



**Middlesex Centre Council Minutes**  
**Regular Meeting of Council**

**September 8, 2021, 9:30 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  
Ashley Kwarciak - Planning Services and Corporate Records  
Marion Cabral – County Planner  
Dan Anderson - Drainage Superintendent

**1. CALL TO ORDER**

Mayor DeViet calls the meeting to order at 9:30 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.

Mayor DeViet provides opening remarks expressing thanks to Middlesex Paving and Maintenance for the rock donation that has the MPM Group inscription located at Komoka Park.

Mayor DeViet congratulates Middlesex Centre's CAO Michael Di Lullo on his appointment to the Ontario Municipal Administrator's Association board of directors.

**2. ADDITIONS TO THE AGENDA**

There are no additions to the September 8, 2021 Council meeting agenda.

**3. DISCLOSURE OF PECUNIARY INTEREST**

There are no disclosures pecuniary of interest to note.

**4. DELEGATIONS, PRESENTATIONS AND PETITIONS**

**4.1 Vande Borne Municipal Drain Consideration of Engineer's Report**

Mike DeVos of Spriet Associates is in attendance virtually to present this report.

**Resolution # 232-2021**

**Moved by:** Councillor Shipley

**Seconded by:** Deputy Mayor Brennan

THAT the Council for the Municipality of Middlesex Centre receives the Vande Borne Drain Report from Mike DeVos of Spriet Associates dated June 30, 2020 and authorizes that the project proceed;

AND THAT the Court of Revision will meet on October 13, 2021;

AND FURTHER THAT Councillor Heffernan, Councillor Shipley, and Deputy Mayor Brennan be appointed to sit as the members of the Court of Revision with Deputy Mayor Brennan being the Chair.

**CARRIED**

**4.2 Middlesex Centre Archives & the Committee to Establish a Middlesex County Archives - Update Presentation**

Carol Small and Carolynn Bart-Riedstra are in attendance on behalf of the Middlesex Centre Archives along with Dan Oatman of the Komoka Railway Museum.

**Resolution # 233-2021**

**Moved by:** Councillor Heffernan

**Seconded by:** Councillor Cates

THAT the Municipality of Middlesex Centre supports the proposal by the Committee to Establish a Middlesex County Archives

**CARRIED**

**5. ADOPTION OF THE MINUTES**

**5.1 Minutes of the August 11, 2021 Council Meeting**

**Resolution # 234-2021**

**Moved by:** Councillor Cates

**Seconded by:** Councillor Scott

THAT the minutes of the Middlesex Centre Council meeting held on August 11, 2021 be adopted as printed.

**CARRIED**

**6. CONSENT AGENDA**

**Resolution # 235-2021**

**Moved by:** Councillor Shipley

**Seconded by:** Councillor Heffernan

THAT Items 6.1 through 6.4 listed on the Consent Agenda for September 8, 2021 be adopted as recommended.

**CARRIED**

**6.1 Municipal Modernization Funding Program – Execution of Transfer Payment Agreement**

THAT Report CAO-20-2021, re: Municipal Modernization Funding Program – Execution of Transfer Payment Agreement be received;

AND THAT the Mayor and CAO be authorized to execute the Transfer Payment Agreement with the Ministry of Municipal Affairs and Housing.

**6.2 Tender Results – Lewington Municipal Drain Construction Award**

THAT the construction of the Lewington Municipal Drain be awarded to the lowest tender bid submission received from Robinson Farm Drainage Limited in the amount of \$235,425.00 + HST.

**6.3 Taylor Municipal Drain Branch 1 Request for Improvement**

THAT the Request for Drain improvement submitted by a landowner 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 improvement of the Taylor Municipal Drain Branch 1, all in accordance with the Ontario Drainage Act.

**6.4 First Half 2021 Building Activity Summary**

THAT Report BLD-04-2021 re: First Half 2021 Building Activity Summary be received as information.

**7. STAFF REPORTS**

**7.1 Cost of Living Adjustment for 2022**

**Resolution # 236-2021**

**Moved by:** Councillor Heffernan

**Seconded by:** Councillor Aerts

THAT Report CAO-19-2021 re: Cost of Living Adjustment for 2022 be received;

AND THAT the cost of living adjustment of two percent receives pre-budget approval for 2022 and applied to employee wages effective January 1 for the calendar year.

**CARRIED**

**7.2 2022 Municipal and School Board Election Voting Method and Vendor Agreement**

**Resolution # 237-2021**

**Moved by:** Councillor Cates

**Seconded by:** Councillor Shipley

THAT Report CLK-13-2021 re: 2022 Municipal and School Board Election Voting Method and Vendor Agreement be received;

AND THAT Council endorse an alternative method of voting (telephone and internet) for the 2022 Municipal and School Board Election;

AND THAT the Mayor and Clerk be authorized to execute the necessary by-law that approves an alternative method of voting (telephone and internet) for the 2022 Municipal and School Board Election;

AND FURTHER THAT the Mayor and Clerk be authorized execute an agreement for eVoting Services with Intelivote Systems Inc. for the 2022 Municipal & School Board Election.

**CARRIED**

**7.3 Social Media Policy**

**Resolution # 238-2021**

**Moved by:** Deputy Mayor Brennan  
**Seconded by:** Councillor Heffernan

THAT Report CPS-43-2021, re: Social Media Policy be received;  
AND THAT the Social Media Policy attached to report CPS-43-2021 be approved.

**CARRIED**

**7.4 Request for Redesignation of Noise Classification for the lands north of the Wellness Centre; Filed by Design for Happiness**

**Resolution # 239-2021**

**Moved by:** Deputy Mayor Brennan  
**Seconded by:** Councillor Heffernan

THAT Report PWE 26-2021 regarding a noise classification request for 1 Tunks Lane be received;

AND THAT the Request for re-designation of noise classification, filed by Design for Happiness, to permit a Class 2 to Class 4, be APPROVED;

AND FURTHER THAT a By-Law be passed to Designate Class 4 Areas as per Appendix A appended to Report PWE-26-2021.

**CARRIED**

**7.5 Application for Draft Plan of Subdivision (39T-MC2004) and Zoning By-law Amendment (ZBA-24-2020); Filed by Kevin Muir (GSP Group) on behalf of 2270942 Ontario Ltd.**

**Resolution # 240-2021**

**Moved by:** Councillor Shipley  
**Seconded by:** Councillor Aerts

THAT Zoning By-law Amendment application (ZBA-24-2020), as amended, for 10125 Oxbow Drive filed by Kevin Muir on behalf of 2270942 Ontario Limited to rezone the subject land from 'Extractive Industrial(M4)' to 'Urban Residential First Density with hold (UR1)(h-1)', 'Urban Residential First Density exception 41 (UR1-41)', 'Urban Residential First Density exception 42 with hold (UR1-42)(h-1)', 'Urban Residential First Density exception 43 with hold (UR1-43)(h-1)', 'Urban Residential Third Density exception 16 with hold (UR3-16)(h-1)', and 'Open Space (OS)' be APPROVED;

AND THAT the County of Middlesex be advised that Middlesex Centre recommends draft plan approval for the land known legally as Concession 2 Part Lot 6, former Township of Lobo, Middlesex Centre, County File: 39T-MC2004, subject to the draft plan conditions appended to the Middlesex Centre report PLA-72-2021, and subject to a three (3) year lapse period.

**CARRIED**

**8. NOTICE OF MOTION**

There are no notices of motion to note for the September 8, 2021 Council meeting.

**9. CORRESPONDENCE**

**Resolution # 241-2021**

**Moved by:** Councillor Heffernan

**Seconded by:** Councillor Cates

THAT the Council for the Municipality of Middlesex Centre receives Correspondence Items 10.1 and 10.2 listed on the September 8, 2021 Council Agenda as information.

**CARRIED**

**9.1 Make A Wish Canada - Letter of Appreciation**

**9.2 Ausable Bayfield Conservation Authority - Municipalities Making a Difference – Middlesex Centre**

**10. COUNTY COUNCIL UPDATE**

There is no County Council update to provide as the upcoming County Council meeting is scheduled for Tuesday, September 14, 2021.

**11. OTHER BUSINESS**

**11.1 Notice of Motion Consideration - Middlesex Centre Mask By-law**

**Resolution # 242-2021**

**Moved by:** Councillor Scott

**Seconded by:** Councillor Aerts

THAT the Middlesex Centre Mask By-law be amended to allow for optional wear in indoor settings.

**DEFEATED**

## **11.2 Direction to Staff - Shared Parking Provisions**

Council provided direction to staff to prepare a staff report to be brought to a future Council meeting to review shared parking provisions for Delaware.

## **12. COURT OF REVISION**

### **Resolution # 243-2021**

**Moved by:** Deputy Mayor Brennan

**Seconded by:** Councillor Heffernan

THAT Council adjourn its regular meeting in order to sit as the Court of Revision under Section 97 of the Drainage Act, as amended, to consider the Komoka Drain - Union Avenue Branch with members Councillor Aerts, Councillor Cates and Mayor DeViet in the Chair;

**CARRIED**

## **12.1 Court of Revision for the Komoka Drain - Union Avenue Branch**

### **Resolution # 244-2021**

**Moved by:** Councillor Aerts

**Seconded by:** Councillor Cates

THAT the Middlesex Centre Court of Revision approves the revised Schedule of Assessment for the Komoka Municipal Drain and Drainage Works - Union Avenue Branch;

**CARRIED**

### **Resolution # 245-2021**

**Moved by:** Councillor Aerts

**Seconded by:** Councillor Cates

THAT the Court of Revision does now adjourn at 11:53 a.m. and the regular meeting of Council be resumed.

**CARRIED**

## **13. CLOSED SESSION**

### **Resolution # 246-2021**

**Moved by:** Councillor Shipley

**Seconded by:** Deputy Mayor Brennan

THAT the Council for the Municipality of Middlesex Centre adjourn to closed session at 11:54 a.m. pursuant to Section 239 (2) of the Municipal Act, 2001, as amended to discuss the following matters:

Section 239 (2)(a) the security of the property of the municipality or local board;

Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

Section 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

Section 239 (2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

**CARRIED**

### **13.1 CALL TO ORDER**

### **13.2 DISCLOSURE OF PECUNIARY INTEREST**

### **13.3 ADOPTION OF MINUTES**

13.3.1 July 14, 2021 Closed Minutes

13.3.2 August 11, 2021 Closed Minutes

### **13.4 CLOSED SESSION ITEMS**

13.4.1 HRT0 Correspondence

13.4.2 Watermain Extension Subsidy Request

13.4.3 Official Plan Review

13.4.4 Disposition of Property

### **13.5 ADJOURNMENT**

Council rose from closed session at 1:17 p.m.

## **14. BY-LAWS**

### **Resolution # 250-2021**

**Moved by:** Councillor Cates

**Seconded by:** Councillor Shipley

THAT By-law 2021-066 and By-laws 2021-082 through By-law 2021-088 be adopted as printed.



**CARRIED**

- 14.1 2021-066 Being a by-law to provide for a drainage works to be known as the Carpenter Municipal Drain
- 14.2 2021-082 Being a by-law to enact a municipal Social Media Policy
- 14.3 2021-084 Being a by-law to amend the comprehensive zoning by-law number 2005-005 with respect to Concession 2 Part Lot 6 (ZBA-24-2020)
- 14.4 2021-081 Being a by-law to dedicate 0.3m (1 foot) Reserve Blocks for public purposes (Blocks 71 and 75 on Plan 33M-738)
- 14.5 2021-083 Being a by-law to designate class 4 areas.
- 14.6 2021-085 Being a by-law to authorize the use of telephone and internet voting as an alternative voting method for the 2022 Municipal and School Board Election
- 14.7 2021-086 Being a by-law to authorize the execution of an agreement between the Municipality of Middlesex Centre and Intelivote Systems Inc.
- 14.8 2021-087 Being a by-law to provide for a drainage works to be known as the Vande Borne Municipal Drain
- 14.9 2021-088 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 September 8, 2021

**15. ADJOURNMENT**

The next Council meeting is scheduled for September 22, 2021 at 6:00 p.m.

**Resolution # 251-2021**

**Moved by:** Councillor Aerts

**Seconded by:** Councillor Shipley

THAT the Council for the Municipality of Middlesex Centre adjourns the September 8, 2021 Council meeting at 1:29 p.m.

**CARRIED**

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Aina DeViet, Mayor

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James Hutson, Municipal Clerk