



Middlesex Centre Council Minutes
Regular Meeting of Council

April 6, 2022, 9:00 a.m.
Electronic Council Meeting

COUNCIL PRESENT: Mayor DeViet
Deputy Mayor Brennan
Councillor Heffernan
Councillor Shipley
Councillor Aerts
Councillor Scott
Councillor Cates

STAFF PRESENT: Michael Di Lullo - Chief Administrative Officer
Arnie Marsman - Director of Building Services / Chief Building Official
Colin Toth - Director of Emergency Services / Fire Chief
Rob Cascaden - Director of Public Works and Engineering
Scott Mairs - Director of Community Services
Tiffany Farrell - Director of Corporate Services
James Hutson - Municipal Clerk
Heather Kepran - Communications Specialist
Megan Kamermans - Corporate Records and Planning Services
Marion Cabral - County Planner
Ruth Joyce-Maynard - Human Resource & Health & Safety Coordinator

1. CALL TO ORDER

Mayor DeViet calls the meeting to order at 9:00 a.m.

Members of the public are invited to participate in this meeting of Council by accessing the meeting which will be live-streamed on our Middlesex Centre YouTube channel.

2. ADDITIONS TO THE AGENDA

There are no additions to the April 6, 2022 Council agenda.

3. DISCLOSURE OF PECUNIARY INTEREST

There are no disclosures of pecuniary interest to note for the April 6, 2022 Council agenda items.

4. CLOSED SESSION

Resolution # 2022-091

Moved by: Councillor Scott

Seconded by: Councillor Heffernan

THAT the Council for the Municipality of Middlesex Centre adjourn to closed session at 9:02 a.m. pursuant to Section 239 (2) of the Municipal Act, 2001, as amended to discuss the following matters:

Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality;

CARRIED

4.1 CALL TO ORDER

4.2 DISCLOSURE OF PECUNIARY INTEREST

4.3 ADOPTION OF MINUTES

4.3.1 Minutes of the March 16, 2022 Closed Session

4.4 CLOSED SESSION ITEMS

4.4.1 Potential Partnership Update

4.5 ADJOURNMENT

Resolution # 2022-093

Moved by: Councillor Scott

Seconded by: Councillor Cates

THAT Council rise from closed session and return to open session at 9:20 a.m.

CARRIED

5. DELEGATIONS, PRESENTATIONS AND PETITIONS

5.1 Presentation from Dean Croker, Detachment Commander Middlesex County - West Region, Ontario Provincial Police

Dean Croker is in attendance on behalf of the Ontario Provincial Police to provide an update presentation. A copy of the PowerPoint presentation is on file in the Clerk's office.

5.2 Presentation from Ken Logtenberg of BM Ross & Associates re: 2021 Structures Inspection Report – Bridges and Culverts

Ken Logtenberg of BM Ross & Associates is in attendance to provide an overview of the 2021 Structures Inspection Report – Bridges and Culverts. A copy of the PowerPoint presentation provided is on file in the Clerk's office.

6. ADOPTION OF THE MINUTES

6.1 Minutes of the March 16, 2022 Council Meeting

Resolution # 2022-094

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT the minutes of the March 16, 2022 (Meeting A) be adopted as printed.

CARRIED

6.2 Minutes of the March 16, 2022 Council Meeting (Meeting B)

Resolution # 2022-095

Moved by: Councillor Scott

Seconded by: Councillor Heffernan

THAT the minutes of the March 16, 2022 (Meeting A) be adopted as printed.

CARRIED

7. CONSENT AGENDA

Resolution # 2022-096

Moved by: Councillor Shipley

Seconded by: Councillor Cates

THAT Items 7.1 through 7.10 listed under the heading of Consent Agenda for April 6, 2022 be adopted as recommended.

CARRIED

7.1 Municipal Office Renovation Project

THAT Report CAO-11-2022, re: Municipal Office Renovation Project be received for information.

7.2 2021 Structures Inspection Report – Bridges and Culverts

THAT Report PWE-10-2022 regarding 2021 Structures Inspection Report – Bridges and Culverts be received for information.

7.3 2022 Municipal Election Restricted Acts (Lame Duck) and Key Dates

THAT Report CLK-03-2022 re: 2022 Municipal Election Restricted Acts (Lame Duck) and Key Dates be received;

AND THAT the by-law attached as Appendix 'A' being a by-law to delegate authority for decisions to the Chief Administrative Officer for Restricted Acts after Nomination Day be approved.

7.4 Community Services Advisory Committee Meeting Minutes, December 6, 2021

THAT the minutes of the Community Services Advisory Committee held on December 6, 2021 be received for information.

7.5 CPS-15-2022 Annual Repayment Limit 2022

THAT the Annual Repayment Limit 2022 Report be received for information.

7.6 Reserve and Reserve Fund Policy Updates

THAT Council approve amending the Reserve and Reserve Fund Policy to include an additional reserve fund named "Fleet Reserve Fund";

AND THAT Council approve the name change for the Federal Gas Tax Reserve Fund to Canada Community Building Reserve Fund;

AND THAT Council approve the closure of the Capital Carry Forward Reserve;

AND FURTHER THAT the Director of Corporate Services be directed to amend the existing policy effective April 6, 2022 as attached.

7.7 Middlesex Centre Fire Services (MCFS) Firefighter Certification

THAT Report FS-02-2022, re: Middlesex Centre Fire Services (MCFS) Firefighter Certification be received for information.

7.8 Execulink Telecom Inc. Municipal Access Agreement

THAT Report PWE-12-2022, re: Execulink Telecom Inc. Municipal Access Agreement be received;

AND THAT a by-law be approved for the purpose of approving the Municipal Access Agreement between the Municipality of Middlesex Centre and Execulink Telecom Inc.;

AND FURTHER THAT the Mayor and Clerk be authorized to execute the Municipal Access Agreement on behalf of the municipality.

7.9 Government Municipal Drain No 2 Petition for Drainage

THAT the Petition for Drainage submitted by the Municipality's Road Authority proceed;

AND THAT staff be directed to notify the affected landowners and appropriate agencies of the Council's decision to proceed with the drainage works;

AND FURTHER THAT following the notice to the appropriate agencies, Mike DeVos, P.Eng of Spriet Associates be appointed to prepare a Drainage Report for the creation of a new branch to the Government Dain No 2 all in accordance with the Ontario Drainage Act.

7.10 Tender Results – Garden Ave Storm Sewer Replacement

THAT the construction award for the Garden Ave Storm Sewer Replacement be awarded to J-Aar Excavating Ltd. in the amount of \$3,607,132.65 (excluding HST) as per the Engineer's review and recommendation;

AND THAT the approved 2022 Capital Budget for the Garden Ave Storm Sewer Replacement project be increased an additional \$850,000.00 (inclusive of HST);

AND FURTHER THAT the Mayor and Clerk be authorized to execute the necessary contract documents.

8. STAFF REPORTS

8.1 Declaration of Surplus Property – Komoka Community Centre

Michael Di Lullo, Chief Administrative Officer is in attendance to provide an overview of the staff report.

Paul Houghton, a member of the public, is in attendance to comment on the staff report.

Resolution # 2022-097

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT Report CAO-10-2022, re: Declaration of Surplus Property – Komoka Community Centre be deferred to a future meeting.

CARRIED

8.2 Right to Disconnect Legislation

Michael Di Lullo, Chief Administrative Officer is in attendance to provide an overview of the staff report.

Resolution # 2022-098

Moved by: Councillor Shipley
Seconded by: Councillor Cates

THAT Report CAO-9-2022, re: Right to Disconnect Legislation be received;

AND THAT the Right to Disconnect Policy appended to Report CAO-09-2022 be approved.

CARRIED

8.3 Delaware Main Baseball Diamond – Renaming Request

Scott Mairs, Director of Community Services is in attendance to provide an overview of the staff report.

Resolution # 2022-099

Moved by: Councillor Scott
Seconded by: Deputy Mayor Brennan

THAT Report CMS-05-2022 re: Delaware Main Baseball Diamond – Renaming Request be received;

AND THAT the letter dated February 23, 2022 from the Del-Ko-Brydge Minor Baseball Association (DKMB) be received;

AND FURTHER THAT staff be authorized to work with DKMB in renaming the existing ball diamond known as ‘Delaware Main’ to a mutually agreed upon name.

CARRIED

8.4 Diversity Equity and Inclusion Policy

Ruth Joyce, Human Resource & Health & Safety Coordinator is in attendance to provide an overview of the staff report along with Heather Kepran, Communications Coordinator and Tiffany Farrell, Director of Corporate Services.

Resolution # 2022-100

Moved by: Deputy Mayor Brennan
Seconded by: Councillor Heffernan

THAT Report CPS-07-2022, re: Diversity, Equity and Inclusion Policy be received;

AND THAT the Diversity, Equity and Inclusion Policy appended to Report CPS-07-2022 be approved.

CARRIED

8.5 Applications for Draft Plan of Subdivision (39T-MC1701), Official Plan Amendment, and Zoning By-law Amendment known as “Poplar Woods”; Filed by AGM Limited on behalf of Tomar Realty Corporation

Marion Cabral, County Planner, is in attendance to provide an overview of the staff report.

Resolution # 2022-101

Moved by: Councillor Cates
Seconded by: Councillor Scott

THAT the Official Plan Amendment No. 38 (OPA 38) for the land legally described as Concession 8 Pt Lot 6 RP 33R18785 Parts 8 to 10 (former Township of Lobo), Municipality of Middlesex Centre, be ADOPTED and forwarded to the County of Middlesex for consideration of approval;

AND THAT the Zoning By-law Amendment application (ZBA 2017), to rezone the subject property from the ‘Existing Use exception 2 (EU-2)’ zone to the site specific ‘Hamlet Residential First Density exception 12 with Hold (HR1-12)(h-1)’ and ‘Open Space exception 8 (OS-8) for the property legally described as Concession 8 Pt Lot 6 RP 33R18785 Parts 8 to 10 (former Township of Lobo), Municipality of Middlesex Centre, be APPROVED;

AND FURTHER THAT the County of Middlesex be advised that Middlesex Centre recommends draft plan approval for the land known legally as Concession 8 Pt Lot 6 RP 33R18785 Parts 8 to 10 (former Township of Lobo), Municipality of Middlesex Centre, County File No. 39T-MC1701, subject to the draft plan conditions appended to the Middlesex Centre report PLA-23-2022, and subject to a three (3) year lapse period.

CARRIED

9. NOTICE OF MOTION

9.1 Councillor Scott - Middlesex Centre Vaccination Policy

Resolution # 2022-102

Moved by: Councillor Scott

Seconded by: Councillor Aerts

THAT Council reconsider the application of the COVID-19 Vaccination Administrative Policy (CAO-25-2021) to members of Council as being optional rather than mandated.

DEFEATED

10. CORRESPONDENCE

Resolution # 2022-103

Moved by: Councillor Heffernan

Seconded by: Councillor Aerts

THAT the Council for the Municipality of Middlesex Centre receives the Correspondence items 10.1 through 10.86 as information.

CARRIED

10.1 Ausable Bayfield Conversation Authority - 2021 Annual Report

10.2 Lake Huron Primary Water Supply System - 2021 Compliance Report

10.3 Middlesex London Health Unit - March 2022 Update

10.4 Ministry of Energy - Independent Electricity System Operator (IESO)

10.5 St. Clair Region Conservation Authority - 2021 Annual Report

10.6 Adrian vanDorst- Item 8.1 - Declaration of Surplus Land

10.7 Angelina Dieleman- Item 8.1 - Komoka Community Centre

10.8 Bart Garner - Item 8.1 - Komoka Community Centre

10.9 Blair Stickle- Item 8.1 - Komoka Community Centre

10.10 Brad McGonigle - Item 8.1 - Declaration of Surplus Land

10.11 Carol and Angelo Paino - Item 8.1 - Declaration of Surplus Land

10.12 Carolyn Denstedt- Item 8.1 - Komoka Community Centre

10.13 Charlie Fowler- Item 8.1 - Komoka Community Centre

10.14 Charmaine Graham- Item 8.1 - Komoka Community Centre

10.15 Christa McCall - Item 8.1 - Declaration of Surplus Land

10.16 Cristie Newell - Item 8.1 - Komoka Community Centre

- 10.17 Christina Tischler - Item 8.1 - Declaration of Surplus Lands Komoka
- 10.18 Dave Campbell - Item 8.1 - Komoka Community Community Centre
- 10.19 Dave Humphrey - Item 8.1 - Komoka Community Centre
- 10.20 Derek Raine- Item 8.1 - Komoka Community Centre
- 10.21 Diana Bohonowicz- Item 8.1 - Komoka Community Centre
- 10.22 Donald Coubrough - Item 8.1 - Declaration of Surplus Land
- 10.23 Emma Swiatek - Item 8.1 - Declaration of Surplus Land
- 10.24 Eric and Janice Verhaeghe - Item 8.1 - Komoka Community Centre
- 10.25 Gabrielle Woodey - Item 8.1 - Komoka Community Centre
- 10.26 Garvin Burt- Item 8.1 - Komoka Community Centre
- 10.27 Harry and Darla Burch- Item 8.1 - Komoka Community Centre
- 10.28 Ian McCulloch - Item 8.1 - Declaration of Surplus Land
- 10.29 Jane Campbell - Item 8.1 - Declaration of Surplus Land
- 10.30 Jerry Thomas- Item 8.1 - Komoka Community Centre
- 10.31 Jerry, Julie, Mason, Tyler and Parker Blizman - Item 8.1 - Komoka Community Centre
- 10.32 Jo-Anne Snyders- Item 8.1 - Declaration of Surplus Land
- 10.33 Joe Carroll - Item 8.1 - Komoka Community Centre
- 10.34 John and Judy Branch - Item 8.1 - Komoka Community Centre
- 10.35 Joshua Lealess - Item 8.1 - Declaration of Surplus Land
- 10.36 Julie Kelly - Item 8.1 - Declaration of Surplus Land
- 10.37 Justin Marshall - Item 8.1 - Declaration of Surplus Land
- 10.38 Katharine Wanger - Item 8.1 - Komoka Community Centre
- 10.39 Kathleen Decosse - Item 8.1 - Komoka Community Centre
- 10.40 Katie Nigh - Item 8.1 - Declaration of Surplus Land
- 10.41 Ken Cates- Item 8.1 - Komoka Community Centre
- 10.42 Ken Koprowski - Item 8.1 - Declaration of Surplus Land
- 10.43 Kevin Foster - Item 8.1 - Declaration of Surplus Land
- 10.44 Komoka Railway Museum - Item 8.1 - Declaration of Surplus Land
- 10.45 Lacey Allen - Item 8.1 - Komoka Community Centre

- 10.46 Laura and Rob Plank - Item 8.1 - Declaration of Surplus Lands Komoka**
- 10.47 Liisa Buren- Item 8.1 - Komoka Community Centre**
- 10.48 Lindsay Jones - Item 8.1 - Komoka Community Centre**
- 10.49 Lisa Tapp - Item 8.1 - Komoka Community Centre**
- 10.50 Lynda Folkema- Item 8.1 - Komoka Community Centre**
- 10.51 Lynne Arnott- Item 8.1 - Komoka Community Centre**
- 10.52 Madison Hoath- Item 8.1 - Declaration of Surplus Land**
- 10.53 Mae Piggott - Item 8.1 - Komoka Community Centre**
- 10.54 Margaret Gelinias- Item 8.1 - Declaration of Surplus Land**
- 10.55 Maribelle Trescases- Item 8.1 - Komoka Community Centre**
- 10.56 Marja van Dorst- Item 8.1 - Declaration of Surplus Land**
- 10.57 Mary Anne McCallum- Item 8.1 - Declaration of Surplus Land**
- 10.58 Melanie Riley - Item 8.1 - Komoka Community Centre**
- 10.59 Melissa Allen - Item 8.1 - Declaration of Surplus Land**
- 10.60 Melissa Woytaz - Item 8.1 - Declaration of Surplus Land**
- 10.61 Michael Hurley- Item 8.1 - Komoka Community Centre**
- 10.62 Mike Woytaz - Item 8.1 - Declaration of Surplus Land**
- 10.63 Nancy Koprowski- Item 8.1 - Komoka Community Centre**
- 10.64 Netty Verberne - Item 8.1 - Komoka Community Centre**
- 10.65 Noura Abdelhafez- Item 8.1 - Komoka Community Centre**
- 10.66 Pat Fowler - Item 8.1 - Declaration of Surplus Land**
- 10.67 Patricia VanderVelden- Item 8.1 - Declaration of Surplus Land**
- 10.68 Pauline Moorhouse- Item 8.1 - Declaration of Surplus Land**
- 10.69 Paul Mylemans - Item 8.1 - Declaration of Surplus Land**
- 10.70 Peter and Linda Knowles- Item 8.1 - Declaration of Surplus Land**
- 10.71 Peter Houghton- Item 8.1 - Declaration of Surplus Land**
- 10.72 Roanne Therrien- Item 8.1 - Declaration of Surplus Land**
- 10.73 Rob Hepburn- Item 8.1 - Komoka Community Centre**
- 10.74 Ron and Dale Watson - Item 8.1 - Declaration of Surplus Land**

- 10.75 Ron and Sue Nakamura- Item 8.1 - Declaration of Surplus Land**
- 10.76 Sara Gordon- Item 8.1 - Komoka Community Centre**
- 10.77 Shannon Graham - Item 8.1 - Komoka Community Centre**
- 10.78 Sharon Holden- Item 8.1 - Komoka Community Centre**
- 10.79 Siona Hutchings- Item 8.1 - Komoka Community Centre**
- 10.80 Stephen Phinnemore- Item 8.1 - Komoka Community Centre**
- 10.81 Sue Taylor- Item 8.1 - Komoka Community Centre**
- 10.82 Tammy and Dane Arn - Item 8.1 - Komoka Community Centre**
- 10.83 Tammy Johnson - Item 8.1 - Komoka Community Centre**
- 10.84 Tegan MacQueen- Item 8.1 - Declaration of Surplus Land**
- 10.85 Victor and Kim Nunez- Item 8.1 - Komoka Community Centre**
- 10.86 Vikki Searle - Item 8.1 - Declaration of Surplus Land**

11. COUNTY COUNCIL UPDATE

Deputy Mayor Brennan provides the following update from County Council held on April 5, 2022:

- A Notice of Motion was provided by Councillor Smith regarding crosswalks which will be considered at a future meeting;
- The 2022 borrowing by-law was approved;
- A presentation regarding ITS Server and Storage Infrastructure Replacement was provided;
- A renewal agreement with Bell Canada for 911 services was approved;
- It was noted that Strathmere Lodge is continuing with a vaccination policy;
- Middlesex County Day was set for May 12, 2022 at the Thorndale Community Centre;
- The Middlesex County Golf Tournament was set for June 23, 2022.

12. OTHER BUSINESS

There are no matters of other business to note for the April 6, 2022 Council meeting.

13. BY-LAWS

Resolution # 2022-104

Moved by: Councillor Scott

Seconded by: Councillor Shipley

THAT By-laws 2022-019 and 2022-020 as well as By-laws 2022-033 through By-law 2022-036 be adopted as printed.

CARRIED

13.1 2022-019

Being a by-law of the Corporation of the Municipality of Middlesex Centre to provide for a drainage works to be known as the Bell Municipal Drain.

Final Reading

13.2 2022-020

Being a by-law of the Corporation of the Municipality of Middlesex Centre to provide for a drainage works to be known as the Ward Municipal Drain

Final Reading

13.3 2022-032

Being a By-law of the Corporation of the Municipality of Middlesex Centre to Delegate Authority for Decisions to the Chief Administrative Officer for Restricted Acts after Nomination Day

13.4 2022-033

Being a by-law of the Corporation of the Municipality of Middlesex Centre to approve and ratify a Municipal Access Agreement between Execulink Telecom Inc., (the “Company”) and the Municipality of Middlesex Centre (the “Municipality”)

13.5 2022-034

Being a by-law to amend the Middlesex center comprehensive zoning by-law number 2005-005 with respect to Concession 8 Pt Lot 6 RP 33R18785 Parts 8 to 10 (geographic Township of Lobo), Municipality of Middlesex Centre, roll number: 393900003010303

13.6 2022-035

Being a By-Law to adopt Amendment No. 38 to the Official Plan of Middlesex Centre

13.7 2022-036

Being a By-law to adopt and confirm all actions and proceedings of the Council of the Municipality of Middlesex Centre at the Council meeting held on April 6, 2022

14. ADJOURNMENT

Moved by: Councillor Cates
Seconded by: Councillor Heffernan

THAT the Council for the Municipality of Middlesex Centre adjourns the April 6, 2022 Council meeting at 12:09 p.m.

CARRIED

Aina DeViet, Mayor

James Hutson, Municipal Clerk