

**MINUTES**

The Council of the Municipality of North Middlesex met on October 1, 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 3 – MICHAEL CONLIN  
COUNCILLOR WARD 4 – LAWRENCE McLACHLAN  
COUNCILLOR WARD 5 – LUCY HENDRIKX  
ADMINISTRATOR CLERK – SHIRLEY SCOTT  
PUBLIC WORKS SUPER. – JOE ADAMS  
TREASURER – CHUCK DAIGLE

Also present was a representative from the Middlesex Banner

Absent from the meeting was Councillor Ward 2 – Ken Johnston.

**MINUTES**

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

HENDRIKX-CONLIN: BE IT RESOLVED THAT the regular meeting minutes dated September 17, 2001 printed and delivered to each member be adopted. CARRIED

COUTTS-HENDRIKX: BE IT RESOLVED THAT the draft meeting minutes from Recreation Committee dated September 13, 2001; Health & Safety Committee dated September 17, 2001 and West Williams Committee Centre dated September 12, 2001, be received and filed.

CARRIED

**TREASURERS REPORT**

Treasurer Chuck Daigle then gave the following report:

1. Staff assumed all tax bills for residential and farm classes were sent on September 7, but calls have indicated that all bills were not received. Therefore, penalty will be delayed until October 15, 2001. A method to indicate what has been sent through the computer, is being discussed with computer experts.
2. There seems to be a problem with the computers. The time being used by the Norton Anti-Virus program is crippling the system. Experts advise that the system is not strong enough. If one machine is on, one report takes 70% of the running capacity. A second server is being recommended, to operate the Great Plains program, alone. Ken Northmore is collecting information at this time. The Ailsa Craig system is breaking down, due to Packet Works (lines crossing those of the school board) If Mr. Northmore can get results that solve this problem, all parties will be asked to meet and discuss. Should these discussions not get satisfactory results, a lawyer will be asked to support our case.
3. The “mother board” of the lap top computer has gone dead. Alternatives were discussed, and the following motion made.

McLACHLAN-BREBNER: BE IT RESOLVED THAT Chuck Daigle be authorized to have the off site computer repaired.

CARRIED

4. Parkhill audited statements have not been received to date. A letter will be sent indicating that if these are not produced, another firm will be asked to supply, at the expense of the appointed firm.
5. Cemetery investments are being reviewed. In order to conduct the review, the following motion is required; and was made by Council:

HENDRIKX-COUTTS: BE IT RESOLVED THAT By-law #82 of 2001, being a by-law to authorize the Municipality of North Middlesex to enter into the Agency Agreement, as defined herein, between CHUMS Financing Corporation and LAS Limited, as Agent, and Eligible Investors with respect to "ONE – The Public Sector Group of Funds" and to authorized the Treasurer to execute the necessary documents for that purpose be read a first, second and third time and finally passed, this 1st day of October, 2001.

CARRIED

BREBNER-McLACHLAN: BE IT RESOLVED THAT the regular meeting adjourn to Committee of Adjustment at 8:00 p.m.

CARRIED

CBO/By-law Enforcement Officer, Vic Stellingwerff then entered the meeting.

### **BUSINESS FROM MINUTES**

Joe Adams advised that the Sylvan Road have been tarred. The price for stone came in at \$12 per tonne, resulting in MSO still having the low bid. There is a bump at the culvert, but it was recommended that this be left for now, and repaired next year, after the cover settles.

### **ACCOUNTS**

The accounts were reviewed. There was a discussion on hall payment for a weekend event (Ailsa Craig Santa Claus Parade), and it was suggested that the fee be paid and paid back as a donation. It was confirmed that the cemetery lawn cutting fees were increased as discussed at the beginning of the year. Deputy Mayor Brebner questioned payment to Bev Timmers for ball diamond key deposit. The key had been returned a month ago, and it was stated that she wants her deposit of \$50 returned. Councillor Hendrikx advised that she would discuss the matter with Recreation Manager. Councillor Hendrikx advised that there is an outstanding accounts receivable from 2000 at the arena. She encouraged that North Middlesex Junior D be supported whenever possible. The following motion was then made.

McLACHLAN-BREBNER: BE IT RESOLVED THAT the accounts for October 1, 2001 be accepted, as attached in the amount of:

General	\$1,235,490.78
Water	\$ 6,096.28
Cemetery	\$ 2,922.00

CARRIED

### **DELEGATION: KERRY ALEXANDER**

Kerry Alexander, resident of Parkhill, presented a petition signed by various residents. The petition states that , "This summer two pitbulls have been obtained by the business on King and Queen Streets in Parkhill for the reason of

security The safety of children taking this route to school and at other times is in question. Many news accounts indicate that dogs of this type can be unpredictable and dangerous. By signing your name to this petition you are agreeing that follow up is needed and that you recognize the danger these dogs represent. This may be the first step in creating a law that protects our community from this type of threat. Thank you in advance for your interest. I will be submitting this petition to the Parkhill Town Council for consideration.” She advised that attempts have been made to negotiate with their owner, but have proven unsuccessful. The petition was signed by approximately eighty residents. She explained that although the animals were teathered by a cable, they did get loose. A security system for protection of the business was suggested. It was recommended that sample by-laws be obtained from Thamesford or Ingersoll.

Steve Sager, owner of the dogs then advised that the dogs were not pitbulls, but were “Staffordshire Terrier, and that they were used as guard dogs. At a former location, they have experienced breakins and because of the valueable equipment required, they are trying to keep theft under control. If proven vicious, Mr. Sager agreed that the dogs would be put down. He welcomed anyone to come in and play with the animals. Although one of the animals did slip the collar, Mr. Sager advised that it did not go off of the property.

Mr. Sager admitted that he had promised the Mayor and By-law Enforcement Officer that he would confine the animals, once the loading dock was built on the property. Mr. Stellingwerff advised that the by-law stated that dogs are to be confined on the owners property, and if deemed vicious, must have a muzzle.

Councillor Coutts advised that if the petition stated “pitbulls” and the animals were actually “Staffordshire Terriers” the petition was not valid.

Council suggested that before the dogs bit someone, it would be in the owners best interest to confine the animals. Mr. Sager suggested that he would complete a kennel for the dogs, before the snow fell (one month).

The delegation was then thanked for attending. Mr. Stellingwerff advised Council that he attended the place of business weekly, to discuss this matter. A letter had been presented to both the business operator and the land owner, suggesting a proper kennel, allowing the animals to run in an empty trailer, or replacing the dogs with an electronic security system. He advised that there is a sign advising “Beware of Dogs”. Council suggested that this situation be discussed with Ingersoll, Thamesford, Kitchener and London. Mr. Stellingwerff advised that a by-law would have to approved by the Attorney General, and would not be a quick process. When asked the next steps, Mr. Stellingwerff advised he would review the by-laws, then try to enforce the by-law. It was questioned how to deem an animal “vicious”.

Council also questioned the trailers that were parked on the road in this area; as well as the property standards being applied.

(Information submitted after the meeting states that the AKC shunned breeds called “pit bulls” until 1936, when it recognized the American Pitbull Terrier under the alias Staffordshire Terrier”)

## **PUBLIC WORKS SUPERINTENDENT REPORT**

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

1. The paving job is to proceed this week.
2. The final mowing of roadsides will be done next week.
3. Various trees are being removed.
4. A catch basin is being placed on Elliott Drive.

5. New school signs are being erected on McLeod Street, and in Nairn, soon.
6. The cost to repair the chimney at the Parkhill Library is estimated at between \$500 and \$700. Quotes were obtained for roof trim, for an estimate of \$2,654.50. The cost to replace the rug was \$466.24, as previously discussed. The following motion was made.

HENDRIKX-COUTTS: BE IT RESOLVED THAT Council authorize the Works Department to have the chimney removed and roof repaired at the Library for approximately \$700, and a new carpet runner installed for approximately \$500, with prices to be obtained for fascia, eaves trough and downspouts for repair in the Spring of 2002.

CARRIED

7. Winter supply of salt and sand will be stacked next week.
8. Various makes and models of "backhoes" are being tested. Two hoes that are currently being used will be sold at the Huron County Auction. Financial options are being discussed with the Treasurer.
9. The petition for drainage, signed by municipal official, is requesting that work be done on the Stewart Siddall Drain, Branch A, was accepted, and the following motion was made.

McLACHLAN-CONLIN: BE IT RESOLVED THAT the Council of the Municipality of North Middlesex accepts the petition for drainage works for improvements on the Stewart Siddall branch, and further that Spriet Associates be appointed as engineers for the petition.

CARRIED

HENDRIKX-BREBNER: BE IT RESOLVED THAT the Council of North Middlesex adjourn at 9:45 p.m. to proceed to an in camera meeting.

CARRIED

HENDRIKX-CONLIN: BE IT RESOLVED THAT Council move back into regular session at 10:00 p.m.

CARRIED

### **IN CAMERA**

As a result of the in camera session to discuss property and personnel items, the following motions were made.

HENDRIKX-COUTTS: BE IT RESOLVED THAT pursuant to Section 38(1) of the Planning Act, the Council of the Municipality of North Middlesex hereby directs that a review or study be undertaken relative to the particular land or land use concerned, in this case being adult entertainment establishments, and further that Planner Barb Rosser be retained to conduct this review for the Municipality.

CARRIED

CONLIN-HENDRIKX: BE IT RESOLVED THAT By-law #79 of 2001 being an interim control By-law to control Adult Entertainment Establishments and that the By-law be read a first, second, third time and finally passed this 1<sup>st</sup> day of October 2001.

CARRIED

McLACHLAN-CONLIN: BE IT RESOLVED THAT By-law #76 of 2001 be hereby rescinded.

CARRIED

CONLIN-McLACHLAN: BE IT RESOLVED THAT the position of crossing guard be offered to Doreen Beierling effective September 24, 2001, with a probationary period of 90 calendar days.  
CARRIED

### **SURPLUS LANDS**

Council agreed that Councillor Johnston is to be contacted, regarding the status and procedure of sale for the Ailsa Craig Town Hall.

The appraisals were reviewed for two parcels in Parkhill: one on William Street, east of Main Street (2 lots), and one on Mill Street, west of Union Street(2 lots).

Quotes are to be obtained from realtors in the area of the lands.

### **HEALTH & SAFETY COMMITTEE**

The recommendation of the Health and Safety Committee was considered, and the following motion made.

HENDRIKX-McLACHLAN: BE IT RESOLVED THAT the Council of the Municipality of North Middlesex accept the recommendation from the Health and Safety Committee that the remainder of staff be encouraged to participate in the First Aid Course being set for late in October.

CARRIED.

### **PROXIES FOR POWER COMPANY**

A shareholders meeting of Middlesex Energy Services and Middlesex Power Distribution Corporation has been set, and the following motion was made.

COUTTS-HENDRIKX: BE IT RESOLVED THAT the Council of the Municipality of North Middlesex are in concurrence that Chuck Hall is appointed as proxyholder, to attend and vote at the Annual Meeting of the Shareholders for Middlesex Energy Services Corporation and Middlesex Power Distribution Corporation on October 3, 2001 and in his absence that Shirley Scott be appointed to attend and vote at that meeting.

CARRIED.

### **INTERMUNICIPAL SERVICE**

Earlier in the year, it was agreed that the City of London would do the paper work for any court offences that had to go to the courts. The following was passed in order to record the final agreement.

CONLIN-HENDRIKX: BE IT RESOLVED THAT By-law #80 of 2001 being a by-law to authorize the execution of an agreement between the Municipality of North Middlesex and the City of London be read a first, second, third time and finally passed this 1<sup>st</sup> day of October 2001.

CARRIED

### **BUSH REMOVAL**

An application to the County from Philip R. Lynn Farms Inc. for clearing of elm, poplar, ash, hickory, maple and bur oak saplings to pole size trees, on acreage of 1 1/3 acres, was received. After careful consideration, the following motion was made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT the Council of the Municipality of North Middlesex has no objections to the application for Minor Exception for bush removal – Philip R. Lynn Farms Inc Lot 30 & 31 Concession 4 in the Township of North Middlesex (formerly McGillivray)

CARRIED

### **TILE DRAIN LOAN DEBENTURE**

COUTTS-HENDRIKX: BE IT RESOLVED THAT By-law #83 being a Tile Drain Loan for \$10,000 on roll #39-54-000-070-09400 be read a first, second and third time and finally passed this day October 1, 2001.

CARRIED

### **CORRESPONDENCE**

- a. Thank you from John & Sue Webster for floral tribute
- b. Fanshawe Pioneer Village thank you for allowing their presentation at the last Council meeting.
- c. Gerry Richer, Community Emergency Program Planning Services advising of his service.
- d. CRTC News release asking for public comment on proposals that deal with the upcoming shortage of new telephone numbers in area code 519
- e. From the Canadian Cancer Society, Alzheimer Society, Heart and Stroke advising that their organizations are conducting province wide Raffle lottery

HENDRIKX-BREBNER: BE IT RESOLVED THAT the Council of North Middlesex has no objections to the Canadian Cancer Society, Alzheimer Society and the Heart and Stroke Foundation conducting their lotteries in the municipality.

CARRIED

- f. AMCTO – Seminar on administering the vital statistics and marriage acts in Ontario
  - Succession Planning in the Municipal Sector Oct.23 in London
- g. AMO – Annual Southwestern Municipal Conference – Nov.16 in London
- h. London Neighbourhood Watch Program will host the 3<sup>rd</sup> Annual Southwestern Ontario Regional Neighbourhood Watch meeting in London Oct.20<sup>th</sup>
- i. AMO regarding Water Liability Seminars sponsored by Frank Cowan Ins
- j. BWRA – Information Brief
- k. OPP – Presentation by the Association of Iroquois and allied Indian at the County Building Oct.11

I. County of Middlesex:

- Property Tax Relief to certain Elderly & Disabled Person
- Relief from Taxes on Eligible Property Occupied by Eligible Charities

m. MMA Ontario Superbuild – one day seminar Dec.5 in London

n. Canadian Tax Foundation – Symposium on Municipal Finance and Governance Reform – Mississauga November 8-9, 2001

o. Ontario Good Roads Association Oct 24 – Contract Law  
Oct 25-26 – Contract Dispute Resolution

p. Thank you card from Lisa Feltz – Parkhill Fair Contestant

McLACHLAN-CONLIN: BE IT RESOLVED THAT the correspondence package (a-p) dated October 1, 2001 be accepted.

CARRIED

**COUNCILLOR ITEMS**

Deputy Mayor Brebner advised that there was to be a presentation at County Council regarding a donation of 4 million to the hospitals. There was a discussion regarding this matter, and Council advised that they were not in favour of this downloading from the Province.

Councillor McLachlan questioned the use of a longer mower for one pass grasscutting. Mr. Adams advised that a larger tractor would be required should this type of mower be used. Also, Mr. McLachlan reported that he had attended a meeting of the Joint Water Board for the Lake Huron and Elgin Area Primary Water Supply Systems. An agreement is being entered with Azurix North America (Canada) for service, replacing OCWA.

Councillor Conlin requested that a by-law be prepared regarding a stop sign at the junction of Clandeboye and Neil Roads. It was suggested that this be discussed with the Works Manager prior to the preparation of the by-law.

Councillor Hendrikx advised that there were picnic benches missing. Then a roof with hail damage was reported. Those reviewing the damages did not realize that the building was owned by the municipality, therefore it was missed. When viewing the roof, the missing picnic benches were found. Another situation reported on was the cleaning up of glass in the bike area in Ailsa Craig. Recreation Manager ordered for the area to be cleaned up on Friday, and before the show on Saturday, there was more glass, making it appear that the job had not been done.

Councillor Coutts reminded all of upcoming Recycling and Hazardous Waste Days.

**CONFIRMING BY-LAW**

CONLIN-McLACHLAN: BE IT RESOLVED THAT By-law #81 of 2001 being a by-law to confirm the proceedings of Council at a meeting held on October 1, 2001 be read a first, second, third time and finally passed this 1<sup>st</sup> day of October, 2001.

CARRIED

MCLACHLAN-BREBNER: BE IT RESOLVED THAT the Council of North Middlesex adjourn at 11:00 p.m.

CARRIED

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MAYOR

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ADMINISTRATOR CLERK