



MUNICIPALITY OF NORTH MIDDLESEX REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday April 6, 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 7:00 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. MINUTES OF PREVIOUS MEETINGS

a. Minutes from Special Budget Meeting – March 9, 2016

Councillor Moir indicated that the wording of a motion within these minutes, pertaining to the budget, was recorded incorrectly. He then brought forth the following amendment to the motion:

MOTION #110/2016

MOIR/HEMMING: That the following motion be amended to remove “and COLA at 2%”
CARRIED

excerpt from March 9, 2016

MOTION/2016

MOIR/HEMMING: That Council direct staff to review the budget for savings that would result in an overall budget increase of 2% or under ~~and COLA at 2%.~~ ** amended motion on April 6, 2016
CARRIED

MOTION #111/2016

ROPP/NICHOL: That the Special Budget Meeting minutes, as amended, be accepted.
CARRIED

b. Minutes from Regular Council Meeting – March 16, 2016

MOTION #112/2016

MCLINCHEY/NICHOL: That the Regular Meeting Minutes from March 16, 2016 be accepted as presented.

CARRIED

c. Minutes from Court of Revision – March 16, 2016

MOTION #113/2016

MOIR/CORNELISSEN: That the Court of Revision minutes be accepted as presented.
CARRIED

5. PUBLIC MEETINGS

HEARING – 7:00 P.M. Application for Zoning Amendment (ZBA #4/2016)

Description of Land: Part of Brick Yard Lot 1 RP No. 324 (c), Part 1 on RP 33R-18759
Station Street in former Town of Parkhill

Applicant: Nicholson Walden Inc.

Agent: Philip Walden

The property which is the subject of this application is located at the northwest intersection of Station and William Streets in Parkhill. The purpose of the proposed zoning by-law amendment is to amend North Middlesex Zoning By-law No. 35 of 2004, as amended, to rezone the property from Residential Density One (R1) to Residential Density Two (R2) to permit development of a triplex dwelling to have laneway access from Station Street. A site specific R2 zoning will be required to permit the proposed interior side yard of 1.31 and 1.45 metres to the north and the rear yard of 5.58 metres to the west.

Planner Barbara Rosser advised that the application had been received and circulated according to the Planning Act.

Ms. Rosser advised that staff have been working very closely with the applicant on this proposal as some issues regarding drainage, lot coverage, setbacks etc were evident and required further revisions to the proposal following the circulation of the application that was submitted.

A written submission dated April 6th from Susan Michelle Minielly, owner of 297 Station Street, Parkhill, was received by the municipality on April 1 and was subsequently provided to the planner and the applicant for consideration. The submission was in objection to the proposed zoning by-law change and concerns were raised regarding the installation of drainage systems for the proposed structure; impact to drainage system at 297 Station Street; surface drainage; excavation for new structure and impact to 297 Station Street building; Fire protection; setback from Station Street; lot coverage.

Ms. Rosser advised that revisions have been made to the plan within the last day to address earlier concerns by staff. She advised that the proposal is consistent with policy in the Provincial Policy Statement, County Official Plan and North Middlesex Official Plan. Ms. Rosser advised that the lot area lot coverage still exceeds the maximum however in order to reduce the footprint of the building to be in compliance would require the proposal to build up. She suggested that the type of housing proposal in its present form allows for accessibility and therefore the specific zoning can address the lot coverage. The front yard setback for the proposal is at the same setback requirement in the present R1 zoning therefore the applicant is not obliged to have his proposal setback further than the by-law regulation. An additional catch basin will be installed at the northeast corner of the property and therefore the drainage issues have been remedied to the satisfaction of the municipality's engineer. These changes will all be reflected on the final drawing for the site plan approval process. There has been an increase in the interior side yard setback and the proposal now meets the minimum requirements and it is no longer necessary to include in the zoning by-law amendment. The eaves on the proposed buildings have also been reduced and therefore issues regarding the fire separation have been satisfied. The applicants have advised that construction fencing will be erected to ensure that no machinery or construction material is on the neighbouring property. Ms. Rosser then advised that although the neighbour's preference would be to orient the proposal to be facing William Street, the applicant will be servicing the triplex from Station Street as not all services are currently available along William Street. In addition, the applicant has also offered to avert water from 297 Station Street to be tied into the drainage plan for the proposal and if agreeable this would be added to the drawings for approval at site plan stage.

Ms. Rosser then advised that taking into account all the revisions to the proposal that have taken place over the last few days as well as agency comments, she had prepared a revised zoning by-law amendment for council consideration. She indicated that her by-law did not stipulate one storey however council could certainly impose that stipulation as part of the site specific zoning on this parcel of property.

Mr. Walden, agent for the applicant, responded that he felt all concerns raised by the municipality as well as the neighbour have been addressed in the revised proposal satisfactorily. He stated that this proposal is in response to members of the community expressing a need for one storey accessible housing. After construction of the units, a consent to sever application would then be submitted in order to create 3 free hold units which would allow for individual home ownership which was also a preference of prospective purchasers.

Public Submissions:

Ms. Minielly was present and spoke to her submission. She acknowledged the revisions and updates that have been made however still had some concerns with the proposal. She indicated her preference was still for a duplex dwelling, repositioned on the lot that would allow for a larger land buffer and that if this proposal is approved for a triplex she would like to see a stipulation for a single storey development.

There was no other public submissions at the meeting.

After careful consideration the following recommendation was brought forth:

MOTION #114/2016

ROPP/HEMMING: That the draft zoning by-law amendment, as amended, with the addition of one storey maximum be given three readings and finally passed later on the council agenda.

CARRIED

MOTION#115/2016

MCLINCHEY/ROPP: That the public meeting adjourn to Committee of Adjustment.

CARRIED

See separate minutes for Committee of Adjustment

6. DELEGATIONS

a. Middlesex Federation of Agriculture

Steve Fonger and Craig Scott were present on behalf of the Middlesex Federation of Agriculture to provide a brief overview of their mission which is to advance agriculture and the rural community through partnership, education and advocacy. Middlesex

County is home to over 2,100 farmers and as an industry agriculture contributes greatly to the local economy and accounts for 15.2% of the employment. Mr. Fonger advised that the federation can be a resource for the municipality. He outlined various ways the organization can assist such as through agricultural zoning, conservation authorities, rural and urban drainage issues, host for all candidates meetings for elections, farm safety day, food education, rural organizations, MFA survey, economic development committees, Agricultural Advisory Committee at Middlesex County, property tax burdens and development charge issues.

Several questions were asked by Council and responded to by the representatives regarding Green Energy Act, Farm Severances, Property Tax Fairness issues.

The delegation was thanked for their presentation.

b. Presentation of Draft Financial Statements 2015

Mike Watson and Adam Dennerly of Davis Martindale, Chartered Accountants, were present to provide the draft financial statements for 2015. Mr. Watson advised that he is waiting for the OPP Reconciliation as well as a few minor adjustments since the draft statement was produced. This includes some late accounts payable invoices. At the present time he advised that the anticipated surplus for 2015 will be between \$800,000 - \$1,000,000. Mr. Watson pointed out that the cash flow for the municipality is substantially higher than last year which is positive however cautioned that the excess funds could be placed into a short term investment. The taxes receivable requires ongoing monitoring to ensure this amount remains at an acceptable level. The long term liabilities are improving due to the fact that the outstanding loans are being reduced. There is an increase of approximately \$2,000,000. in capital assets which is attributed to the new administration building as well as upgrades to the parks in 2015. The overall reserve funds are very healthy for the municipality. There is a surplus in the taxation due to the increase in assessment and the water budget figures need to be finalized. Mr. Watson cautioned the municipality on cheque fraud that has occurred in other places of business and encouraged consistent monitoring of the accounts.

Several questions were asked by Council about reserves and how they are established and used. Mr. Watson suggested that the surplus could be placed into the contingency or working capital reserve which allows for more flexibility from Council on its use.

He indicated that once the final surplus figure is known, he will be looking for direction from Council on how to allocate this amount. If Council chooses not to transfer this amount to a reserve, then this amount will becoming an opening balance in the books for 2016.

Mr. Watson and Mr. Dennerly were thanked for their presentation and then departed.

MOTION #115/2016

MOIR/NICHOL: That the regular meeting adjourn to public meeting at 9:16 p.m.

CARRIED

c. Presentation of 2016 Draft Operations/Capital Budget by Acting Treasurer Deb Jonah

Although there was no public present for the presentation, Ms. Jonah provided an overview of changes which were a combination of direction provided by Council at the March 9 special meeting and a review by staff of some suggested changes. The overall result is a tax rate increase of 1.99%.

ADMINISTRATION – OPERATING BUDGET

- The Reservoir reserve to cover estimated repairs to occur over the next three (3) years has been included in the 2016 water and sewer budget and is no longer a factor in the general operating budget.
- \$25,000 must be set aside in 2016 and 2017 in reserves (Total cost: approx. \$50,000) for Official Plan Review including a Lands Needs Assessment to bring Official Plan policies up-to-date with most recent Provincial Policy Statement. Review to be undertaken in 2017.
- Interest revenue projections have been increased by \$10,000 to \$35,000. The budget for this account has been \$25,000 for 2014 and 2015 and the actual amounts have been \$49,557 and \$45,612, even with low interest rates.
- Insurance claims account has been reduced by \$10,000 to \$30,000.
- Keystone Maint. & Enhance. account has been reduced by \$500 to \$8,000. The 2016 invoice has been received and is less than expected.
- Costs for the 2016 phase of the implementation of the Operational and Organizational Review has been added in the amount of \$200,000.

FIRE DEPARTMENT – OPERATING BUDGET

- The Fire Department reserve allocation of \$150,000 for buildings has been reduced by \$100,000 to \$50,000. With this addition, the total in the Fire Department building reserve is \$133,500.

PUBLIC WORKS – OPERATING BUDGET

- \$20,000 has been added to the Public Works administration wages account to cover wages for replacement staff for an employee that is on sick leave.
- Bridge Maintenance – Contracted Services has a decrease of \$5,000.
- Asphalt Patching – Contracted Services has a decrease of \$5,000.
- Gravel Grading – Materials Purchased has a decrease of \$5,000.

- Graveling – Materials Purchased has a decrease of \$10,000.
- Ditching – Tile Drainage has a decrease of \$11,000.
- The Public Works Equipment Reserve budget amount has been reduced by \$8,714.93, achieved by waiving the customary annual increase of 3%.

ECONOMIC DEVELOPMENT – OPERATING BUDGET

- Revenue for the RED grant has been allocated proportionality between 2015 and 2016, according to when the expenses for the program were incurred. \$22,275 was realized in 2015 and \$6,475 in 2016. Revenue projections for this department is now \$16,475, an increase of \$6,475.

CAPITAL PROJECTS

- Admin Equipment – the IT Firewall estimated costs have been reduced by \$10,000.
- The Admin Equipment reserve total will be \$46,047.43 in 2016. Reserve amount was overestimated previously; therefore the amount available to be deducted from reserves for Admin Equipment has been reduced by \$1,950. This amount will now be required from taxation.
- Works Projects
 - The central works garage reserve amount of \$150,000 has been deleted.
 - The Creamery Rd Culvert Extensions project is proposed for 2017 instead of 2016. Amount deferred is \$55,000.
 - The Ausable Rd Bridge project total has been reduced by \$15,000 to \$80,000.
- Fire Department – the amount required for the preliminary design for the combined Parkhill FD/EMS station for 2016 has been reduced to \$75,000. Estimates are \$21,000 for the preliminary design and \$31,500 for design development. Any remaining funds should be placed in a reserve to be allocated to the future costs of this project.
- Recreation and Facilities Projects
 - The condenser for the arena will now be replaced in 2017. The amount deferred is \$55,000.
 - The Carnegie Library funding of \$250,000 to be placed in reserves has been reduced by \$100,000 to \$150,000.
 - The actual cost for the HVAC system at the Ailsa Craig Community Centre has been updated, with a cost increase of \$11,788, to be funded by taxation.

NOTE

The Service Ontario building renovations reserve was \$80,000. The amount estimated for this project is \$27,300 less than the amount raised from taxation in 2015. This amount can be used for other projects in 2016.

When the wards were amalgamated, each brought a recreation reserve fund. The amount of \$3,704.47 remains in the Ward 3 recreation reserve and can be used for the Lieury Ball Diamonds infield project.

The Community Vibrancy Fund amount for 2016 is estimated to be \$257,250. The amount of \$255,000 can be used to reduce the taxation amount required for projects that are outlined in Part V of the Community Vibrancy Agreement.

MOTION #116/2016

MOIR/CORNELISSEN: That the public meeting adjourn at 10:05 p.m.

CARRIED

As a result of budget discussions the following motions were made:

MOTION #117/2016

ROPP/MCLINCHEY: That staff be directed to prepare a report on contracting out the street sweeping to the County of Middlesex and that the report take into account invoicing the County for sweeping the county roads within North Middlesex.

CARRIED

MOTION #118/2016

ROPP/MOIR: That the Carnegie Library reserve be further reduced to \$50,000 for the proposed renovation project.

CARRIED

It was noted that should the Trillium Application be successful that Council may need to transfer funds back into this reserve in order to proceed with the work.

MOTION #119/2016

ROPP/CORNELISSEN: That Council direct staff to arrange for a spring tour for Public Works projects and that a fall tour is arranged for Facilities.

CARRIED

7. DEPARTMENTAL REPORTS

- a. Report from Acting Treasurer – 2015 Council Remuneration and Expense Report

MOTION #120/2016

CORNELISSEN/HEMMING: That Council receives the attached 2015 Council Remuneration and Expense Report, as presented.

CARRIED

8. PASSING OF ACCOUNTS

- a. Report on compilation of bills and accounts to March 31, 2016

MOTION #121/2016

MCLINCHEY/ROPP: That the following bills and accounts be approved for payment

General	\$1,590,887.70
Cemetery	\$ 160,400.20
Ont Hydro	\$ 21,346.38
OCWA	\$ 52,523.70

CARRIED

9. COMMITTEE REPORTS

No reports

10. CORRESPONDENCE

a. Request from Ailsa Craig Lions Club to finish walkway in Lions Park

MOTION #122/2016

NICHOL/MOIR: That the request be granted to the Ailsa Craig Lions Club

CARRIED

b. Lambton Shores – Response letter regarding Fire Service agreement
(action: receive and file)

c. Ontario Association of Fire Chief's upcoming seminar
(action: receive and file)

d. Thank you card from the Water's Family
(action: receive and file)

e. Thank you card from Marg and Leory Walker
(action: receive and file)

MOTION #123/2016

ROPP/CORNELISSEN: That the correspondence package (a-e) be accepted with actions as noted.

CARRIED

11. OTHER OR URGENT BUSINESS

Councillor Moir inquired about the status of past approval for Hank Holiday's roadside ditch project. Clerk Jackie Tiedeman will look into past council minutes and advise council on the outcome.

Councillor Moir then advised that the School Advisory Committee requires a recording secretary. He asked if a member of the administration staff could be appointed. Ms. Paley advised that she would look into an appointment.

Mayor Shipway advised that the County would be meeting with the school board June 1st and if the School Advisory Committee had questions they could be submitted through the Mayor or Deputy Mayor.

Councillor Moir indicated that the Arlene Morell, School Board Trustee, inquired if North Middlesex would be interested in hosting an educational forum for stakeholders within Middlesex County. Councillor Moir advised that he would provide the information to Ms. Paley for a possible venue.

Clerk Jackie Tiedeman advised council that the Ministry of the Attorney General is seeking feedback on a new proposal to increase the fees and set a flat fee structure for the Ontario Municipal Board (OMB). The following motion was brought forth:

MOTION #124/2016
CORNELISSEN/NICHOL:

WHEREAS the Ministry of the Attorney General Agency and Tribunals Relation Division is seeking feedback on a new proposal to increase the fees and set a flat fee structure for the Ontario Municipal Board (OMB);

AND WHEREAS, if approved, the fee to initiate a new proceeding at the OMB would increase from \$125.00 to \$300.00;

AND WHEREAS the government indicates that the current fee of \$125.00 has been in place for approximately 25 years and the proposed increase would allow the OMB to recover 8% of its operating costs, up from 3% under the current rate;

AND WHEREAS the Ministry of the Attorney General is currently accepting comments on this proposal until May 1, 2016;

NOW THEREFORE BE IT RESOLVED that the Council of the Municipality of North Middlesex hereby submits that the Ministry of the Attorney General consider increasing this fee to at least \$500.00 per appeal;

AND FURTHER THAT this increase is warranted as the preparation of sending an appeal must be through the municipality in which the appeal is lodged by an appellant;

AND FURTHER THAT Council recognizes, by its' recommendation of this additional increase, considerable municipal staff time is spent at all of the tax payers' expense in

preparing the required appeal documentation package required by the OMB or from such hearings without any reimbursement for this work;

AND FURTHER THAT this recommendation of increase be sent to our local M.P.P. for support during deliberations on enacting a proposed new fee;

AND FURTHER THAT this motion be sent to the Clerk of Middlesex County and the Clerks of the other area municipalities within the County for their information.

CARRIED

12. COMMUNICATIONS (including County Council Meeting Report)

Mayor Shipway reported that County Council has approved their budget with no increase to the tax rate. Also, it was announced at County Council that Southwest Middlesex will be losing a representative on County Council commencing with the 2018 election due to a decline in number of electors. This could potentially happen to North Middlesex in the 2022 election.

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

MOTION #125/2016

HEMMING/MCLINCHEY: That regular meeting adjourn to Closed Meeting at 10:30 p.m. for the following purpose:

- a. Personal matters about an identifiable individual, including municipal or local board employees – Operational and Organizational Review
- b. Labour relations or employee negotiations – Union Negotiations
- c. Litigation or Potential Litigation – OMB Appeals Updates

CARRIED

14. RISE AND REPORT

As a result of the Closed Meeting, the following recommendations were brought forth:

MOTION #126/2016

ROPP/HEMMING: That Council directs staff to begin negotiations with the Canadian Union of Public Employees and its' Local 4448;

And further that Elizabeth Hill of Pesce and Associates HR Consultants be retained at a cost of up to \$10,000 (taxes included) to assist with the negotiations of the 2016-2019 Collective Agreement.

CARRIED

MOTION #127/2016

NICHOL/MOIR: That Council approves moving forward in 2016 with the first implementation steps for restructuring identified below;

And further that Elizabeth Hill of Pesce and Associates HR Consultants be retained at a cost of up to \$5,000 (taxes included) to assist with communication to all staff and the Union regarding her review;

And further that Council directs staff, upon approval of the 2016 budget, to begin hiring for two new and two realigned full-time permanent positions as a Director, Infrastructure and Operations; an Economic Development and Communications Officer; a Deputy Treasurer and an Accounts Receivable Coordinator, respectively;

And further that Council be updated in July regarding the status of the review and phasing of the remaining implementation steps for restructuring.

CARRIED

15. READING OF BY-LAWS

- a. By-law #16 of 2016 – Zoning Amendment Part 1 Plan 33R28759 , Station/William St, Parkhill
- b. By-law #17 of 2016 – Confirming By-law

MOTION #128/2016

MCLINHEY/CORNELISSEN: That By-law #16 and #17 of 2016 be read a first and second time.

CARRIED

MOTION #129/2016

CORNELISSEN/NICHOL: That By-law #16 and #17 of 2016 be read a third and final time.

CARRIED

16. ADJOURNMENT

MOTION #130/2016

ROPP/MCLINCHEY: That the meeting adjourn at 11:22 p.m.

CARRIED

MAYOR

CLERK