



MUNICIPALITY OF NORTH MIDDLESEX REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on September 6, 2017 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 7:15 p.m.

Court of Revisions was held at 6:45 p.m. (minutes under separate cover)

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
Director of Emergency and Safety Services/Fire Chief – William Davidson (portion of the meeting)
Clerk Jackie Tiedeman
Planner Jennifer Huff (portion of the meeting)

3. DISCLOSURE OF PECUNIARY INTEREST

None

4. MINUTES OF PRIOR MEETINGS

- a. August 9, 2017 Regular Meeting Minutes

MOTION #258/17

MCLINCHEY/ROPP: That the minutes of August 9, 2017 be accepted as presented
_____CARRIED

5. PUBLIC MEETINGS

MOTION #259/17

MOIR/MCLINCHEY: That the Regular Meeting adjourn to Committee of Adjustment at 7:10 p.m. _____CARRIED

See COA minutes under separate cover

Regular Meeting resumed at 7:15 p.m.

7:15 p.m. Deferred Applications for Plan of Condominium, Official Plan and Zoning By-law Amendment for Donald and Diane McIver – 11207 Petty Street

The following documents were provided to Council for their consideration:

Notice of Public Meeting from July 12, 2017

Municipal Planner Evaluation Report July 12, 2017 (includes agency and public submissions)

AGM Drawing of Proposal

Agent for Applicant – Report from July 12, 2017

Agent for Applicant – Public Presentation from July 12, 2017

Municipal Planner Final Report Sept 6 (includes submissions received following July 12 to present)

Agent for Applicant – Final Report August 31, 2017

Ms. Huff advised Council that the purpose of her report is to respond to a number of items that were brought up at the public meeting. Some of the following comments were then offered:

- Staff received clarification from the County of Middlesex regarding reference to what was understood as a 'stop work order' being placed on the property for the removal of trees. While the County Woodlands Officer did attend the site on a few occasions, at the time of the site visits, the County determined that an infraction had not occurred relative to the Woodlands Conservation By-law #5738 and therefore no 'stop work orders' were issued.
- The applicant's agent has advised by email that the decision to pursue a 'plan of condominium' rather than a 'plan of subdivision' was for three reasons:

- a. The valley lands would become a common element maintained by the condo corporation. The ABCA was in favour of avoiding multiple ownership of the ravine area.
- b. The Municipality would not have to maintain the common private road which is a cul-de-sac and difficult for a municipal snow plow to navigate
- c. As much of the site is consumed by valley lands, a plan of subdivision would be required to have a public road with a 20m ROW and this would consume much of the table lands that could otherwise (as proposed) be part of the lots for the single detached dwellings.

Ms. Huff concluded, in summary, staff continue to be of the opinion that the application is premature at this time and represents an undesirable precedent for residential development outside of a Settlement Area without necessary justification relative to population/growth projections and land supply – contrary to the policies of the PPS, County and local Official Plan. The application does not have regard for the Planning Act. Accordingly, staffs recommends that the application be denied.

Mr. Huff advised that under the Planning Act, if no decision is made on the applications within 180 days from the date deemed complete, the Applicant can appeal a “non decision” by Council. This timeframe will be coming up in November.

Mr. Laverne Kirkness, agent for the applicant, requested an opportunity to speak with Council on the applications and also to provide an apology for his protocol at the August 9, 2017 as his intention was not to offend anyone.

Mr. Kirkness provided a brief response to the municipal planners report. In addition, his clients are now requesting at this point, they are willing to try and resolve differences with County Planning while also understanding council’s difficult decision with these applications. Mr. Kirkness hereby requests on behalf of the applicants that a decision be deferred to give time for discussions to take place amongst the MMAH, County Planning and the McIver team. They would like the applications brought back for consideration by Council at a meeting in October.

Councillor Moir commented that he felt the deferral request from the McIver’s’ in order to meet with the MMAH and County was a reasonable request.

Councillor Cornelissen asked for clarification on whether the owners of the land intend to undertake the development of the lands? Mr. Kirkness replied that the owners are not builders, however, may possibly be the developer. They would undertake the work to get the lots ready for building i.e.: underground services, internal road etc.

Deputy Mayor Ropp commented that there is no support from the neighbours for this proposal.

MOTION #260/2017

MOIR/HEMMING: That Council support the request that a decision on the applications be DEFERRED, at the request of the applicant, until October in order for the applicant to meet with the County and MMAH _____ CARRIED

It will be the applicant/agent's responsibility to contact the Municipality in writing to request the applications be brought back on an upcoming agenda. The next available dates would be October 18 and November 1.

6. DELEGATION

7:45 p.m. – YMCA Third Quarter Update

Kathi Lomas-McGee and Kathy Willemse were both in attendance to bring forth highlights from the past three months. There has been a shift in memberships to families from couples/individuals. This results in lower revenue projections however it is important that this service is being utilized by families.

Community News: Grant opportunities are still being sought; Recipient of the Tim Horton's "Smile Cookie" campaign; Community Engagement activities that promote social connections; daily activities promoted through social media, North Middlesex YMCA Facebook pages, group activities and challenges that happen within the YMCA for members to improve fitness goals and have fun.

Challenges:

Strengthening connecting to youth 12-17 yrs.;

Program Capacity – balancing staff hours and program optimal capacity; hours of operation; managing compensation

Driving revenue membership – sales strategies and day pass conversion

Financial Performance:

Revenue to July 31 - \$122,380

Expenses to July 31 \$132,640

Net to July 31 _____ \$ (10,260)

Significant Variances: Adult and Family Membership revenue; camp & child programs; compensation; maintenance & equipment

Mitigation: Implement Fall Sales Strategy; reduce programming where capacity isn't optimal; increase programs that demonstrate growth capacity; expense management

2018 Planning Cycle:

Develop Marketing & Branding Strategy

Gain Member & Participant Feedback

Assess equipment & replacement needs
understand projected legislative implications
Assess community engagement opportunities

Ms. Lomas-McGee and Ms. Willemse thanked Council for the equipment purchases this year. They have received many compliments on the equipment available at this location.

7:55 p.m. Shari Phillips – request pertaining to planning application fee

Ms. Phillips requested consideration of waiving the fee associated with a minor variance application required for a shed.

MOTION #261/2017

CORNELISSEN/MCLINCHEY: That staff be directed to review the fees and charges by-law; that the violation order will be on "stay" until the by-law is brought before council for consideration and decision. _____CARRIED

7. DEPARTMENTAL REPORTS

a. Director of Emergency and Safety Services/Fire Chief – July 2017 Report

MOTION #262/2017

CORNELISSEN/MOIR: That Council receives and files the report titled, Emergency and Safety Services July 2017 Report, for information purposes, as presented
_____CARRIED

b. Deputy CAO/Director of Operations – Parkhill Reservoir Tender Results

Mr. Graham provided a brief summary of the scope of the project. The start date is anticipated to be September 11, 2017.

MOTION #263/2017

MCLINCHEY/HEMMING: That Council award the tender to rebuild the Parkhill Reservoir to K&L Construction (Ontario) Limited for a total cost of \$906,373.00 (including HST and contingency) _____CARRIED

c. Deputy CAO/Director of Operations – Drain Reapportionment Agreement (Morton – Heaman Drain 1975)

MOTION #264/2017

CORNELISSEN/MOIR: That the agreements be approved and signed by the Mayor and Clerk _____CARRIED

d. CAO/Director of Finance – Monthly Update Report

Ms. Syed highlighted some upcoming discussions that will be taking place among the CAO's of lower tier municipalities in the County. This would include Group Benefits, Chief Building Official Services. As well, she identified areas under Finance that will be focussed on in the upcoming months to include a 10 year Capital Plan and how it will be financially sustainable. This plans need to be in place by January 2019.

MOTION #265/2017

ROPP/NICHOL: That Council receives the Finance and Administration Monthly Update – September 2017 Report, as information only _____CARRIED

e. Clerk – Administration Quarterly Update Report

MOTION #266/2017

MCLINCHEY/NICHOL: That the Administration Update Report be received and filed by Council _____CARRIED

8. PASSING OF ACCOUNTS

a.Compilation of Accounts to August 31, 2017

MOTION #267/2017

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

General Cheques	\$297,146.58	
General Direct Deposit	\$85,299.52	_____CARRIED

9. COMMITTEE REPORTS

a.Economic Development Committee – minutes June 12, 2017

b. Bluewater Recycling Association –Board of Directors Meeting Highlights –August 17, 2017.

c. Local School Advisory Committee – Councillor Nichol provided a verbal update from the last meeting held on August 31, 2017. The Committee has agreed to participate in the Fall Fair by having a booth and promoting our local schools. The Committee would like to be able to hand out promotional material. It was also announced that due to personal commitments, Darren Ferguson is not available to assist with the upcoming Rural Symposium. Ms. Morell has advised that she is willing to assist with the plans as she has been working with Mr. Ferguson.

As a result of that meeting the following recommendation was introduced for council consideration.

Two quotes were received for window clings:

Vista Print – 250 clings \$500.00 +HST+Shipping

Pete Thuss – 250 clings \$337.50 +HST + Shipping

MOTION #268/2017

NICHOL/MCLINCHEY: That Council accept the recommendation to purchase 250 window clings from Pete Thuss of London at a cost of \$337.50 + HST+Shipping

CARRIED

10. CORRESPONDENCE

a. Thank you card from A. Peeters

(action: receive and file)

b. Entegrus Powerlines Inc. notification of merger with St. Thomas Energy

(action: receive and file)

c. Sylvia Jones, MPP Bill 141 Private Members Bill – Sewage By-law Reporting Act, 2017

(action: receive and council support)

MOTION #269/2017

NICHOL/HEMMING: That Council support Sylvia Jones, MPP with Bill 141 Private Members Bill – Sewage By-law Reporting Act, 2017 and that staff respond with a letter to the Minister _____ CARRIED

d. Ministry of Municipal Affairs – consultation period for potential new edition of the Building Code – comments may be received until September 29th

Councillor Cornelissen expressed his intent to provide comments as a private citizen. He felt it was important for council to express any concerns as well. Councillor Cornelissen offered to prepare a draft response for council consideration on September 20th.

e. Ministry of Municipal Affairs – feedback on proposed requirement to collect 25 signatures to endorse a candidate's nomination form.

The consensus of council was for staff to advise the Ministry that they support a requirement for 25 signatures on a nomination form and they did not feel there would be any challenges to meeting this requirement.

f. Spriet Associates – Current Discussion on Bridges and Culverts in the County of Middlesex
(action: receive and file)

MOTION #270/2017

MCLINCHEY/NICHOLS: That the correspondence package be accepted with actions as noted _____ CARRIED

11. OTHER AND URGENT BUSINESS

a. Town Hall Meeting on October 25th

CAO, Nandini Syed, updated Council that she has been working with staff on a strategy to engage citizens on attending the upcoming Town Hall Meeting. The following suggestions for topics included: Budget Process, Final Strategic Plan roll out, introduction of Dr. Kling. The County has also indicated that they would like to participate by either making a presentation on the County Cycling Plan or providing information that can be provided on their behalf. Final plans for this agenda is still in process and therefore was looking for feedback from Council on this proposed outline.

Ms. Syed also advised that the Municipality will be participating in the Fall Fair with a booth and the focus theme will be “Engagement of Community Partners”.

Councillor Hemming inquired whether a suggestion box would be available for citizens to provide topics of interest as well. Ms. Syed replied that this will be available but also a general comment box is going to be encouraged as well.

Council expressed their approval with the proposed strategy.

b. Verbal update on the renewal of the Parkhill Community Garden use agreement

Deputy CAO/Director of Operations, Jonathon Graham, advised Council that the only item that was changed from the past agreement to the current is a termination clause from 1 month to 2 months’ notice.

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12. COMMUNICATIONS (including County Council Meeting Report)

Deputy Mayor Ropp commended Warden Shipway on the successful efforts on attaining contributions in excess of \$18,000 overall from the annual golf tournament. The recipient for these proceeds went to the VON.

Deputy Mayor Ropp provided an update on the SWIFT project. County Council will be voting on participating in the project at their next meeting.

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

MOTION #271/2017

MCLINCHEY/HEMMING: That Nandini Syed be appointed Acting Deputy Clerk for the Closed Meeting and that the regular meeting adjourn to Closed Meeting at 8:45 p.m. to receive information under the following provisions:

- a. Personal matters about an identifiable individual
- b. Disposition of Municipal Land – update on status of Parkhill King Street land

_____ CARRIED

14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

MOTION #272/2017

MOIR/MCLINCHEY: That the Closed Meeting adjourn and return to Regular Meeting at 10:04 p.m. _____ CARRIED

MOTION #273/2017

NICHOL/CORNELISSEN: That Council accept the letter of retirement from Wayne Windsor effective September 1, 2017 _____ CARRIED

15. READING OF THE BY-LAWS

Clerk Jackie Tiedeman advised Council that By-law 40 and 41 of 2017 related to the decision on planning applications for 11207 Petty Street. Due to the deferral, these by-laws are held in abeyance until a decision has been made.

By-law #52 of 2017 – Appointment of Chief Administrative Officer

By-law #53 of 2017 – Appointment of Deputy Chief Administrative Officer

By-law #54 of 2017 – Appointment of Deputy Treasurer

By-law #55 of 2017 – Community Garden Use Agreement

By-law #56 of 2017 – Land Sale Policy By-law

By-law #57 of 2017 – Confirming By-law

MOTION #274/2017

MOIR/MCLINCHEY: That By-laws 52-57 of 2017 be read a first and second time.
_____CARRIED

MOTION #275/2017

HEMMING/NICHOL: That By-laws 52-57 of 2017 be read a third and final time
_____CARRIED

16.ADJOURNMENT

MOTION #276/2017

ROPP/HEMMING: That the meeting adjourn at 10:06 p.m. _____CARRIED

MAYOR

CLERK