



MUNICIPALITY OF NORTH MIDDLESEX REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday April 20, 2016 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill with a quorum present.

1. CALL TO ORDER

Mayor Shipway called the meeting to Order at 6:00 p.m.

2. ROLL CALL

Present:

Mayor Don Shipway

Deputy Mayor Brian Ropp

Councillor Ward One Doreen McLinchey

Councillor Ward Two Joan Nichol

Councillor Ward Three Gord Moir

Councillor Ward Four Andrew Hemming

Councillor Ward Five Adrian Cornelissen

CAO, Marsha Paley

Clerk, Jackie Tiedeman

3. DISCLOSURE OF PECUNIARY INTEREST

None

4. CLOSED MEETING (Under Section 239 of the *Municipal Act*)

MOTION #131/2016

MCLINCHEY/HEMMING: The Regular Meeting adjourn to Closed Meeting at 6:00 p.m. for the following purpose:

Approval of past minutes: October 24, November 4th and 18th, December 2 and 16, 2015 and January 20, February 17 and March 2, 2016

- a. Labour Relations or employee negotiations – Union Negotiations
- b. Personal matters about an identifiable individual, including municipal or local board employees:
 - i) Update on Implementation of Organization and Operational Plan
 - ii) Co-op Student Term Extension
 - iii) Part time Employment Opportunities
- c. Litigation or potential litigation – OMB Updates

CARRIED

5. CONSIDERATION OF MATTER ARISING FROM CLOSED MEETING

MOTION #132a/2016

MOIR/ROPP: That Council adjourn from Closed Meeting at 6:58 p.m. with no report.

CARRIED

6. MINUTES OF PREVIOUS MEETINGS

MOTION #132/2016

ROPP/MCLINCHEY: That the minutes from the Regular Council Meeting dated April 6, 2016 be hereby accepted as presented.

CARRIED

7. PUBLIC MEETINGS

None

8. DELEGATIONS

Brenda Slater from Municipal Property Assessment Corporation (MPAC) was present to provide an overview of the 2016 Assessment Update. She advised that the assessment notices for all residential properties were mailed on April 18. Request for Reconsiderations for residential properties will be accepted until August 16, 2016. The Farm Property Assessment Notices will be mailed October 11 and Multi-Residential and Business Notices will be mailed October 18th. The new assessments will serve as the basis for calculating property taxes for 2017-2020. She noted the benefits to municipalities for advanced disclosure includes: improved roll predictability and stability; improved risk analysis; no surprises and opportunity to provide feedback. The benefits for property taxpayers included: increased satisfaction and confidence; easy access to property information; no surprises and opportunity to provide feedback.

Several questions were asked by members of council and responded to by Ms. Slater. The delegation was thanked for her presentation.

9. DEPARTMENTAL REPORTS

- a. Report from Drainage Superintendent – Final Reading of By-law Eagleson-Steeper Drain

MOTION #133/2016

MOIR/CORNELISSEN: That Council read a third time and pass By-law #10 of 2016 for the Eagleson-Steeper Drain and to proceed with tendering of the project.

CARRIED

- b. Report from Drainage Superintendent – Petition for Improvement to Vanneste Drain

MOTION #134/2016

MOIR/ROPP: That Council accepts the petition for improvements to the Vanneste drainage works under Section 74 of the *Drainage Act*.

CARRIED

- c. Report from Drainage Superintendent – Petition 1 – New Drain and Petition 2- New Drain

MOTION #135/2016

CORNELISSEN/HEMMING: That Council accept the Petition 1 for a new municipal drain under Section 78 of the *Drainage Act*.

CARRIED

MOTION #136/2016

NICHOL/ROPP: That Council accept the Petition 2 for a new municipal drain under Section 78 of the *Drainage Act*.

CARRIED

- d. Report from Public Works Superintendent – Street Sweeping

Discussion then ensued regarding the cost of a proposed new sweeper vs contracting out the sweeping service and using the existing sweeper/vac truck for tasks other than sweeping. After considerable discussion on the matter with differing opinions on the use of the sweeper, the following motion was then introduced.

MOTION #137/2016

ROPP/MCLINCHEY: That Council not purchase a sweeper in 2016 and remove from budget;

And that \$10,000 be added to the operating budget for contracted services.

CARRIED

** Following the meeting, additional clarification was sought from Deputy Mayor Ropp. He clarified that the intent of his motion was for the sweeper to be used only for cleaning out holes and catch basins and to have a contracted service provider come in to do the sweeping. The intent was to prolong the lifespan of the sweeper. However, as new brushes had recently been installed, he indicated it would be appropriate for staff to continue as is for this year. Only upon a breakdown would the contracted services be initiated**

e. Report from Public Works Superintendent – Speed Limit on Sylvan Road

MOTION #138/2016

CORNELISSEN/MOIR: That Council receives the Speed Limit on Sylvan Road Report;

And further that Council considers passing the applicable speed limit by-law;

And further that Council directs staff to proceed with purchase of appropriate signage.

CARRIED

f. Report from Chief Building Official – Quarterly Report on Building Activities

A discussion then ensued regarding the various situations which occur and the duty of the Chief Building Official regarding residential development. Councillor Moir expressed some concern that this requirement is adding an additional cost to residential development. After considerable discussion on the report, the following motion was then brought forth:

MOTION #139/2016

ROPP/NICHOL: That the Surveys Report be deferred in order to receive clarification from the Chief Building Official as to what stage in construction the survey is being requested.

CARRIED

g. Report from Chief Building Official – Quarterly Report on Building Activities

MOTION # 140/2016

MCLINCHEY/MOIR: That Council receive and file the 2016 First Quarter Building

Activity Report as submitted.

CARRIED

h. Report from Clerk – Agreement for Community Kiosk in Ailsa Craig

MOTION #141/2016

NICHOL/HEMMING: That Council receive the report regarding the Community Kiosk in Ailsa Craig;

And further that the By-law to authorize the execution of this agreement be considered for passage.

CARRIED

i. Report from Clerk – Code of Conduct for Members of Council, Advisory Committees and Local Boards

MOTION #142/2016

MOIR/ROPP: That Council receives the Code of Conduct for Council, Advisory Committees and Local Boards Report from the Administration Department;

And that the final by-law, including the attached Code of Conduct, is considered by Council for all three readings and passed;

And that following adoption of the Code of Conduct, staff is directed to make it available to the public.

CARRIED

j. Report from Clerk – Nairn Park Agreement

MOTION #143/2016

HEMMING/NICHOL: That Council receive the report regarding the Nairn Optimist Park agreement;

And further that the by-law to authorize the execution of this agreement, in substantially the same form, be considered for passage.

CARRIED

k. Report from Chief Administrative Officer – Vibrancy Fund

Deputy Mayor Ropp commented that he is in favour of the overall report, however, he would like to see the allocation of \$125,000 to Capital Projects only. CAO Marsha Paley replied that she would take into account this suggestion when preparing the policy which will be provided for council consideration at an upcoming meeting.

MOTION #144/2016

CORNELISSEN/ROPP: That Council receives the Community Vibrancy Funds Report;

And further that a draft by-law with a policy be prepared and brought forward regarding guidelines for the dispersal of the Community Vibrancy Funds for Council's consideration at an upcoming meeting.

CARRIED

I. Report from Acting Treasurer – 2016 Budget

Due to an earlier motion to add \$10,000 to Contracted Services for Street Sweeping, the Treasurer advised that this will change the tax rate to 2.16%. It was then suggested by Ms. Paley that the addition to the budget for contracted services could be offset by reducing other areas within the operation budget for Public Works and therefore would not impact the proposed final budget. Council concurred with this approach. Council then discussed the possibility of allocating funds from the anticipated 2015 surplus to further reduce the tax rate. The following motion was then introduced:

MOTION#145/2016

ROPP/NICHOL: That \$50,000 be allocated from the 2015 Surplus to help offset the 2016 Budget.

CARRIED

MOTION #146/2016

MCLINCHEY/MOIR: That Council approves the 2016 Operating and Capital Budgets, setting the tax rate increase for 2016 at 1.32%.

CARRIED

10. PASSING OF ACCOUNTS

a. Report on compilation of bills and accounts to April 14, 2016

MOTION #147/2016

CORNELISSEN/HEMMING: That the following bills and accounts be approved for payment:

General	\$236,439.16
Ont Hydro	\$ 22,065.82
OCWA	\$ 65,061.74

CARRIED

11. COMMITTEE REPORTS

a. North Middlesex Community Policing Minutes – March 1, 2016

MOTION #148/2016

MCLINCHEY/CORNELISSEN: That the minutes be received and filed.

CARRIED

12. CORRESPONDENCE

a. The Municipality of Lambton Shores – Fire Service Agreement proposal

MOTION #149/2016

CORNELISSEN/MOIR: Whereas the Council of the Municipality of North Middlesex has given careful consideration to the matter of fire service protection for its residents that are currently served from the Arkona Fire Department, Municipality of Lambton Shores;

And further that a motion was duly considered and approved by Council on February 17, 2016 which gave direction to staff to notify Lambton Shores that the municipality will be withdrawing from negotiations for a new Fire Service Agreement and that our North Middlesex Fire Department will take over this particular area once proper notification and procedures are in place with Emergency Services;

And therefore based upon council direction by Council Motion #055/2016 on February 17, 2016, Council hereby directs that staff notify Lambton Shores that no further action is required on this matter and that any remaining outstanding invoices will be settled as soon as possible.”

CARRIED

b. Thank you card from Bakrija and the Shipway Family
(Action: receive and file)

c. North Middlesex District High School – presenter for Year 4 Proficiency Award
(action: Councillor Hemming will attend)

d. The Corporation of the Town of Tillsonburg – Support of Resolution regarding Oxford County’s unwilling hosts to garbage from areas beyond their municipal boundaries.

MOTION #149/2016

NICHOL/HEMMING: That the Council of the Municipality of North Middlesex hereby supports the following motion from the Town of Tillsonburg:

“WHEREAS the Town of Tillsonburg supports Oxford County’s Sustainability Plan including the Zero Waste objective by 2025;
AND WHEREAS Tillsonburg stands united with Oxford County in declaring the county and its municipalities unwilling hosts to garbage from areas beyond their municipal boundaries;

AND WHEREAS all local governments need to take responsibility for waste created within their borders while avoiding the exportation of waste to other municipalities;

AND WHEREAS any and all regulations, practices and best available technologies shall be used to reduce the generation of waste and ultimately to ensure the elimination of the movement of waste across municipal borders and its resulting impact on the health of area residents and the environment;

THEREFORE be it resolved that the Town of Tillsonburg endorses the material as presented by the Oxford People Against Landfill (OPAL) delegation on March 14, 2016;

THAT the Town strongly encourages the Province and other private and public sector partners to ensure waste generation is minimized and stays within the municipal area where it is generated, and finally;

THAT a copy of this Resolution be forwarded to Premier Kathleen Wynne, Minister Glen Murray (MOECC), MPP Ernie Hardeman, Southwestern Ontario municipalities, in the County of Oxford, and OPAL.

CARRIED

e. Bornish and Adelaide Wind Energy – Notice of Proposed Change to an Approved Renewable Energy Project – to allow use of spare transformer
(action: receive and file)

f. Town of Lakeshore – to support resolution of Lakeshore Council – “OMB Simplified Process”

MOTION # 150/2016

ROPP/CORNELISSEN: That the Council of the Municipality of North Middlesex hereby supports the following motion from the Town of Lakeshore:

“ WHEREAS municipalities in Ontario invest a significant amount of time and resources into developing and updating their Official Plan; and

WHEREAS the Official Plan of a municipality in Ontario, is ultimately reviewed and approved by the Province of Ontario; and

WHEREAS it is within the legislative purview of a Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of their Official Plan; and

WHEREAS it is also within the legislative purview of a Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of their Official Plan; and

WHEREAS planning decisions of a Municipal Council may be appealed to the Ontario Municipal Board (OMB), an unelected, appointed body that is not accountable to the taxpayers of that municipality; and

WHEREAS there is a significant expenditure to time and resources associated with defending decisions of a Municipal Council to the OMB, the full cost of which is borne by that municipality and ultimately the taxpayers of that municipality;

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Government of Ontario be requested to establish a simplified process within the OMB (“OMB Simplified Process”) whereby planning decisions of a Municipal Council made on the basis of upholding their Official Plan, may be appealed at no cost to that municipality; and

BE IT FURTHER RESOLVED THAT the Government of Ontario be requested to require the OMB to uphold any planning decisions of a Municipal Council, if they are made on the basis of upholding their Official Plan, unless through the OMB Simplified Process, they are found to be contrary to the processes and rules set out in legislation; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, the Honourable Andrea Howath, Leader of the New Democratic Party, and all MPP’s in the Province of Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.”

CARRIED

g. Minister Responsible for Seniors Affairs- Recognizing June as Seniors’ Month
(Action: receive and acknowledge June as Seniors’ Month)

h. Laurie Scott, MPP- Haliburton-Kawartha Lakes-Brock – Support endorsement on Sexual Violence and Harassment.

MOTION #151/2016

CORNELISSEN/MCLINCHEY: That the Council of the Municipality of North Middlesex hereby supports the resolution from Laurie Scott, MPP as follows:

“ WHEREAS human trafficking is a heinous crime that has been referred to as modern day slavery; and

WHEREAS traffickers recruit, transport, harbour and control the girl next door for sexual exploitation or forced labour; and

WHEREAS it is one of the fastest growing crimes that starts and stays in Canada, targeting victims-90 percent of which are Canadian born and predominately female, averaging the age of 14; and

WHEREAS Ontario is a major hub of human trafficking in Canada, and victims are lured, manipulated and coerced, often over the internet from every part of Ontario; and

WHEREAS human trafficking is in our neighbourhoods and our communities;

THEREFORE BE IT resolved that the Council of the Municipality of North Middlesex support Bill 158, *Saving the Girl Next Door Act, 2016*, support MPP Laurie Scott’s motion for a multi-jurisdictional and coordinated task force of law enforcement agencies, Crown prosecutors, judges, victims’ services and frontline agencies; and

That a copy of this resolution be forwarded to all Members of Provincial Parliament and municipalities.”

CARRIED

i. Thank you card from Grace Bible Chapel Connect 2:7 for funding received from Vibrancy Fund
(Action: receive and file)

MOTION #152/2016

MCLINCHEY/ROPP: That the correspondence package (a-i) with actions as presented be accepted.

CARRIED

13. OTHER OR URGENT BUSINESS - None

14. COMMUNICATIONS (including County Council Meeting Report)

Councillor Cornelissen expressed concern with the road condition of Townsend Line. He inquired as to what County Council is doing about this matter. Deputy Mayor Ropp and Mayor Shipway both responded that a report is coming to County Council in May on options and that an update would be provided to this Council following that presentation.

Councillor Cornelissen also requested an update from the Public Works Superintendent on the sale of equipment. CAO Marsha Paley advised that she would have the Manager provide Council with the update.

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

MOTION #153/2016

MOIR/HEMMING: That the Regular Meeting adjourn to Closed Meeting at 8:40 p.m. for the following purpose:

Continuation of business from earlier closed session

CARRIED

16. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

Council arose from the Closed Meeting at 9:20 p.m. with the following recommendations:

Councillor Cornelissen had declared a conflict of interest in Closed Meeting and left the Council Chambers for discussion on Motion #154/2016.

MOTION #154/2016

NICHOL/MCLINCHEY: That Council approves hiring two individuals through LEADS Employment Services for two hours/week each on a 4-6 month contract.

CARRIED

Councillor Nichol suggested that WSIB coverage should be through the employment services.

MOTION #155/2016

ROPP/CORNELISSEN: That Council approves a 1.5% Cost of Living Adjustment for

management and non-union staff.

CARRIED

MOTION #156/2016

MOIR/HEMMING: That Council approves the extension of the Fanshawe College's co-op student's term for two months, with the possibility of a further extension of one month, to complete the website redesign and social media project.

CARRIED

MOTION #157/2016

NICHOL/MCLINCHEY: That Council approves extension of the Acting Treasurer's contract for four months starting April 28, 2016;

And further that the Finance Co-ordinator/Acting Tax Collector's contract be extended for six months from May 17, 2016.

CARRIED

17. READING OF BY-LAWS

- a. By-law #18 of 2016 – A by-law to authorize the execution of an agreement for the community kiosk in Ailsa Craig
- b. By-law #19 of 2016 – A by-law to adopt the Code of Conduct for Members of Council, Advisory Committees and Local Boards
- c. By-law #20 of 2016 – A by-law to authorize the agreement for Nairn Park
- d. By-law #21 of 2016 – A by-law for speed limit reduction on Sylvan Road
- e. By-law #10 of 2016 – Eagleson Steeper Municipal Drain (3rd and final)
- f. By-law #22 of 2016 – Confirming By-law

MOTION #158/2016

HEMMING/NICHOL: That By-law #18,19,20,21 and 22 of 2016 be read a first and second time.

CARRIED

MOTION #159/2016

CORNELISSEN/MOIR: That By-law #10,18,19,20,21,22 of 2016 be read a third and

final time.

CARRIED

18. ADJOURNMENT

MOTION #160/2016

ROPP/MCLINCHEY: That the meeting adjourn at 9:30 p.m.

CARRIED

MAYOR

CLERK