



MUNICIPALITY OF NORTH MIDDLESEX

REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday July 17, 2019 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill.

1. CALL TO ORDER

Mayor Ropp called the meeting to order at 7:00 p.m. with a quorum present.

2. ROLL CALL

Mayor Brian Ropp

Deputy Mayor Adrian Cornelissen

Councillor Ward One – Doreen McLinchey

Councillor Ward Two – Joan Nichol

Councillor Ward Three – Gord Moir

Councillor Ward Four – John Keogh

Councillor Ward Five – Andrew Hemming (Absent)

Interim CAO/Director of Operations – Jonathon Graham

Director of Emergency and Safety Services/Fire Chief – William Davidson (Absent)

Director of Economic Development and Community Services – Mike Barnier

Clerk Jackie Tiedeman

Interim Treasurer/Manager of Finance – Dani Johnston

Infrastructure Supervisor, Jonathon Lampman

DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Cornelissen provided a written declaration of indirect interest pertaining to agenda Item 5 – Public Meeting for ZBA at 1733 Mark Settlement Dr. During this portion of the meeting Deputy Mayor Cornelissen left the chambers.

3. MINUTES OF PREVIOUS MEETINGS

MOTION #167/2019

MOIR/NICHOL: That the June 19 Regular Meeting Minutes be approved as presented.

CARRIED

4. DELEGATIONS

7:25 p.m. - Mike Watson and Paige Sowerby from Davis Martindale, Auditors attended Council to present the draft 2018 Consolidated Financial Statements and Draft Schedule of Surplus.

An amended schedule of surplus was provided at the meeting. The amendment was related to the breakdown of the general surplus amongst General, Water and Sewer accordingly. The overall surplus for 2018 is \$1,964,856.21. It was clarified that the surplus is not solely generated by the tax levy but rather through a variety of sources including: water rates, sewer rates, municipal drains, allocation to reserves through the budget process and investment in capital assets. The disbursement of the general reserve surplus will need to be considered by council through a report by the Treasurer.

Mr. Watson noted that the outstanding taxes receivable should be reviewed by staff and appropriate methods of collection should be continually imposed to minimize the amount. The overall assessment for North Middlesex has increased which is positive for ongoing capital and operational needs. The municipal drain program continues to show positive results meaning that work being undertaken in the year is being invoiced in the same year which minimizes the decrease in cash flow for the municipality. It was noted that the capital projects for 2018 were not all completed therefore actuals are lower than budgeted. Another recommendation related to the need for an updated landfill closure plan.

Overall, Mr. Watson commended staff and council on a successful 2018 audit.

MOTION #168/2019

MCLINCHEY/KEOGH: That Council accept the 2018 Financial Statements, as

presented, subject to the final allocation of the remaining surplus;
and that the Treasurer prepare a report to show allocation of this surplus

CARRIED

5. PUBLIC MEETING

7:00 p.m. Meeting to Consider – Kennes Drain No.2

Infrastructure Supervisor, Jonathon Lampman, presented his report regarding this drain. A final engineers report dated May 30, 2019 was received by staff and applicable notices to sent landowners on June 14, 2019 providing opportunity to attend this meeting.

There were no questions or comments from landowners or council and therefore the following recommendation was brought forward

MOTION #169/2019

CORNELISSEN/KEOGH: That Council accepts the Final Report for the Kennes Drain No. 2 dated May 30, 2019 prepared by R. Dobbin Engineering Inc; and

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

CARRIED

7:05 p.m. Committee of Adjustment and Public Meetings for Planning Applications

MOTION #170/2019

MCLINCHEY/KEOGH: That Regular Meeting adjourn to Committee of Adjustment at 7:05 p.m.

CARRIED

See separate minutes for this portion of the agenda and Regular Meeting resumed at 7:25 p.m.

6. DEPARTMENTAL REPORTS

a.DEFERRED – Report from Infrastructure Supervisor, Jonathan Lampman – Kennes Drain No. 1 Tender

Mr. Lampman advised that the landowners who petitioned the drain were contacted at council's direction to advise that the engineer's report is lower than the contractor's tender amount. It was confirmed that the landowners wished to move forward with the construction.

MOTION #171/2019

MOIR/KEOGH: Be it resolved that Robinson Farm Drainage Ltd. Be awarded the construction of the Kennes Drain No. 1 tender in the amount of \$100,599.38 (including HST).

CARRIED

b. Report from Infrastructure Supervisor, Jonathon Lampman – Tender Results of Water Rate Study

Mr. Lampman explained the process of the RFP and advised of the overage of the budgeted amount. As well, the firm of Watson and Associates including Dillion Engineering in their proposal due to the extensive knowledge they have of the municipality's water, wastewater and storm sewers to aid the firm in conditioning and functionally assessing the municipal assets. The overage could be accommodated through reserves.

MOTION #172/2019

CORNELISSEN/MCLINCHEY: Be it resolved that Watson & Associates in conjunction with Dillon Engineering be awarded the consulting services for the 2019 Water Rate Study in the amount of \$45,539 (including HST).

CARRIED

c. Report from Infrastructure Supervisor, Jonathon Lampman – Draft Regulation of Water Supply By-law

Mr. Lampman presented the draft Regulation of Water Supply by-law for council consideration. Most notable items in the draft by-law pertain to Existing Water Services Fronting Property – Not in use or Decommissioned. If the by-law is passed, in its present form, there would be a five year window in order for residents who may have connections at the property line from the former wards to connect. Council expressed some concern with landowners having connections installed and paid for, however are not ready to connect. Staff advised that if residents have appropriate proof of payment, they should come forward and speak to staff to have this information filed with the

municipality. The next step in the process would be a public notification period and a report come back to council following that time with any feedback and recommendation.

MOTION #173/2019

CORNELISSEN/MOIR: Be it resolved that Council accept the Draft Regulation of Water Supply By-law (Water By-law) Report as presented; and

That Council direct staff to provide a 30 day public notice review period for the proposed Water By-law via local newspaper(s) and Municipal website.

CARRIED

d. Report from Interim Treasurer, Dani Johnston – Municipal Energy Conservation and Demand Management Plan

Ms. Johnston advised that the goal of this plan is to outline the strategies for implementing improvements to facilities and operations that reduce energy costs and have a positive effect on the environment.

MOTION # 174/2019

NICHOL/KEOGH: Be it resolved that Council endorses the Municipal Energy Conservation and Demand Management Plan for 2020-2024.

CARRIED

e. Report from Director of Economic Development & Community Services, Mike Barnier- Monthly Report

Mr. Barnier presented his report with highlights including current and ongoing initiatives within the department including SOMA Fancy Food Show, Community Improvement Plan (CIP) update, Municipal website project, status of the Façade Improvement Program and a vacant land inventory update.

A question from council related to the status of the Huron Shores Transit Committee in which Mr. Barnier responded that he will be included in the next meeting and will then provide council with an update.

MOTION # 175/2019

MCLINCHEY/NICHOL: Be it resolved that Council receive and file the Economic Development and Community Services Monthly Operational Report for July 2019.

CARRIED

f. Report from Manager of Rec & Facilities, Brandon Drew – Dehumidifier Tender Results

MOTION #176/2019

MCLINCHEY/KEOGH: be it resolved that Council direct staff to purchase a mechanical dehumidifier for the North Middlesex Arena and Fitness Centre from Black and McDonald for \$22,849.00 (excluding HST).

CARRIED

g. Report from Clerk, Jackie Tiedeman - 2nd Quarter Activity Report

MOTION #177/2019

NICHOL/KEOGH: Be it resolved that the report entitled “Quarterly Administration Update” be received for information purposes.

CARRIED

h. Report from Clerk, Jackie Tiedeman - Recreation Trails Guidelines Document

As per the Integrated Accessibility Standards Regulation (IASR) all municipalities are required to consult the public, people with disabilities and their Accessibility Advisory Committee as it pertains to making recreational trails accessible. This guideline should be endorsed by the lower tier municipalities and being used when new or redevelopment of existing recreational trails are considered.

MOTION #178/2019

MOIR/NICHOL: That Council accepts the report entitled “Recreation Trails Consultation Document and Guidelines” and that these guidelines be adopted by the Municipality of North Middlesex.

CARRIED

i. Report from Chief Building Official, Vic Stellingwerff – Monthly Report on Building Activity

MOTION #179/2019

MOIR/KEOGH: That Council receives the Building Activity Report from January –May, 2019 as information only.

CARRIED

7. PASSING OF ACCOUNTS

Compilation of accounts from June 14 – July 10, 2019 in the amount of \$769,751.27

MOTION # 180/2019

MCLINCHEY/KEOGH : Be it resolved that the following Bills and Accounts be approved for payment in the amount of \$769,751.27

General Cheques \$446,110.42

Direct Deposit \$223,697.11

On-line/PAP \$99,549.69

Cemetery cheques \$299.73

Cemetery Online\$94.32

CARRIED

8. COMMITTEE REPORTS

- a. Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming)
- b. ABCA (Deputy Mayor Cornelissen) June 20th agenda and past minutes
- c. BWRA (Cr. McLinchey)
- d. EDAC (Cr. Moir)
- e. LSAC – (Cr. Nichol)
- f. Recreation Committee (Cr. Hemming)
- g. Water/Wastewater Committee (Cr. Moir)
- h. Policies Review Committee (Cr. Nichol)
- i. Fire Committee (Cr.Keogh)
- j. OCWA Client Advisory Board (Jonathon Graham)

9. CORRESPONDENCE

City of St. Catharines – motion support – Free menstrual products at city facilities
(action: receive and file)

MMAH – Government Action Plan on More Homes, More Choice Bill 108
(action: receive and file)

City of Oakville – motion support – Traffic Calming and Speed Limit Review
(action: receive and file)

City of Fort Erie – motion support – Request for government to provide information with
Issuance of Cannabis Licenses

Cr. Moir moved a motion to support but failed due to lack of seconder
(action: receive and file)

City of Brantford – motion support – Endorsement of LUMCO resolution regarding retail
cannabis stores
(action: receive and file)

Township of Warwick – motion support – Enforcement for Safety on Family Farms

MOTION #181/2019

MOIR/NICHOL: Be it resolved that the Council of the Municipality of North Middlesex hereby endorses the following resolution from the Township of Warwick regarding Enforcement for Safety on Family Farms as follows:

“Whereas agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario’s GDP and is essential for putting food on the tables of millions of people here and around the world;

And whereas in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;

And where the protests have become blatantly illegal in nature with extremist groups trespassing onto private property, unlawfully entering into building and removing animals without fear of prosecution and even promoting and publishing their crimes on social media;

And whereas maintaining proper biosecurity is essential to ensure the health and well being of the animals cared for on these agricultural operations;

And whereas the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families their employees and the animals they care for;

Now therefore be it resolved that the Council for the Corporation of the Township of Warwick requests that Hon. Doug Downey work with his fellow MPP’s and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws or

new legislation to ensure the safety of Ontario's farm families, employees and animals; and be it further resolved that this motion be circulated to Hon. Doug Downey Ministry of the Attorney General, Hon., Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and all Municipalities in the Province of Ontario, AMO and ROMA"

CARRIED

Thank you from Parkhill Community Garden for Vibrancy Funds and other support
(action: receive and file)

10. OTHER OR URGENT BUSINESS

a.Minor Housekeeping amendment to By-law #40 of 2019 (Tax Rate By-law) Clerk Jackie Tiedeman

MOTION #182/2019

NICHOL/MCLINCHEY: That By-law #40 of 2019 (Section 6 dates) be amended accordingly.

CARRIED

11. COMMUNICATIONS (including County Council)

Deputy Mayor Cornelissen advised that there was no report affecting North Middlesex.

12. CLOSED MEETING (UNDER SECTION 239 OF THE MUNICIPAL ACT)

MOTION #183/2019

MCLINCHEY/CORNELISSEN: That the Regular Meeting adjourn to Closed Meeting at 8:26 p.m. under the following exemption:

a.Proposed or pending acquisition or disposition of land by the Municipality – Water Tower Update

b.Approval of past minutes: May 9, 22 and June 5, 2019

CARRIED

13. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

MOTION #184/2019

KEOGH/MOIR: That Closed Meeting adjourn and return to Regular Meeting at 9:04 p.m. without recommendations.

CARRIED

14. READING OF BY-LAWS

By-law #43 of 2019 – ZBA 1990 Parkhill Dr

By-law #44 of 2019 – ZBA 1733 Mark Settlement Dr

By-law #45 of 2019 – Authorize agreement with Brock Rondeau 4378 McGillivray Drive

By-law #46 of 2019 – Placeholder for future by-law

By-law #47 of 2019 – Kennes Drain No.2

By-law #48 of 2019 – Confirming

Due to the disclosure of interest filed by Deputy Mayor Cornelissen pertaining to By-law #44 of 2019 – this by-law was considered without participation from the Deputy Mayor.

MOTION #185/2019

NICHOL/KEOGH: That By-law #44 of 2019 be read first and second time.

CARRIED

MOTION #186/2019

NICHOL/MCLINCHEY: That By-law #44 of 2019 be read a third and final time.

CARRIED

MOTION #187/2019

MOIR/MCLINCHEY: That By-laws 43, 45,47, 48 of 2019 be read a first and second time.

CARRIED

MOTION #188/2019

CORNELISSEN/MOIR: That By-laws 43,45 and 48 of 2019 be read a third and final time.

CARRIED

15. ADJOURNMENT

MOTION #189/2019

MCLINCHEY/KEOGH: That the meeting adjourn at 9:06 p.m.

CARRIED

MAYOR

CLERK