

THE CORPORATION OF THE TOWNSHIP OF HORTON

## Special Council Meeting

September 5, 2014

There was a Special Meeting of Council held in the Municipal Council Chambers on Friday September 5, 2014. Present was Mayor Don Eady, Councillor Bob Kingsbury, Councillor Glen Campbell, Councillor Jamey Larone and Councillor Margaret Whyte. Staff present was Jennifer Barr, Treasurer/Tax Collector and Mackie J. McLaren, CAO/Clerk.

There was approximately 10 members of the public were present, some of which were from the Recreation Committee and the Beach Sub-Committee.

1. CALL TO ORDER

Mayor Eady called the meeting to order at 8:30 p.m.

2: ADD CLOSED MEETING TO RECEIVE HR REPORTS TO AGENDA

Moved by Jamey Larone

Resolution No. 14-

Seconded by Margaret Whyte

That Council add "Closed Meeting to receive HR reports to the agenda and approves the agenda for the September 5, 2014 Special Council Meeting.

Carried

3. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of Council or Staff.

4. BEACH PROPERTY

Vote to "suspend the rules" to permit a person to speak at this Special Council Meeting

Mayor Eady informed Council that there was no delegation notice period specifically set out in the Procedural By-law for Special Council Meetings which can take place with a minimum of 24 hours' notice. Therefore the requirement for 7 days' notice for a delegation will not work in this instance. He asked Council if someone would bring forward a resolution to suspend the rules for notice by a delegation.

Moved by Glen Campbell

Resolution No.14-

Seconded by Margaret Whyte

That Council, pursuant to Section 17 of the Procedural By-law 2014-11, agrees to accept Sandra Black's request to speak before Council at this Special Council Meeting.

Discussion

Councillor Larone said the intent of this Special Meeting was to present his resolution to declare the beach property to be surplus and sell the property. He originally presented the resolution at the September 2, 2014 Regular Council Meeting but it failed to get a seconder after the request from Councillor Kingsbury that he have an opportunity to brief the Recreation Committee of Council's probable direction prior to the decision being made. We don't need to hear a delegation at this meeting.

Councillor Kingsbury said he supports a resolution to receive the delegation. He said the Procedural By-law is flawed to the extent that it is impossible to give 7 days' notice to a meeting that can happen after 24 hour's notice. He believes that some additional information that was raised at yesterday's Recreation Committee Meeting must come to the Council Table at this meeting.

Councillor Campbell said that Councillor Larone's motion sat without a seconder because he agreed with the request to refer the proposed Council action to the Recreation Committee. He has had a few phone messages and spoke with one of the people who tried to contact him. He said the Beach Sub-Committee Report gives him the answers. He said he supports letting Ms. Black speak.

Councillor Whyte said she supports the recommendation of the Beach Sub-Committee and supports letting Ms. Black, a member of the sub-committee speak. It is a sign of openness and transparency.

Mayor Eady said he doesn't know if the speaker represents Recreation Committee or the Beach Sub-Committee. We are a community. He said he supports letting Ms. Black speak. He called for the vote.

Carried on Division

Against: Councillor Larone

Mayor Eady invited Ms. Black to the table and said she had 5 minutes to present her information. She asked if she could transfer her request to speak to David Bennett who was in the audience. Mayor Eady said it was her name on the agenda, therefore she could not transfer.

Ms. Black said that when the Beach Sub-Committee was formed, the group was split 3 – 3 on what to do with the property. When the study was completed and report submitted, the support was 5 – 1 to keep the property and develop it over time. The property is a one of a kind property. Council should at least give a trial to see the response to use as a park/picnic area. She added that if the decision is to sell the property, the suggested value of \$90,000 is greatly undervalued. She suggested it would be \$200,000 plus.

Ms. Black said the Sub-Committee did not have the mandate to determine if the property could be used residentially. This should have been researched. The property may be capable of being built on and she knows that property with difficult terrain can be used for residential purposes. She ended her presentation stating that if Council must sell the property, it should be sold for the most value. Therefore study further to get the true value.

Mayor Eady thanked Ms. Black for her comments and said he would invite further comments from her following Council Member comments.

Councillor Kingsbury said that since the Sept 2<sup>nd</sup> Council Meeting he spoke to Ottawa River residents to get a true value. We have to determine the flood elevation. We need a true real estate appraisal and suggested Rivington's. He said that if the property is worth \$225,000 the people deserve these funds. He suggested that the figure of \$90,000 was a number out of the air. We should use other waterfront property as a comparison.

Mayor Eady said he used the following basis when he suggested \$90K. 6 or 7 years ago the Township received an \$18,000 offer for the property from a neighbour but it was refused. Then we received the \$40,000 appraisal last year which he considers to be the \$18K with inflation, so he doubled the price and added some more to cover inflation for the next 10 years or so. He agreed that we need to go further and get another appraisal.

Councillor Larone read the report he had given at the September 2<sup>nd</sup> Council Meeting so that the people in the audience could understand his reasons to sell the property. He said that Recreation has a large number of volunteers and he has concerns for them as they do other volunteer activities. People on the waterfront pay higher taxes. The Sub-Committee's report indicates the costs to develop the property to be \$200,000 plus. No property access for a fire truck - 4

x 4 only. In an emergency these are minute delays that could cost a life. He doesn't want to burden volunteers for this project. During the study the use was changed to a park/picnic area rather than a swimming area. Lots of money required developing the park and there is a recommendation in the report not to charge a user fee. Lots of funds are needed to be fundraised for the community centre. Can the volunteers continue to do this work? They may spread themselves too thin. Now the flood plain level is in the discussion. We have no authority from MNR to do shoreline work. The property floods each year. Too many issues to solve. Maybe \$90,000 is not the price but was based on an amount larger than the appraisal. The picnic area could be constructed at the community centre. He doesn't believe that we can attract enough people to support the costs to develop the property.

Councillor Whyte said she was a member of the Beach Sub-Committee. The group was split. Over the course of the year of study all members agreed swimming was not an option. The members reviewed all the Terms of Reference. They all agreed on certain points – that the appraised value was too low, not optimum swimming area, use the \$1,000 in the budget for maintenance costs, and support the Committee's recommendations.

Councillor Campbell said the \$90,000 was a number thrown out there. We realized \$40,000 was too low so doubled it. This was to show Recreation it wasn't going to be sold for a minimum amount of money. He is concerned about safety on the property. The process for Sub-Committee selection was done well. Council provided the Terms of Reference. The report answered his concerns. A site visit was held as was a public meeting. The Sub-Committee did what was asked of them. He agreed with Councillor Kingsbury that if there was to be a sale, the amount would have to be the most dollars we can get for it. We have determined that the funds had to go to Recreation. The Sub-Committee has completed their report and submitted their recommendations for Council's action. Now comes time to vote.

Mayor Eady said he never supported development of the property. He spoke with a former neighbour yesterday who would not let people swim there. The cost factor is huge. Horton will see substantial costs to its budget in the near future. Grants are being cut back, he has concerns for the taxpayer. The safety issues are there. People can swim at other properties nearby – KAO and Burnstown Beach. Push now is for municipalities to share services. \$90,000 was thrown out there as explained earlier. He is in favour of selling the property, but we may need a new appraisal. We can use similar sales data to determine the property value. He will change his mind on the need for an appraisal by an outside firm.

Councillor Kingsbury said the key the value of the property is to determine where the flood elevation is. The value will increase if a residential building can be constructed close to the water. Part of the work must be the determination of the flood line.

Ms. Sandy Black in summary said that there is no risk in her proposal as the property is only going to increase in value. Could be given a trial as a picnic area. If selling the property Council must look into the real value of the property. Quality of life is what brings people into our area, and more people coming in helps Horton prosper.

## 5. DECISION ON FUTURE OF BEACH PROPERTY

The following resolution was received:

Moved by Jamey Larone

Resolution No. 14-

Seconded by Glen Campbell

That Council, after reviewing the Beach Sub-Committee Report agrees to:

1. Declare the Beach property located in Part of Lots 16 and 17 Concessions 7 and 8 as surplus
2. That Council seek a second appraisal which will include a determination of the 247.7 foot flood elevation designation
- 3 Offer the Beach property for sale at a minimum bid of the new appraised value or an amount to be determined by Council
4. That the net proceeds from the sale of the Beach property be placed in a Recreation Reserve for recreation use in the future.
5. That the property be advertised for sale in the local and Ottawa newspapers and on the Township's website and internet based "items for sale" companies i.e. Kijiji.

Mayor Eady called for discussion on the resolution.

Councillor Kingsbury said he would support the resolution as it met ½ way.

Councillor Campbell said that he supported selling the property for fair market value.

Mayor Eady said that this Council was given the mandate to investigate and report and they have done this. They have received the information this morning so will put all cards on the table.

During the debate, a person in the gallery demanded to be heard on this issue. Mayor Eady ruled her out of order as she had not requested an appointment to speak.

Councillor Kingsbury presented the following resolution:

Moved by Bob Kingsbury

Resolution No. 14-

Seconded by Glen Campbell

That Council, pursuant to Section 17 of the Procedural By-law 2014-11, agrees to accept Mae Craig's request to speak before Council at this Special Council Meeting.

Motion Lost.

Against: Councillors Larone and Whyte and Mayor Eady.

Mayor Eady called for a vote on the Larone/Campbell resolution.

Carried

6. CLOSED MEETING – HR REVIEW OF SENIOR MANAGEMENT PAY STRUCTURE

Moved by Margaret Whyte

Resolution No. 14-

Seconded by Glen Campbell

That Council now proceed into a Closed Meeting pursuant to Section 4 (2) (b) and/or (d) Procedural by-law 2014-11 to receive HR information on salaries of Senior Managers.

Carried

The meeting was closed at 9:30 a.m.

The meeting was called back to public session at 10:01 a.m. and Mayor Eady reported that during the Closed Meeting, Council received a report from the

Treasurer/Tax Collector that was requested at the August 26<sup>th</sup>, 2014 Finance Committee of the Whole Meeting. No action was taken.

7. CONFIRMING BY-LAW 2014-47

Moved by Bob Kingsbury  
Seconded by Margaret Whyte  
That Council enact Confirming By-law 2014-47.

Resolution No. 14-

Carried

8. ADJOURNMENT

Moved by Jamey Larone  
Seconded by Margaret Whyte  
That Council adjourn this Special Council Meeting at 10:02 a.m.

Resolution No. 14-

Carried

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MAYOR

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CAO/CLERK