



## MUNICIPALITY OF NORTH MIDDLESEX

### REGULAR MEETING MINUTES

The Electronic Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday December 16, 2020 under the provisions of Section 238 (3.3) and 238 (3.4) of the *Municipal Act, 2001* as amended without physically being present at 229 Parkhill Main Street, Parkhill

#### 1. CALL TO ORDER

Mayor Ropp called the meeting to order at 6:00 p.m. with a quorum present by way of livestream on the North Middlesex You Tube Channel.

#### 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

CAO/Director of Operations – Jonathon Graham

Clerk Jackie Tiedeman

Director of Economic Development and Community Services – Mike Barnier

Infrastructure Supervisor, Jonathon Lampman

Treasurer, Tracy Johnson

Fire Chief, Greg Vandenheuvel

#### 3. DISCLOSURE OF PECUNIARY INTEREST (in writing or at anytime during the meeting)

None

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

##### **MOTION #285/2020**

**MOIR/HEMMING:** That the December 2, 2020 Regular Meeting Minutes be approved as presented.

CARRIED

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

##### **MOTION #286/2020**

**KEOGH/MOIR:** That the Regular Meeting adjourn to Committee of Adjustment at 6:00 p.m. to consider a planning application.

CARRIED

See separate Committee of Adjustment Minutes

Regular Meeting resumed at 6:16 p.m.

#### **6. DELEGATION**

6:05 p.m. Tony Vanderhoek participated in the meeting by phone to request Council's consideration of waiving the waterline connection fee to his new house. He advised that the previous house on his property was connected into the water system many years ago however the house burnt down approximately in 2010. At the time of the house fire, the curb stop was turned off. Recently he was in touch with municipal staff to re-connect his line at the curb stop for his newly built house but was advised that as it has been over the time limit in the Water Policy he would be required to pay the \$8,150 "right to connect fee".

Several questions were asked by Council and responded to by Mr. Vanderhoek and staff. Mayor Ropp cautioned Council that they have approved a policy and staff was following these guidelines.

Members of Council relayed that they understand applying the fee when a new house is built and the infrastructure has never been connected but in this case the right to connect was already paid for and used in the past.

Council requested the opportunity to review the existing policy before making a decision on the request. The following motion was then introduced:

**MOTION #287/2020**

**CORNELISSEN/KEOGH:** That a decision be deferred until Council has had an opportunity to review the Water Policy By-law in the New Year.

CARRIED

**7. PASSING OF ACCOUNTS**

Compilation of accounts from Nov.26 – Dec.9, 2020 in the amount of \$625,045.97

**MOTION #288/2020**

**MCLINCHEY/NICHOL:** Be it resolved that the following Bills and Accounts be approved for payment as follows:

General Cheques \$282,217.66  
Direct Deposit \$281,108.73  
On-line/PAP \$61,719.58  
Cemetery Cheques \$0.00  
Cemetery Direct Deposit \$0.00

CARRIED

**8. COMMITTEE REPORTS**

- a. Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming) None
- b. ABCA (Deputy Mayor Cornelissen) None
- c. BWRA (Cr. McLinchey) None
- d. EDAC (Cr. Moir) None
- e. LSAC – (Cr. Nichol) None
- f. Recreation Committee (Cr. Hemming) None
- g. Water/Wastewater Committee (Cr. Moir) None
- h. Policies Review Committee (Cr. Nichol) None
- i. Fire Committee (Cr.Keogh) None
- j. OCWA Client Advisory Board (Jonathon Graham) None
- k. Budget Committee – Nov 25 and Dec.3 (Receive and File)

l. Joint Building Committee – none

m. Community Development Fund Committee – None

## **9. CORRESPONDENCE**

a. Region of Peel – request for motion support regarding Property Tax Exemptions for Veteran Clubs

(action: receive and file)

## **10. OTHER OR URGENT BUSINESS**

a. Confirmation of Council Meeting Start Times commencing January 2021.

Council concurred that the start time for future evening Regular or Special Council Meetings will commence at 6:00 p.m. for Hybrid and/or Full Electronic Venues.

## **11. COMMUNICATIONS (including County Council)**

Updates from the County include:

Presentation from Mark Brown, Woodlands Conservation Officer/Weed Inspector on “Phragmites Control”; Economic Development Strategy was approved (focus on agricultural sector); Report on outcome of Services Delivery Review Project which examined digital services for asset management, budget, payroll, and this was project was funded through the Modernization Grant obtained by the County.

## **12. DEPARTMENTAL REPORTS**

a. Award Engineering and Design of Fire/EMS Station – Fire Chief

There was considerable discussion regarding the evaluation process with the RFP's. It was agreed that the first and second ranked firms were both highly qualified to undertake the project. Council understood the overall rating criteria however had concern with not recommending the firm with the lowest price. Achieving tax dollars savings should always be given high consideration when awarding tenders.

### **MOTION #289/2020**

**KEOGH/MCLINCHEY:** That the Engineering and Design of Fire/EMS Station be awarded to Masri O Architects in the amount of \$230,500.00

CARRIED

b. Building Activity Report – September – November 30, 2020

**MOTION #290/2020**

**MCLINCHEY/MOIR:** That Council receives the Building Activity Report for September to November, 2020 as information only.

CARRIED

c. Emergency Winter Maintenance Service Memorandum of Understanding

**MOTION #291/2020**

**MOIR/HEMMING:** The Council of the Municipality of North Middlesex hereby approves the following motion:

- A. In and around March 2020 a worldwide pandemic regarding the Novel Coronavirus 19 commenced (“**COVID-19**”);
- B. On March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 (the “**EMCPA**”) related to COVID-19;
- C. On March 17, 2020, a Declaration of Emergency was made by The Corporation of Municipality of North Middlesex ( the “**Municipality**”) pursuant to section 4(1) of the *EMCPA* related to COVID-19 (the “**Emergency**”);
- D. Additionally on March 17, 2020, a Declaration of Emergency was made by the County of Middlesex (the “**County**”), The Corporation of the Township of Adelaide Metcalfe, The Corporation of the Township Of Lucan Biddulph, the Municipality of Middlesex Centre, The Corporation of the Municipality of Southwest Middlesex, The Corporation of the Municipality of Strathroy Caradoc, The Corporation of the Municipality of Thames Centre, and The Corporation of the Village of Newbury (the “**Local Municipalities**”), pursuant to section 4(1) of the *EMCPA* related to COVID-19 (the “**Emergency**”);
- E. The upper-tier municipality the County and the Local Municipalities, due to the nature of the Emergency, wish to assist each other with winter maintenance upon request should the circumstances of the Emergency require it and the appropriate resources exist;
- F. The County and the Local Municipalities acknowledge that jurisdiction over any highway subject to this resolution remains that of the municipality which established the highway by by-law, but that the municipality providing the winter maintenance services is responsible for the services provided; and

- G. Where the term Claims is used in this resolution, “**Claims**” shall mean any claim, action, allegation, cause of action, loss, expense, costs (including legal costs), fine, penalty, liability, damages, interest, and/or judgment (including but not limited to, costs and expenses incidental thereto).

**NOW THEREFORE:**

1. The above recitals are true and the same are hereby incorporated into this Resolution.
2. Municipal Council hereby authorizes the County and each of the Local Municipalities to perform sanding, salting, snowplowing and/or winter patrol operations (“**Winter Maintenance Services**”) on highways under the jurisdiction of the Municipal, should the Chief Administration Officer or his or her designate, request such services at any time during the Emergency.
3. Municipal Council does hereby authorize Municipal staff to perform Winter Maintenance Services on highways under the jurisdiction of the County and/or Local Municipality, at the request of the County and/or the Local Municipality, at any time during the Emergency, if in the opinion of the Chief Administration Officer, the Municipality has sufficient resources to perform such work.
4. The county and/or the municipality requesting Winter Maintenance Services will make best efforts to provide the Municipality, from which the services are being requested, with twelve (12) hours written notice (includes e-mail) of the need for the provision of Winter Maintenance Services and for each request to specify, in writing, (a) the highways or portions of highways for which assistance is required; and (b) the length of time for which assistance is required.
5. Any Winter Maintenance Services provided by the County or any Local Municipality within the geography of Middlesex County shall be provided for the whole width of the highway and in accordance with all applicable laws, including the "Minimum Maintenance Standards for Municipal Highways" established under Ontario Regulation 239/02 of the *Municipal Act 2001*, SO 2001, c 25, as amended or replaced, and the Ontario Traffic Manual, as amended or replaced.
6. The County and or Local Municipality requesting assistance shall be responsible for all expenses incurred by the municipality performing the Winter Maintenance Services, save and except for the costs to repair any damage caused to a highway as a result of the Winter Maintenance Services, which shall be borne by the municipality performing the services.
7. The County and/or Local Municipality performing the Winter Maintenance Services shall be responsible and liable for Claims attributed to direct damages caused by its provision of Winter Maintenance Services and shall not be responsible, accountable or liable for any indirect, consequential or special damages as a result of performing Winter Maintenance Services.

8. The Municipality does hereby release and agrees to indemnify, defend and save harmless the County and/or other Local Municipalities, their respective Councillors, officers, employees, legal counsel, and agents, from and against any Claims attributed to direct damages caused by its provision of the Winter Maintenance Services. The Municipality shall not be responsible, accountable or liable for any indirect, consequential or special damages as a result of performing Winter Maintenance Services.
9. This resolution comes into effect immediately upon its passing and expires at the earliest of the Municipality repealing its Emergency Declaration of Emergency related to COVID-19 pursuant to section 4(1) of the *EMCPA* or April 15, 2021.
10. In the event the County and/or Local Municipality repeals its respective Declaration of Emergency related to COVID-19 pursuant to section 4(1) of the *EMCPA*, no Emergency Winter Maintenance Services will be provided to others.
11. Municipal Council may at any time, by resolution, terminate the authorization contained in this resolution.

CARRIED

#### **d. PRESENTATION OF DRAFT 2021 CAPITAL BUDGET**

Treasurer Tracy Johnson reminded Council that a motion was approved by Council on September 16, 2020 as follows ...

“That the yearly committed proposed Capital Budget amount is to be up to 75% of the previous year’s total”. The remaining 25% is intended to be “flexible” and leave room for refinement where necessary.

She then presented the Capital Budget by explaining the proposed projects for each department and the funding sources. The total gross expenditures for these projects is \$10,328,500. The funding would come from the following sources: Reserves 49%, Future Debt 31%, Federal Gas Tax 10%, Tax Levy 10% and Development Charges and Parkland.

The largest projects identified are the Parkhill Fire/EMS Station at \$3,950,000; Ailsa Water Tower Construction \$3,250,000 and Parkhill WWTP (Tender/RFP release) at \$1,000,000.

It was suggested that not all funding will be utilized in 2021 as the projects are in different stages.

*\*\*A full listing of these projects is available through the powerpoint presentation during this meeting as well as being posted on the municipal website.*

Several questions were asked by Council and responded to by various staff concerning the following: cost for a Development Charge Update (high consultant costs), Parkhill Splashpad (suggested community fundraising should be explored), vehicle replacements (consideration of smaller vehicles when appropriate) and generally use of reserves vs borrowing considerations.

CAO, Jonathon Graham also noted that the proposed 3 PT Tractor Replacement may no longer be required as the Public Works Manager was able to pinpoint the mechanical issue and it will be repaired rather than replaced.

After careful consideration the following motion was introduced:

**MOTION # 292/2020**

**NICHOL/MOIR:** That Council approve the 2021 Capital Budget as presented.

CARRIED

**13. READING OF BY-LAWS**

a. 094 of 2020 Confirming By-law

**MOTION #293/2020**

**MCLINCHEY/HEMMING:** That By-law #094 of 2020 be read a first and second time

CARRIED

**MOTION #294/2020**

**MOIR/KEOGH:** That By-law #094 of 2020 be read a third and final time

CARRIED

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

**MOTION #295/2020**

**MCLINCHEY/HEMMING:** To adjourn Regular Meeting to Closed Session at 8:01 p.m. under the following exception (Section 239 of the *Municipal Act*):

Approval of Minutes for 2020: Jan.15, Feb.5 & 19, March 4 & 16, Nov.18

Labour Relations or Employee Negotiations – Staff Report

CARRIED



A brief recess was held to close the livestream of Open Meeting – The Clerk advised that should any recommendations come forward for Open Meeting as a result of the Closed Session that they will be recorded in the draft minutes and will be available for review at the posting of the next agenda.

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

**MOTION #296/2020**

**MOIR/HEMMING:** That the Closed Session adjourn and return to Open Meeting without recommendations at 8:47 p.m.

CARRIED

**16.ADJOURNMENT**

**MOTION #297/2020**

**MOIR/KEOGH:** That the meeting adjourn at 8:47 p.m.

CARRIED

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MAYOR

\_\_\_\_\_  
CLERK