



## **MUNICIPALITY OF NORTH MIDDLESEX REGULAR MEETING MINUTES**

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday January 11, 2017 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill with a quorum present.

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

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

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. December 21, 2016 Regular Meeting Minutes

#### **MOTION #001/2017**

**ROPP/HEMMING:** That the minutes be accepted as presented.

**CARRIED**

## **5. PUBLIC MEETINGS**

7:00 p.m. – Committee of Adjustment

### **MOTION #002/2017**

**MCLINCHEY/CORNELISSEN:** That the regular meeting adjourn to COA at 7:01 p.m.  
CARRIED

(See separate COA Minutes)

The Regular Meeting resumed at 7:15 p.m.

8:00 p.m. – Presentation of Draft By-laws

Draft Clean Yards By-law

Draft Noise By-law

Revised Property Standards By-law

Jeff Doupe, Municipal Law Enforcement Officer, presented an overview of each draft By-law. He provided an overview of changes or enhancements to the three by-laws which are currently under a public commenting period until January 23, 2017.

### COUNCIL COMMENTS

#### Clean Yards By-law

Deputy Mayor Ropp: Can repetitive offenders of these by-laws not be sent letters early in the season and the municipality take a proactive role? Mr. Doupe replied that this can be done.

Councillor Cornelissen: What is the time period with using Informal Notices? Mr. Doupe suggested that the letter could indicate that the offender has a week to bring the matter into compliance. If nothing changes then the formal notice/order would be initiated.

Councillor Cornelissen: Is the municipality initiating a RFT for grass cutting for these types of infractions? Mr. Doupe replied that this will be undertaken.

Councillor Cornelissen: Do these by-laws apply in the rural area? Mr. Doupe replied that they would on the house and 1 acre of land. The farmland would be exempt. He also advised that although the farmland is exempt, he will be revisiting the types of situations where old machinery is laying in the back of fields to ensure compliance can be attained for these types of scenarios.

Section 5 – Standards of Fitness for Occupancy clarification - Mr. Doupe advised that this section does not supersede the Landlord Tenant Act (ie: does not include matters such as non-payment of utilities)

### Noise By-law

The draft By-law was meant to regulate hours of certain activities. The reference to excessive dog barking would not include kennels. Kennels are only allowed in certain areas under the Zoning By-law.

Councillor Moir: If there was an infraction on a Saturday and no By-law Office was available who would answer the call? Mr. Doupe replied that the OPP can enforce a Noise By-law

Councillor Cornelissen: Where did the 3:00 p.m. on Saturday come from? Mr. Doupe replied that he had researched various by-laws of other municipalities and he made the recommendation of 3:00 p.m. and it can be changed.

Deputy Mayor Ropp: There was concern expressed as to whether this by-law addressed the chronic problems such as dogs barking.

Definition of unreasonable noise and who decides what this is?

Councillor Nichols indicated that this draft by-law is more than what was originally requested in her opinion.

Deputy Mayor Ropp indicated that the by-law needs to address chronic issues – barking dogs – It was not intended to impede the occasional events/activities that individuals may have on their own property.

CAO Marsha Paley suggested that there should be definition of chronic versus reasonable.

### PUBLIC COMMENTS

Mr. D. Fuller expressed concern with by-laws going from one to three. If the by-law enforcement officer is part time how do you plan to enforce. He indicated front staff need to be aware of Mr. Doupes' hours when someone inquires at the office. He indicated there is too much in the proposed by-laws. He expressed a concern with the time on Saturday and with vehicle issues.

Ms. K. Eberly then presented her comments. She indicated that the by-laws presented are modelled from Middlesex Centre and that by-law references three distinct areas: Rural/Business/Residential. There was no schedule of times attached to this draft By-law and she felt there should have been. She then asked if the new by-laws would

replace the existing ones and if so, how would outstanding complaints be handled – under the old by-law or new one?

CAO, Marsha Paley responded that it may be a question under case law but the new by-laws would supersede the old by-laws and therefore any complaints would be handled under the new sections. Ms. Eberly felt the outstanding complaints should be upheld from the higher standards from the by-laws. Ms. Paley suggested that if there are areas not addressed in the draft by-laws, it would be helpful to receive a written submission highlighting which areas have not been addressed.

Ms. Eberly indicated that weekdays and Saturdays were addressed but not Sunday and it should be included.

Mrs. C. Lindsay then presented her comments and suggested that Sundays should be included in the Noise By-law. She felt \$100.00 fines were not sufficient and may not be a deterrent and suggests increasing those fees. As well, she felt another staff person should be available to address matters relating to these by-laws as Mr. Doupe is part-time. The Municipality should have a by-law to prohibit aftermarket racing type mufflers on vehicles. Firearms noise should be included in by-law. There should be roadside cuts more than twice a year by municipality and they need to go further into the ditches. Manure needs to be plowed under and should be enforced.

Mr. F. Scheming then provided his concerns regarding the property standards by-law. He indicated that enforcement needs to happen with the buildings that are falling down or being neglected. He has concerns where there are no fences around manure pits and the length of time that is allowed for a project to get completed. There are many properties in the area that need addressed as well as the abandoned machinery in fields. In urban areas, there is a visible property standard issue – why does someone have to complain when it is obvious?

Ms. J. Brenner advised that she likes the freedom in the municipality for the use of snowmobiles and golf carts.

Mr. S. Thompson suggested that generator noises should be exempt and that a further definition of noise is needed.

The public were thanked for all their input and that the municipality would appreciate receiving written submissions for the file as well.

#### **MOTION #006/2017**

**MOIR/HEMMING:** That the Public Meeting adjourn at 9:05 p.m. and that Regular Meeting resume.

CARRIED

## **6. DELEGATION**

7:15 p.m. Local School Advisory Committee presentation of 2016 Symposium Draft Report.

Co-Chair Darren Ferguson and TVDSB Trustee Arlene Morell presented the draft 2016 Ontario Rural Education Symposium Report. The LSA Committee would like Council to consider adopting the document in order for it to be released to the public. In addition, the Committee recommends that it should be forwarded to all MPP's in Ontario, Minister of Education and Community Schools Alliance to communicate these findings.

Council members that attended the symposium also commented on the round table discussions and the positive feedback that was received as a result of this meeting.

Mr. Ferguson then referred to the report that was released through Arlene Morell, Trustee from the January 10, 2017 Planning and Priorities Advisory Committee at Thames Valley District School Board. The report responds to a request that was made inquiring about the number of students who attend other schools in Thames Valley. It appears there are approximately 86 students from this area attending other schools. The enrollment at the local high school is 142 and the school has a capacity of 426. The report also responds to a request regarding the costing and impact on students accessing choice of schools transportation. The report indicates that if there is an empty seat on the bus then a student can apply to receive the transportation to the school of their choice. There is minimal additional cost for bussing as no new routes or stops are being added.

Mrs. Morell also advised that there is a new guidance counsellor at the local high school.

A discussion then ensued regarding the structure of the Local School Advisory Committee and the CAO is working to address the needs of the Committee.

Mr. Ferguson indicated the meeting scheduled for January 12 has been cancelled due to the local High School Open House being the same night; therefore January 26 will be the next meeting date.

### **MOTION#003/2017**

**MCLINCHEY/HEMMING:** That the Council of the Municipality of North Middlesex hereby accepts the Ontario Rural Education Symposium as presented.

CARRIED

## 7. DEPARTMENTAL REPORTS

### a. Report from Infrastructure and Operations – Replacement of Fulltime Facility Operator.

Mayor Shipway asked Mr. Graham if this replacement could wait until the operational review is complete. Mr. Graham responded that it cannot wait if the Municipality wishes to ensure that operations are maintained at the service level expected.

Councillor Nichol inquired if the position could be part time? Mr. Graham advised that there is a level of experience and training required for this position. The seasonal part time students do not perform the same job duties as the full time operators.

#### **MOTION #004/2017**

**ROPP/MOIR:** That Council receive and file Replacement of Fulltime Facility Operator report; and

That Council approve to maintain the current complement of employees with the Recreation and Facilities Division.

CARRIED

### b. Report from Infrastructure and Operations –Removal of materials from Transfer Station

Councillor Cornelissen inquired whether the debris can be removed from the site more often. Mr. Graham replied that he will ask staff to monitor the area to ensure it is kept in a neat and tidy manner until controlled burns can be done.

Councillor Moir requested clarification on composting at the site as it used to take place there. Mr. Graham responded that the Certificate of Approval does not allow composting.

#### **MOTION #005/2017**

**MCLINCHEY/NICHOL:** That Council receive and file the report entitled Transfer Station – Removal of Brush Material.

CARRIED

### c. Report from Finance – 2016 Transfer of Funds to Reserves

#### **MOTION#007/2017**

**MCLINCHEY/CORNELISSEN:** That Council give its consideration to direct staff to transfer the unused funds in the amount of \$799,885.00 to the Contingency Reserve for 2016.

CARRIED

d. Report from Finance – Tax Arrears

**MOTION #008/2017**

**ROPP/MOIR:** That Council approves the 2016 Tax Arrears Report; and  
Further that staff be directed to proceed with the tax registration of the four properties.

CARRIED

e. Report from Finance – Borrowing By-law

**MOTION #009/2017**

**MOIR/MCLINCHEY:** That Council give consideration to passing a By-law to authorize the borrowing of funds, if necessary, to finance municipal operations until the 2017 budget and final tax levy.

CARRIED

f. Report from Administration – Draft Strategic Plan 2016-2021 and beyond

**MOTION #010/2017**

**CORNELISSEN/NICHOL:** That Council receives the Draft North Middlesex Strategic Plan 2016-2021 and Beyond Report as presented by the Administration Department;

And further that Council direct staff to release the report for a 45 day public review and comment period;

And further that during the public review period a Public Meeting be held on January 25, 2017 during the regular meeting of Council, for a presentation of the draft Strategic Plan;

And further that following the 45 day public review and comment period, a report containing any comments received will be brought forward for Council's consideration for approval.

CARRIED

g. Report from Administration – Municipality's Activities to Celebrate Canada's 150<sup>th</sup>

**MOTION #011/2017**

**MCLINCHEY/CORNELISSEN:** That Council receive the Municipality's Activities to Celebrate Canada's 150<sup>th</sup> report;

And further that a 2017 budget be considered in support of the Municipality's supported sesquicentennial celebration activities.

CARRIED

CAO, Marsha Paley, reminded Council that a 5 member selection committee is needed as soon as possible. It was suggested that each Council member submit a couple of names from their ward of individuals they feel may be interested sitting on this committee.

## **8. PASSING OF ACCOUNTS**

a. Report on the compilation of accounts to January 4, 2017

### **MOTION #012/2017**

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

General Cheques	\$543,464.85
General Direct Deposit	\$239,069.31
General On-Line/PAP	\$128,587.68
Cemetery	\$ 183.34

CARRIED

## **9. COMMITTEE REPORTS -None**

## **10. CORRESPONDENCE**

a. Thank you card from the VanderVloet Family (Memorial Donation)  
(action: receive and file)

b. AMO –2017-2018 Strategic Objectives  
(action: receive and file)

c. Environment and Climate Change Canada  
(action: receive and file)

### **MOTION #013/2017**

**CORNELISSEN/NICHOL:** That the correspondence be accepted with actions as noted.  
CARRIED

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

Councillor Nichol presented Council with a letter from the Ailsa Craig and Area Food Bank and has asked the Clerk to include on the January 25<sup>th</sup> agenda for consideration.



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

Deputy Mayor Ropp advised that the January 10<sup>th</sup> County Council Meeting was cancelled due to weather conditions.

The County of Middlesex video is now available.

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

None

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

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

- a. By-law #1 of 2017 being a By-law to levy Interim Taxes for 2017
- b. By-law #2 of 2017 being a By-law to borrow money
- c. By-law #3 of 2017 being a By-law for the use of Alternative Voting Methods
- d. By-law #4 of 2017 being a Confirming By-law.

### **MOTION #014/2017**

**MCLINCHEY/HEMMING:** That By-laws 1,2,3,4 of 2017 be read a first and second time.

CARRIED

### **MOTION #015/2017**

**NICHOLS/CORNELISSEN:** That By-laws 1,2,3,4 of 2017 be read a third and final time.

CARRIED

## **16. ADJOURNMENT**

### **MOTION #016/2017**

**MCLINCHEY/ROPP:** That the meeting adjourn at 9:50 p.m.

CARRIED

---

MAYOR

---

CLERK