

Minutes of a regular meeting of the Council of the Municipality of Middlesex Centre held this date at the Municipal Office, Coldstream at 4:00 p.m.

ATTENDANCE

PRESENT

Mayor Edmondson
Deputy Mayor Bannister
Councillor Filson
Councillor Brennan
Councillor Bloomfield
Councillor Ritchie
Councillor Berze

ALSO PRESENT

Cathy Saunders	Chief Administrative Officer/Clerk
Maureen Looby	Manager, Public Works & Engineering
Jim McConnell	Manager, Planning & Development Services
John Elston	Supervisor Emergency Services & Fire Chief
Greg Watterton	Treasurer/Acting Manager of Recreation and Facility Services
Marc Bancroft	Senior Planner
Stephanie Troyer-Boyd	Tax Collector/Deputy Clerk

Mayor Edmondson presided.

The reporter from the Middlesex Banner was in attendance.

ADDITIONS TO THE AGENDA

None were disclosed by any of the members.

DECLARATION OF PECUNIARY INTEREST

None were disclosed by any of the members.

MINUTES

1. Resolution # 2009/011
Moved by John Brennan
Seconded by Clare Bloomfield

THAT the minutes of the regular meeting of Council held on January 7, 2009 be approved.

- Carried -

2. Resolution # 2009/012
Moved by Frank Berze
Seconded by Clare Bloomfield

THAT the minutes of the regular meeting of Council held on January 21, 2009 be approved.

- Carried -

CONSENT AGENDA

Councillor Ritchie asked for clarification with respect to Item #2.3 of the Planning Development Services Minutes and Recommendations with respect to the number of building entrances.

Deputy Mayor Bannister asked that the Senior Planner to clarify the minutes of the January 29, 2009 Committee of Adjustment as page 5 deals with an application where a dwelling unit is contained within an accessory building. Senior Planner Marc Bancroft indicated that the municipality was unaware of the situation until the application was submitted. He advised that the applicant's solicitor has indicated that the dwelling unit will be removed.

Deputy Mayor Bannister requested that recommendation #2 of the Public Works and Engineering Committee recommendations be removed from the Consent Agenda for further discussion.

Deputy Mayor Bannister spoke to recommendation #3 of the Corporate Services Committee regarding the Weapons Training in Middlesex Centre gravel pits by the City of London Police. His concern was that the recommendation does not deal with the complaint which was a noise complaint. Councillor Berze summarized the discussion from the Corporate Services Committee meeting stating that the noise is not in contravention to the Noise By-law nor the Discharge of Firearms By-law.

Councillor Filson questioned why recommendation #4 of the Corporate Services Committee suggested an amount per property of \$ 3.00. Chief Administrative Officer/Clerk, Cathy Saunders noted that when comparing other municipalities grant amounts, she had to make a comparison based on Middlesex Centre's policy and criteria for grants. Councillor Filson stated that he is comfortable with the rationale of an amount per property. He indicated however, that the amount per household should be subject to reconsideration in the future. Ms. Saunders indicated that the \$3.00 amount would be part of the policy and that policies can be reopened by Council at any time for reconsideration.

Treasurer, Greg Watterton provided further information regarding recommendation #5 of the Corporate Services Committee and the provision of benefits after early retirement. Greg Watterton noted that the Committee had heard that Strathroy-Caradoc was the only municipality that provided early retirement benefits but staff has since learned the County of Middlesex does also provide this benefit under certain circumstances.

Deputy Mayor Bannister discussed the reference to traffic volumes estimate in the Committee of the Whole Minutes. Maureen Looby commented that the reference was related to the growth of traffic volumes and not a current traffic account.

Resolution # 2009/013

Moved by Frank Berze

Seconded by Brian Ritchie

1. THAT Council receive the Minutes of the January 21, 2009 Planning and Development Services Committee meeting and concur with the following recommendations:
 1. That the Applications for Official Plan and Zoning By-law Amendments submitted by Sumatara Investments Limited for lands described as part of Lot 1, Concession 3 (geographic Township of Lobo), Municipality of Middlesex Centre be deferred indefinitely pending receipt of a detailed design of the proposed golf course and driving range to determine the extent of mitigation from neighbouring livestock uses in regards to MDS I; and a revised rezoning request by the applicant's agent to reflect the revised official plan amendment.

2. That the request for an Application for Site Plan Approval submitted by Rob Clarke Automotive and Consulting Ltd. for lands described as Block 4, 33M-324 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved, provided the following revisions are undertaken to the satisfaction of the Municipality and additional information provided to the Municipality:
 - 2.1.1 That the site plan be amended to specify the location of exterior lighting fixtures as well as the direction of the light.
 - 2.1.2 That the site plan be amended to provide landscaping in addition to the grassed open space areas to be provided.
 - 2.1.3 That the site plan be amended to provide additional information for a barrier free path of travel from the parking area to the building entrance.
 - 2.1.4 That the site plan be amended to show the water service connection located within the road allowance is perpendicular to the existing watermain within the road allowance.
 - 2.2 That staff be directed to present the Site Plan Agreement submitted by Rob Clarke Automotive and Consulting Ltd. for lands described as Block 4, 33M-324 (geographic Township of Lobo), Municipality of Middlesex Centre, for execution at the next regular meeting of Municipal Council once the above matters have been undertaken to the satisfaction of the Municipality and pending the receipt of the required \$10,000 security deposit.
2. THAT Council receive the Minutes of the Committee of Adjustment Hearing held on January 29, 2009.
 3. THAT Council receive Report Number PS-B-01-09/CBO prepared by the Chief Building Official, entitled "Building Permit Report – January 2009".
 4. THAT Council receives the minutes of the Public Works and Engineering Committee meeting of January 26, 2009 and concur with the following recommendations:
 1. THAT Council includes the addition of the following locations to the Winter Sidewalk Snowplowing Agreement with Anmar Landscape Services as outlined in Report Number PWE-001-09/D entitled "Sidewalk Snow Removal Program"
 1. In the current 2008/2009 winter maintenance season the sidewalk snow removal of
 - 1.1 the north side of Medway Road (County Road 28) from Richmond Street (Highway 4) to Elgin Street
 - 1.2 the south side of Medway Road (County Road 28) from Richmond Street (Highway 4) to Arva Street
 - 1.3 the east side of Richmond Street (Highway 4) from Medway Road (County Road 28) to St. John's Drive
 2. In the 2009/2010 winter maintenance season the sidewalk snow removal of
 - 2.1 the south side of Medway Road (County Road 28) from Arva Street to the front of Medway High School
 5. THAT the accounts as presented by the Treasurer in the amount of \$1,985,848.95 be approved for payment.

6. THAT Council receive the Minutes of the January 26, 2009 Corporate Services Committee Meeting and concurs with the following recommendations:
1. THAT Report number CSD001/09, dated January 15, 2009 entitled **“2009 Municipal Insurance Program Renewal”** be received and that it be recommended to Council that the Municipality accept the renewal of the municipal insurance with the Frank Cowan Company for the year 2009 and;

THAT the deductible for Third Party & Direct Compensation coverage in the Automobile Fleet program be increased from nil to \$10,000 and;

THAT the limit of liability be increased from \$20,000,000 to \$25,000,000.
 2. THAT the request of 50% or more reduction in the rental fees for the St. Patrick’s Youth Ministry rental of the Ilderton Community Centre on Saturday, November 7, 2008 be denied.
 3. THAT the City of London Police be authorized to continue training within the gravel pits located on Olalondo Road and Sunningdale Road; and

THAT staff be directed to send correspondence to the City of London Police with such notification making provision for the City of London Police to notify, in writing, the residents abutting and across the road of their dates of training within the Olalondo Road gravel pit; and

THAT staff be directed to draft an agreement with these conditions and present it at the February meeting of Corporate Services for the 2010 year.
 4. THAT Policy GG-1.01 – Grant Requests be amended to change the grant application submission date from March 31st to April 30th as attached to Report No. CAOC003/09 “Grant Policy and Budget”.

THAT a Grant Allocation Budget be established on an annual basis based on a calculation of \$3.00 for each property in Middlesex Centre.
 5. FURTHER THAT the Committee make recommendation to Council to approve the Safety Boot Allowance increase from the current \$160.00 to \$180.00 as outlined in Report CSD002/09-T **“Revisions to Employees Compensation Package”**; and

FURTHER THAT the Benefits Following Early Retirement submission be deferred.
7. THAT Council receive the Minutes of the January 14, 2009 Committee of the Whole Meeting.

- Carried -

Deputy Mayor Bannister questioned recommendation #2 from the Public Works and Engineering Committee meeting of January 26, 2009 regarding the Long Term Master Servicing Plan. The recommendation contained in the minutes recommends Council approve the plan but he expressed concern as the 2009 budget has yet to be set. Chief Administrative Officer/Clerk, Cathy Saunders suggested that the recommendation be amended to include subject to budget approval. Maureen Looby stated that the consultant would be willing to do the work at the same cost if the budget would be approved on the schedule date of February 18, 2009 or shortly thereafter. If the budget process goes beyond this time, the consultant may not honour the quoted price. Deputy Mayor Bannister expressed concern that the

quoted amount is now \$100,000 more than the estimated amount. The Deputy Mayor also indicated concern that only one firm had bid on the Project. Treasurer, Greg Watterton stated that in the past Council has given preapproval of projects that they were comfortable with.

Councillor Filson expressed concern regarding the timing of budget approval and the delay this may cause for staff to move projects forward. He suggested that budget consideration should occur earlier in the year or the end of the previous year. The Treasurer indicated that he recognizes the concern however, significant information regarding assessment and provincial funding is not available until February and therefore it would be difficult to determine the impact of budget requests on the tax base without this information.

Resolution # 2009/014

Moved by Clare Bloomfield

Seconded Brian Ritchie

THAT Stantec Consulting Ltd. be approved to undertake and manage the Long Term Master Servicing Plan as outlined in Report Number PWE-003-09/D entitled "Long Term Master Servicing Plan – Consultant Recommendation" at a price not to exceed \$243,146.00 (excluding GST) subject to the funding for the project being approved through the 2009 Budget Process; and

FURTHER THAT staff be authorized to execute the necessary documentation subject to the funding for the projected being approved through the 2009 Budget process.

- Carried -

STAFF REPORTS

1. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

1.1 Planning

There were no reports or inquiries.

1.2 Building

Report No. PS-B-09-CBO – Building Department Activity 2008

Deputy Mayor Bannister requested clarification on the comparison between Lucan Biddulph Building Agreement and the issuance of Middlesex Centre permits. The Manager of Planning and Development Services indicated that further clarification of this matter will be provided.

Resolution # 2009/015

Moved by Albert Bannister

Seconded Clare Bloomfield

THAT Council receive Report No. PR-B-02-09/CBO and entitled "Building Department Activity 2008 Within the Municipality of Middlesex Centre."

- Carried -

1.3 Drainage

There were no reports or inquiries.

1.4 By-law Enforcement

Councillor Berze asked about the enforcement of the No Smoking By-law in our facilities. It was suggested that perhaps the outdoor smoking ashtrays be moved further away from the entrance of the buildings.

The By-law Enforcement Officer indicated that the Smoking By-law is enforced by the London Middlesex Health Unit. He indicated that staff had investigated the complaint and that no violation of any by-law has occurred. He indicated that the by-law only prohibits smoking within buildings and not outside buildings.

2. **RECREATION AND FACILITY SERVICES DEPARTMENT**

2.1 Parks and Recreation

2.1.2 There were no reports or inquiries.

2.2 Facilities

2.2.2 There were no reports or inquiries.

3. **PUBLIC WORKS AND ENGINEERING DEPARTMENT**

3.1 There were no reports or inquiries.

4. **CORPORATE SERVICES DEPARTMENT**

4.1 Treasury

4.1.1 It was noted that the next Committee of the Whole meeting dealing with Budget issues will begin at 4:00 rather than 3:00 p.m.

4.1.2 Councillor Filson noted that the Federal Budget recently announced will have monies available for capital projects. Greg Watterton stated that details on funding initiatives have not yet been released.

4.1.3 There were no further reports or inquiries.

4.2 Fire and Emergency Services

4.2.1 There were no reports or inquiries.

4.3 Clerk

4.3.1 Report No. CAOC001/09 – Assumption of Plan of Subdivision

Deputy Mayor Bannister questioned whether there were sidewalks in this subdivision. It was noted that there were no sidewalks as the subdivision was approved prior to amalgamation.

Resolution #2009/016

Moved by Frank Berze

Seconded by Ken Filson

THAT on the recommendation of the Municipal Engineer that the Works contained within Registered Plan 34M-47 (geographic Township of Delaware), Municipality of Middlesex Centre in the County of Middlesex be assumed.

THAT By-law 2009-009 being a By-law to assume Servicing Works on Registered Plan 34M-47 (Blodale Crescent – Timmermans Development Limited) be approved.

- Carried -

4.3.2 Report No. CAOC002/009 – Second Draft Resolution Regarding Department of Fisheries and Oceans Requirements Pertaining to Drainage Works and Bridge Reconstruction

The draft resolution and draft letter were reviewed by members of Council with minor modifications being undertaken to the wording to ensure that emphasis was placed on the need for the Department of Fisheries and Oceans to delegate approval authority to the local Conservation Authorities who have direct knowledge of the local waterways and are also mandated to protect the environment.

Resolution #2009/017

Moved by Clare Bloomfield

Seconded by Ken Filson

WHEREAS the Department of Fisheries and Oceans review and approval of such matters as drain maintenance and construction and bridge reconstruction projects has proven to be a lengthy process resulting in unreasonable delays in the completion of Municipal Projects;

AND WHEREAS the cost of implementing the conditions for approving drain maintenance and construction or bridge reconstruction is an added cost passed on to those assessed for the drainage works and to Municipalities, respectively;

AND WHEREAS errors and inconsistencies in the drainage mapping, used for drain and waterway classifications, which includes man made open ditches, by the Department of Fisheries and Oceans could result in delays and increased additional costs;

AND WHEREAS given the relatively short and inflexible construction/maintenance season and the reluctance of the Department of Fisheries and Oceans to reduce in turn around time of approvals places an undue burden on the municipality;

NOW THEREFORE IT BE RESOLVED that the Municipality of Middlesex Centre petitions the Department of Fisheries and Oceans to review and shorten the time frame required for approval of drainage maintenance and construction and bridge reconstruction requests to allow for a more flexible and reasonable construction/maintenance season, especially where weather conditions warrant an extended season; and

FURTHER THAT the Municipality of Middlesex Centre petitions the Department of Fisheries and Oceans to delegate their authority for such matters to the local Conservation Authorities given their existing in-depth knowledge of these issues and mandate to protect the environment;

FURTHER THAT IT BE RESOLVED that this motion be forwarded to Fisheries and Oceans Canada, Association of Municipalities of Ontario, Minister of Municipal Affairs and Housing, Minister of Agriculture, Food and Rural Affairs,

Minister of Natural Resources, local Conservation Authorities, local MPs and MPPs, Western Ontario Wardens Caucus.

- Carried -

4.3.3 Report No. CAOC004/09 – Middlesex Centre Family Doctor Teaching Clinic Design Update

Councillor Filson questioned how this project could be over budget. Chief Administrative Officer/Clerk, Cathy Saunders stated that the municipality was not involved in the funding request. It was also noted that the costing of the building was based on construction costs from two years ago. She also stated that the site servicing was more than projected.

Deputy Mayor Bannister questioned why furnishings are included in the project. It was noted that the agreement with the University is for fully furnished office space. Deputy Mayor Bannister asked whether or not the funds have been forwarded to the municipality from the University. It is understood that the funds will be released to the Municipality by the end of February.

Deputy Mayor Bannister also expressed concern that relief from the Procurement Policy was being requested and suggested that the Policy should be reviewed.

Councillor Berze suggested that the cost of relocating the baseball diamond be included in the agreement. It was also suggested that the legal costs of the municipality be included in the agreement as well.

Resolution #2009/018

Moved by Ken Filson

Seconded by Brian Ritchie

THAT the Report No. CAOC004/09 of the Chief Administrative Officer/Clerk, dated December 2, 2008 and entitled "**Middlesex Centre Family Doctor Teaching Clinic Update**", be received.

THAT a Budget in the amount of \$3,200,000.00 for the construction of the Middlesex Centre Family Doctor Teaching Clinic be included in the 2009 Budget.

THAT staff be directed to seek Council approval to debenture the unfunded balance of the Project Budget after the tendering process has been completed and after receipt of a letter from the Board of Governors of the University of Western Ontario confirming the release of the Provincial Funding from the Project to the Municipality.

THAT relief from Procurement Policy GG-4.16 be approved to permit a requirement for General Contractors to be prequalified for tendering purposes.

- Carried -

4.3.4 There were no further reports or inquiries.

4.4 By-lawsResolution #2009/019

Moved by Albert Bannister

Seconded by Clare Bloomfield

THAT By-law Number 2008-044, being a By-law to Provide a Drainage Works in the Municipality of Middlesex Centre in the County of Middlesex to be known as the Tower Heights Outlet Drain, be approved and this constitutes the third reading and By-law 2008-044 is hereby enacted.

THAT By-Law Number 2009-009, being a By-law to Accept and Assume Ownership of the Works on Registered Plan 34M-47 (geographic Township of Delaware) Blodale Crescent Subdivision – Delaware, be approved and this constitutes the first, second and third reading and By-law 2009-009 is hereby enacted.

THAT By-law Number 2009-010, being a By-law Approving and Ratifying a Site Plan Agreement between the Municipality of Middlesex Centre as the “Municipality” and Rob Clarke Automotive & Consulting Ltd. as the “Owner” for the land described as Block 4, Registered Plan 33M-324 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved and this constitutes the first, second and third reading and By-law 2009-010 is hereby enacted.

- Carried -

INFORMATION MEMOS

Councillor Bloomfield inquired whether a representative of the municipality attended the Public Information Session for the Bayfield to Lobo Pipeline Project. Jim McConnell noted that he would be attending an onsite meeting dealing with this project in the next few weeks.

CONFIRMING BY-LAW

1. Resolution # 2009/020
Moved by Clare Bloomfield
Seconded by

THAT By-law Number 2009-007 being a By-law to confirm the proceedings of the Council meeting held on January 7, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-007 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 6:00 p.m. to meet again on Wednesday, February 18, 2009 at 7:00 p.m.

MAYOR

CLERK

INFORMATION

1. Ontario Provincial Police – Cost Recovery Formula
2. Delaware Neighbourhood Watch – Correspondence
3. Correspondence Regarding Water and Sewer Rates
4. Stantec – Invitation to Public Information Session Bayfield to Lobo Pipeline Project
5. Community Futures Development of Middlesex County
6. Ausable Bayfield Conservation Authority – Conservationist of the Year Nomination
7. Ausable Bayfield Conservation Authority – Celebrate Family Day on Sunday, February 15, 2009
8. Kettle Creek Conservation Authority – Levy Approval
9. Lower Thames Conservation Authority – Longwoods Moonlight Winter Family Hike
10. AMO Alert – Federal Gas Tax – Four Year Extension Funding Announced
11. AMO FYI – Municipal Leaders Forum on Green Building
12. AMO Alert – Minister Extends Consultation Period on the Waster Diversion Act Review to April 1, 2009
13. AMO Alert – Reminder: February 6, 2009 Deadline to Respond to Government's Initial Proposed AODA Information and Communications Standard
14. AMO Alert – Federal Government Announces New Infrastructure Funding
15. AMO Alert – Ontario Municipalities to Benefit from Federal Budget Measures for Infrastructure, Housing and Employment Insurance
16. AMO Conference Registration Form
17. AMO – diverse City
18. AMO – Annual Audit Statement – Federal Gas Tax and Federal Public Transit Funds
19. AMO – Office of the President
20. AMO – The Saturday Series Registration
21. AMO – Head of Council Registration
22. AMO – Effective Municipal Councillor Programme – Combined
23. AMO – Blue Box Material Commodity Markets
24. OGRA – Board Brief
25. OGRA/ROMA – Combined Conference
26. OGRA – Federal Budget 2009
27. OGRA – Electronic Infrastructure Procurement Solution for Municipalities

28. FCM – Member’s Advisory – January 23, 2009
29. FCM – Correspondence to Minister of Transport
30. LAS – Investment Opportunity Highlight
31. LAS – EMT the Emergency Management Tool
32. LAS/AMO – Municipal Energy Workshops 2009
33. Council Follow Up – December 3, 2008 Meeting
34. Notice of Public Information Session
35. County of Middlesex – Read and Play on Family Day
36. County of Middlesex – Plaques on County Bridges
37. Ministry of Municipal Affairs and Housing – Improved Energy Efficiency Standards for New Homes
38. City of London Renewed Affordable Homeownership Assistance Program
39. Ministry of Natural Resources – Endangered Species Act
40. Ontario – Braiding Cultural Bridges
41. Ontario Municipal Board – Appointment for Hearing
42. Resolution – Egg Farmers of Ontario
43. Resolution – Clarington – Lottery Licencing
44. Resolution – Tay Valley Township – Recycled Materials
45. Resolution – Township of South Algonquin – Alternative Energy
46. Council and Committee Meeting Dates