

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

ATTENDANCE**PRESENT**

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

ABESENT WITH REGRETS

Mayor Edmondson

ALSO PRESENT

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

Deputy Mayor Bannister presided.

The reporters from the Strathroy Age Dispatch and Middlesex Banner were 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. Deputy Mayor Bannister asked Manager of Planning and Development Services, Jim McConnell, about a drainage issue at Ilderton Road and Hyde Park Road. He questioned if it was part of Ilderton Drain #1 and whether or not that is still a working drain. Jim McConnell stated that it is part of Ilderton Drain #1 and that there will likely be a petition for drainage works on that drain. Councillor Berze questioned if the CAO/Clerk had any update on the UTRCA Capital Levy issue. There was no update to report.

Resolution # 2009/114

Moved by Frank Berze

Seconded by Clare Bloomfield

THAT the minutes of the regular meeting of Council held on May 6, 2009 be approved.

- Carried -

2. Councillor Ritchie noted that on Page 3, fourth paragraph should read "...undertake the Project without a clear...."

Resolution # 2009/115

Moved by Brian Ritchie

Seconded by John Brennan

THAT the minutes of the regular meeting of Council held on May 13, 2009 be approved, as amended.

- Carried -

3. Resolution # 2009/116

Moved by Clare Bloomfield

Seconded by Frank Berze

THAT the minutes of the regular meeting of Council held on May 20, 2009 be approved.

- Carried -

4. Deputy Mayor Bannister noted that the minutes should read that the special meeting was called at the call of the Mayor.

Resolution # 2009/117

Moved by Brian Ritchie

Seconded by John Brennan

THAT the minutes of the special meeting of Council held on May 27, 2009 be approved, as amended.

- Carried -

CONSENT AGENDAResolution # 2009/118

Moved by Frank Berze

Seconded by Clare Bloomfield

1. THAT Council receive the Minutes of the May 20, 2009 Planning and Development Services Committee meeting and concur with the following recommendations:
 1. That the application for an Official Plan Amendment submitted by Sumatara Investments Limited for the land legally described as Part of Lot 1, Concession 3 (geographic Township of Delaware) in the Municipality of Middlesex Centre, be adopted subject to the following requirements:
 - 1.1 That the requested Official Plan Amendment application be amended by deleting the requested driving range setback of 10 metres (33 ft) from Brigham Road and by replacing it with a 220 metre (721 ft) driving range use setback requirement from the nearest neighbouring livestock barn at 2597 Brigham Road; and, that no further public notice be deemed necessary; and
 - 1.2 That staff be directed to forward the Official Plan Amendment, as amended, to the next regular meeting of Municipal Council for consideration of adoption.
 2. That the application for a Zoning By-law Amendment submitted by Sumatara Investments Limited for the land legally described as Part of Lot 1, Concession 3 (geographic Township of Delaware) in the Municipality of Middlesex Centre, be approved subject to the following requirements:

- 2.1 That the Zoning By-law Amendment request be amended by deleting the requested driving range setback of 10 metres (33 ft) from Brigham Road and by replacing it with a landscaped buffer area requirement equivalent to a 220 metres (721 ft) setback from the nearest neighbouring barn located at 2597 Brigham Road; and, that no further public notice be deemed necessary;
 - 2.2 That the Zoning By-law Amendment request be further amended by including an (h-2) holding provision; and, that no further public notice be deemed necessary; and
 - 2.3 That the Zoning By-law Amendment request be further amended to address the lot area deficiency for the balance of the subject lands zoned Agricultural (A1) and that no further public notice be deemed necessary;
 - 2.4 That a deposited reference plan be required to accurately describe the limits of the lands being rezoned to a site-specific Parks and Recreation (PR-#) including the buffer area, with a holding provision (h-2).
 3. That the application for a Zoning By-law Amendment as amended, for the land legally described as Part of Lot 1, Concession 3 (geographic Township of Delaware) in the Municipality of Middlesex Centre, be forwarded to the Municipal Council for consideration pending the fulfillment of the foregoing requirements and the approval of the Official Plan Amendment by the County of Middlesex; provided the said Amendment has come into full force and effect.
 4. That the Zoning By-law Amendment request submitted by Douglas Gagel on behalf of Kees and Gini Serrarens for the property legally described as Lot 8, Plan 305 (geographic Township of Delaware), Municipality of Middlesex Centre, be approved subject to the following:
 - 4.1 That the requested Zoning By-law Amendment be amended by including an (h-1) holding provision; and, that no further public notice be deemed necessary regarding this amendment to this rezoning.
 5. That the Zoning By-law Amendment request as amended for the property legally described as Lot 8, Plan 305 (geographic Township of Delaware), Municipality of Middlesex Centre, be forwarded to the next regular meeting of Municipal Council for consideration of enactment; pending receipt of deposited reference plan that legally describes the lands subject to this rezoning.
 6. That the Severance Agreement for the land in the ownership of Ronald Westbrook and legally described as Part of Lots 7, 8 and 9 and all of Lot 10, Block "H", Plan 76 (geographic Township of Lobo) Municipality of Middlesex Centre; be approved; and that the Severance Agreement be forwarded to Municipal Council for consideration.
 7. That Meadowcreek Estates Limited be advised that the Municipality of Middlesex Centre is in no position to assume Phase 1 of the Meadowcreek Estates Limited plan of subdivision until the wall is repaired; and that staff be directed to contact Meadowcreek Estates Limited to negotiate the repair of the wall.
2. THAT Council receive the Minutes of the Committee of Adjustment Hearing held on May 25, 2009.
 3. THAT Council receive Report Number PS-B-07-09/CBO prepared by the Chief Building Official, entitled "Building Permit Report – May 2009".

4. THAT the accounts as presented by the Treasurer in the amount of \$1,573,780.20 be approved for payment.
5. THAT Council receive the minutes of the May 5, 2009 Committee of the Whole meeting.

- Carried -

STAFF REPORTS

1. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

1.1 Planning

1.1.1 There were no reports or inquiries.

1.2 Building

1.2.1 There were no reports or inquiries.

1.3 Drainage

1.3.1 Report No. PSD-001/09DS – Petition for Municipal Drainage, North Half Lots 4 & 5, Concession 15 Municipality of Middlesex Centre (Geographic Township of London)

Resolution #2009/119

Moved by Ken Filson

Seconded by Brian Ritchie

THAT Council receive the Report PSD-001/09 DS dated May 4, 2009; and

FURTHER THAT Council proceeds with the drainage works for the lands described as the North Half of Lots 4 & 5, Concession 15, (geographic Township of London) in the Municipality of Middlesex Centre; and

FURTHER THAT staff be directed to notify the affected land owners and appropriate agencies of Council's decision to proceed with the drainage works, and

FURTHER THAT Council appoints Mike DeVos of Spriet Associates to prepare the drainage report.

- Carried -

- 1.3.2 Jim McConnell, the Manager of Planning and Development Services noted that the County of Middlesex and the consulting Engineer who undertook the construction of intersection improvements at Ilderton Road/Hyde Park Road are presently reviewing the drainage issues at that intersection and that he will be provide an update to Council when a resolution has been determined.

Mr. McConnell also noted that the municipality has received approval from the Department of Fisheries and Oceans to install a culvert at the back of the parking lot at the municipal building location.

There was comment made on the infiltration issue at the Ilderton sewage treatment plant and noted that the issue needs to be dealt with.

1.4 By-law Enforcement

1.4.1 There were no reports or inquiries.

2. **RECREATION AND FACILITY SERVICES DEPARTMENT**

2.1 Greg Watterton, Treasurer and Acting Manager of Recreation and Facility Services made note of the Grand Opening of the Kilworth Splash Pad on June 25, 2009 at 6:00 p.m. in conjunction with the Komoka-Kilworth Optimist Club.

2.2 There were no further reports or inquiries.

3. **PUBLIC WORKS AND ENGINEERING DEPARTMENT**

3.1 Councillor Brennan requested an update on traffic count information. Manager, Public Works and Engineering, Maureen Looby, noted that the traffic count projects have just begun and will continue into October 2009. He questioned the traffic counts on Boston Drive and wondered if the counts on that road will affect whether or not the road remains gravel. Maureen Looby noted that the hard surfacing of Boston Drive will be in the capital budget for completion in 2010.

Councillor Berze requested an update on the TRY Recycling compost project. He noted that a number of concerns had been raised with respect to the safety of some of the sites. Manager, Public Works and Engineering, Maureen Looby, indicated that there will be a 6 month status report update submitted to Public Works and Engineering Committee in June. She asked that if there are any complaints received by Council members, that they are forwarded to the Public Works and Engineering Department for follow up. Maureen Looby provided a brief summary of the usage, complaints and updates to the compost site locations. Councillor Filson noted that the ramps have been an issue and wondered if they are kept clear of debris throughout the time the sites are opened.

4. **CORPORATE SERVICES DEPARTMENT**

4.1 Treasury

4.1.1 Report No. CST002/09 - To Pass By-law 2009-042 Regarding Utility Collection

Resolution #2009/120

Moved by Clare Bloomfield

Seconded by Frank Berze

THAT Report Number CST002/09, dated May 20, 2009 and entitled "**To Pass By-law 2009-042 Regarding Utility Collection**", be received.

THAT By-Law 2009-042, being a By-law to Establish Policies and Procedures for the Collection of Outstanding Water Accounts and for the Disconnection of Water Services for Non-Payment of Water Accounts, be approved.

- Carried -

4.1.2 There were no further reports or inquiries.

4.2 Fire and Emergency Services

4.2.1 There were no reports or inquiries.

4.3 Clerk4.3.1 Report No. CSA009/09 - Requests for Grants – Advisory Committee Review and Recommendations

Councillor Filson requested clarification with regard to the applications from the local celebrations – Ilderton Fair, Del-Ko-Brydge Canada Day, Bryanston Canada Day, Lobo Union School Picnic – and wondered if those community events are grandfathered and receive donations regardless of their application status. It was noted that all groups requesting donations must submit an annual application in accordance with Municipal policy.

Resolution #2009/121

Moved by John Brennan

Seconded by Clare Bloomfield

THAT Council receives Report Number CSA009/09, dated May 21, 2009 and entitled “**Requests for Grants – Advisory Committee Review and Recommendations**” be received.

FURTHER THAT upon recommendation of the Grant Review Advisory Committee that the grant request from the London and Middlesex Heritage Museum – Fanshawe Pioneer Village in the amount of \$10,000.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Ilderton Lions Club in the amount of \$200.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Del-Ko-Brydge Canada Day Celebrations in the amount of \$1,000.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Optimist Club of Bryanston-Birr Inc. in the amount of \$1,200.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Lobo Union School Picnic in the amount of \$1,000.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Ilderton Agricultural Society in the amount of \$1,000.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Komoka Railway Museum in the amount of \$2,000.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Tri-County Heritage Club in the amount of \$1,000.00 be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the request from the Birr Women’s Institute in the amount of \$1,000.00 to be a one time grant towards their centennial celebration be approved in accordance with Municipal Policy GG-1.01 – Grant Requests;

FURTHER THAT the grant request from the Valleyview School Council be denied.

FURTHER THAT the grant request from the Kid's Help Phone be denied.

FURTHER THAT that staff be directed to prepare correspondence and issue payment to the above noted organizations.

- Carried -

4.3.2 There were no further reports or inquiries.

4.4 By-laws

Resolution #2009/122

Moved by Brian Ritchie

Seconded by Clare Bloomfield

THAT By-law Number 2008-042, being a By-law to Establish Policies and Procedures for the Collection of Outstanding Water Accounts and for the Disconnection of Water Services for Non-Payment of Water Accounts, be approved and this constitutes the first, second and third reading and By-law 2009-042 is hereby enacted.

THAT By-law Number 2008-043, being a By-law to adopt Amendment No. 25 to the Official Plan of the Municipality of Middlesex Centre for lands described as Part of Lot 1, Concession 3 (geographic Township of Delaware) Municipality of Middlesex Centre, be approved and this constitutes the first, second and third reading and By-law 2009-043 is hereby enacted.

THAT By-law Number 2008-044, being a By-law to amend the Middlesex Centre Comprehensive Zoning By-law Number 2005-005 with respect to Part of Lot 8, Plan 305 and more specifically described as Part 1 on Reference Plan 33R-17506 (geographic Township of Delaware), Municipality of Middlesex Centre, be approved and this constitutes the first, second and third reading and By-law 2009-044 is hereby enacted.

THAT By-law Number 2008-045, being a By-law Approving and Ratifying a Severance Agreement between Ronald Westbrook as the "Owner" and the Municipality of Middlesex Centre as the "Municipality" for the land described as Part of Lots 7, 8 and 9 and all of Lot 10, Block "H", Plan 76; Part 2, Reference Plan 33R-17491 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved and this constitutes the first, second and third reading and By-law 2009-045 is hereby enacted.

- Carried -

INFORMATION ITEMS

1. Item #10 – Middlesex Group Police Service Board Minutes – Deputy Mayor Bannister requested clarification with respect to Item 2.4 dealing with the 2009 Cost Estimate Revision due to the New Memorandum of Understanding. Councillor Filson confirmed that there was no issue with respect to the 2009 budget. Deputy Mayor Bannister asked that the minutes of the Middlesex Group Police Service Board be included in the Consent Agenda for Council to receive rather than an Information Item.
2. Item #16 – Letter of Concern regarding Spring Clean Up Day. Maureen Looby, Manager of Public Works and Engineering indicated that she had discussed this matter with the individual and noted that the Spring Clean Up Day was changed this year as concern had been raised by members of the

- public regarding the previous year's day falling on Mother's Day weekend. She noted that as a result of that concern the day had been moved to the first weekend in May. She indicated that the Spring Clean Up Day will be the third weekend of May in 2010 which addresses the concern of this individual.
3. Item # 5 – Community Adjustment Ontario Funding – Stephanie Troyer-Boyd, Tax Collector/Deputy Clerk noted that staff had discussed this funding program and were satisfied that the municipality does not have any projects to be applied for under the Community Adjustment Fund program.
 4. Item #30 – Ontario Modernizing History Through New Technologies - Deputy Mayor Bannister stated that a local archive could be funded through the Ontario Modernizing History Through New Technologies Fund.
 5. Item #34 – OMB Decision – 1571145 Ontario Limited, Pemic Komoka Development Corp and Southmoor Development Corp. Senior Planner, Marc Bancroft, provided Council with a synopsis of the OMB Decision.
 6. Item #35 – Invitation to Prince Andrew School Picnic – Councillor Filson suggested that the municipality purchase a copy of the Prince Andrew School History Book. It was confirmed that the Municipality will purchase a book.
 7. Resolution #2009/123
Moved by Brian Ritchie
Seconded by John Brennan

THAT Council support the resolution of the Corporation of the Municipality of Central Elgin regarding the amalgamation of Catfish Creek, Kettle Creek and Long Point Region Conservation Authorities.

- Carried -

8. Resolution #2009/124
Moved by Frank Berze
Seconded by Brian Ritchie

That Council support the resolution of the Town of Smiths Falls regarding provincial grants to public libraries.

- Lost -

9. Item #45 – Tax Recovery Group – Councillor Berze asked Treasurer, Greg Watterton, to comment on the correspondence from the Tax Recovery Group. Greg Watterton stated that the correspondence was soliciting business for the company, Tax Recovery Group, and that staff is continuing to research how the Harmonized Sales Tax will affect the municipality.

CONFIRMING BY-LAW

1. Resolution # 2009/125
Moved by Clare Bloomfield
Seconded by John Brennan

THAT By-law Number 2009-046 being a By-law to confirm the proceedings of the Council meeting held on June 3, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-046 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 5:15 p.m. to meet again on at a regular meeting of Council on Wednesday, June 10, 2009 at 7:00 p.m.

MAYOR

CLERK

INFORMATION

1. AMO Alert – Labour Mobility Changes Affect Ontario Municipalities
2. AMO Alert – Child Care Bridge Funding
3. AMO Alert – Green Energy Act Regulation Posted on EBR for Comment
4. AMO Alert – AMO Memorandum of Cooperation Municipalities of Quebec Agreement
5. AMO Alert – Government of Canada Launched \$348.9 million Community Adjustment for Ontario
6. AMO Alert – AMO Continues to Push for Successful Implementation of AODA
7. AMO Alert – Participate in the Count Me In! Community Challenge Launch
8. AMO Alert – Province Passes Green Energy Act
9. Police Services Board Minutes – March 27, 2009
10. Notice of Kilworth Splash Pad Opening
11. BCF and Stimulus Funding – Letter from Ministry Notice to Mayors May 11
12. CMHC – Message from Canadian Mortgage and Housing Corporation on Behalf of AMO
13. Correspondence – City of London – Safeguarding and Sustaining Ontario's Water Act
14. Correspondence – Spring Clean Up Day
15. Correspondence – Township of Uxbridge – Letter of Victim of Wind Farm to Mayor
16. FCM – Notice of 2009 Annual General Meeting
17. Government of Canada – News Release – BC to Receive Support Through New Community Adjustment Fund

18. Human Resources and Skills Development Canada – 2009 Volunteer Award – If you wish to see complete package please contact Sarah
19. Invitation to Ontario Recycler Workshop
20. LAS – Benchmarking Project Update
21. LAS – Spring 2008 Newsletter
22. LAS and AMO – Audit Program Energy Efficiency Solutions for Municipalities
23. Lower Thames Valley Conservation Authority – Media Release – Star Party at Longwoods Road Conservation Area
24. MEPCO – 2009 Specified Plan Change Proposals
25. MEPCO – Further Update on OMERS Specified Plan Proposals
26. MFOA and LAS – Investment Education Session Flyer
27. Minister Responsible for Seniors – Senior Achievement Awards and Seniors Month
28. Ministry of Culture - Ontario Modernizing History Through New Technologies
29. Ministry of Municipal Affairs and Housing – 2009 Ontario West Municipal Conference
30. OMAFRA – Food Safety and Traceability Initiative Information Session
31. OMAFRA – New Community Adjustment Fund Announced
32. OMB – Decision Regarding 15711545 Ontario Limited and Pemic Komoka Dev Corp
33. Invitation to Prince Andrew School Picnic
34. Resolution – Central Elgin – Amalgamation of Conservation Authorities
35. Resolution – Centre Wellington – Presumptions for Fire Fighters
36. Resolution – Cornwall – Provincial Harmonized Sales Tax
37. Resolution – Homegrown Ontario – Support Ontario, Buy Local
38. Resolution – Ingersoll – Presumptions for Fire Fighters
39. Resolution – Township of Woolwich – Workplace Safety and Insurance Amendment Act for Firefighters
40. St. Clair Region Conservation Authority – Tour 2009
41. Tax Recovery Group – Harmonized Sales Tax