

# McMillan strikes back with \$250,000 lawsuit



DON McMILLAN

By STEVE ARNOLD  
Champion News Editor

Don McMillan is looking out at the forces behind conflict of interest charges filed against him last week. The incumbent Ward 3 local councillor was served recently with a writ alleging he violated Ontario's Municipal Conflict of Interest Act during discussions by Milton council on a subdivision plan in Moffat.

Following that, Mr. McMillan is filing a \$250,000 lawsuit against mayoralty candidate Gus Goutouski, developer Brian Ambler and Mr. Ambler's numbered company 449635 Ontario Ltd.

The suit, to be filed in the Supreme

Court of Ontario alleges "abuse of process" against the three defendants.

In a telephone interview, Mr. McMillan said he was launching the suit in an effort to counteract damage the allegations against him have done to his character.

"It's my character that they are abusing. They are certainly trying to downgrade my character," he said.

The charges against the long time councillor allege he failed to disclose a conflict of interest when Milton council voted to order a four lot reduction in the size of a subdivision Mr. Ambler is processing in Mr. McMillan's home area of Moffat.

Although he owns property directly across the road from the four lots that he wanted cut from the development, Mr. McMillan did not declare a conflict of interest on the question, discussed it several times and seconded two motions concerning it.

At the time, he said he was taking part in the debate because of his intimate knowledge of the area and because he knew the drainage problems that would be caused by the development.

Under the terms of the Conflict of Interest Act, a county court judge will be asked to declare Mr. McMillan's seat on Milton council vacant and to bar him from serving as a member of

council or of any local board for up to seven years, if he is convicted of the allegations.

Mr. McMillan said he was acting against Mr. Goutouski "because I suspect that he's involved in this somehow," although the former councillor has not had an open part in promoting the allegations filed against Mr. McMillan.

Mr. McMillan added that he "doubts" the action will be enough to counter the negative effect the issue has had on his chances for re-election.

He also refused to answer when asked if the monetary damages would be enough to sooth his wounded honor.

"I can't say anything about that

because my solicitor has advised me not to say anything while it is going through the courts," he said.

Mr. McMillan is represented in the action by Burlington lawyer Noel Bates.

He explained that the "abuse of process" allegation is being used because he feels the three defendants have ulterior motives in taking their action against Mr. McMillan.

"Abuse of process is when someone uses a legitimate judicial process for their own ulterior motives. It's clear to us that their motives in their action are to embarrass Mr. McMillan at election time."



GUS GOUTOUSKI

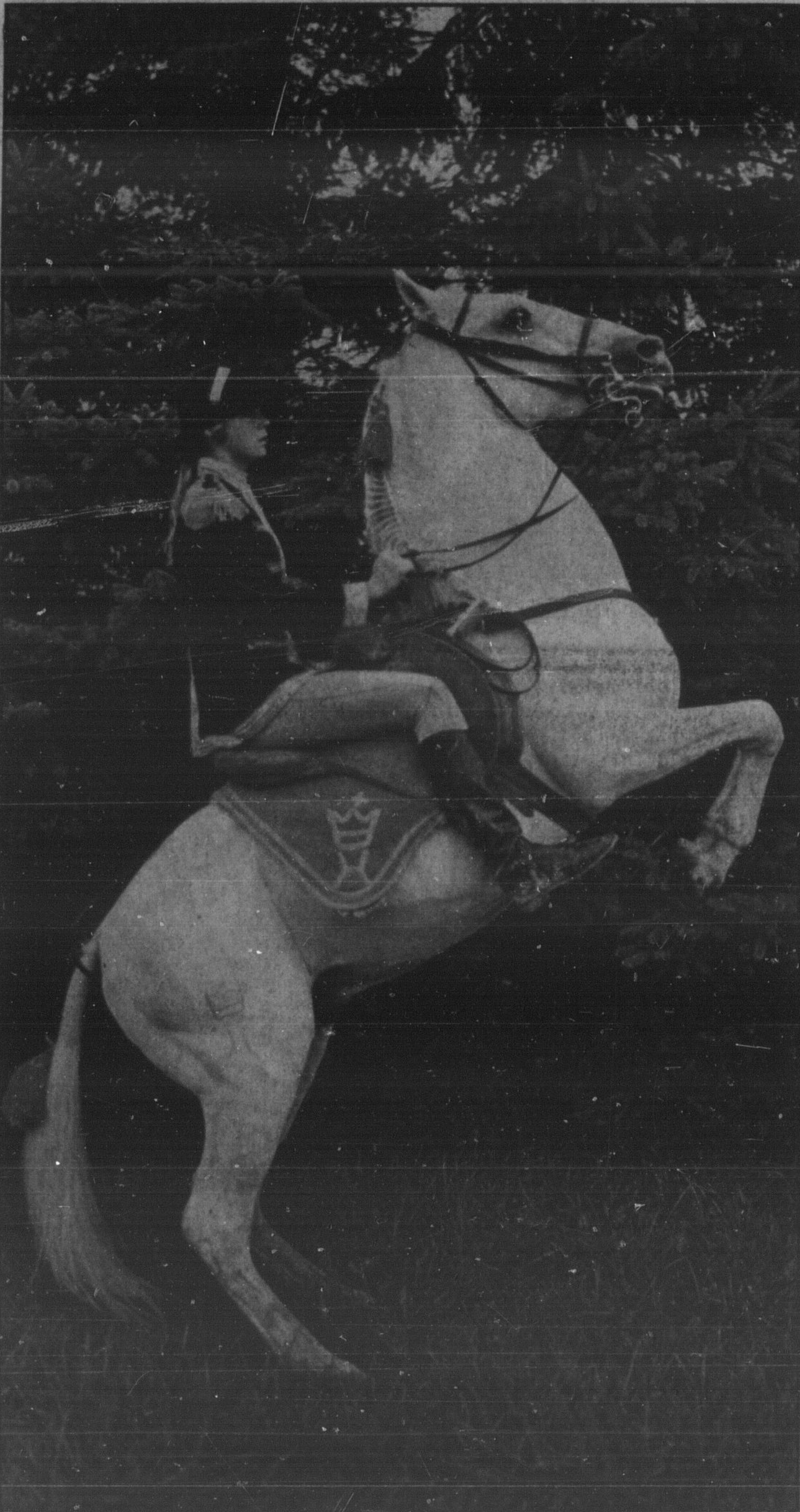
# The Canadian Champion

A Metroland Community Newspaper — Serving Milton in its 125th year

VOLUME 122—NUMBER 22

MILTON, ONTARIO, WEDNESDAY, OCTOBER 13, 1982

32 PAGES—30 CENTS



(Champion photo by Murray Rosin)

A brilliant display by Carmen Hermann and a Lipizzan stallion "Cabellero." The show

thrilled crowds in Milton Thursday afternoon and evening.

## Lipizzans thrill crowds in Milton

By LINDA KIRBY  
Champion Reporter

More than 1,000 people, young and old alike, horse lovers or not, turned out Thursday to watch a spectacular show in Milton of fine horsemanship and witness the beauty of the famous Lipizzan breed.

Professor Ottomar Hermann, of Florida, owner of the private company of more than 60 Lipizzan horses, thrilled local crowds with a horse show many only read about.

The Lipizzan stallions are world renowned for their great beauty and ability to execute the famous "airs above the ground."

A tradition that has been part of the Herman family for the past 300 years, Professor Hermann's company is one of very few in North America and Europe that continues to display the classical and highly artistic movements of this breed, the most famous being The Spanish Riding School in Vienna, Austria.

Lipizzans are considered among the rarest and one of the most aristocratic breed of horse in existence.

Visitors to the two shows at Milton Fairgrounds were treated to a selection of "airs" that included the capriole, (the horse leaps straight into the air, kicks out with all four legs and returns to the same spot) and the famous courbette (where the horse leaps on his hind legs like a kangaroo).

All of the special movements represent years of training and careful schooling in what is described as "high school" dressage.

According to Professor Hermann, many of his horses were among those he smuggled out of Austria during the Second World War.

Today his children are riding the horses in the shows and learning the specialized training techniques from their father.

The Lipizzan company was in Milton for only one day.

## Fischer fears

# Industrial charge may cripple economic growth

By STEVE ARNOLD  
Champion News Editor

An industry "forced to its knees" by Canada's ailing economy was dealt another body blow by Halton Regional Council last week.

Councillors approved the imposition of a special \$2,500 per acre levy designed to provide the Region with badly needed capital for water and sewer projects.

While more than a dozen developers pleaded with

Regional council not to impose the special tax now, the politicians stuck by their policy that new development should be a cost to existing taxpayers.

The decision to impose the levy was based on a recommendation from the administration and finance committee which had opted for the levy in favor of another system recommended in a staff report.

## Trustees and councillors approve pay freeze for '83

By STEVE ARNOLD  
Champion News Editor

Politicians in two branches of local government have voted to freeze their salaries.

Members of the Halton Board of Education and Halton Regional Council last week approved salary freezes for elected members.

The pay for trustees was frozen at \$7,200 for the next three years and the pay for regional councillors was pegged at \$12,966 for one year.

Board of Education members took their cue from a special committee established to study trustee compensation which recommended freezing the pay.

Halton trustees have not voted themselves a raise since 1977.

Milton Wards 1 and 3 Trustee Ivan Armstrong supported the move when it was presented to the Board.

"I support this position on holding the line, but we can't hold it ourselves," he said. "The administration of this Board is already working at

an efficient level that would be the envy of many private companies."

Regional council was led into the decision by Oakville Mayor Harry Barrett who recommended the wage freeze as an addition to a recommendation to urge the provincial government to apply its restraint program to prices under its control, as well as the salaries of civil servants.

Burlington Coun. Walter Mulkewich was behind that move, saying such restraint by the province could affect some of the operating costs of local government.

"It would let them be consistent with their own program," he told regional council when the motion was presented for approval.

Mr. Mulkewich added that the "only reason" he could support the freeze for councillors "is that if the employees are being subjected to five per cent then we should be in step with that."

To date Milton's local council has not taken any action to freeze or raise the \$5,500 annual wage for councillors.

Business development director Matt Fischer and acting treasurer Cecil Mascarenhas had recommended that the Region satisfy its hunger for funds through a special surcharge on water and sewer rates for industrial and commercial customers.

In explaining that recommendation to the committee two weeks ago, Mr. Fischer admitted that it was "shifting the burden from new development to our existing industrial and commercial," but added that it would be a more reliable source of money for Halton.

"This would be fairly constant, where development moves along in peaks and valleys," he said.

"For most of the industries an extra \$500 a year on their operating costs would hardly be noticed," he said. "I doubt even their auditors could find it, but more important, it's not putting a disincentive on the very development that we are trying to attract."

That problem, paying the costs of development without crippling Halton's industrial expansion, was at the heart of arguments against the plan presented by developers.

"It would appear from the comments and discussion that some councillors are caught up in a philosophic discussion and are ignoring the realities of this situation," said Ron Wojcicki, chairman of Halton Chapter of the Urban Development Institute of Ontario.

"Your focus has only been on the costs of development, but council should also weigh the benefits of industrial-commercial development," he added.

Many of the developers who appeared at the meeting echoed concerns raised by Mr. Fischer and by the business advisory committee he created to help in Halton's economic growth.

"Industrial-commercial developments are generally needed to support the community," Mr. Wojcicki said. "It has a positive effect on the mill rate of a community. Without it the residents of the Region would be looking at very heavy increases on their tax bills."

Local government taxes its industries at a rate about 60 per cent higher than the rate applied to residential assessment. While more money comes in, the demand for government services by industry is generally smaller.

Mr. Wojcicki warned that if Halton did apply such a tax to industrial developers it could well be driving needed jobs and investment away from the Region, into the waiting arms of Peel and Hamilton-Wentworth.

"Other Regions are taking steps to attract this sort of development. Halton should be welcoming it with open arms as well," he added.

According to a consultant's report prepared for the Region in 1979, it costs local taxpayers slightly more than \$12,000 to provide all the government services required for one acre of industrial land.

That one acre allows the municipality to borrow as much as \$3,500 on debenture markets, leaving the \$8,500 balance to be financed by existing ratepayers, or the developer.

Paul Ginou, representing Marathon Realty Co. Ltd., told councillors that such a levy could have a direct effect on decisions about proceeding with some developments.

He explained that industrial developers can only pass increased costs down the line to a limit dictated by a very competitive market.

"If Halton imposes this levy there will be a lot of happy people in Durham, Peel and York," Mr. Ginou said. "This type of levy could very easily put the cost of land in this Region out of the market, and if people aren't developing then there's no money and no new jobs available."

## Inside



### Need campaigners

Milton's first United Way campaign needs involved people now just as much as it needs money. For more details see page 9.

### Davidson resigns

One week after the minor hockey season began, MMHA president Bob Davidson has resigned. Turn to page C1.

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# REAL ESTATE guide