

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

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

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

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

Deputy Mayor Bannister declared a pecuniary interest in Consent Agenda item 2.3 as his son-in-law works for a company that submitted a tender for the backhoe loader.

Councillor Ritchie declared a pecuniary interest in the April 21, 2010 minutes of the Planning and Development Services Committee as he and his wife had an application heard by the Committee.

MINUTES

1. It was noted that on page 2 of the April 7, 2010 minutes, the resolution regarding the Ashwood Crescent sidewalks should specify the location where the sidewalk requirement has been removed.

Resolution # 2010/118

Moved by Clare Bloomfield
Seconded by Frank Berze

THAT the minutes of the regular meeting of Council held on April 7, 2010 be approved, as amended.

- Carried -

2. **Resolution # 2010/119**
Moved by John Brennan
Seconded by Frank Berze

THAT the minutes of the regular meeting of Council held on April 21, 2010 be approved.

- Carried -

CONSENT AGENDA

Councillor Brennan noted his concern with respect to the variance between budgeted amounts and actual tender results and the effect it has on the tax rate. Director, Public Works and Engineering, Maureen Looby stated that the capital purchases were not to be funded from the tax rate but rather various reserve funds. Greg Watterton, Treasurer, recognized the concern expressed about the variation in price and the budget process but acknowledged staff researches their budget items but cannot accurately predict final tender submissions.

Councillor Filson asked if there was any concern about an increase in false alarm callouts after the implementation of a Carbon Monoxide Detector Program. Acting Fire Chief, Wayne Shipley, stated that the department is still researching which carbon monoxide detector model to sell but he would like to see a digital read out carbon monoxide detector which are more accurate and will not result in more call outs.

Deputy Mayor Bannister asked that Recommendation 2.3 from Public Works and Engineering be considered separately as he had declared a pecuniary interest in this issue. Councillor Filson asked that Recommendation 3.2 and 3.8 from Corporate Services Committee be considered separately.

ITEMS REMOVED FROM CONSENT AGENDA

Deputy Mayor Bannister left the chambers as he had declared a pecuniary interest in this issue.

Resolution # 2010/120

Moved by John Brennan

Seconded by Brian Ritchie

THAT as outlined in Report Number PWE-020-10/T entitled '2010 Backhoe Loader Replacement – Tender Results' the award of tender to Toromont Caterpillar for the purchase of one CAT 430E IT Backhoe Loader for a total price of \$165,822.00 plus taxes be approved.

- Carried -

Deputy Mayor Bannister returned to the chambers.

Councillor Filson questioned the process by which people were billed their 2010 Animal Licence. Treasurer, Greg Watterton, stated that 2010 invoices were issued in December 2009 with a due date the end of January 2010. He noted that any accounts that were outstanding after March 2010 had been issued an arrears notice with penalty applied. Councillor Filson stated that he would like to see a second notice issued before penalty is applied. He also indicated the \$ 20 penalty is excessive. Greg Watterton stated that the \$ 20 late fee is set in the annual fee by-law and that staff could consider recommending a different fee for 2011. He also stated that staff must follow the policy that has been set by Council and be consistent in their treatment of all residents.

Councillor Filson suggested sending a second notice in advance of penalty being added to the accounts. Acting Clerk, Stephanie Troyer-Boyd, stated that the present policy does not allow time to send a second notice before a late payment is charged but consideration could be given to changing the policy and fee by-law.

Resolution # 2010/121

Moved by Ken Filson

Seconded by Brian Ritchie

THAT staff review the animal licensing process and policy for 2011 and consider criteria for penalty exemption.

- Carried -

Resolution # 2010/122

Moved by Ken Filson

Seconded by Albert Bannister

THAT the penalty be waived on 2010 Animal Licencing accounts where a written request for relief has been received.

- Lost -

Councillor Filson expressed concern about the Grant Review Advisory Committee and the recommendation for members of that committee from Corporate Services Committee. He stated that he does not think a committee should be recommending committee appointments but believes Council should make that decision. Acting Clerk, Stephanie Troyer-Boyd, stated that the Corporate Services Committee has made a recommendation but Council has the option of changing that recommendation.

Deputy Mayor Bannister suggested that in future years, the report be submitted to Council rather than Corporate Services Committee.

Councillor Ritchie stated that historically, members of the Corporate Services Committee were appointed to the Grant Review Advisory Committee because of their knowledge of the financial policies and discussions of that Committee. He indicated that he supports members of the Corporate Services Committee to sit on the Grant Review Advisory Committee.

Resolution # 2010/123

Moved by Albert Bannister

Seconded by Ken Filson

THAT staff give consideration of the future process by which Council and staff are appointed to the Grant Review Advisory Committee.

- Carried -

APPROVAL OF CONSENT AGENDA

Councillor Ritchie left the chambers as he had declared a pecuniary interest with respect to item 1.

Resolution # 2010/124

Moved by Ken Filson

Seconded by Frank Berze

1. THAT Council receive the Minutes of the April 21, 2010 Planning & Development Services Committee meeting and concur with the following recommendations:

- 1.1 THAT the request for an Application for Site Plan Approval submitted by Peirlynn Incorporated for lands described as Part of Lot 26, Concession 11; Parts 1, 2, 3 and 12, Reference Plan 33R-1436 (geographic Township of London), Municipality of Middlesex Centre, be approved, provided the following is undertaken to the satisfaction of the Municipality:

THAT the site plan be amended to indicate all berming including contours, landscaping, buffering including opaque fencing/gates as shown on the existing site plan undertaken by Bremor Engineering Ltd. dated March 1999;

THAT the site plan be amended to indicate snow storage areas for the parking and compound areas;

THAT the site plan be amended to indicate fire route and turn around in the compound area;

THAT the site plan be amended to label "King Street"; and

THAT the site plan be amended by including the following legal description: Part of Lot 26, Concession 11; Parts 1, 2, 3 and 12, Reference Plan 33R-1436 (geographic Township of London) Municipality of Middlesex Centre.

THAT staff be directed to present the Site Plan Agreement submitted by Peirlynn Incorporated for lands described as Part of Lot 26, Concession 11; Parts 1, 2, 3 and 12, Reference Plan 33R-1436 (geographic Township of London), 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 \$5,000 security deposit.

- 1.2 THAT staff forward the amended interim control by-law in respect of the Urban Settlement Area of Komoka-Kilworth and its environs to the May 5, 2010 regular meeting of Municipal Council for consideration of enactment.
- 1.3 THAT staff forward the amended Request for Proposals – Terms of Reference for the preparation of a comprehensive review and Komoka-Kilworth Secondary Plan to the prescribed list of consultants.
2. THAT Council receive the Minutes of the April 26, 2010 Public Works & Engineering Committee meeting and concur with the following recommendations:
 - 2.1 THAT Council proceed with the drainage works as outlined in Report Number PWE-023-10/DR entitled 'Petition for Municipal Drain – Lot 6, Concession 15 City of London' for the lands described as Lot 6, Concession 4 (geographic former Township Westminster) in the City of London; and incorporate the petition with the works outlined in Report Number PWE-057-09/DR entitled 'Request for Municipal Drainage Improvements – Munroe Creek Drain'; and

THAT staff be directed to notify the affected landowners and appropriate agencies of Council's decision to proceed with the drainage works according to the Ontario Drainage Act's timelines; and

FURTHER THAT Council appoints Michael DeVos, P.Eng of Spriet Associates.
 - 2.2 THAT as outlined in Report Number PWE-019-10/T entitled '2010 Emulsion Oil Tender Results' the bid of \$0.565 per litre submitted by McAsphalt Industries be approved for acceptance.
 - 2.3 THAT as outlined in Report Number PWE-024-10/T entitled '2010 Chipsreader Replacement – Tender Results' the award of tender to Amaco Equipment Inc for the purchase of one Etnyre Chipsreader for a total price of \$166,274.00 plus taxes be approved.
3. THAT Council receive the Minutes of the April 26, 2010 Corporate Services Committee meeting and concur with the following recommendations:

- 3.1 THAT the cost recovery Carbon Monoxide Detector Program as detailed in Report Number PS-F-2010-008 dated April 21, 2010 be approved.
- 3.2 THAT the penalty on all 2010 Animal Licencing accounts stand as billed as recommended in Report No.CST002/10 dated April 20, 2010.
- 3.3 THAT no further adjustments be given on Account 8261300000 as outlined in Report No.CST002/10 dated April 20, 2010.
- 3.4 THAT the agreement between the Municipality of Middlesex Centre and Perth Care for Kids dated May 5, 2010 be approved; and
- THAT the Mayor and Acting Clerk be authorized to execute the agreement.
- 3.5 THAT staff be directed to circulate a Request for Proposal for the use of the former Prince Andrew School building as described in Report Number CSS-1309 dated November 18, 2009.
- 3.6 THAT the request from the Delaware/Mt. Brydges Minor Baseball Association for 50% reimbursement of costs up to a maximum of \$ 1750.00 relating to the construction of a batting cage at Lions Park baseball diamond be granted; and
- FURTHER THAT the request be funded from the Delaware Hydro Utility Proceeds Reserve Fund; and
- FURTHER THAT the Delaware/Mt. Brydges Minor Baseball Association be advised that Recreation and Facilities Services staff must be consulted to determine location of the batting cage; and
- FURTHER THAT the Delaware/Mt. Brydges Minor Baseball Association ensure that any contractor working on municipal property provide a current WSIB clearance certificate and liability insurance for no less than \$2 million dollars and applicable licenses and certificates related to the work being performed.
- 3.7 THAT staff be directed to proceed with establishing a 2010 Grant Review Advisory Committee to assess grant requests in 2010; and
- FURTHER THAT Greg Watterton, Acting CAO/Director of Finance & Community Services; Stephanie Troyer-Boyd, Acting Clerk; and Claudia Thar, Acting Corporate Services Assistant be appointed as staff representatives to the 2010 Grant Review Advisory Committee, and
- FURTHER THAT Mayor Al Edmondson and Councillor Clare Bloomfield be appointed as Council Representatives to the 2010 Grant Review Advisory Committee.
- 3.8 THAT By-Law 2010-043, being a by-law to authorize voting by mail for the 2010 Municipal Election be approved.
4. THAT Council receive the Minutes of the Committee of Adjustment Hearing held April 26, 2010.
5. THAT the accounts as presented by the Treasurer in the amount of \$ 2,777,938.61 be approved for payment.

- Carried -

Councillor Ritchie returned to the chambers.

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 There were no reports or inquiries.

2. PUBLIC WORKS AND ENGINEERING DEPARTMENT**2.1 Environmental Division**

2.1.1 There were no reports or inquiries.

2.2 Transportation Division

2.2.1 Councillor Brennan asked when construction would begin on the Denfield Operations Centre. Director, Public Works and Engineering, Maureen Looby, stated that the Environmental Assessment is in the final phase and an application for building permit would be submitted in the near future. She said that building should begin around June 1, 2010.

2.3 Drainage Division

2.3.1 There were no reports or inquiries.

3. FINANCE AND COMMUNITY SERVICES**3.1 Treasury****3.1.1 Report No. T015-TC – Applications for Cancellation / Reduction of Taxes****Resolution # 2010/125**

Moved by Clare Bloomfield

Seconded by Frank Berze

THAT Council receive Report T015-TC dated April 22, 2010 and entitled "Applications for Cancellation/Reduction of Taxes" and approve the assessment and tax adjustments as per the recommendations of the Municipal Property Assessment Corporation and Tax Collector respectively.

- Carried -

3.2 Community Services

3.2.1 Deputy Mayor Bannister asked if there was an agreement in place with the Elgin Middlesex Chiefs for use of the ice at Wellness Centre. Greg Watterton stated that staff have been in discussions with the organization and will be drafting a letter of understanding with respect to their use of the facility. Deputy Mayor Bannister requested that Council have an opportunity to review any agreement before it is finalized.

Councillor Berze noted that the Building Committee recognizes there are issues that still need to be considered with respect to the programming of the facility. Councillor Filson suggested that the Building Committee bring forward a report to Council outlining matters that still need to be dealt with and a plan for finalizing those issues.

4. **ADMINISTRATION SERVICES**

4.1 **Fire & Emergency Services**

4.1.1 Deputy Mayor Bannister asked if the engineering report on the Coldstream garage was available. Acting Fire Chief Shipley stated that the report is expected the second week of May.

4.2 **Clerk**

4.2.1 There were no reports or inquiries.

4.3 **By-laws**

Senior Planner Marc Bancroft noted that a proposed agreement had been sent to the property owners backing onto Hyde Park Road affected by the wall issue by the developer, Meadowcreek Estates Limited. Marc Bancroft noted that he had been contacted by the developer and advised that there was no consensus reached between residents and the developer.

Phil Davis of 23 Stone Ridge Crescent indicated that his name was not on the proposed agreement and does not consider the proposal to be valid.

Deputy Mayor Bannister noted that there are other issues that need to be addressed in the subdivision before assumption. Senior Planner, Marc Bancroft, noted that staff ensures all requirements of a subdivision agreement are complied with before assumption is recommended.

Councillor Filson requested a recorded vote.

Resolution #2010/126

Moved by John Brennan

Seconded by Clare Bloomfield

THAT By-law 2010-030 being a By-law approving and ratifying an amending subdivision agreement between Meadowcreek Estates Limited as the "Subdivider" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Registered Plan 33M-360 (geographic Township of London) in the Municipality of Middlesex Centre, in the County of Middlesex be approved and this constitutes first, second and third reading and By-law 2010-030 is hereby enacted.

Name	Yes	No
Albert Bannister		■
Frank Berze	■	
Clare Bloomfield	■	
John Brennan	■	
Al Edmondson	■	
Ken Filson		■
Brian Ritchie	■	

Resolution #2010/127

Moved by Frank Berze

Seconded by Clare Bloomfield

THAT By-law 2010-039, being a By-law to Provide for the Adoption of Estimates and Setting the Tax Rates and to Further Provide for Penalty and Interest in Default of Payment thereof for 2010 be approved and this constitutes first, second and third reading and By-law 2010-039 is hereby enacted.

THAT By-law 2010-043, being a By-law to Authorize Voting by Mail for the 2010 Municipal Election be approved and this constitutes first, second and third reading and By-law 2010-043 is hereby enacted.

THAT By-law 2010-044 being a By-law to Appoint a Chief Administrative Officer for the Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-044 is hereby enacted.

THAT By-law 2010-045 being a By-Law to Appoint a Clerk for the Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-045 is hereby enacted.

THAT By-law 2010-046 being a By-law approving and ratifying an amending subdivision agreement between Iderton Estates Inc. as the "Subdivider" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Registered Plan 33M-591 (geographic Township of London) in the Municipality of Middlesex Centre, in the County of Middlesex be approved and this constitutes first, second and third reading and By-law 2010-046 is hereby enacted.

THAT By-law 2010-047 being a By-law pursuant to Section 38 of The Planning Act, R.S.O. 1990, C.p.13, to establish Interim Control Provisions for the Municipality of Middlesex Centre restricting land use to existing uses on all lands within the defines area approved and this constitutes first, second and third reading and By-law 2010-047 is hereby enacted.

- Carried -

CONFIRMING BY-LAW1. Resolution # 2010/128

Moved by Clare Bloomfield

Seconded by John Brennan

THAT By-law Number 2010-048 being a By-law to confirm the proceedings of the Council meeting held on May 5, 2010 be approved and that this constitutes the first, second and third reading and By-law Number 2010-048 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 5:35 p.m. to meet again on Wednesday, May 19, 2010 at 7:00 p.m.

MAYOR

CLERK

INFORMATION

Item	Item Index
1	AMO – Conference (August 15 – 18, 2010) Programming Announcement and Registration Form
2	AMO – New Bills Introduced (Update April 22, 2010)
3	AMO – Thurstonia Oil Spill – City of Kawartha Lakes
4	AMO Watch File – Guest Column – Dianne Saxe – Thurstonia Oil Spill - City of Kawartha Lakes
5	AMO – Request for Nominations – 2010 – 2012 AMO Board of Directors
6	AMO – Heads of Council Training 2010 - 2011
7	AMO – Media & Communications Training 2010
8	City of Stratford – Invitation to Civic Night – June 16, 2010
9	Council/Committee Meeting Schedule – May and June 2010
10	OGRA to Manage \$750,000.00 Fund for Municipalities
11	Skate Canada Media Release – Hometown to Celebrate Olympic Ice Dance Champions Tessa Virtue and Scott Moir
12	Meadowcreek Estates Limited – Proposed Agreement with Residents