

# COUNCIL MINUTES



**JUNE 21, 2017**

## **SOUTHWEST MIDDLESEX COUNCIL**

The Municipal Council of the Municipality of Southwest Middlesex will meet in Regular Session in the Council Chamber on June 21, 2017 at 7:00 p.m.

### **COUNCIL PRESENT:**

Mayor Vance Blackmore (Chair presiding), Deputy Mayor Marigay Wilkins, Councillors Karen Aranha, Doug Barlett, Rick Cowell, John Kavelaars, Don McCallum and Martin Vink

### **STAFF PRESENT:**

CAO/Clerk - Jill Bellchamber-Glazier, Facilities & Recreation Manager – Steve MacDonald, Public Works Manager - Tara Clayton, Treasurer – Kristen McGill, Elizabeth Cummings – Drainage/Utilities Superintendent

### **ALSO PRESENT:**

Nicholas Loeb – County of Middlesex Solicitor, members of the public and press

## **1. CALL TO ORDER**

Mayor Blackmore calls the meeting to order at 7:00 p.m.

## **2. APPROVAL OF AGENDA**

#2017-0305

Moved by Councillor Bartlett

Seconded by Councillor Vink

THAT the Regular Agenda of Council dated June 21, 2017 be amended as follows:

- defer item 4 – Christene Scrimgeour – Draft 2016 Financial Statements to a later date when the auditor is available;
- move correspondence from the Township of Selwyn to section 8, Action Correspondence

Carried

### **3. DISCLOSURE OF PECUNIARY INTEREST**

<b><u>Name</u></b>	<b><u>Item</u></b>	<b><u>Nature</u></b>
Councillor Arahna	9. C) 1.	Business relationship with a permit recipient

### **4. DEPUTATIONS AND PETITIONS**

7:05 p.m. – Christene Scrimgeour – Draft 2016 Financial Statements

7:30 p.m. – Phyllis Campbell - Building Matter

### **5. MINUTES OF PREVIOUS MEETINGS**

1. Southwest Middlesex Council Meeting Minutes – June 7, 2017

#2017-0306

Moved by Councillor Cowell

Seconded by Councillor Arahna

THAT the minutes of the meeting of Council dated June 7, 2017 be adopted as printed.

Carried

### **6. BUSINESS ARISING FROM THE MINUTES**

Councillor Aranha updated council on information shared with the Community in Bloom committee members regarding tree planting in the Town of Goderich.

### **7. VOUCHERS**

Vouchers for June 2 to June 14, 2017 to be presented

#2017-0307

Moved by Councillor Kavelaars

Seconded by Councillor Aranha  
THAT accounts as presented by the Treasurer in the amount of  
\$315,416.78 be approved for payment.  
Carried

## **8. ACTION CORRESPONDENCE**

1. Seminar/Training Request of Jeff Tidball & Jason McLellan to attend Tractor Loader Backhoe Summer Group Training to be held in Chatham-Kent on July 19, 2017

#2017-0308

Moved by Deputy Mayor Wilkins

Seconded by Councillor Cowell

That the seminar/training request of Jeff Tidball & Jason McLellan to attend Tractor Loader Backhoe Summer Group Training to be held in Chatham-Kent on July 19, 2017 is approved.

2. Township of Selwyn Correspondence

#2017-0309

Moved by Deputy Mayor Wilkins

Seconded by Councillor Cowell

THAT Southwest Middlesex Council support the resolution from the Township of Selwyn related to the Employment Standards Act review.

Carried

## **9. STAFF REPORTS**

- a. Fire
- b. Administration

1. Proposed Asset Management Planning Regulation

#2017-0310

Moved by Councillor Cowell

Seconded by Councillor Bartlett

THAT the report on the Proposed Asset Management Regulation be received for information.

Carried

7:30 p.m. – Phyllis Campbell - Building Matter

Ms. Campbell made a presentation to council related to a request for building a new dwelling.

c. Building

1. Building Permit Report – May 2017

#2017-0311

Moved by Councillor McCallum

Seconded by Deputy Mayor Wilkins

That the May 2017 Building Permit Report is received.

Carried

d. Finance

1. Request for Consideration – Utility Bill

#2017-0312

Moved by Deputy Mayor Wilkins

Seconded by Councillor Cowell

THAT the sewer charges of \$727.97 on account #2104622004 be written off.

Carried

e. Facilities and Recreation

1. 2017 MiracleGro Best Garden Selection Contest

#2017-0313

Moved by Deputy Mayor Wilkins

Seconded by Councillor Bartlett

THAT Southwest Middlesex council take part in the 2017 MiracleGro Best Garden Selection & Best Blooming Business contest by anonymously submitting names of potential candidates for the contest.

Carried

2. Glencoe Fairgrounds Safety Options

#2017-0314

Moved by Councillor Kavelaars

Seconded by Councillor Cowell

THAT Council approve:

1. Sending a letter to the O.P.P. reconfirming the arrangement whereby they enforce the Trespass to Privacy Act at this property on our behalf;
2. Replacing the park signs regarding The Trespass to Privacy Act and increasing the number/location of these signs;
3. Purchasing and installing two barricade gates behind the arena up to \$5000;
4. Adding a flood light facing the skateboard park on the Project 2000 building up to an amount of \$1500.

Carried

### 3. Dog Park Advertising

#2017-0315

Moved by Councillor Cowell

Seconded by Deputy Mayor Wilkins

THAT Council allows the Commonwealth Dog Park Committee to sell 2'X3' aluminium advertisements at the dog park for \$100 (including HST) per year with all proceeds held for future dog park improvements to be recommended by the committee for council approval.

Carried

### 4. Train Station Painting Bids

#2017-0316

Moved by Councillor Vink

Seconded by Councillor Kavelaars

THAT Council approves awarding the contract for the exterior painting of the train station to Tuygun Painting for a price of \$9,450.00 plus HST.

Carried

### 5. Simpson Street Park

#2017-0317

Moved by Councillor Cowell

Seconded by Councillor Aranha

THAT Council directs staff to proceed with the hydro repairs to Simpson Street park along with the repairs to the park at this location that are budgeted for 2017.

Carried

Nicholas Loeb, Solicitor, County of Middlesex, is now present at the meeting.

### **15. CLOSED SESSION (Committee of the Whole)**

#2017-0318

Moved by Councillor Cowell

Seconded by Councillor Bartlett

THAT Council go into closed session, at 8:15 p.m., as per subsection 239(2) of the Municipal Act, 2011, to consider the following:

- a. Personal matters about an identifiable individual, including municipal or local board employees;
- b. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Specifically the matter relates to the following:

- Personal information related to identifiable individuals, including a municipal employee; and
- Advice that is subject to solicitor-client privilege.

Carried

Nicholas Loeb was in closed session to provide legal advice subject to solicitor-client privilege and left the closed session.

### **RISE AND REPORT**

Council returned to open session at 9:57 p.m.

#2017-0319

Moved by: Councillor Arahna

Seconded by: Councillor Bartlett

THAT council extend the meeting past 10 p.m.

Carried

The Deputy Mayor reported that they had received legal advice on matters subject to solicitor-client privilege; that staff had been provided direction with respect to a claim; and that council had received personal information about an employee for the municipality.

#2017-0320

Moved by Deputy Mayor Wilkins

Seconded by Councillor Kavelaars

THAT the Deputy Mayor's report on the closed session be received.

Carried

Campbell Building Matter

#2017-0321

Moved by: Mayor Blackmore

Seconded by: Deputy Mayor Wilkins

THAT staff be directed to enter into an agreement on behalf of the Corporation of the Municipality of Southwest Middlesex with the land owner of 4898 Falconbridge Drive in Southwest Middlesex, to allow the owner to construct a new dwelling on the property and retain the existing dwelling for a period of time during construction; and

THAT the agreement include the following conditions related to the requirement for a building permit for the new dwelling and a permit to demolish the present dwelling:

- a cashable security deposit in the amount of \$5,000, refundable upon successful execution of the agreement, with no interest to be paid on the security deposit while in the possession of the municipality;
- that the owner shall demolish the present dwelling as per the demolition permit within ninety (90) days of the issuance of an Occupancy Permit by the municipality for the new dwelling and/or by June 30, 2018, whichever is earlier;
- the owner agrees to forfeit the security deposit in the event that the time limit for demolition is not adhered to;
- opportunity for the Owner to apply to the council of the municipality for an extension of the time limit if there are extenuating circumstances, which may or may not be approved;
- that the Owner agrees that the municipality shall have the authority to enter onto the property to carry out the demolition if the Owner does not comply with the agreement;
- that any costs incurred regarding the demolition by the municipality shall be the sole responsibility of the Owner and shall be collectable in a manner as taxes, if necessary;
- and that the agreement shall form part of the building permit associated with the property.

Carried

## 6. Arena Rink Boards Update

#2017-0322

Moved by Councillor Cowell

Seconded by Deputy Mayor Wilkins

THAT Council approve the extra work and related costs to address the rink floor issues.

Carried

a. Public Works

7. Withdrawal of Request for Review of Tribunal Decision – Miller Drain

#2017-0323

Moved by Councillor Bartlett

Seconded by Councillor Vink

THAT the Withdrawal of Request for Review of Tribunal Decision – Miller Drain is received for information purposes.

Carried

8. Tenders – Hexter Drain Tenders

#2017-0324

Moved by Deputy Mayor Wilkins

Seconded by Councillor Arahna

THAT the Hexter Drain tender be awarded to McNally Excavating (subject to no appeals to the Agriculture, Food and Rural Affairs Tribunal being received).

Carried

9. Tenders – Watson Branch of the Haggerty Drain No. 1 Tenders

#2017-0325

Moved by Councillor Aranha

Seconded by Councillor Vink

THAT the Watson Branch of the Haggerty Drain No. 1 tender be awarded to McNally Excavating.

Carried

10. Boundary Road Agreement – Brooke-Alvinston

#2017-0326



Moved by Councillor Arahna  
Seconded by Councillor Vink  
THAT Council pass the by-law and approve the agreement.  
Carried

## **10. REPORTS OF COMMITTEES**

Update on the Canada Day Committee events.

## **11. UNFINISHED BUSINESS**

None

## **12. INFORMATION CORRESPONDENCE**

1. [Middlesex County Cycling Strategy Notice of Public Open House #1](#)
2. [Get Fresh...Eat Local News Release](#)
3. [Local farmers, Conservation Authority take lead in improving water quality](#)
4. [Ensuring a Safe, Permanent Solution to Manage Nuclear Waste](#)
5. [Resolution Municipality of Brockton – Amendment to Conservation Authorities Act](#)

#2017-0327

Moved by Councillor Cowell

Seconded by Councillor Bartlett

That the information correspondence items is received and filed.

Carried

## **13. COUNCILLORS COMMENTS AND ENQUIRIES**

- [Councillors Comments/Councillor and Staff Conference & Seminar Reports](#)

Members of council shared information and comments related to community events and municipal activities.

## **14. NOTICE OF FUTURE MEETINGS (subject to change)**

- June 28, 2017 – Planning – 7:00 p.m.
- July 12, 2017 – Council – 1:30 p.m.
- July 26, 2017 – Planning – 7:00 p.m.

## **15. BY-LAWS**

1. [By-law No. 2017/036](#) – third reading only  
Being a by-law to provide for drainage works in the Municipality of Southwest Middlesex, in the County of Middlesex, being the Hexter Municipal Drain
2. [By-law No. 2017/052](#)  
Being a by-law to provide for the collection of the cost of construction of the Coulthard Drain
3. [By-law No. 2017/053](#)  
Being an amending by-law providing for the collection of the repairs on the Dugald McCallum Drain in the Municipality of Southwest Middlesex
4. [By-law No. 2017/054](#)  
Being a by-law to provide for the collection of the cost of construction on the E Buurma Drain in the Municipality of Southwest Middlesex
5. [By-law No. 2017/055](#)  
Being a by-law to provide for the collection of the cost of construction of the Ensil Irwin Drain
6. [By-law No. 2017/056](#)  
Being a by-law to provide for the collection of the cost of construction of the Glen Reycraft Drain
7. [By-law No. 2017/057](#)  
Being a by-law to provide for the collection of the cost of construction of the Government #4 Drain
8. [By-law No. 2017/058](#)  
Being a by-law to provide for the collection of the cost of construction of the H. Buurma Drain
9. [By-law No. 2017/059](#)  
Being a by-law to provide for the collection of the cost of construction of the Keet Drain
10. [By-law No. 2017/060](#)  
Being a by-law to provide for the collection of the cost of construction of the Wild Drain

11. [By-law No. 2017/061](#)

Being a by-law to provide for the collection of the cost of construction of the Winger Drain Branch A

12. [By-law No. 2017/062](#)

Being a by-law to authorize an Agreement for the Maintenance and Repair of the Boundary Road (Conservation Road) between the Municipality of Brooke-Alvinston and the Municipality of Southwest Middlesex

13. [By-law No. 2017/063](#)

Being a by-law to establish a Municipal Service Board (Canada Day Celebration Board) of the Municipality of Southwest Middlesex

14. [By-law No. 2017/064](#)

Being a by-law to confirm the proceedings of the council of the Municipality of Southwest Middlesex (June 21, 2017)

#2017-0328

Moved by Deputy Mayor Wilkins

Seconded by Councillor Cowell

That By-law No. 2017/052 to By-law No. 2017/064 be given first, second and third reading and finally passed; and that By-law No. 2017/36 be read a third time and finally passed.

Carried

## **16. ADJOURNMENT**

The Mayor adjourned the meeting at 10:21 p.m.

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Mayor

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Clerk