

MINUTES

The Council of the Municipality of North Middlesex met on November 5, 2001 at 7:30 p.m. in the Council Chambers for their regular meeting.

Those present were : MAYOR CHUCK HALL
DEPUTY MAYOR IAN BREBNER
COUNCILLOR WARD 1 – MARYSIA COUTTS
COUNCILLOR WARD 2 – KEN JOHNSTON
COUNCILLOR WARD 3 – MICHAEL CONLIN
COUNCILLOR WARD 4 – LAWRENCE McLACHLAN
COUNCILLOR WARD 5 – LUCY HENDRIKX
ADMINISTRATOR CLERK – SHIRLEY SCOTT
PUBLIC WORKS SUPER. – JOE ADAMS

Also present was a representative from the Middlesex Banner.

No pecuniary interest was declared.

MINUTES

The minutes were reviewed, minor adjustments made, and the following motion made.

HENDRIKX-COUTTS: BE IT RESOLVED THAT regular meeting minutes dated October 15, 2001; special meeting minutes dated October 19 and October 24, 2001; printed and delivered to each member be accepted.

CARRIED

BUSINESS FROM MINUTES

Deputy Mayor Brebner questioned the status of the McLean Road shouldering, and was advised that one day was required, and would be fulfilled, when weather permitted. Mr. Adams advised that he did have a conversation with Gooding Trailers in regard to spreading gravel on the shoulders. Although the contractors would co-operate, the terms could not be met by Gooding. It was suggested that they negotiate with the contractors in the future.

ACCOUNTS

The accounts were reviewed. Council advised that the designation of an account was to be changed from Recreation to Administration. The following motion was then made.

BREBNER-HENDRIKX: BE IT RESOLVED THAT the attached accounts be approved for payment:

General	\$468,811.28
Water	\$108,637.37
Cemetery	\$ 384.16

CARRIED

PUBLIC WORKS SUPERINENDENT REPORT

Public Works Superintendent, Joe Adams, submitted the following verbal report.

1. Salt and sand pricing has been obtained, and is being delivered.
2. The auction money has been received.
3. There was an incident regarding a mud track left on the road. There was a discussion with the violator.

Council asked if the violation was such that in future, charges should be laid. It was felt that this was not necessary at this time.

4. Spriet has completed the field work on the bridge evaluations. One bridge has been repaired, as reported at an earlier meeting. By-laws will be put in place, soon.
5. Water collection process is being carried out.
6. Ontario Clean Water Agency is no longer operating the plant. Next year, all efforts will be made to take over the chamber duties.
7. There was a waterline break on the Kerwood Road recently. Once detected, the repair was done, and service is now in order.
8. In the near future, roads will be touched up, equipment will be given proper inspections, and then the snow plow equipment will be attached.
9. The Denfield Road Waterline has been installed, the line has been pressure tested, and chlorination testing has been conducted. The results were favourable. Robinsons' will be doing the tie into the chamber, as soon as possible. Work on waterline in West Williams will be started shortly.
10. Open cuts on drains will be done this week, weather permitting.

Councillor McLachlan then reported a small leak on New Ontario Road.

MINOR VARIANCE FEE

A report prepared by Deputy Clerk Jackie Tiedeman, recommending that the fee for minor variance be lowered, was considered and discussed. Council decided that this matter should be left as is, and reconsidered in 2002.

REPORT: CBO, MLEO VIC STELLINGWERFF

A report from Vic Stellingwerff, regarding a review on coping, banning etc, of dogs and a comparison of several other by-laws was reviewed. He urged that responsibility be taken for ones' dogs; and that others' feelings be respected by abiding to existing municipal by-laws. He reported that some parts of the world are requiring "aggressive and vicious" dogs be muzzled and leashed when taken off property and other areas are requiring temperament testing. Size, temperament, and breed are being considered. The challenge for the municipality comes in addressing dangerous and potentially dangerous dogs; and this must be established, before further actions can be taken. The criteria, can only be established if the animal in question has killed, bitten or injured – without being teased, abused, assaulted or is reacting to a person trespassing or has shown the disposition of being threatening or aggressive. At this point in time, the municipality only has power to require leashing, muzzling or containment after it has bitten, or controlling running at large. Research has made it clear that the Municipal Act does not provide authority to ban or prohibit dogs. The by-laws for seven other municipalities were reviewed, and it was then concluded that our existing by-law is well written. It was recommended that our by-laws be left as they are, with a yearly review.

CONLIN-McLACHLAN: BE IT RESOLVED THAT the report from By-law Enforcement Officer Vic Stellingwerff regarding dogs be accepted.

CARRIED

BLUEWATER RECYCLING

Information forwarded by Bluewater advised that the household hazardous waste collection days were both successful and expensive. There were 62,620 litres of hazardous waste materials; 684 cars brought material to special collection locations; and the cost exceeded \$53,000. There are 458.47 kg per household per year collected from North Middlesex, with 53.5% being waste and 46.5% being recyclables.

Representative, Councillor Coutts, advised that she would report on the annual meeting at the next council meeting.

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT the report from the Bluewater Recycling Association be accepted.

CARRIED

9-1-1 ADDRESSING

Shirley Scott reported that the County 9-1-1 Committee met recently, and it was drawn to everyone's attention that there were several roads within the municipality with the same name. This was a result of amalgamations and each municipality being a bigger area. A list has been produced, and it is suggested that duplicate road names be considered, and changes made to avoid confusion and possible dispatch location error. After a discussion, the following motion was made.

HENDRIKX-COUTTS: BE IT RESOLVED THAT the report from Middlesex County 911 Committee be accepted and recommend that the duplicate road names be researched and reported back.

CARRIED

FIRE CHIEF REPORT

Fire Chief Steve Clemens provided a report indicating twenty-two responses from the Ailsa Craig Station, and twenty-nine responses from the Parkhill Station. In reviewing the list, it was questioned why all the responses to Center Road were labeled against West Williams. A follow up is to be done, as to the bills sent out for vehicle fires on highways. The following motion was then made.

HENDRIKX-BREBNER: BE IT RESOLVED THAT the Fire Department – fire calls (Jan 1/01 to Oct 1/01) report be accepted.

CARRIED

DELEGATION: OPP

Inspector J.D. Stephens and D. Graham then entered the meeting to present a report to Council. They advised that they were providing joint services with other departments in an effort to keep costs to a minimum, as well as, sharing a drug squad with three Counties. The Middlesex sample was used for crime alerts on website.

Council were assured that cost savings were being achieved due to there not being a lot of major investigations in the area. A comparison of incident stats, with Middlesex County, the Western Region to Middlesex, and Province were then reviewed. Over a six month period, North Middlesex has only thirteen

percent of the calls for service within Middlesex. There is less crime in 2001 in Middlesex, compared to two previous years.

Inspector Stephens commented on the importance of updating the 911 name changes, as requested earlier in the meeting. Various area experiences were discussed. Councillor Johnston questioned a new program called "Citizen Complaint Program". Information will be sought, and reported on at a later date. Inspector Graham suggested that they hoped to approach various businesses and create a pro-active movement. He also expressed the good relationship that is working with the MTO shared office facility.

IN CAMERA

HENDRIKX-CONLIN: BE IT RESOLVED THAT the in camera session begin at 8:45 p.m. to discuss a personnel matter.

CARRIED

COUTTS-McLACHLAN: BE IT RESOLVED THAT the in camera session adjourn at 9:20 p.m.

CARRIED

There was no report, at this time, from the in camera session.

COMMITTEE OF ADJUSTMENT

HENDRIKX-COUTTS: BE IT RESOLVED THAT regular meeting adjourn to Committee of Adjustment at 9:25 p.m.

CARRIED

CBO REPORT

CBO Vic Stellingwerff submitted a written report, which indicated that estimated building costs for October were \$576,000. The following motion was then made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT the Building Report for October 2001, be accepted.

CARRIED

MTO REPORT

MTO Operator, Kathleen O'Connell submitted a written report, which indicated that the municipality's share of revenue generated for the month of October was \$1,097.59. The following motion was made.

HENDRIKX-COUTTS: BE IT RESOLVED THAT Council accept the MTO report for October.

CARRIED

REQUEST FROM BEN BAER

At an earlier meeting, Ben Baer, owner of a residential home in Ailsa Craig, requested a minor variance, at reduced rate. Council had requested that the County be contacted for input, and costs to date be calculated. Upon discussing with the County, they advised that their records only go to 1995, and there was no application on file. Costs to date were estimated to be approximately \$350, plus meeting time. Discussion with staff revealed that when building his home in the mid nineties, a minor variance was required, and due to miscalculation by the former CBO, the Village of Ailsa Craig granted this minor variance at no cost. In May of 2001, the CBO noticed further construction, with no permit. In order to complete this addition, a

further minor variance is now required. Council considered this information, and the following motion was made.

JOHNSTON-BREBNER: BE IT RESOLVED THAT the request from Ben Baer regarding the minor variance application be billed according to usual billing practices.

CARRIED

ABCA-ACCESS ON CENTRE ROAD

A request from ABCA to have access to Parkhill CA on Centre Road south of McGuffin Hills Drive, was considered. Previously, ABCA had discussions with McGillivray Township relating to a section of Centre Road, that runs south from McGuffin Hills Drive towards the Parkhill Conservation Area (between Lot 1 Con 5 WCR and Lot 1 Con 5 ECR), now Grieves Road. It was proposed that the property owner who owns lands on both sides of the road, be allowed to crop over the road allowance to reduce the occurrence of unwanted travel and parties in the area. This road allowance provides ABCA with access to its lands, therefore an agreement allowing emergency access without being liable to pay crop damages, is required. After careful consideration, the following motion was made.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the request for access to Parkhill Conservation Authority on Centre Road south of McGuffin Hills Drive be negotiated by staff.

CARRIED

STOP SIGNS IN PARKHILL

In reviewing the minutes of the previous Parkhill Council, it was determined that motions were passed, authorizing the location of stop signs on Ardross and Roskeen at Catherine to be altered to permit through streets and that Tain and Catherine be altered to a 4 way stop intersection. This option was revisited, and it was determined that Tain had to remain with through traffic, due to emergency service that may be required at the nursing home. It was determined that there was a need to slow the traffic, therefore, the following motion was made.

COUTTS-HENDRIKX: BE IT RESOLVED THAT the motion of November 6, 2000 be rescinded, and that a four way stop be created on Catherine and Ardross, and a four way stop be created on Roskeen and Catherine, and that Catherine and Tain be left as it is.

CARRIED

OFFICIAL PLAN AND ZONING BY-LAW FOR NORTH MIDDLESEX

Council agreed that in order to create an official plan and zoning by-law for North Middlesex, the process should be started. Therefore, the following motion was made.

BREBNER-McLACHLAN: BE IT RESOLVED THAT the Terms of Reference for the Official Plan and Zoning By-law for the Municipality of North Middlesex be drawn up and a list of consultants be developed, for consideration.

CARRIED

SATELLITE OFFICE NEEDS

A review, in order to address the “one year warranty” of the Satellite Office was done with Mayor Hall, Councillor Johnston, Tanya Gregory, Shirley Scott, the Builder and Architect present. Various items were brought to the attention of those present. A couple of non-warranty items were discussed as well. These were reviewed and the following motion made.

JOHNSTON-BREBNER: BE IT RESOLVED THAT the Satellite Office “one year warranty review” report was accepted, addressing the following items:

- heat wires on roof to reduce ice build up
- re-locate the fire extinguisher in the mechanical room to be more visible
- add this extinguisher to the inspection list

CARRIED

Councillor Johnston advised that the wires could be obtained for a cost of \$30. Other items required were blinds for the OPP room, and signs for the washrooms. Mr. Johnston advised that he would price these items. He also suggested that the sign be removed from the old building. The stain glass window that was in the old town hall has been removed and is being stored at Mr. Johnston’s home.

PARKING TICKETS

By-law Enforcement Officer, Vic Stellingwerff presented a comparison of parking infraction fines, with area municipalities. Council suggested that the rates now in place required revising, as they had been in place since 1988. After careful consideration, the following motion was made.

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT Council use the following proposed rates for Municipality of North Middlesex traffic infractions, as follows:

Offence	Early Paym’t	Set Fines
Stopped Vehicle On/Over Sidewalk	15.00	20.00
Stopped Vehicle within an Intersection	15.00	20.00
Obstructing Traffic	15.00	20.00
Stopped-Double Parked	15.00	20.00
Stopped upon a Bridge	15.00	20.00
Parked within 1 metre of driveway/laneway	15.00	20.00
Parked on/over Sidewalk	15.00	20.00
Parked within 3 metres of fire hydrant	15.00	20.00
Parked within 9 metres of Intersection	15.00	20.00
Parked on a highway less than 6 metres wide	15.00	20.00
Parked causing obstruction	15.00	20.00
Parked in posted prohibited area	15.00	20.00
Parked within 7.5 metres of firehall entrance	15.00	20.00
Parked on highway between 2:00 & 6:00 am	30.00	40.00
Stopped in prohibited area	20.00	25.00
Parked over time limit	15.00	20.00
Parked in designated disabled parking		
Area without permit	30.00	40.00

CARRIED

2000 FINANCIAL REPORTS

Reports were received from former Town of Parkhill and Township of West Williams. Various questions were asked, and the following motion made.

COUTTS-HENDRIKX: BE IT RESOLVED THAT the Financial Reports for the former Town of Parkhill be tabled and reviewed further, and the former Township of West Williams be accepted.

CARRIED

EXTENSION OF JOHN STREET (AILSA CRAIG)

McLACHLAN-JOHNSTON: BE IT RESOLVED THAT By-law #87 of 2001 being a by-law to establish and lay out a road to extend John Street, in the Municipality of North Middlesex in the Village of Ailsa Craig be read a first and second time this 5th day of November, 2001.

CARRIED

HAWTHORNE CRESENT (EAST WILLIAMS)

BREBNER-McLACHLAN: BE IT RESOLVED THAT By-law #89 of 2001 to open up Block "C:, Plan 33M-101 (former East Williams) in the Municipality of North Middlesex, as a public street and that the By-law be read a first and second time this 5th day of November, 2001.

CARRIED

AMENDMENT OF DRAINAGE SCHEDULES

COUTTS-HENDRIKX: BE IT RESOLVED THAT By-law #90 of 2001 being a By-law to amend the payment schedule of By-law #12 of 2000 (former McGillivray) known as the Tweedle Vannatter Drain and that the By-law be read a first, second, third time and finally passed this 5th day of November, 2001.

CARRIED

HENDRIKX-CONLIN: BE IT RESOLVED THAT By-law #91 of 2001, being a By-law to amend payment schedule of By-law #23 of 2000 (former McGillivray) known as the Glavin Vanhie Drain and that the By-law be read a first, second, third time and finally passed this 5th day of November, 2001.

CARRIED

CONLIN-BREBNER: BE IT RESOLVED THAT By-law #92 of 2001 being a By-law to amend payment schedule of By-law #21 of 2001 known as the Flynn Drain and that the By-law be read a first, second, third time and finally passed this 5th day of November, 2001.

CARRIED

JOHNSTON-McLACHLAN: BE IT RESOLVED THAT By-law #93 of 2001 being a By-law to amend the payment schedule of By-law #24 of 2000 (former East Williams) known as the Clark Drain and that the By-law be read a first, second, third time and finally passed this 5th day of November, 2001.

CARRIED

CONLIN-JOHNSTON: BE IT RESOLVED THAT By-law #94 of 2001 being a By-law to amend the payment schedule of By-law #23 of 2000 (former East Williams) known as the Hubert Kennes Drain and that the By-law be read a first, second, third time and finally passed this 5th day of November 2001.

CARRIED

CORRESPONDENCE

The following correspondence was received, considered and appropriately filed.

- a) Thank you's from Jesse Cunningham, Joelle Thorpe, Michael Wagner and Julie Steeper for School Awards; Ken Johnston for fruit basket during illness and Ruth Cadman for flowers acknowledging the loss of her mother.
- b) AMO – New Strategy for Federal and Provincial participation in Municipal Infrastructure

McLACHLAN-BREBNER: BE IT RESOLVED THAT:

WHEREAS public infrastructure is the backbone of a successful, dynamic economy; and

WHEREAS Federal and Provincial financial support is essential for public infrastructure upgrades, replacement and expansion; and

WHEREAS the current slowing of the economy combined with the tragic events of September 11, 2001 have created substantial uncertainty in the Canadian economy, particularly in Ontario, and

WHEREAS the Municipality of North Middlesex welcomes the Ontario Government's renewed commitment towards supporting public infrastructure with its recent announcement of financial assistance for public transit and roads and bridges; and

WHEREAS the current Federal share of the Infrastructure Canada Program in Ontario is significantly less than that of the Province and municipalities;

THEREFORE BE IT RESOLVED THAT the Municipality of North Middlesex calls on the Federal Government to follow the Ontario Government's lead and commit itself to a higher level of funding for public infrastructure; and

FURTHER BE IT RESOLVED THAT the Municipality of North Middlesex calls on both the Federal and Provincial Governments to speed up the existing infrastructure funding process under the Canada-Ontario Infrastructure Program (COIP) and Superbuild in order to provide a much needed economic stimulus in the face of the current economic turndown; and

FURTHER THAT the Municipality of North Middlesex supports the call from the Association of Municipalities of Ontario for the Federal and Ontario Governments to return to a straightforward 1/3-1/3-1/3 funding formula for COIP and Superbuild funded projects.

CARRIED

- c) Mel Lastman, Mayor of Toronto – establishment of tax holiday for Ontario residents.

COUTTS-JOHNSTON: BE IT RESOLVED THAT the Council of the Municipality of North Middlesex supports the resolution endorsement from Mel Lastman, Mayor of Toronto regarding the establishment of a tax holiday for Ontario residents.

DEFEATED

- d) invitation to "Taste of Middlesex Banquet"
- e) County of Middlesex – resolution of County Council for consideration.

BREBNER-McLACHLAN: BE IT RESOLVED THAT the Council of the Municipality of North Middlesex supports the resolution endorsement of Middlesex County Council regarding Facial Protection for Sports.

DEFEATED

HENDRIKX-CONLIN: BE IT RESOLVED THAT the correspondence package (a-e) dated November 5, 2001, be accepted.

CARRIED

DONATION

Councillor Johnston asked that a donation be made to the Ailsa Craig and District Fire Board, based on the amount donated in the past. Consideration was made and the following motion presented.

JOHNSTON-CONLIN: BE IT RESOLVED THAT Council donate up to \$500, including hall rent, to the Ailsa Craig and District Fire Fighters Association to cover some of the costs of the 2001 Santa Claus Parade in Ailsa Craig, as in 2000.

CARRIED

IN CAMERA

BREBNER-McLACHLAN: BE IT RESOLVED THAT the regular meeting adjourn to an "in camera" session at 10:50 p.m. to discuss possible legal matter.

CARRIED

COUTTS-HENDRIKX: BE IT RESOLVED THAT we adjourn the in camera meeting at 11:15 p.m. and re-enter the regular meeting.

CARRIED

No decision was made regarding the legal matter at this time.

REMEMBRANCE DAY SERVICES

Upcoming services were discussed, and Mayor Hall advised that he had committed to attend the Ailsa Craig service, therefore, Councillor Coutts volunteered to attend the Parkhill service and Councillor Conlin volunteered to attend the service at the Lieury cenotaph.

SANTA CLAUS PARADE

An invitation was circulated to Council regarding participation in the Parkhill Santa Claus Parade. Administrator Scott was directed to advise that Deputy Mayor Brebner, Councillors: McLachlan, Johnston and Conlin would be attending. Mayor Hall would also be present.

Councillor Johnston announced that the Ailsa Craig parade was scheduled for the second Saturday in December.

CONFIRMING BY-LAW

HENDRIKX-COUTTS: BE IT RESOLVED THAT By-law #95 of 2001 being a by-law to confirm the proceedings of the Council of the Municipality of North Middlesex at meeting held on the 5th day of November, 2001, be read a first, second and third time and finally passed. This 5th day of November, 2001.

CARRIED

It was suggested and agreed that all meetings should start at 7:30 p.m. rather than converting to 7:00 p.m.

COUTTS-HENDRIKX: BE IT RESOLVED THAT the regular meeting adjourn at 11:20 p.m.

MAYOR

ADMINISTRATOR