

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 Ritchie  
Councillor Berze

**WITH REGRETS**

Councillor Bloomfield

**ALSO PRESENT**

Cathy Saunders	Chief Administrative Officer/Clerk
Maureen Looby	Director, Public Works & Engineering
Greg Watterton	Director, Finance & Community Services
Arnie Marsman	Director, Planning & Development Services
Marc Bancroft	Senior Planner
John Elston	Manager, Emergency Services/Fire Chief
Stephanie Troyer-Boyd	Tax Collector/Deputy Clerk

Mayor Edmondson presided.

The reporter from the Middlesex Banner was in attendance.

Mayor Edmondson presented long term service awards to four employees.

**ADDITIONS TO THE AGENDA**

Deputy Mayor Bannister stated that he would ask to discuss the delegation procedure to appear before Council or Committee of the Whole and the Komoka Sewage capacity issue during department enquiries.

**DECLARATION OF PECUNIARY INTEREST**

None were disclosed by any of the members.

**MINUTES**

1. Resolution # 2009/182  
Moved by Frank Berze  
Seconded by John Brennan

THAT the minutes of the regular meeting of Council held on August 12, 2009 be approved.

- Carried -

**CONSENT AGENDA**

Deputy Mayor Bannister requested that Recommendation #6.5 dealing with Retirement Benefits be pulled from the Corporate Service Committee recommendations for further discussion.

Resolution # 2009/183

Moved by John Brennan

Seconded by Ken Filson

1. THAT Council receive the Minutes of the August 12, 2009 Planning and Development Services Committee meeting and concur with the following recommendations:
  1. That the request for an Amendment to an existing Site Plan Agreement as submitted by the Kilworth Business Park Inc. and J. Peter Whatmore for lands described as Block 1, 33M-324 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved, provided the following matters are addressed:
    - 1.1 That the site plan be amended by reducing the width of the northerly entrance to Jefferies Road to at least 12 metres (39 ft);
    - 1.2 That the site plan be amended to include landscaping;
    - 1.3 That a cost estimate breakdown by the applicant's engineer be required for all site works including but not limited to service, paving, and grading, to determine the required security; and
    - 1.4 That the site plan agreement be amended with the addition of a new provision indicating that the owner accepts full responsibility for the proper maintenance of any fire hydrants on the Land, and that the Owner be responsible to provide annual certificates to the Municipal Fire Chief to confirm that such fire hydrants have been inspected; or alternatively that Owner request the Municipality to undertake the inspection of such hydrants at the expense of the Owner.
  2. That staff be directed to present the amended Site Plan Agreement for execution at the next regular meeting of Municipal Council once the above matters have been addressed to the satisfaction of the Municipality, and pending the receipt of the required security.
2. THAT Council receive the Minutes of the Committee of Adjustment Hearing held August 24, 2009.
3. THAT Council receive the Notice of Application for Draft Approval of a Plan of Subdivision and Zoning By-law Amendment submitted by South Winds Development Co. Inc. dated August 25, 2009.
4. THAT Council receive the minutes of the Public Works and Engineering Committee meeting of August 24, 2009 and concur with the following recommendations:
  1. THAT staff be directed to make an application for registration in accordance with the Ontario Tire Stewardship – Used Tire Program requirements as seen in Report Number PWE-043-09/T entitled 'Ontario Tire Stewardship – Used Tire Program'.
5. THAT the accounts as presented by the Treasurer in the amount of \$3,508,767.15 be approved for payment.
6. THAT Council receive the Minutes of the August 24, 2009 Corporate Services Committee meeting and concur with the following recommendations:
  1. THAT the Municipality of Middlesex Centre deny the request from the Ministry of Community Safety and Correctional Services – Emergency Management Ontario to be a host community for potential evacuees; and

THAT Municipality of Middlesex Centre staff inform Emergency Management Ontario and Bettina Weber, CEMC for the County of Middlesex of Council's decision with regards to this matter.

2. THAT the charges incurred on Invoice Number 09-208 for the Fire Department response to 16052 Ten Mile Road on May 7, 2009 remain as billed.
3. THAT Middlesex Centre enter into a further one year agreement with the Whitehills Childcare Association at a monthly rent of \$400 for the period September 1, 2009 to June 30, 2010; and

THAT the Mayor and Clerk be authorized to execute the Agreement.

4. THAT the Vote by Mail process be approved for the 2010 Municipal Election being held on November 8, 2010; and

THAT staff be directed to prepare the necessary agreement with Datafix to begin preparing for the 2010 Municipal Election; and

THAT staff be directed to prepare the necessary by-law to authorize the use of Vote by Mail for the 2010 Municipal Election for consideration by Council at a future meeting; and

THAT staff be directed to prepare the necessary procedures and form for the use of the Vote by Mail process.

- 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 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 Director of Public Works and Engineering, Maureen Looby, reported that tenders for Jefferies Road reconstruction have closed and 12 bids were received. She noted that an information report will be forwarded to September 2009 Public Works and Engineering Committee meeting.

2.1.2 Deputy Mayor Bannister asked about sewage capacity for Komoka and Kilworth. He expressed concern that his understanding was that excess capacity in Komoka was to be used for residential development and that there was none available for commercial and industrial development. His concern was that the capacity for the Wellness Centre has been allocated and may be holding up other economic development

in Komoka. Brian Ritchie stated that there are assurances that there will be capacity available for the Wellness Centre when it is in full operation in 2011. Cathy Saunders, CAO/Clerk, stated that the development community is aware that there is presently no capacity for additional development in Komoka. Maureen Looby reported that the Environmental Assessment for the Komoka Sewage Treatment Plant expansion will be completed in the fall of 2009 with tendering in the summer of 2010 and construction will take approximately 12 months. There will be a full report at the September Public Works and Engineering Committee meeting.

Councillor Brennan asked for an update on the Lake Huron Pipeline construction. Maureen Looby updated Council on the construction status.

## 2.2 Transportation Division

2.2.1 Deputy Mayor Bannister noted that Eight Mile Rd. west of Denfield Road needs grading maintenance.

## 2.3 Drainage Division

2.3.1 There were no reports or inquiries.

# 3. **FINANCE AND COMMUNITY SERVICES**

## 3.1 Treasury

3.1.1 There were no reports or inquiries.

## 3.2 Community Services

### 3.2.1 Report No. CAOC035/09 – Community Wellness & Recreation Centre – Fitness Centre Services Selection

Councillor Ritchie provided an overview of the report and the rationale for the recommended Fitness Centre service provider. Councillor Brennan noted that page 6 on the staff report had an error with respect to the Walker Hall budget. Mayor Edmondson asked if there would be coordination with the fitness centre provider and the library for program delivery. Councillor Ritchie noted that a Steering Committee with all service providers at the Wellness Centre will be established to ensure coordination of programs. Mayor Edmondson asked how the walking track would be accessed and if the fitness centre provider would play a role in the use of the walking track. Councillor Ritchie noted that the walking track will be accessible for all users of the facility. He indicated that a decision regarding whether a fee will be charged to use the track has not yet been determined.

Councillor Brennan asked about the proposed budget amount for fitness centre equipment. Councillor Ritchie stated that an amount of \$250,000.00 was included in the contingency budget for the Project.

Deputy Mayor Bannister asked about subsidized memberships through the YMCA and whether it would be restricted to ratepayers of Middlesex Centre. Councillor Ritchie stated that anyone could apply for a subsidized membership as the YMCA membership is portable in that members can use any YMCA location.

Councillor Ritchie spoke of the costing of the two proponents. He noted that there would be a larger deficit with the YMCA but the benefits of the program delivery and branding of the YMCA outweigh the proposed deficit. He also noted that the additional expenses indicated by the YMCA would also be incurred with the second proponent; however, separate contractual arrangements with outside firms to undertake these tasks would be required.

Mayor Edmondson asked how the use of the gymnasium by the YMCA would be managed. It was confirmed that the YMCA would have to rent the gymnasium from the municipality to run programs in that location.

Deputy Mayor Bannister asked about the proposed deficit for the child minding service. He suggested that the municipality would be subsidizing users who choose to use the child minding service. Councillor Ritchie suggested that the child minding service will effectively be a loss leader for potential fitness club members. He indicated that child minding services will encourage membership.

Councillor Ritchie stated that there would be a Steering Committee to oversee the management of the fitness centre.

Resolution # 2009/184

Moved by Brian Ritchie

Seconded by John Brennan

THAT the Report No. CAOC035/09 of the Building Committee, dated, August 28, 2009 and entitled "**Community Wellness & Recreation Centre – Fitness Centre Services Selection**", be received.

THAT the Building Committee be directed to enter into negotiations with the YMCA of Western Ontario to undertake the management of the Fitness Centre component of the Community Wellness and Recreation Centre based on their proposal dated July 13, 2009.

THAT the Building Committee provide a further Report to Council seeking further approval upon completion of the negotiations of a contract with the YMCA of Western Ontario.

- Carried -

3.2.1 There were no further reports or inquiries.

4. **ADMINISTRATION SERVICES**

4.1 **Fire & Emergency Services**

4.1.1 There were no reports or inquiries.

4.2 **Clerk**

4.2.1 **Consent Agenda Item – Retirement Benefits**

Deputy Mayor Bannister stated that he does not support the recommendation of Corporate Services Committee to provide Employee Benefits for those employees who take early retirement. Councillor Berze clarified that the recommendation was for the municipality to supply post retirement benefits from

the age of 55-65 with one-half of the benefit cost being paid by the employee. Councillor Berze suggested that Council consider a compromise with the employee eligibility age at 60 rather than 55. Councillor Brennan stated that he would be more comfortable if the retiring eligibility age were set at 60. Councillor Filson stated that new staff wages could be up to 20% lower than that of retiring staff and it could potentially be less costly to the municipality to provide early retirement benefits from a wage perspective.

Deputy Mayor Bannister requested a recorded vote on this matter.

Resolution # 2009/185

Moved by Frank Berze

Seconded by Brian Ritchie

THAT the Report Number CAOC034/09 of the Chief Administrative Officer/Clerk, dated August 21, 2009 and entitled “**Employee Compensation Package – Benefits Early Retirement**”, be received; and

FURTHER THAT amended Policy GG-2.09 “Retirement Benefits” be approved as amended in accordance with Appendix A to Report Number CAOC034/09, dated August 21, 2009.

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

- Carried -

4.2.2. Councillor Berze asked that all Public Notices be put on our website.

**ADJOURN TO COURT OF REVISION**

Resolution #2009/186

Moved by Ken Filson

Seconded by Brian Ritchie

THAT Council adjourn to into Court of Revision at 5:40 p.m. for the Ballymote North Drain Branches “A” & “C” 2009 and Hack Drains 2009.

-Carried-

**RESUME INTO GENERAL SESSION**

1. Resolution # 2009/187  
 Moved by John Brennan  
 Seconded by Frank Berze

THAT Council resume into general session at session at 5:58 p.m.

-Carried-

**IN CLOSED SESSION**

1. Resolution # 2009/188  
Moved by Albert Bannister  
Seconded by John Brennan

THAT Council move in to closed session at 6:00 p.m. for legal matters (Oriole Park) in accordance with Sections 239 (2) (e) and (f) of the Municipal Act, S.O. 2001, c.25, as amended.

- Carried -

**REGULAR COUNCIL RESUME**

1. Resolution # 2009/189  
Moved by Ken Filson  
Seconded by Frank Berze

THAT Council reconvene in regular session at 6:05 p.m.

- Carried -

**BUSINESS FROM IN CLOSED SESSION**

1. Resolution #2009/190  
Moved by Frank Berze  
Seconded by Ken Filson

THAT staff be directed to request the Municipal Solicitor to implement the direction given in this matter.

-Carried-

**INFORMATION MEMOS**

1. Deputy Mayor Bannister indicated that he supports the resolution from the Township of Madawaska Valley requesting the Province of Ontario to ensure increased funding for additional Personal Support Workers to be hired to relieve the stresses related to a shortage of staff.

The Deputy Mayor's motion was not seconded as the remaining Council members expressed concern with the requirement for a minimum of 4 hours of service per client. They indicated additional information would be required in order to support the resolution.

2. Staff was directed to include a similar clause to that suggested by the Ontario Good Roads Association in our Request for Proposals and Construction Call Documents. This clause requires tendered unit prices to be adjusted to account for new Harmonized Sales Tax (HST) change.

**CONFIRMING BY-LAW**

1. Resolution # 2009/192  
Moved by John Brennan  
Seconded by Albert Bannister

THAT By-law Number 2009-071 being a By-law to confirm the proceedings of the Council meeting held on September 2, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-071 is hereby enacted.

- Carried -

**ADJOURNMENT**

There being no further business, this meeting of Council adjourned at p.m. to meet again at a regular meeting of Council on Wednesday, September 16, 2009 at 6:00 p.m.

---

MAYOR

---

CLERK

**INFORMATION**

1. AMO Alert 09059 – Ontario Government Consultation – Safeguarding and Sustaining Ontario's Water Resources
2. AMO Alert 09060 – AMO Welcomes Court Decision on Bank Tower Assessment
3. AMO Alert 09061 – Waste Electronics and Electrical Equipment (WEEE)
4. AMO Alert 09062 – Federal Gas Tax Fund Communications Update
5. AMO FYI 09011 – Creating Jobs Delivering Results – 2<sup>nd</sup> Edition
6. AMO FYI 09012 – Ontario Tire Stewardship Information Sessions
7. Canada's Economic Action Plan
8. Community Schools Alliance Inaugural Meeting Notice
9. Counties, Region and Single Tier Municipalities & District Social Services Administration Boards – 2009 Annual Conference (two enclosures)
10. Counties, Region and Single Tier Municipalities & District Social Services Administration Boards – 2009 Annual Conference – CORRECTION NOTICE
11. Eye-Zon Press Release – Child Find / Tori Stafford – August 15, 2009
12. FCM – Update on Fair Trade Resolution
13. London Knights Game – October 9, 2009
14. Maclean's Magazine Article – Canadian Economy – August 31, 2009
15. Ministry of Municipal Affairs and Housing Update Summer 2009 - Message from Minister Jim Watson
16. Ontario Good Roads Assn. – Harmonized Sales Tax Statement – August 18, 2009
17. Resolution – Township of Madawaska Valley – Home Care Service

18. Snow and Ice Colloquium Program 2009
19. "Thoughts of Our Canadian Soldiers at War (2008 Edition)" – Book by Brian Jones
20. Tim Hudack – Speech to AMO Conference
21. Information Memo CSD015/09-T – Staffing Update
22. Information Memo CSD016/09-T – RFP for Snowplowing Services
23. Correspondence Municipality of Middlesex Centre to RDM Construction – August 28, 2009
24. Committee Meetings – September and October 2009