



MUNICIPALITY OF NORTH MIDDLESEX REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday August 10, 2016 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill with a quorum present.

1. CALL TO ORDER

Court of Revisions was called to order at 6:45 p.m. – separate minutes

Mayor Shipway called the Regular 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 - Absent

Councillor Ward Four Andrew Hemming - Absent

Councillor Ward Five Adrian Cornelissen

CAO, Marsha Paley

Clerk, Jackie Tiedeman

3. DISCLOSURE OF PECUNIARY INTEREST

None

4. MINUTES OF PREVIOUS MEETINGS

- a. July 13 Regular Meeting Minutes
- b. July 13 Court of Revision Minutes
- c. August 3 Special Meeting Minutes

MOTION #265/2016

MCLINCHEY/NICHOL: That the noted minutes be accepted as presented.
CARRIED

5. PUBLIC MEETINGS

Prior to the Committee of Adjustment hearings, Planner Barbara Rosser provided an overview of the Smart Growth for our Communities Act 2015 (Bill 73) to Council. Ms. Rosser referenced her memo dated August 4, 2016 which outlined changes that has been or will be incorporated at the municipal level as a result of these new regulations.

7:00 P.M. – Committee of Adjustment

MOTION #266/2016

CORNELISSEN/ROPP: That the Regular Meeting adjourn to Committee of Adjustment at 7:20 p.m.
CARRIED

See separate C.O.A. minutes

7:25 P.M. Hearing for Application ZBA#9/2016 for Amendment to Zoning
152 Catherine Street (Mike & Jim Battram- owners/Janice & Ron Krauter-agent)

Description of Land: Lots 54 and 55, Registered Plan No.327, 152 Catherine Street, former Town of Parkhill

The property which is subject of this application is currently zoned as Residential Density One Exception 2 (R1-2) which is permissive of the storage of trucks and construction equipment as well as all existing buildings and structures. The purpose of the proposed zoning amendment is to amend North Middlesex Zoning By-law No. 35 of 2004, as amended, to retain the site-specific Residential Density One Exception but to permit the sales, storage and service of recreation vehicles within the existing building instead of the current R1-2 exception provision.

Planner Barbara Rosser then reviewed her planning report dated August 4, 2016.

Agency Submissions

County of Middlesex – no concerns
North Middlesex Public Works – no servicing concerns

Public Written Submissions

Murray and Jane Lagerwerf – email received July 21
Sandy & Brenda Thompson – written received August 5
Pat & Bev Timmers – written received August 9
Douglas & Erin White –written received August 9

Ms. Rosser summarized the neighbours concerns to be potential noise related to the proposed uses, outside parking of recreational vehicles, etc. nuisance related to existing walnut trees located on the subject property, opposition to sales and service however not just storage, and one opposition to change of usage.

Ms. Rosser replied that the Municipality has no control about the walnut tree situation, however the noise and parking concerns have validity. Also, she believes that motorcycles should be excluded from the proposed R1-2 exception amendment as a potential source of noise that would be unacceptable in a residential neighbourhood

Oral Submissions

Sandy Thompson spoke to his concerns directly and felt that he had a better understanding of what was actually being proposed.

Mr. Krauter responded to all the concerns as well as provided an overview of his business in Grand Bend as his intention for the subject property. He was amenable to working with the municipality to ensure the concerns are addressed to everyone's satisfaction.

After careful consideration, the following motions were then introduced:

MOTION#267/2016

ROPP/NICHOL: That staff prepare a report regarding the feasibility of a sidewalk along Catherine Street in the area of the subject property.

CARRIED

MOTION #268/2016

MCLINCHEY/NICHOL: That Application ZBA#9/2016 be deferred in order for the draft by-law to be reviewed taking into consideration all the written and oral submissions;

And further that Site Plan Control be applied to the subject property should be rezoning be approved.

CARRIED

MOTION#269/2016

ROPP/CORNELISSEN: That the Public Meeting be adjourned and return to regular meeting at 8:15 p.m.

CARRIED

6. DELEGATION

OCWA Presentation of 2nd Quarter Reports

Rod Dupuis and Jackie Muller from OCWA presented the following reports:

Parkhill Wastewater System, Ailsa Craig Wastewater System, North Middlesex Water Distribution System and the Financial Reports Summary. The delegation was thanked for their presentation.

Parkhill Carnegie Library Group Presentation

Monica Carter was present to update Council on the activities of a recently formed citizen group. She advised that a public meeting was held on July 14 and a 7 member Board of Directors was developed. The name chosen is “Friends of the Parkhill Carnegie Library”. The group is interested in pursuing an application for incorporation as a non-profit organization to use the building for the arts. Ms. Carter asked if an inspection report of the building was available as well as whether the Municipality was willing to pass a by-law for a Heritage Designation.

The Facilities Manager advised that the Chief Building Official and himself have done an interior inspection and that a copy of this report could be made available. The Clerk advised that a search of the by-laws was recently conducted and a By-law was passed by the Town of Parkhill in 1985 designating the property as being of Architectural and Historical Value or Interest however no additional information was with the by-law to indicate exactly what was designated. The Clerk will continue to try and obtain further information regarding this designation

The group expressed their interest in commencing work on the project right away. Discussion ensued regarding the extent of costs for renovating the library such as wiring, HVAC system, plumbing and some accessibility requirements such as elevator and washroom as well as cosmetic work.

CAO Marsha Paley advised that there is a grant opportunity through the Ontario 150th Grant Program that these renovations would likely meet the criteria. The deadline for applying is September 14th. Although the group is very eager to apply for grants, the Municipality may have to be the lead as the group may not have all the necessary requirements to apply for the grant currently.

The delegation was thanked for their presentation and were advised that Council needs to consider this matter further before making any decisions.

7. DEPARTMENTAL REPORTS

a. Report from Treasurer – 2016 Budget to Actual Budget Variance Report

MOTION #270/16

MCLINCHEY/CORNELISSEN: That Council receives and files the Budget to Variance Report (as of August 3, 2016) as presented.

CARRIED

b. Report from Recreation/Facility Manager – Proposed Rental Rates for Facilities

It was suggested that staff look into the possibility of having on line bookings for the facilities on the new website.

MOTION #271/16

CORNELISSEN/ROPP: That Council approves the proposed 2017 to 2019 Facility Rental Rate Fees list, as attached.

CARRIED

*** It was clarified by staff during preparation of the minutes that the recommendation on the report had an error in the dates and it was correct according to the attached sheets provided and approved by council with the report. ***

c. Report from Recreation/Facility Manager – LED Lighting Retrofit

MOTION #272/16

ROPP/CORNELISSEN: That Council transfers into a reserve the \$20,000 allocated in the 2016 budget for the Facility LED Lighting Retrofit Project;

And further that consideration be given to budget additional funds in the 2017 capital budget to complete lighting upgrades in all North Middlesex facilities.

CARRIED

d. Report from Drainage Superintendent – Mawson Erskine Tender Results and Final Reading of By-law Report

MOTION #273/16

CORNELISSEN/MCLINCHEY: That Council accept the recommendation to award the Mawson-Erskine Drain 2016 to Robinson Farm Drainage in the amount of \$97,483.97 (incl. HST)

And

That Council read a third time and pass By-law #26 of 2016 for the Mawson Erskine Drain 2016 and to proceed with tendering of the project.

CARRIED

e. Report from Water Manager – Waterline Replacement Centre Road

MOTION #274/16

ROPP/NICHOL: That Council direct staff to install a six inch waterline, to replace the damaged four inch waterline, under the Ausable River on Centre Road between Glasgow and Townsend Line;

And further that Jason Johnson of Dillon Engineering prepare the necessary drawings and applications for permits for the Ministry of Environment, Middlesex County and Ausable Bayfield Conservation Authority approval;

And further that the contract for the work be provided to Robinson Farm Drainage given their experience;

And further that the funds be obtained from reserves and for Council to be informed should the project cost more than \$60,000.

CARRIED

8. PASSING OF ACCOUNTS

a. Report on compilation of bills and accounts to August 3, 2016

MOTION #275/16

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

General	\$462,442.68
Cemetery	\$ 755.21
Direct Payment	\$161,999.93

CARRIED

9. COMMITTEE REPORTS

a. Minutes and Recommendation from Economic Development Advisory Committee July 25.

MOTION #276/16

CORNELISSEN/NICHOL: That Council approve the recommendation from the Economic Development Advisory Committee that \$3,500 per downtown for the one year program (Ailsa Craig and Parkhill) be committed for the administration of the Main Street Middlesex Program.

CARRIED

10. CORRESPONDENCE

a. ROMA – response to council motion that supported ROMA/OGRA realigning conferences
(action: receive and file)

b. County of Lambton – Notice of Meeting September 7 Draft County of Lambton Official Plan
(action: receive and file)

c. International Association of Lions Club – request to fly the Lions Club International Flag at municipal building for one day in 2017.
(action: “no proclamation” policy in place)

d. 1st Ailsa Craig Scout Group – Three requests for Council consideration
(action: “no proclamation” policy; Mayor or Deputy Mayor willing to attend the November 12th celebration and any request to waive fee must go through Grant Request Process each year)

e. NMDHS – Invitation to present Academic Awards Celebration on October 6 at 7:30 p.m.
(action: Councillor Andrew Hemming appointed to attend)

f. Thank you card from VON – for use of facility approved through Community Grant Assistance Program.
(action: receive and file)

g. City of Quinte West – request for council support pertaining to taxation –Impact on Campgrounds

MOTION #277/16

ROPP/CORNELISSEN: That the Council of the Municipality of North Middlesex hereby supports the following resolution from the City of Quinte West:

“ Whereas the Canada Revenue Agency (CRA) has decided that some campgrounds are too small to qualify for the small business tax deduction;
And whereas campgrounds in Ontario have begun receiving calls and letters from CRA warning them of reassessments in part because they are deemed not to qualify for the small business tax deduction since they employ fewer than five people;
And whereas the camping community provides a source of employment of 15,000 jobs across Ontario and supports economic activity by contributing \$1 billion to Ontario’s economy and generating \$294 million in tax revenues;
And whereas Camping in Ontario, which represents 440 privately owned campgrounds in Ontario, is working with the Canadian Federation of Independent Business to push the Department of Small Business and Tourism, Finance Canada and the Canada Revenue Agency to implement changes that ensure campgrounds are recognized as small businesses and pay the same taxes as other small businesses;
Now therefore be it resolved that the City of Quinte West recognizes the benefit and values all campgrounds throughout Ontario and in Canada and supports Camping in Ontario’s initiative that changes be implemented to ensure campgrounds are recognized as small businesses and pay the same taxes as other small businesses;

And further that a copy of this resolution be forwarded to the Minister of Small Business and Tourism, the local Member of Parliament and all Ontario municipalities for their support.”

CARRIED

MOTION #278/16

MCLINCHEY/NICHOL: That Council accepts the correspondence package with actions as noted.

CARRIED

11. OTHER OR URGENT BUSINESS

a. Middlesex London Emergency Medical Service Authority – quote on AED Smart Station

MOTION #279/16

ROPP/MCLINCHEY: That Council authorize the purchase of two video smart stations

(one for Shared Services Lobby and one for the Arena) and that they be financed through the Community Vibrancy Fund.

CARRIED

b. Ontario 150th Grant Application

CAO, Marsha Paley, updated Council on the details of the grant. The capital grant program requires a matching grant. As the municipality is an organization with a budget over \$1 million we can get up to \$500,000 at a 50% cost share which would mean Council would have to commit to \$250,000.00. This does not include other federal or provincial grant program monies currently available. The Carnegie Library renovations is the best fitting project for the grant program criteria. In accordance with Motion #118/2016, only \$50,000 is currently in reserves for the project though Council did note the amount could be revisited.

Council discussion included the need for clarification from the Friends Group as to their proposed working budget for this building, extent of work required in the building and whether this project should be considered for a phased approach depending on the work needed. Ms. Paley commented that as the group is newly formed that they do not likely meet the necessary criteria to apply for funding as a separate entity. After some discussion, it was suggested that staff make arrangements for a tour of the building which would include the Friends Group, CBO Vic Stellingwerff, Recreation Manager Scott Nickles and any council member wishing to attend. Due to the deadline of the

upcoming grant, it was suggested that this occur prior to September 7th in order for council to consider at their next meeting as a motion may be needed to accompany the grant application.

c. Healthy Choice Initiatives for Canteen

Mayor Shipway inquired as to whether the Recreation Manager had considered any possible changes to the canteen menu at the North Middlesex Arena in response to Healthy Kids Community Challenge within the County of Middlesex.

Mr. Nickles was asked to prepare a report for council outlining the options available at the Arena and other suggested changes that could be made.

12. COMMUNICATIONS (including County Council Meeting Report)

Deputy Mayor Ropp updated Council on land ambulances as a result of wait times to unload patients at the Emergency Departments at hospitals and how municipalities, including North Middlesex, may be impacted.

Mayor Shipway updated Council on the SWIFT Program (Broadband Communications). The County of Middlesex has been putting money into reserves in anticipation of joining the program however at this time no commitment has been made as there are still many unanswered questions. This program is intended to address the areas in the County that do not have or have limited access to the internet.

Mayor Shipway also updated Council on the parking area at the end of Elm tree Drive which also has an access to trails of the ABCA. The Conservation Authority has no interest in maintenance of this parking area and it was suggested that the municipality could contribute a couple of loads of gravel in order to keep the cars off of private property. The ABCA will contribute the signage to this parking area.

Council concurred with this approach.

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

a. Personal matters about an identifiable individual including municipal or local board employee – Discussion on staffing matters.

MOTION#280/16

CORNELISSEN/MCLINCHEY: That the Regular Meeting adjourn to Closed Meeting at 10:25 p.m.

CARRIED

14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

MOTION #281/16

NICHOL/MCLINCHEY: That the Closed Meeting rise at 10:45 p.m. with the following recommendation:

That the Acting Treasurer contract be extended for two months.

CARRIED

15. READING OF BY-LAWS

- a. By-law #36 of 2016 – Agreement of Purchase and Sale NM Community Medical Centre Inc.
- b. By-law #37 of 2016 – Collective Agreement with CUPE Local 4448
- c. By-law #38 of 2016 – Deferred as a result of Committee of Adjustment
- d. By-law #39 of 2016 - Zoning By-law Amendment for Adare Drive (VanOsch/Glavin)
- e. By-law #26 of 2016 – Mawson Erskine Drain (3rd and final reading)
- f. By-law #40 of 2016 – Confirming By-law

MOTION #282/16

ROPP/NICHOL: That By-laws 36,37,39 and 40 of 2016 be read a first and second time.

CARRIED

MOTION #283/16

MCLINCHEY/CORNELISSEN: That By-laws #26,36,37,39 and 40 of 2016 be read a third and final time.

CARRIED

16. ADJOURNMENT

MOTION #284/16

ROPP/MCLINCHEY: That the meeting adjourn at 10:47 p.m.

CARRIED

MAYOR

CLERK