

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 (arrived at 4:25 pm)  
Councillor Brennan  
Councillor Bloomfield  
Councillor Ritchie  
Councillor Berze

**WITH REGRETS**

Mayor Edmondson

**ALSO PRESENT**

Greg Watterton	Acting Chief Administrative Officer/Director of Finance & Community Services
Stephanie Troyer-Boyd	Acting Clerk
Maureen Looby	Director, Public Works & Engineering
Arnie Marsman	Director, Planning & Development Services / Chief Building Official
Marc Bancroft	Senior Planner
Wayne Shipley	Acting Fire Chief

Deputy Mayor Bannister 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**

Councillor Ritchie declared a pecuniary interest with respect to Consent Agenda item 4 – minutes of Committee of Adjustment as he had an application heard by the Committee of Adjustment.

Deputy Mayor Bannister declared a pecuniary interest with respect to Agenda item 4.2.1 – Tile Drain Debenture and accompanying by-law in 4.3.1 as he is the applicant.

**MINUTES**

1. Resolution # 2010/043  
Moved by Clare Bloomfield  
Seconded by John Brennan

THAT the minutes of the regular meeting of Council held on February 3, 2010 be approved.

- Carried -

2. Resolution # 2010/044  
Moved by Brian Ritchie  
Seconded by Frank Berze

THAT the minutes of the regular meeting of Council held on February 8, 2010 be approved.

- Carried -

3. Resolution # 2010/045  
Moved by John Brennan  
Seconded by Clare Bloomfield

THAT the minutes of the regular meeting of Council held on February 17, 2010 be approved, as amended

- Carried -

### **APPROVAL OF CONSENT AGENDA**

Councillor Ritchie stated that item 5.1 in the Public Works and Engineering Committee minutes concerning the 2009 Pilot Program – Yard Waste Depots should be amended to note the request by the committee to include a cost/tonne analysis on the usage analysis that had been provided by staff.

#### Resolution # 2010/046

Moved by Frank Berze  
Seconded by Brian Ritchie

1. THAT Council receive the Minutes of the February 17, 2010 Planning and Development Services Committee meeting and concur with the following recommendations:
  - 1.1 THAT the Zoning By-law Amendment submitted by Robert Julien Pattyn on behalf of Jeanine Alice Pattyn for the property legally described as Part of Lot 8, Concession 11; Part 1, Reference Plan 33R-16761 (geographic Township of London), Municipality of Middlesex Centre be approved.
  - 1.2 THAT the request for Site Plan Approval for the Community Wellness and Recreation Centre for lands described as Part of Lots 5 and 6, Concession 2; Part 2, RP 33R-11885 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved, provided the following revisions are undertaken to the satisfaction of the Middlesex Centre:
    - 1.2.1 THAT the site plan be amended to indicate snow storage areas along the northerly and westerly perimeter of the parking area;
    - 1.2.2 THAT The site plan be amended to indicate exterior lighting along the façade of the building and in the parking areas;
    - 1.2.3 THAT Drawing A1.1 – Partial Site Plan and Legends, be amended by indicating the series of steps just beyond the northerly limit of the barrier free concrete sidewalk on the east elevation of the building, as shown on Drawing A6.1 – Exterior Elevations;
    - 1.2.4 THAT the site plan be amended to show all concrete curbing terminating at the property limit;
    - 1.2.5 THAT the site plan be amended to indicate the proposed diesel storage tank in proximity to the proposed generator;
    - 1.2.6 THAT a landscape plan be provided; and
    - 1.2.7 THAT additional details with respect to servicing and grading be provided.
  - 1.3 THAT the request for Site Plan Approval submitted by Dickson Partnership Inc. on behalf of the London District Catholic School Board (LDCSB) for the lands described as Part of Park Lot 13, Plan 47; Parts 1, 2, 3 and 7, RP 33R-17494 (geographic Township of Delaware), Municipality of Middlesex Centre; be approved, provided the following

revisions are undertaken to the satisfaction of the Municipality and additional information is provided to the Municipality:

- 1.3.1 THAT the site plan be amended to indicate a snow storage area east of the bus drop off area;
- 1.3.2 THAT the site plan be amended to indicate a dedicated bicycle parking area capable of accommodating a minimum of 30 bicycle parking spaces;
- 1.3.3 THAT the site plan be amended to indicate chain link fencing with a height of 1.8 metres (6 ft) along the east side of the subject property between the adjacent residential property and the wooded area;
- 1.3.4 THAT the site plan be amended in respect of Drawing 1 as the fire hydrant in front of the building is incorrectly shown and the location is not consistent with the servicing drawings;
- 1.3.5 THAT the site plan be amended in respect of Drawing SS1 as the note for the valve and tee is not correct. Additional notes are to be provided with respect to the method of connection and need to co-ordinate works with the Municipality;
- 1.3.6 THAT the site plan be amended in respect of Drawing SS1 in respect of fire flow data from the hydrant on Wellington Street is to be provided;
- 1.3.7 THAT the site plan be amended in respect of Drawing SS1 in respect of Middlesex Centre records indicate an existing 200mm watermain fronting the subject property whereas the plans submitted identify a 150mm watermain; clarification regarding the watermain size is required;
- 1.3.8 THAT the site plan be amended in respect of Drawing SS1 to correct the boulevard drainage from the property limit, out to the road which would facilitate sheet flow out onto the road. To minimize further problems due to drainage issues, a swale along the north part of Wellington Street fronting the school site within the road allowance is desirable to be designed and constructed, however the outlet issues are recognized;
- 1.3.9 THAT the site plan be amended clearly noting on the drawings with a double line all curbing and type;
- 1.3.10 THAT the site plan be amended to show that all concrete curbs shall end at the property line;
- 1.3.11 THAT the site plan be amended to indicate that the raised sidewalk crossing the fire route be lowered to the level of the roadway;
- 1.3.12 THAT the site plan be amended in respect of the landscape plan by deleting the bushes to be in front of the fire department connections and replacing with grass or sidewalk;
- 1.3.13 THAT the site plan be to the satisfaction of the County of Middlesex;
- 1.3.14 THAT the LDCSB's solicitor provide confirmation that all necessary easements have been granted and/or dissolved to facilitate the construction of the school in respect of Hydro One;

- 1.3.15 THAT the LDCSB provide confirmation that Certificates of Approval have been issued by the Ministry of the Environment for the proposed stormwater management facility and private on-site sewage disposal system;
  - 1.3.16 THAT the LDCSB receive approval from the Upper Thames River Conservation Authority in respect of the stormwater management plan;
  - 1.3.17 THAT a copy of the report entitled "Geotechnical Investigation – Our Lady of Lourdes Catholic Elementary School Wellington Street Delaware ON dated August 17, 2009 by Trow Engineering Inc." be provided;
  - 1.3.18 THAT the LDCSB provide \$10,000 cash-in-lieu of a sidewalk across the frontage of the subject property to the Municipality of Middlesex Centre.
  - 1.3.19 THAT staff be directed to present the Site Plan Agreement submitted by Dickson Partnership Inc. on behalf of the London District Catholic School Board (LDCSB) for the lands described as Part of Park Lot 13, Plan 47; Parts 1, 2, 3 and 7, RP 33R-17494 (geographic Township of Delaware), 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 of Middlesex Centre.
- 1.4 THAT the Severance Agreement for the land in the ownership of Richard and Christine Rankin and legally described as Part of Lot 17, Concession 13, Part 1, Reference Plan 33R-17639 (geographic Township of London), Municipality of Middlesex Centre, be approved.
2. THAT Council receives the minutes of the Public Works and Engineering Committee meeting of February 18, 2010 and concur with the following recommendations:
    - 2.1 THAT the 2009 Yard Waste Pilot Program with TRY Recycling be extended for 2010 as outlined in Report Number PWE-008-10/WM entitled '2009 Pilot Program – Yard Waste Depots'.
3. THAT Council receive the Minutes of the February 18, 2010 Corporate Services Committee meeting and concur with the following recommendations:
    - 3.1 THAT the revised Fire Department Remuneration structure as seen in Report PS-F-2010-003 dated February 4, 2010 and entitled "Fire Department Remuneration Structure" be approved effective December 1, 2009.
    - 3.2 THAT the charges incurred on Invoice Number 09-423 for the Fire Department response to 25768 Nairn Road on November 21, 2009 remain as billed to the property owner.
    - 3.3 THAT the Fire Department proceed with preparing a draft Coldstream Firefighters Charity Calendar for Council review and approval prior to the calendar being printed and distributed.
    - 3.4 THAT Fire Department Standard Operational guideline PS-F: 4.13 entitled "Use of Fire Department Vehicles – Outside of Emergency Responses" attached to Report No. PS-F-2010-005 dated February 4, 2010, be approved.

- 3.5 THAT Fire Department Policy No. PS-4.01 entitled "Heavy Rescue Response" be deleted.
- 3.6 THAT the request of the Ontario Provincial Police/Dave Mounsey Memorial Fund to waive the Poplar Hill Park Pavilion rental fee for an event to be held on Sunday, June 6, 2010 be denied.
4. THAT Council receive the Minutes of the Committee of Adjustment Hearing held February 22, 2010.
5. THAT the accounts as presented by the Treasurer in the amount of \$1,803,605.30 be approved for payment.

-Carried -

### **NOTICE OF MOTION – COUNCIL PROCLAMATION**

Councillor Filson introduced the Notice of Motion by stating that Council has a rare opportunity to make a meaningful gesture toward Olympic gold medalists. He recognized that Scott Moir has been an ambassador for the community, particularly the village of Ilderton.

1. Resolution # 2010/047  
Moved by Ken Filson  
Seconded by Frank Berze

WHEREAS Council acknowledges Policy CL-1.04 states "No proclamations will be issued by the Council or staff of Middlesex Centre"; and

WHEREAS Council recognizes that Council may make exceptions to municipal policy; and

WHEREAS an extraordinary event took place on Monday, February 22, 2010 when Scott Moir of Ilderton and Tessa Virtue of London both members of the Ilderton Skating Club won an Olympic Gold Medal in the Ice Dance competition skating for Canada; and

WHEREAS the Municipality of Middlesex Centre is honoured to acknowledge the achievements of the Olympic Gold Medalist from Middlesex Centre;

BE IT RESOLVED THAT Council directs the Mayor in his sole discretion to proclaim a future day Scott Moir & Tessa Virtue Day in the Municipality of Middlesex Centre.

- Carried -

Acting CAO, Greg Watterton, stated that staff is looking for direction from Council with respect to the municipality's involvement in local celebrations to honour Scott Moir and Tessa Virtue. Councillor Brennan suggested that the issue be referred to the Recreation and Facilities Services Committee.

### **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 By-law Enforcement

1.3.1 Director of Planning and Development Services, Arnie Marsman, stated that two issues had gone to court on February 8, 2010. He indicated that one defendant had pled guilty and agreed to pay a fine while the second issue was put off to March 8, 2010.

2. **PUBLIC WORKS AND ENGINEERING DEPARTMENT**

2.1 Environmental Division

2.1.1 Report No. PWE-012-10/W - 2009 Annual Summary Reports – Water Systems

Maureen Looby, Director of Public Works and Engineering presented the 2009 Annual Summary Reports for the municipality's water systems and responded to inquiries of Council.

Resolution # 2010/048

Moved by Clare Bloomfield

Seconded by Brian Ritchie

THAT Council receive the 2009 Annual Summary Reports for each of the Municipality of Middlesex Centre's water systems in accordance with Schedule 22 of O.Reg. 170/03 of the Safe Drinking Water Act.

- Carried -

2.2 Transportation Division

2.2.1 Maureen Looby confirmed the date for the Road Tour to be Friday, April 16, 2010 at 9:00 am.

2.3 Drainage Division

2.3.1 Maureen Looby, Director of Public Works and Engineering, confirmed that the final drain report for the Tunks Lane Drain is being prepared.

3. **FINANCE AND COMMUNITY SERVICES**

3.1 Treasury

3.1.1 Report No. T013-TC – Applications of Cancellation/Reduction of Taxes

Resolution # 2010/049

Moved by Brian Ritchie

Seconded by Clare Bloomfield

THAT Report T013-TC dated February 16, 2010 and entitled "Applications for Cancellation/Reduction of Taxes" be received; and

THAT the assessment and tax adjustments recommended by the Municipal Property Assessment Corporation and Tax Collector respectively, be approved.

- Carried -

3.1.2 Report No. FCS005/10 – Adoption of 2010 Budget

Councillor Brennan voiced his concern over the increase in the 2010 operating budget and stated that these increases cannot be sustained in future years.

Councillor Bloomfield stated his issue with the money spent on operating splash pads in municipal parks. He questioned whether it would be possible to operate them on a user pay/coin box system.

Councillor Brennan asked if there had been any information provided regarding the upper tier and education rates for 2010. Greg Watterton stated that no information has been received regarding the education rate and the county's unapproved rate is to be slightly reduced.

Resolution # 2010/050

Moved by Brian Ritchie

Seconded by Frank Berze

THAT Report Number FCS005/10 dated February 17, 2010, and entitled "Adoption of 2010 Budget" be received; and

THAT WHEREAS section 290 of the Municipal Act S.O. 2001, c.25, as amended, requires Council to adopt an annual budget including estimates of all sums required during the year for the purposes of the municipality; and

WHEREAS Municipal By-Law #2003-003 requires that public notice be given of the intention to adopt the budget; and

WHEREAS public notice has been given in accordance with the Municipal By-Law; and

WHEREAS Council through the review of the draft budget determined that the following matters be included within the 2010 Budget:

1. That the Upper Thames River Conservation Authority special building levy in the amount of \$255,737.00 be funded by a transfer from the Tax Rate Stabilization Reserve.
2. That \$226,551.00 be transferred to reserves as follows:
  - \$50,000.00 to General Vehicles & Equipment
  - \$50,000.00 to Fire Vehicles & Equipment
  - \$126,551.00 to Buildings & Facilities

WHEREAS Council has directed that the Municipal portion of the 2010 tax rate be 2.00% more than the 2009 Municipal portion of the tax rate; and

THAT the 2010 Budget of Revenue and Expenditures, as prepared and amended by the Treasurer and reviewed in draft form by Council and appropriate notice given, be hereby adopted, as amended, as follows:

Expenditures	\$64,577,517.00
Revenue	\$55,459,692.00
Taxes	\$ 9,117,825.00

AND FURTHER THAT the Treasurer be directed to prepare the by-law for the setting of the tax rates at such time as the upper tier and education rates are formally received.

3.1.3 Report No. FCS006/10 – 2009 Council Remuneration

Resolution # 2010/051

Moved by John Brennan

Seconded by Clare Bloomfield

THAT Report Number FCS006/10, dated February 22, 2010 and entitled “2009 Council Remuneration” be received.

- Carried -

3.1.4 Report No. FCS007/10 – 2009 Development Charges Summary

Acting CAO, Greg Watterton, responded to Council inquiries regarding interest earned on development charge reserves.

Resolution # 2010/052

Moved by Brian Ritchie

Seconded by John Brennan

THAT Report Number FCS 007/10, dated February 22, 2010 and entitled “2009 Development Charges Summary” be received.

- Carried -

3.2 Community Services

3.2.1 Report No. FCS008/10 – Ilderton Arena Compressor Replacement

Resolution # 2010/053

Moved by Ken Filson

Seconded by Brian Ritchie

THAT Report Number FCS 008/10, dated February 23, 2010 and entitled “Ilderton Arena Compressor Replacement” be received, and

THAT the tender bid of Drennan Refrigeration in the amount of \$96,400.00 plus taxes for replacement of the refrigeration compressors at the Ilderton Arena be approved.

- Carried -

3.2.2 Wellness and Recreation Centre Solar RFP

Acting CAO, Greg Watterton, indicated that four proposals were received and that the committee has done a preliminary evaluation and will be going back to the proponents with additional questions by the end of the week.

3.2.3 Councillor Berze questioned if there was a table replacement program in place for the Coldstream community centre and if there were plans to purchase round tables for the facility.

**IN CLOSED SESSION**

1. Resolution # 2010/054

Moved by Brian Ritchie

Seconded by Ken Filson

THAT Council move in to closed session at 5:07 p.m. for personal matters regarding an identifiable individual in accordance with Sections 239 (2) (b) of the Municipal Act, S.O. 2001, c.25, as amended.

- Carried -

**REGULAR COUNCIL RESUME**

1. Resolution # 2010/055  
Moved by John Brennan  
Seconded by Brian Ritchie

THAT Council reconvene in regular session at 5:40 p.m.

- Carried -

**BUSINESS FROM IN CLOSED SESSION**

1. Resolution # 2010/056  
Moved by Frank Berze  
Seconded by John Brennan

THAT Report Number FCS005/10 dated January 27, 2010, and entitled "Reclassification of Corporate Services Assistant Position" be received; and

THAT the position of Corporate Services Assistant to the Fire & Emergency Services Department be reclassified as that of Fire & Emergency Services Coordinator and Public Educator and placed on the corporate salary grid at Grade 5 effective November 1, 2009; and

THAT the job description remain in draft form until such time as a permanent Fire Chief is hired.

- Lost -

**IN CLOSED SESSION**

1. Resolution # 2010/057  
Moved by Brian Ritchie  
Seconded by Clare Bloomfield

THAT Council move in to closed session at 5:45 p.m. for personal matters regarding an identifiable individual in accordance with Sections 239 (2) (b) of the Municipal Act, S.O. 2001, c.25, as amended.

- Carried -

**REGULAR COUNCIL RESUME**

1. Resolution # 2010/058  
Moved by Clare Bloomfield  
Seconded by Brian Ritchie

THAT Council reconvene in regular session at 6:00 p.m.

- Carried -

**BUSINESS FROM IN CLOSED SESSION**

1. Resolution # 2010/059  
Moved by Brian Ritchie  
Seconded by Clare Bloomfield

THAT Staff be directed to contact the Human Resource consultant and inquire if there is a way to recognize the additional duties of the Corporate Services Assistant to the Fire & Emergency Services department in the absence of a permanent Fire Chief without changing the structure of the department.

- Carried -

**STAFF REPORTS****4. ADMINISTRATION SERVICES****4.1 Fire & Emergency Services**

4.1.1 There were no reports or inquiries.

**4.2 Clerk****Resolution # 2010/060**

Moved by John Brennan

Seconded by Clare Bloomfield

THAT Councillor Brian Ritchie assume the chair at 6:07 pm.

- Carried -

**4.2.1 Report No. CSA004/10 – Tile Drainage Debenture 2010-04-01 and By-law Imposing Special Annual Drainage Rates – Albert F. Bannister –North Part Lot 2, Concession 8 (geographic Township of London)****Resolution # 2010/061**

Moved by Frank Berze

Seconded by Clare Bloomfield

THAT Report CSA004/10 dated February 17, 2010 and entitled "Tile Drainage Debenture 2010-04-01 and By-law Imposing Special Annual Drainage Rates – Albert F. Bannister – North Part Lot 2, Concession 8 (geographic Township of London)" be received; and

FURTHER THAT By-law 2010-017 being a By-law to Impose Special Annual Drainage Rates be approved.

- Carried -

**4.3 By-laws****Resolution #2010/062**

Moved by Frank Berze

Seconded by John Brennan

THAT By-law 2010-017, being a By-law to Impose Special Annual Drainage Rates Upon Land in Respect of Which Money is Borrowed Under the Tile Drainage Act, R.S.O. 1990 (TD – 2010-04-01) be approved and this constitutes first, second and third reading and By-law 2010-017 is hereby enacted.

THAT By-law 2010-018, being a By-law to Authorize the Borrowing of \$9,030.00 Upon Debentures Towards the Cost of Constructing Certain Drains and Drainage Works be approved and this constitutes first, second and third reading and By-law 2010-018 is hereby enacted.

THAT By-law 2010-019, being a By-law to Amend the Middlesex Centre Comprehensive Zoning By-law Number 2005-005 with Respect to Part of Lot 8, Concession 11; Part 1 on Reference Plan 33R-16761 (geographic Township of London) Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-019 is hereby enacted.

THAT By-law 2010-020, being a By-law Approving and Ratifying a Severance Agreement between Richard Rankin and Christine Rankin as the "Owner" and the Municipality of Middlesex Centre as the "Municipality", for the Land Described as Part of Lot 17, Concession 13, Part 1, Reference Plan 33R-17639 (geographic Township of London), Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-020 is hereby enacted.

- Carried -

### **INFORMATION ITEMS**

Maureen Looby spoke to information item #10 regarding Bill 237 which would significantly restructure municipal water and waste water services in Ontario. She indicated that the Lake Huron Pipeline Board would be discussing it and making a statement looking for support from member municipalities. It was also noted that AMO is working on behalf of municipalities to address concerns.

### **CONFIRMING BY-LAW**

1. Resolution # 2010/063  
Moved by Clare Bloomfield  
Seconded by John Brennan

THAT By-law Number 2010-021 being a By-law to confirm the proceedings of the Council meeting held on March 3, 2010 be approved and that this constitutes the first, second and third reading and By-law Number 2010-021 is hereby enacted.

- Carried -

### **ADJOURNMENT**

There being no further business, this meeting of Council adjourned at 6:15 p.m. to meet again on Wednesday, March 17, 2010 at 7:00 p.m.

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MAYOR

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CLERK

### **INFORMATION**

Item	Item Index
1	2010 ROMA/OGRA Conference – Remarks by Hon. Dalton McGuinty, Premier of Ontario
2	2010 ROMA/OGRA Conference – Remarks by Peter Hume, AMO President and Councillor, City of Ottawa
3	2010 ROMA/OGRA Conference – Remarks by Hon. Jim Bradley, Minister of Municipal Affairs and Housing
4	AMO – AMO Calls on Province to Confirm its Commitment to OMPF Funding
5	AMO – AMO Releases Municipal Gas Tax Agreement Amendment
6	AMO – Buy American Deal Opens Municipal Procurement
7	AMO – Bill 236 – an Act to amend the Pension Benefits Act

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8	AMO – Government Introduces Legislation to Enable Implementation of Early Learning and Child Care Program
9	AMO – New Facility Partnership Guideline Seeks to Optimize Use of School Space
10	AMO Report to Members on January 2010 Board Meeting
11	AMO 2010 Annual Conference Registration – August 15 – 18, 2010 - Windsor
12	Communities in Bloom 2010 Programs
13	Correspondence from Jerry J. Ouellette, M.P.P. Official Opposition Critic, Natural Resources – Request for feedback on Conservation Authorities
14	Council and Committee Meetings – March and April 2010
15	Federation of Canadian Municipalities – Annual Conference and Municipal Expo – Toronto, May 28 – 31, 2010
16	Green Energy Act, 2009 – O. Reg. 15/10
17	Middlesex-London Health Unit – Food Premises Inspection Disclosure System – Website Launch
18	Middlesex-London Health Unit – Update of Current Influenza Status and Issues – February 22, 2010
19	Ministry of Agriculture, Food and Rural Affairs – Livestock, Poultry and Honey Bee Protection Act – February 23, 2010 Re: Concerns over increasing wolf/coyote populations
20	Ministry of Citizenship and Immigration – Newcomer Champion Award Nominations
21	Municipality of Middlesex Centre 2009 Road Needs Study
22	Ontario Power Authority – Ontario's 2010 Power Pledge Conservation Awareness Campaign
23	Resolution – Prince Edward County – Request for Coyote/Wolf Control Program
24	Resolution – Township of Madawaska Valley – Regarding Respite Care & Home Care