



## **MUNICIPALITY OF NORTH MIDDLESEX**

### **REGULAR MEETING MINUTES**

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday May 8, 2019 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill.

#### **1. CALL TO ORDER**

Mayor Ropp called the meeting to order at 7:00 p.m. with a quorum present.

#### **2. ROLL CALL**

Mayor Brian Ropp

Deputy Mayor Adrian Cornelissen

Councillor Ward One – Doreen McLinchey

Councillor Ward Two – Joan Nichol

Councillor Ward Three – Gord Moir

Councillor Ward Four – John Keogh

Councillor Ward Five – Andrew Hemming

Deputy CAO/Director of Operations – Jonathon Graham

Director of Emergency and Safety Services – William Davidson

Clerk Jackie Tiedeman

Manager of Finances/Deputy Treasurer – Dani Johnston

Manager of Recreation & Facilities – Brandon Drew

M.L.E.O. Larry Baker (portion of meeting)

#### **3. DISCLOSURE OF PECUNIARY INTEREST**

Councillor Hemming provided written declaration of conflict of interest for Minor Variance Application MV-4-2019 at 10807 Argyle St, due to business relationship /customer.

#### **4. MINUTES OF PREVIOUS MEETINGS**

##### **MOTION #110/2019**

**MOIR/MCLINCHEY:** That the April 17, 2019 Regular Meeting and Court of Revision Meeting Minutes and April 25, 2019 Special Meeting Minutes be accepted as presented.

CARRIED

#### **5. DELEGATIONS**

Elsie Dostal, representing Service Line Warranty Program endorsed by AMO/LAS provided an overview of a program that could be available to the residents in North Middlesex. She advised that the goal of the municipal partnership is to help educate your residents on their responsibilities when it comes to their private water service lines and provide a solution in the event of sewer and water lateral failure. The reason for offering this option is that many homeowners are surprised by the unexpected out of pocket expenses when a problem arises from frozen pipes, leaks, sewer backups and a multitude of problems that aging infrastructure can cause. Service Line has partnered with 50 Ontario municipalities and would like to partner with North Middlesex through an affinity marketing agreement to offer this program as a credible, low cost option of \$5-7.00/month for your residents. This program does not have any cost to the municipality and Service Line would provide 5% of the revenue generated back to North Middlesex to support other programs and areas of the budget as a royalty for your support.

Several questions were then asked by Council such as:

- Why would the municipality want to assume liability by providing the municipal logo on communications?

Response: It legitimizes the program with residents by having the logo on communications. No liability is associated with this partnership and use of logo.

- Does this include agricultural area for water; If so, any restrictions if more than one line on property; restriction on length of line and what is the monetary cap on each line?

Response: The coverage is from the curb stop to the home. Ms. Dostal added that septic systems are now able to be covered. She would provide further clarification on the agricultural area as well as a copy of the terms and conditions that would be offered to residents.

- How long has the company been in Ontario and who is the underwriter for the program?

Response: The company expanded to Ontario 3 years ago and was in the US for many years before that. Ms. Dostal advised that she would provide confirmation on the underwriter when she sends the other information.

Mr. Graham advised Council that Infrastructure Supervisor, Jonathan Lampman, thought it was important to have an option to the residents for coverage that may not have any other coverage for this type of work through their own insurance. As staff move forward with the leak detection program, this coverage option could be available.

Council agreed that it would be helpful to have a report prepared once all the information is received and they could consider the request further.

## **6. PUBLIC MEETING**

7:00 p.m. Todd Deeks request for clarification from Council that “incidental non-commercial breeding” is permitted in accordance with the existing kennel approved through Temporary Use By-law 57 of 2018 which was granted on land municipally known as 4378 McGillivray Drive (owner Brock Rondeau).

This confirmation is required in order for staff to finalize the agreement with the owner.

M.L.E.O, Larry Baker, provided his opinion on allowing breeding at this location due to its temporary nature and due to the fact that this was never part of the discussion during the process of accessing what was occurring on the subject lands. In addition to the approximate 10 hound dogs at this location, an additional 3 small dogs belonging to Mr. Deeks mother also reside at this address. There was concern that the facility does not have adequate space to accommodate breeding according to regulations.

Staff reminded Council that although a kennel may be permitted on a temporary basis for a three year period at this location, the kennel inspection process has not taken place.

Planner Stephanie Poirier advised that the current definition of “Kennel” in the North Middlesex Zoning By-law is very general and does not contain sufficient detail. It was suggested that this should be reviewed as part of an upcoming housekeeping amendment for more clarity.

After several questions were asked by Council the following motion was brought forth

**MOTION #111/2019**

**MOIR/MCLINCHEY:** That the decision be deferred until the definitions have been reviewed in the Zoning By-law.

DEFEATED

After further deliberation the following motion was brought forward

**MOTION #112/2019**

**MOIR/KEOGH:** That Council agree that “incidental non-commercial breeding” is permitted provided that all requirements for obtaining a North Middlesex kennel licence is adhered to.

CARRIED

See separate Public Meeting and Committee of Adjustment minutes for the planning portion of the agenda.

The regular meeting resumed at 8:12 p.m.

**7. DEPARTMENTAL REPORTS**

a. Report from Deputy CAO/Director of Operations Jonathon Graham - Tree Canopy and Natural Vegetation Protection Policy

Staff advised that this is a mandatory policy enacted through Bill 68 under Section 270 (1) of the *Municipal Act, 2001 as amended*

**MOTION #113/2019**

**CORNELISSEN/HEMMING:** Be it Resolved that the Report entitled “Protection and Enhancement of Tree Canopy and Natural Vegetation Policy be received, and

That the Policy be hereby enacted as presented.

CARRIED

b. Report from Deputy CAO/Director of Operations Jonathon Graham – 2019 Capital Summary Report

Mr. Graham provided an overview of the project and highlighted two items from his 2019 capital report being Conditional Assessments- Gravel Roads and Hard Service

Treatment Asphalt. The conditional assessment report being conducted by Golder Associates will be available soon and provided to Council. Deputy Mayor Cornelissen inquired into imposing half load limits on our roads. Mr. Graham advised that the Public Works Manager has the authority to impose limits with signage now.

**MOTION #114/2019**

**MCLINCHEY/MOIR:** That Council receive and file the Infrastructure & Operations report titled Update 2019 Capital Expenditures for information purposes.

CARRIED

c. Report from HR Co-ordinator/Executive Assistant Donna VanHooydonk, - Pregnancy & Parental Leave for Councillors

Staff advised that this policy was developed in response to new legislative requirements enacted through Bill 68 under Section 270(1) of the *Municipal Act, as amended*.

**MOTION #115/2019**

**MOIR/CORNELISSEN:** Be it resolved that the report entitled “Pregnancy and Parental Leave for Council Members” Policy be received, and

That the Policy be hereby enacted as presented.

CARRIED

d. Report from Manager of Rec and Facilities, Brandon Drew – 2019 Capital Expenditure Update

Mr. Drew provided an overview of the projects and advised that he is waiting for the structural review for the arena score clock. Indications are that reinforcement would have to be undertaken to the roof to accommodate this due to the solar panels.

Mayor Ropp also noted that the Council Chamber Accessibility project is to include revamping the side door into the Chambers from the hallway, improvements to the quality of sound for hearing impaired and outside lighting at entrances to the Council Chambers and OPP Office. Verification was provided that the Back Up Generators for the two facilities is still on target.

**MOTION #116/2019**

**NICHOL/MCLINCHEY:** That Council receives and file the Economic Development and Community Services Report titled Update 2019 Capital Expenditures for information purposes.

CARRIED

e. Report from Manager of Rec and Facilities, Brandon Drew – Play it forward initiative

Mr. Drew provided an overview of this initiative offered by the Middlesex Dairy Farmers and the County of Middlesex; its directive is to give funding to lower tier municipalities which in turn will be used to provide funding assistance to low-income families (35% of registration for basketball, soccer and hockey programs only)

**MOTION #117/2019**

**MOIR/CORNELISSEN:** That Council directs staff to undertake the “Play It Forward” agreement with the County of Middlesex; and  
That the Mayor and Clerk be authorized to enter into the agreement.

CARRIED

f. Report from CBO, Vic Stellingwerff – Jan-April Building Activity

**MOTION #118/2019**

**MCLINCHEY/NICHOL:** That Council receives the Building Activity Report from January 2019 through to April 2019 as information only.

CARRIED

**8. PASSING OF ACCOUNTS**

Compilation of accounts from April 11 to April 30, 2019 in the amount of \$300,666.45

**MOTION #119/2019**

**HEMMING/MOIR:** Be it resolved that the following Bills and Accounts be approved for payment in the amount of \$300,666.45

General Cheques \$55,668.01

Direct Deposit \$72,805.80

On-line/PAP \$172,192.64

CARRIED

**9. COMMITTEE REPORTS**

a. Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming)

b. ABCA (Deputy Mayor Cornelissen) - April 18<sup>th</sup> meeting agenda was provided. It was noted that the announcement from the Province on cuts to their program may lead to a possible 25% increase in the levy.

c. BWRA (Cr. McLinchey) A new flyer has been mailed out to customers advising of the revised acceptable items in the garbage and recyclable containers. Cr. McLinchey also noted that the commodity prices have declined substantially and future impact on this costs to run this program is not known at this time.

d. EDAC (Cr. Moir) - next meeting date to be determined

e. LSAC – (Cr. Nichol) Meeting Cr. Nichol advised that the annual collaboration meeting with the School Board and County will be held on June 13<sup>th</sup>. Also, Whitehills Childcare Association approached East Williams School about a possible before and after school program. No further information was available at this time whether there was sufficient interest in running this service at this school.

f. Recreation Committee (Cr. Hemming) – upcoming meeting May 28<sup>th</sup>

g. Water/Wastewater Committee (Cr. Moir)

h. Policies Review Committee (Cr. Nichol) January 17, 2019 minutes – next meeting May 16<sup>th</sup>

i. Fire Committee - First Meeting is May 14<sup>th</sup>

j. Budget Committee (Mayor Ropp) Next meeting is May 21<sup>st</sup>

k. Community Development Fund Committee (Cr. Hemming)

l. OCWA Client Advisory Board (Jonathon Graham will be the new contact – the membership is through Municipality not an individual)

## **10. CORRESPONDENCE**

a. City of Brantford – request for motion support – single use plastic straws

### **MOTION #120/2019**

**MCLINCHEY/CORNELISSEN:** The Council of the Municipality of North Middlesex endorses and supports the following motion from the City of Brantford:

*“Whereas Section 8(1) of the Municipal Act, 2001 requires that the powers of a municipality are to be interpreted broadly so as to confer broad authority on the*

*municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and*

*Whereas section 8(3) of the Municipal Act, 2001 permits the municipality to pass by-laws under section 10 and 11 which; regulates or prohibits the matter; and to require persons to do things respecting the matter; and*

*Whereas section 10(2) of the Municipal Act, 2001 permits single tier municipalities to pass by-laws respecting the following matters: economic, social and environmental well being of the municipality, including respecting climate change; and*

*Whereas the Council of the Corporation of the City of Brantford wishes to consider regulating or prohibiting the sale and distribution of single use plastic straws in the municipality in order to reduce (a) littering; (b) the impact on landfills; (c) the impact on sewers; and (d) the contribution to climate change;*

*NOW THEREFORE BE IT RESOLVED THAT City Staff be directed to:*

*1. analyze the impacts of single use plastic straws in the municipality; and how to reduce those impacts through the regulation and prohibition of single use plastic straws*

*2. Consult with the public and impacted industries, including but not limited to: Retail stores; restaurants; manufacturers and distributors, as applicable; chamber of commerce; Brantford Accessibility Advisory Committee and Brantford Environmental Policy Advisory Committee;*

*3. That city staff report back to council on the results of their analysis and consultation; along with a process including timelines to:*

*a. in the first phase, regulate the sale and distribution of single use plastic straws, taking into account existing inventories and the sourcing of alternate suppliers; and"*

*b. in the final phase prohibit the sale and distribution of single use plastic straws*

*4. That a copy of this resolution be forwarded to the MP and MPP Brantford-Brant, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and other municipalities in the Province of Ontario.*

CARRIED

b. Township of Tudor and Cashel – request for motion support – Hydro Costs  
(action: receive and file)

c. Nextera Energy – Notice of proposed change  
(action: receive and file)



## **CORRESPONDENCE CONTINUED**

d. Ontario Human Rights Commission – Harmful impact of Indigenous-themed sports logo's in city facilities  
(action: receive and file)

## **11. OTHER OR URGENT BUSINESS**

a. Jonathon Graham, Deputy CAO/Director of Operations – update to Infrastructure Guidelines & Construction Standards document (By-law on agenda for consideration)

b. Dani Johnston, Deputy Treasurer – 2018 QPA Solar Lease Information which includes revenue sharing with the municipality for the facilities that have roof or ground solar panels installed. Council thanked the Treasurer for providing this information.

Councillor Moir referenced the commercial wind tower tax assessment being challenged by the Town of Plympton Wyoming and that it will be interesting to see the outcome.

c. Mayor Ropp presented a letter received by the municipality from Ian McKay further to the meeting citizens had initiated in Ailsa Craig regarding Craigwood Youth Services. The letter expressed frustration with the system and wanted the Municipality to exert their influence for the service to undertake changes to their current system that is not working. The Mayor is in discussions with the agency as well as reaching out to the Ministry. Mayor Ropp stated that Craigwood indicated they welcome citizens wishing to sit on a committee with them. Councillor Nichol advised that she has offered to sit on a committee but has not heard back from Craigwood.

Deputy Mayor Cornelissen advised that at the recent OSUM conference he had an opportunity to speak with the Ombudsman's office and advised that complaints can be lodged with this office with respect to the level of care.

d. Clerk Jackie Tiedeman advised Council that the North Middlesex Farmers Market have extended an invitation to the ribbon cutting ceremony on May 18, 2019 at 8:30 a.m. in the Shared Services Centre front garden area. As well, a budget date of June 12, 2019 at 6:00 p.m. was set for presentation of the 2019 Operations Budget.

## **12. COMMUNICATIONS (including County Council)**

Deputy Mayor Cornelissen advised that discussions are ongoing with the County regarding Fire Services. At the time, the status quo is needed for now in order to maintain legislative requirements.

### **13. CLOSED MEETING (UNDER SECTION 239 OF THE *MUNICIPAL ACT*)**

#### **MOTION #121/2019**

**HEMMING/CORNELISSEN:** That the Regular Meeting adjourn to Closed Meeting at 9:22 p.m. under the following exemption:

Approval of past minutes: Feb 20, April 3, April 9, April 25

Labour Relations or Employee Negotiations – Union Negotiations

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on by or on behalf of the Municipality or local board – Update on land matter

CARRIED

### **14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING**

#### **MOTION #122/2019**

**NICHOL/HEMMING:** That Closed Meeting adjourn and return to Regular Meeting at 9:47 p.m. without recommendations.

CARRIED

### **15. READING OF BY-LAWS**

By-law #26 of 2019 – ZBA for 3722 Wardell Dr

By-law #27 of 2019 – ZBA for 3774 West Corners Dr

By-law #28 of 2019 – ZBA 3589 Ausable Dr

By-law #29 of 2019 – Adopt the amended Infrastructure Design Guidelines & Construction Standards (repeals By-law 79 of 2012) dated April 2019

By-law #30 of 2019 – Appointment of Signing Officers

By-law #31 of 2019 – Appointment of Interim CAO

By-law #32 of 2019 – Appointment of Interim Treasurer

By-law #33 of 2019 – Repeal Appointment By-law 10 of 2017

By-law #34 of 2019 – Confirming

By-law #35 of 2019 – Authorize execution of agreement Play It Forward Initiative

#### **MOTION #123/2019**

**MCLINCHEY/KEOGH:** That By-laws #26-35 of 2019 be read first and second time.

CARRIED

**MOTION #124/2019**

**NICHOL/MOIR:** That By-law #26-35 of 2019 be read a third and final time.

CARRIED

**16. ADJOURNMENT**

**MOTION #125/2019**

**MCLINCHEY/HEMMING:** That the meeting adjourn at 9:48 p.m.

CARRIED

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MAYOR

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CLERK