

WEDNESDAY, MARCH 10, 2021 7:00 PM
via Electronic Participation

AGENDA

COUNCIL AGENDA

Meeting can be viewed live at:

<https://www.youtube.com/channel/UC6oo98BZcAvuVMKLDx88I4A>

SOUTHWEST MIDDLESEX COUNCIL AGENDA

The Municipal Council of the Municipality of Southwest Middlesex will meet in Regular Session on March 10, 2021 at 7:00 p.m.

COUNCIL PRESENT:

Mayor Allan Mayhew (Chair presiding), Deputy Mayor Marigay Wilkins, Councillors Doug Bartlett, Ian Carruthers, Christa Cowell, Mark McGill, Mike Sholdice and Martin Vink

REGRETS:

STAFF PRESENT:

CAO/Clerk – Jill Bellchamber-Glazier, Director of Operations – Greg Storms, Fire Chief – Colin Shewell, Treasurer – Kristen McGill, Drainage Superintendent – Andrew Neely, Deputy Clerk – Denny Giles

ALSO PRESENT:

Members of the public and press

1. CALL TO ORDER

Mayor Mayhew calls the meeting to order at _____ p.m.

Today's meeting is being held as a virtual meeting due to the declared emergency. In order to keep everyone safe, we are taking this measure to help stop the spread of COVID-19.

Although this is a virtual meeting, we will attempt to record, stream live and publish in accordance with council's Electronic Recording of Meetings Policy.

Due to the pandemic and the requirement for social distancing, to keep you safe, we are not able to allow public to attend this meeting. Normally by attending an open public meeting of the Municipality of Southwest Middlesex you are consenting to your image, voice and/or comments being recorded and published.

Anyone who is invited to speak may be recorded and their voice, image and/or comments will form part of the live stream and recording.

The chair and/or the clerk have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Today's meeting may be streamed live as well as recorded and published on the Southwest Middlesex YouTube channel & website.

Thank you.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

<u>Name</u>	<u>Item</u>	<u>Nature</u>
-------------	-------------	---------------

Conflict of Interest Reporting Form

- **Councillor** [02 C CONFLICT OF INTEREST REPORTING FORM Councillor](#)
- **Deputy Mayor** [02 DM CONFLICT OF INTEREST REPORTING FORM Deputy Mayor](#)
- **Mayor** [02 M CONFLICT OF INTEREST REPORTING FORM Mayor](#)

3. ADDITIONS TO THE AGENDA

#2021-

Moved by _____

Seconded by _____

THAT the Regular Agenda of Council dated March 10, 2021 be accepted as presented.

4. DELEGATIONS AND PRESENTATIONS

Meeting to Consider Engineer's Report – Kelly Drain

[04 Kelly Drain Notice](#)

[04 Kelly Drain Report 219077](#)

[04 Kelly Drain 219077-01](#)

Council shall consider the report prepared by Spriet Associates dated December 21, 2020 and shall give opportunity to any person who own lands within the area requiring drainage who have not signed the petition an opportunity to do so and/or remove their name(s) from the petition (section 4 only).

- Engineer/Staff will give an overview of the work required;
- Questions from any affected property owners whom are present (virtually);
- Request from those present (virtually) to add or remove their name(s) from the petition (section 4 only);
- Comments or questions from Members of Council;
- Decision (if approved, first and second reading of the by-law is required).

#2021-

Moved by _____

Seconded by _____

THAT Council accepts the Engineer's Report in reference to the Kelly Drain and refers the by-law to the by-law section of the agenda for the 1st and 2nd reading only.

Court of Revision – McFarlane Drain

#2021-

Moved by _____

Seconded by _____

THAT _____, _____ and _____ are appointed as members of the Court of Revision for the McFarlane Drain; and

THAT _____ is appointed as Chairperson of the Court of Revision for the McFarlane Drain.

#2021-

Moved by _____

Seconded by _____

THAT the regular meeting of council is suspended to move into the Court of Revision for the McFarlane Drain at _____ p.m.

*Please refer to the Special Meeting Agenda on SWM's website for the Court of Revision.

5. CONSENT AGENDA

- a. SWM Council Meeting Minutes – February 10, 2021 and February 24, 2021
[05 a February 10 2021 DRAFT Council Meeting Minutes](#)
[05 a February 24 2021 DRAFT Council Meeting Minutes](#)
- b. SWM Vouchers
[05 b SWM Vouchers](#)
- c. Mayor Mayhew County Council Update – February 16, 2021
[05 c Mayor Mayhew Middlesex County Council Report 16Feb2021](#)
- d. Resolutions re: Ontario Fire College
[05 d City of Port Colborne Resolution - Ontario Fire College Closure](#)
[05 d Township of Brock Fire College Resolution](#)
[05 d Township of Mono Ontario Fire College](#)
[05 d Township of Perry Resolution of Support - Ontario Fire College](#)
- e. Resolution: Township of Archipelago
[05 e Township of Archipelago - Requested Amendments to the Municipal Elections Act](#)
- f. Middlesex-London Board of Health Update
[05 f BOH Monthly Update February 2021 County](#)
- g. Resolution: Norfolk County
[05 g NCC Resolution Carbon Tax - signed](#)
- h. NASM Plan Approval – McNally Farms
[05 h NASM Plan Approval - McNally Farms 24553](#)
- i. Resolution: Lake of Bays
[05 i Lake of Bays Letter to Premier RE Restaurants in Stage 2](#)
- j. Resolution: Niagara Region
[05 j CLK-C 2021-043 Bill 197 Ontario Municipalities](#)
- k. ICIP Green Stream Program – Transfer Payment Agreement with SWM
[05 k ICIP Green Stream - Transfer Payment Agreement](#)
- l. Ontario Fire Marshal’s Communiqué
[05 l Fire Marshal's Communique - OFC Training Modernization](#)
- m. Resolutions: Amendments to Tile Drainage Installation Act
[05 m Agricultural Tile Drain Installation Act Amendment - PDF](#)
[05 m Ministry of Agr Food Rural Affairs - tile drain installation - PDF](#)
[05 m Title Drainage installation Resolution](#)
- n. Resolution: Township of Brock
[05 n Township of Brock Resolution HC Cannabis Enforcement](#)

#2021-

Moved by _____

Seconded by _____

THAT the council for the Municipality of Southwest Middlesex receives Consent Agenda items 5.a through 5.n as information, and approve the February 10, 2021 and February 24, 2021 council meeting minutes.

6. COMMITTEE OF ADJUSTMENT

None

7. PUBLIC MEETINGS

None

8. STAFF REPORTS

a. Fire

b. Administration

i. ITS Policy

[08 b i ITS Policies](#)

#2021-

Moved by _____

Seconded by _____

THAT Council adopt the Acceptable Use of Technology Policy by by-law.

ii. Mill Street – Middlemiss

[08 b ii Mill Street Middlemiss](#)

#2021-

Moved by _____

Seconded by _____

THAT the Council authorize the termination agreement related to the 2006 agreement between Southwest Middlesex and Welshes for use of the unopened road allowance known as Mill Street; and

THAT the Council enter into a development agreement with Ed Karsch related to the development of Mill Street; and further

THAT following the agreements being entered into staff be directed to bring back with a by-law to close Part 5 of Mill Street.

c. Building

d. Finance

i. SWM Municipal Benefits Renewal

[08 d i Benefits Renewal](#)

#2021-

Moved by _____

Seconded by _____

THAT council maintain current employee benefit coverage levels.

AND THAT council authorize the renewal of the benefits program with RWAM Insurance Administrators Inc.

AND THAT the increase in coverage cost of \$6,725.04 be funded through the insurance reserve.

ii. Delegation of Authority to Treasurer

[08 d ii Delegation of Authority Municipal Act s 354 356-358](#)

#2021-

Moved by _____

Seconded by _____

THAT Council delegate the authority to the Treasurer to undertake certain actions related to the cancellation, refund, reduction, or increase of taxes under Sections 354, 357, 358, and 359 of the *Municipal Act, 2001* and the apportionment of unpaid taxes in accordance with Section 356 of the *Municipal Act, 2001*.

e. Operations

i. Eichenberger Drain Tender

[08 e i Eichenberger Drain Tender](#)

#2021-

Moved by _____

Seconded by _____

THAT council accept the Engineer's recommendation, that the tender be awarded to McNally Excavating (subject to no appeals to the Agriculture, Food and Rural Affairs Tribunal being received).

ii. Pool Heater Replacement – Glencoe Pool

[08 e ii Pool Heater Replacement](#)

#2021-

Moved by _____

Seconded by _____

THAT Council approves the quote as provided by Gerber Electric in the amount of \$19,615.30 Taxes Included, for the replacement of the Pool Heater at the Glencoe Pool.

iii. Off Road Vehicles (ORV's/ATV's)

#2021-

Moved by _____

Seconded by _____

THAT Council approves the ORV By-law, as presented, prohibiting the use of ORVs on local roads for Recreational purposes;

AND THAT Staff be directed to meet with the local ORV Clubs(s) and affected agencies;

AND THAT staff report back to council on these discussions on the formation of a local club that would permit the controlled use of local roads for Recreational purposes utilizing ORVs.

iv. 2021 Gravel Tender Results

[08 e iv Gravel Tender Results](#)

#2021-

Moved by _____

Seconded by _____

THAT Council approves the Tender Price as supplied by Johnson Bros. Ltd. for the supply and delivery of the Municipality's gravel requirements for 2021 being Granular M at \$18.92 per tonne, ¾ Clear at \$22.50 per tonne and Granular "A" at \$17.85 per tonne;

AND THAT Council supports Option A;

AND THAT \$43,000 be moved from the 2020 Dust Control Operational Surplus Budget to accommodate the increase in gravel pricing for 2021.

9. NOTICE OF MOTION

Councillor Carruthers is expected to make the following motion:

THAT the unused balance of the budget for the Road and Sidewalk Condition Assessment being \$22,443 be added to the existing SWM 2021 sidewalk budget.

10. CORRESPONDENCE AND PETITIONS

- None

11. UNFINISHED BUSINESS

None

12. NEW BUSINESS

- Items removed from Consent Agenda to be dealt with separately

- Addendum Items
- Other Business

13. COUNTY COUNCIL AND CONFERENCE UPDATE

Listed under Consent Agenda 5.c.

14. ANNOUNCEMENTS

15. CLOSED SESSION

Closed session not anticipated.

16. BY-LAWS

1. By-law No. 2020/011

[16 1 Bylaw 2020 011 Towers 3rd R](#)

Being a by-law to amend zoning by-law no. 2011/065, Stanley and Cameron Towers, 4275 Olde Drive

2. By-law No. 2021/017

[16 2 Bylaw 2021 017 All Terrain Vehicle ATV Use](#)

Being a by-law of the Corporation of the Municipality of Southwest Middlesex to prohibit and/or otherwise regulation of Off-Road Vehicles (ORVs) on Municipal Roads

3. By-law No. 2021/018

[16 3 Bylaw 2021 018 Acceptable Use of Technology](#)

Being a by-law to establish an Acceptable Use of Technology Policy

4. By-law No. 2021/019

[16 4 Bylaw 2021 019 Agreement for CBO Services with MC](#)

Being a by-law authorizing the Mayor and the CAO-Clerk to execute an agreement with the Corporation of the Municipality of Middlesex Centre for the Services of Chief Building Official

5. By-law No. 2021/020

[16 5 Bylaw 2021 020 ICIP Funding Agreement](#)

Being a by-law to authorize the Mayor and the CAO-Clerk to sign a funding agreement with *Her Majesty the Queen in Right of Ontario* for funding through *Minister of Infrastructure Investing in Canada Infrastructure Program (ICIP): Green Stream Project* for the replacement of Main Street Waterline (Glencoe)

6. By-law No. 2021/021

Being a by-law to authorize the Treasurer to process Tax Adjustments under Sections 354, 356, 357, 358, and 359 of the Municipal Act

7. By-law No. 2021/022

[16 7 Bylaw 2021 022 Termination Agreement Welsh-Karsch](#)

Being a by-law to authorize the Mayor and the CAO-Clerk to enter into a severance and road/land use agreement with Audrey Jean Welsh and David Welsh, and Eddy Peter Karsch, Edward Walter Karsch and Eric Franklin Karsch

8. Bylaw No. 2021/023

[16 8 Bylaw 2021 023 Development Agreement Karsh](#)

Being a by-law authorizing the Mayor and CAO-Clerk to enter into a Development Agreement with Eddy Peter Karsch, Edward Walter Karsch and Eric Franklin Karsch for the property known as Mill Street, 34PL313; Ekfrid being all of PIN 08554-0111.

9. By-law No. 2021/024 (1st and 2nd reading)

[16 9 Bylaw 2021 024 Kelly Drain Bylaw](#)

Being a by-law to provide for the drainage works in the Municipality of Southwest Middlesex, in the County of Middlesex, being the Kelly Drain

10. By-law No. 2021/025

[16 10 Bylaw 2021 025 Confirming 10Mar Meeting](#)

Being a by-law to confirm the proceedings of the council of the Municipality of Southwest Middlesex March 10, 2021

#2021-

Moved by _____

Seconded by _____

THAT By-law No. 2020/011 be given third reading; and

THAT By-law No. 2021/017 to 2021/023 and 2021/025 be given first, second, third and final readings; and

THAT By-law No. 2021/024 be given first and second readings.

17. FUTURE MEETINGS (subject to change)

- March 24, 2021 – 7:00 p.m. – Council & Committee of Adjustment Meeting
- April 7, 2021 – 7:00 p.m. – Council Meeting

18. ADJOURNMENT

The Mayor adjourned the meeting at ____p.m.