicated that the agreement needs to be with the school board and not with athletic teachers or associations, but a formal agreement with the school board is what needs to be made and developed. The agreement should be reviewed annually to address expectations and future plans for the coming year; he felt that communication is a key component for the success of any agreement.

Councillor Naish indicated his support for the concept of assuming all of the property and renting it as a user fee for any users including the school board with the option of a yearly fee for them.

Deputy Mayor Tinlin indicated that coordinating oversight was a significant issue and that user fees should be implemented throughout the township and that the intent is to recover the costs of operations and this should be done through township staff.

Mayor Davison was supportive of user fees.

Councillor McDougall indicated that he felt this was an excellent overview and stressed the importance that the fields need to be managed by the township. He suggested that we renegotiate the deal on a yearly basis to capture the capital expenditures necessary.

Councillor Vandewal indicated that the agreement should not be too onerous or they may not be interested in it at all. He felt there should be some degree of partnership with the school board.

Councillor McDougall did caution Council that we may not be fully aware of the full level of investment made by the school board, the association or staff on a voluntary basis.

Councillor Robinson spoke of the Harrowsmith S & A Club and indicated that they have an effective approach to using municipal parks and that it works well.

Councillor McPhail did indicate that a significant degree of fundraising has supported the initiatives to date.

The overall direction from Council was to move forward with negotiations.

Councillor Vandewal suggested that a team approach be used including the CAO, the Recreation Coordinator and the Mayor to demonstrate the importance of the issue.

Councillor Naish asked about the role for Public Works and Wayne Orr confirmed that departments would be consulted internally as part of our internal process.

Councillor McDougall did raise the issue of liability and making sure that this was reviewed by our lawyers and is more than adequate for the protection of the township.

(ii) Organizational Review

Wayne Orr reviewed the report on the organizational review, highlighting to Council the three components of the report, the first being the current organizational chart, the second being the summary of the results from Bill Winegard study, and the third being a review of the management team's priorities.

There were four options presented for Council's consideration to move forward.

Councillor Stowe asked if the CAO had the capacity and time to continue with this work.

Councillor York asked if the CAO was in agreement with the recommendations from the Winegard report and asked that anything coming forward from this process include financial implications.

Councillor Vandewal pointed out how much has been accomplished over time and felt that there was not the need to go to the same extent. He felt major hurdles have been accomplished and proceeding now on an in house basis made sense.

Councillor McDougall asked how engaged staff were in the process previously and felt that it could be looked at specifically and that there were benefits in using an external consultant in the process.

Councillor Robinson commented that he felt the township has been coming along but was concerned that it was getting bulkier and felt that simply asking managers for wishes similar to the budget process two at a time rather than trying to tackle the project as a whole was more in keeping with what he was looking for.

Deputy Mayor Tinlin felt there was a need for external review of specific areas and was supportive of an external consultant.

Councillor Naish felt that it should go back to Corporate Services Committee first for review of staff recommendations and then go external after that if the Committee of the Whole felt that was needed.

Councillor Stowe felt it was redundant to go external only to ignore the implementation of recommendations and that support for implementing it was necessary to justify any expenditure.

Councillor Vandewal commented that regardless of any recommendation it was not going to happen overnight and asked about any opportunities to contract out services to the County.

Councillor McPhail felt that continuing with the CAO's work was appropriate and then taking it back to Corporate Services or Committee of the Whole recognizing that there maybe areas that require more in-depth review.

Councillor McDougall commented that he felt the report provided more details than what he was aware of previously

The general direction from Council was for the CAO to continue his work and to work through the Corporate Services Committee prior to this coming back to Committee of the Whole.

6. Other Business

Councillor Vandewal commented that he had attended the County's breakfast session and he reviewed the list of items that the County is moving forward within the ICSP for 2011. He expressed concerns that all of these items have other groups that are working on them already and that this may appear to be a duplication of services.

Councillor McPhail brought forward concerns with regard to the general process around planning activities. When there is a statutory public meeting he felt that council should consider moving forward with advertising beyond just the minimum standards expressed in the Planning Act and beyond abutting property owners. He also indicated that he felt there was more time needed between the public meeting and Council having to give readings to by-laws or make decisions but rather that input should be considered prior to the decision being proposed to Council.

On that point, Councillor Vandewal felt that proceeding with requirements of the Act was more appropriate than creating a township standard.

7. Adjournment

The meeting adjourned at 9:10 p.m.