



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

The Regular Meeting of the Council of the Municipality of North Middlesex was held on May 9, 2018 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill with a quorum present.

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

The Mayor called the meeting to order at 7:00 p.m.

### **2. ROLL CALL**

Mayor Don Shipway

Deputy Mayor Brian Ropp

Councillor Doreen McLinchey

Councillor Joan Nichol

Councillor Gord Moir

Councillor Andrew Hemming

Councillor Adrian Cornelissen

CAO/Director of Finance (Treasurer), Nandini Syed

Deputy CAO/Director of Operations Jonathon Graham

William Davidson, Director of Emergency and Safety Services/Fire Chief (portion of the meeting)

Jonathan Lampman, Infrastructure Supervisor (portion of the meeting)

Clerk, Jackie Tiedeman

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

None

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

##### **MOTION #103/2018**

**MOIR/NICHOL:** That the April 18, 2018 Regular Meeting Minutes be accepted as presented.

**CARRIED**

#### **5. PUBLIC MEETINGS**

##### **MOTION #104/2018**

**ROPP/MCLINCHEY:** That the Regular Meeting adjourn to Committee of Adjustment at 7:00 p.m. to consider planning applications.

**CARRIED**

The Regular Meeting reconvened at 7:19 p.m.

##### **7:30 p.m. – Meeting to Consider Denys Drain**

Jonathan Lampman, Infrastructure Supervisor advised that as per the Regulations of the *Drainage Act R.S.O. 1990* and the Municipality's appointed drainage engineer, R. Dobbin Engineering Inc; staff from R. Dobbin have met with the assessed landowners on site and/or individually. The final report was received by municipal staff on April 6, 2018.

##### **MOTION #105/2018**

**HEMMING/MOIR:** That Council accepts the Final Report for the Denys Drain and Associated Branch Drains dated April 6, 2018 prepared by R. Dobbin Engineering Inc;

That Council gives two (2) readings for a Provisional By-law as Section 45 (1) of the *Drainage Act, R.S.O, 1990*.

**CARRIED**

#### **6. DELEGATION**

None

#### **7. DEPARTMENTAL REPORTS**

##### **a. Report from Emergency and Safety Services/Fire Chief – March 2018 Report**

The report outlines various activities that were undertaken in the month of March 2018 for Emergency and Safety Services in the areas of Health and Safety, Fire Services and

Emergency Management. In addition, Chief Davidson advised that following the April 2018 power outage staff members are working to initiate the following:

- 1.Consultation and debriefing with municipal staff, electrical utilities, Middlesex County staff, OPP and other agencies alike
- 2.Partnerships with volunteer groups to provide shelter management programs in case of emergency and non-emergency situations.
3. Collaborated efforts with the County of Middlesex Library to provide timely non-emergency warming, cooling and charging centre within their facilities
- 4.Development of a community services policy and program for warming and cooling centres that complements our Emergency.

Chief Davidson also provided an update with regards to a new Open Air Burning By-law. This is anticipated to come before Council in the near future for consideration.

**MOTION #106/2018**

**MCLINCHEY/MOIR:** That the reported titled “Emergency and Safety Services March 2018” be received and filed for informational purposes as presented.

**CARRIED**

**b.Report from Deputy CAO/Director of Operations – Tender Results Grader and Packer**

An Invitation to Tender for a Municipal Motor Grader was sent out on April 10, 2018 and Invitation to Quote on a Diesel Reversible Packer was sent out on April 12, 2018 with a deadline for submissions April 25, 2018. A public opening was offered. Two equipment providers submitted tenders in regards to the requested Municipal Grader with trade-in and four quotes were received for the diesel packer.

Council had specific questions regarding the hours on current grader, type of packer, how the unit would be transported as well as the warranty coverage. Staff was able to respond to all the questions.

**MOTION #107/2018**

**ROPP/MCLINCHEY:** Be it resolved that Council directs staff to purchase a Municipal Motor Grader from Nortrax (John Deere) with the extended warranty for a total cost of \$292,014.60 (including HST) and for staff to purchase the Diesel Packer from Battlefield Equipment Rental/CAT for a total cost of \$14,120.48 (including HST).

**CARRIED**

## Departmental Reports Continued:

### c. Report from CAO/Director of Finance – 2017 General Surplus Allocation

A surplus allocation must be completed prior to the release of the final Financial Statements and submission of the annual FIR to the Ministry of Municipal Affairs (MMA). For 2017 General Surplus allocation, staff recommendation includes 1)182K to 2018 Capital; 2)184K to 2018 Operating; 3)100K to CBO (Building) per legislation; 4)250K to various reserves including 25K towards 3 year (2017-2019) generator program; 5)\$861,024.10 to Contingency Reserve towards future budget per Council discretion.

Several questions were asked by Council regarding the generator program, use of contingency and Economic Development reserves and the Bornish Wind Project revenue. Ms. Syed responded to these questions and reminded Council that any transfers in and out of reserves must be done through council motion.

#### **MOTION #108/2018**

**MCLINCHEY/HEMMING:** That Council direct staff to allocate the 2017 General Surplus amount of \$1,578,474.10 to various Reserves per Table 1.0 – 2017 General Surplus Allocation.

Table 1.0

2017 General Surplus Allocation	<b>\$1,578,474.10</b>
04-0000-8102- Contingency Reserve- Future Allocation	861,024.10
04-0000-8102- Contingency Reserve <b>2018 Capital</b>	182,950.00
04-0000-8102- Contingency Reserve <b>2018 Operating</b>	184,500.00
04-0000-8104- CBO Reserve - Per Building Act	100,000.00
04-0000-8105- Recreation Equipment- Generator -2017	25,000.00
04-0000-8109- Accessibility - 2018 Accessible Benches	25,000.00
04-0000-8127- Economic Development	100,000.00
04-0000-8135- Emergency Preparedness	100,000.00

**CARRIED**

### d. Report from Clerk – Accessibility Plan for 2018 Election

Clerk Jackie Tiedeman advised that under the *Municipal Elections Act, 1996, as amended*, the Clerk who is responsible for conducting the election shall have regard to the needs of the electors and candidates with disabilities. The Accessibility Plan provided addressed these obligations under the Act. Ms. Tiedeman advised that the Accessibility Co-ordinator for the County of Middlesex was also provided a copy of the plan for his input and he approved.

## Departmental Reports Continued:

Cr. Cornelissen inquired whether TTY (Teletypewriter Device) had been considered. Ms. Tiedeman advised that this option had not been explored for the election due to the fact that electors have the option of participating in the election by Telephone or Internet from their home, which presumably would be where they would have any special devices they require for communicating.

### **MOTION #109/2018**

**CORNELISSEN/MCLINCHEY:** Be it resolved that the 2018 Municipal Election Accessibility Plan be received and approved.

**CARRIED**

### e. Report from Clerk – Delegation of Powers and Duties Policy

The purpose of this policy is to delegate certain powers and duties to municipal staff that make the decision making process streamlined for Council in order to be able to focus on the larger issues in a more strategic manner. In addition, it will allow the public access to a streamlined process for achieving certain routine and/or administrative matters.

### **MOTION #110/2018**

**CORNELISSEN/MCLINCHEY:** Be it resolved that the report entitled “Delegation of Powers and Duties Policy” be received;

And that the By-law to adopt the Policy be considered for all three readings and approved.

**CARRIED**

## **8. ACCOUNTS**

Compilation of Accounts for the period of April 13-April 30, 2018

### **MOTION #111/2018**

**MOIR/ROPP:** Be it resolved that the following bills and accounts be approved for payment in the amount of \$ 496,058.93

General	\$191,849.41
General Direct Deposit	\$181,981.32
General online/PAP	\$122,228.20

**CARRIED**

## 9. COMMITTEE REPORTS

- a. Local School Advisory Committee – upcoming meeting with the TVDSB and the County on May 11 – questions have been submitted for this meeting
- b. Bluewater Recycling Association – April 19 meeting (R&F)
- c. Policies Committee – March 15 meeting minutes (R&F)

## 10. CORRESPONDENCE

- a. Darryl Slywchuk – Drainage Concerns  
(action: staff to provide written response – Receive and File )
- b. Accessibility Directorate – Spring 2018 Edition  
(action: receive and file)
- c. Town of Lakeshore – Motion Support for Renovation and/or demolition of all buildings containing hazardous materials

### MOTION #112/2018

**NICHOL/MCLINCHEY:** Be it resolved that the Council of the Municipality of North Middlesex hereby supports the Town of Lakeshore's motion as follows:

*“Whereas municipalities are encouraged to develop planning strategies that allow for the redevelopment of existing properties;*

*Whereas redevelopment of existing properties involves the alteration, renovation and/or demolition of existing buildings, which due to their age of construction, may contain hazardous materials such as lead and asbestos;*

*Whereas disturbing hazardous materials increases health risks to those who are exposed to it;*

*Whereas the current law in Ontario allows for some buildings to be altered, renovated and/or demolished, without being required to adhere to the standard health and safety requirements regarding the identification, isolation, handling and disposal of hazardous materials; and*

*Whereas homes and public spaces, such as schools, parks and workplaces, are often located next to buildings containing hazardous building materials, which are being altered, renovated and/or demolished;*

*Now therefore be it resolved that the Government of Ontario be urged to review and revise the laws regarding the alteration, renovation and/or demolition of all buildings*

Motion 112/2018 continued:

*containing hazardous materials, to ensure that proper steps and preventative measures are taken to protect the public from exposure to hazardous materials;*

*Be it further resolved that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Doug Ford, 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**

d. Halton Region – Motion to seek support on the Court Application involving the CN Truck-Rail Development in the Town of Milton  
(action: Receive and file)

e. Minister of Education – Pupil Accommodation Review Guide line  
(action: Receive and file)

f. Ministry of Municipal Affairs – update on inclusionary zoning  
(action: Receive and file)

g. Municipality of East Ferris – motion support regarding wildlife trapping  
(action: Receive and file)

h. Township of Baldwin – municipal support to quash Bill C-71  
(action: Receive and file)

i. Ernie Hardeman, MPP – motion support to allow municipalities to approve landfill sites in their community.  
(action: receive and file)

j. CIVIX – Education program for elementary and secondary students in municipal and school board election.  
(action: Receive and file)

k. E. Sturman – various concerns  
(action: Staff have been provided a copy of the letter and will provide a written response)

**MOTION #113/2018**

**MOIR/CORNELISSEN:** That the correspondence package numbered A to K be received with actions as noted.

**CARRIED**

**11. OTHER AND URGENT BUSINESS**

Cr. Cornelissen noted some gravel maintenance may be required on Boot Hill Road and Hungry Hollow area as well as some shouldering work on Sylvan Road.

A question was asked in regards to the phragmite species and how it was being treated. Staff advised that there is a specific way it has to be treated and cut and therefore this done through the County.

Cr. Hemming inquired if a warning sign could be installed on Bear Creek Road "bridge ahead". He has inquired about lowering the speed limit in school zone and the status of the speed radar. Mr. Graham replied that he has a meeting scheduled with the County to get approval for placement of the radar.

Staff advised that they will look into all these matters.

**12. COMMUNICATIONS (including County Council Meeting Updates)**

None

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

**MOTION #114/2018**

**ROPP/CORNELISSEN:** That the Regular Meeting adjourn to Closed Meeting at 8:15 p.m. under the following exception:

Personal matters about an identifiable individual, including municipal or local board employees.

**CARRIED**

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

**MOTION #115/2018**

**MCLINCHEY/ROPP:** That Closed Meeting adjourn and return to Regular Meeting at 10:36 p.m. without any recommendations.

**CARRIED**



## **15.BY- LAWS**

By-law #24 of 2018 to appoint Municipal Law Enforcement Officers

By-law #25 of 2018 being a By-law to adopt the Delegation of Powers and Duties Policy

By-law # 26 of 2018 Denys Drain and Associated Branch Drains

By-law #13 of 2018 – ZBA 4149 Mount Carmel Drive (Deferred at request of applicant)

By-law #27 of 2018 – ZBA 2242 Elm Tree Drive

By-law #28 of 2018 – Confirming

### **MOTION #116/2018**

**CORNELISSEN/MCLINCHEY:** That By-laws 24,25,26,27 and 28 of 2018 be read a first and second time.

**CARRIED**

### **MOTION #117/2018**

**HEMMING/ROPP:** That By-laws 24,25,26,27 and 28 of 2018 be read a third and final time.

**CARRIED**

## **16.ADJOURNMENT**

### **MOTION #118/2018**

**CORNELISSEN/MOIR:** That the Regular Meeting adjourn at 10:38 p.m

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MAYOR

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CLERK