



**MUNICIPALITY OF SOUTHWEST MIDDLESEX
REGULAR COUNCIL MEETING**

WEDNESDAY, APRIL 7, 2021 7:00 PM
Council Chambers

COUNCIL MINUTES

SOUTHWEST MIDDLESEX COUNCIL MINUTES

The Municipal Council of the Municipality of Southwest Middlesex met in Regular Session on April 7, 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

STAFF PRESENT:

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

1. CALL TO ORDER

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

Mayor Mayhew noted that the meeting is being held as a virtual meeting due to the declared emergency, in order to help stop the spread of COVID-19.

Mayor Mayhew confirmed that the meeting will be recorded and streamed live and published in accordance with council's Electronic Recording of Meetings Policy.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Mark McGill declared a potential direct pecuniary interest on Council/Committee Agenda dated April 7, 2021, Item No. 8.e.iii., Item Title: McFarlane Drain – section 78 improvement for the following reasons: I will be assessed on this improvement. I own a farm upstream of this culvert replacement.

Councillor Christa Cowell declared a potential indirect pecuniary interest on Council/Committee Agenda dated April 7, 2021, Item No. 16.1 and 16.2, Item Title: By-Laws, Appointment for CBO and Inspectors and Appointment for Municipal By-law Enforcement Officers for the following reasons: I have a deemed pecuniary interest under section 3 that arises from indirect pecuniary interest pursuant to clause 2(b).

3. ADDITIONS TO THE AGENDA

#2021-096

Moved by Councillor McGill

Seconded by Councillor Bartlett

THAT the Regular Agenda of Council dated April 7, 2021 be accepted as presented.

Carried

4. DELEGATIONS AND PRESENTATIONS

None

5. CONSENT AGENDA

- a. SWM Council Meeting Minutes – March 24, 2021
- b. SWM Vouchers
- c. General Hillier COVID-19 Distribution Task Force – Update
- d. NASM Plan Approval – 24586
- e. NASM Plan Approval – 24596
- f. Resolution: Kingsville
- g. Resolution: Town of Orangeville
- h. Minister Bethlenfalvy - Letter to Heads of Council
- i. Resolution: Municipality of Calvin
- j. Resolution: Town of Cochrane
- k. Mayor Mayhew – County Council Report to Council
- l. Resolution: City of Kitchener
- m. Local Improvements – John Street, Glencoe
- n. Canadian Pacific – 2021 Vegetation Control Program

#2021-097

Moved by Councillor Cowell

Seconded by Deputy Mayor Wilkins

THAT Southwest Middlesex Council support the resolution from the Municipality of Calvin related to universal paid sick leave.

Carried

#2021-098

Moved by Councillor Cowell

Seconded by Deputy Mayor Wilkins

THAT Southwest Middlesex Council support the resolution from the City of Kitchener related to changes to Planning Act timelines.

Carried

#2021-099

Moved by Councillor Carruthers

Seconded by Councillor Vink

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

Carried

6. COMMITTEE OF ADJUSTMENT

None

7. PUBLIC MEETINGS

None

8. STAFF REPORTS

a. Fire
No Reports

b. Administration
i. Laserfiche/Records Management

#2021-100

Moved by Deputy Mayor Wilkins

Seconded by Councillor Carruthers

THAT Council support the creation of a temporary full-time position related to records management to be funded from existing reserves set aside for the project management of Laserfiche.

Carried

- ii. Fire Services Agreement – Strathroy-Caradoc

#2021-101

Moved by Councillor Carruthers

Seconded by Councillor Sholdice

THAT Council approve by by-law the Fire Services Agreement with Strathroy-Caradoc for the community of Melbourne.

Carried

- iii. Child Care Facility

#2021-102

Moved by Councillor Cowell

Seconded by Councillor Bartlett

THAT Council authorizes the purchase of furniture and equipment to be purchased for the new child care facility in the amount of \$240,261.82; and

THAT Council authorize the funding for the change order to support the county requirements for ingress/egress from the site from Charlotte Street from the Glencoe Child Care Reserve.

Carried

- c. Building
No Reports

- d. Finance
 - i. Deferral of Interest & Penalty

#2021-103

Moved by Councillor Vink

Seconded by Councillor Carruthers

THAT council continue with the deferral of interest and penalty on all Accounts Receivable; and

THAT council revisit the policy direction in 60 days.

Carried

e. Operations

i. Request for Mutual Agreement Drain – River Drive

#2021-104

Moved by Councillor Cowell

Seconded by Councillor Vink

THAT the Mayor and Clerk be authorized to enter into an agreement drain with the owners of Lot 8, Range 2 (former Mosa Township) under the provisions of section 2 (1) of the Drainage Act.

Carried

ii. Kavelaars Drain – Section 4 Petition

#2021-105

Moved by Deputy Mayor Wilkins

Seconded by Councillor Carruthers

THAT council accept the petition filed under Section 4 (1) (a) of The Drainage Act to create a new branch of the Kavlaars Drain

AND THAT the Drainage Superintendent contact St. Clair Conservation Authority and other authorities to ensure legal compliance.

Carried

iii. McFarlane Drain – Section 78 Improvement

Having declared a pecuniary interest, Councillor McGill did not participate in the matter of the McFarlane Drain – Section 78 Improvement

#2021-106

Moved by Councillor Carruthers

Seconded by Councillor Bartlett

THAT council appoint Spriet Associates under Section 78 of the Drainage Act to prepare a report to replace an access bridge located on the property of Gerald & Johanna Zwambag.

Carried

iv. 2021 Brine Tender Results

#2021-107

Moved by Councillor Cowell

Seconded by Councillor McGill

THAT Council approves the Tender Price as supplied by Den-Mar Brines for the supply and application of a minimum of 18% Brine Solution at \$0.066 price per litre.

Carried

v. Half Ton Truck Tender Results

#2021-108

Moved by Councillor Bartlett

Seconded by Councillor McGill

THAT Council approves the purchase of a new Half Ton Pickup 4 x 4 from Finch/Chev Cadillac in the amount of \$46,330.00.

AND THAT \$11,300 be moved from the Transportation Reserve for this purchase.

Carried

vi. Turf Maintenance Contractor Quoting & Proposals

#2021-109

Moved by Councillor Cowell

Seconded by Deputy Mayor Wilkins

THAT Council approves the selection of Brad's Lawn Care as the Turf Maintenance contractor at an average cost of \$1,510 for all properties provided in Table #1, excluding both Arboretums.

AND that Council approves the selection of GreenStreet Landscaping at a cost \$15,020 for the complete maintenance (trees, grass, pathways & flower beds) for both Arboretums in SWM.

Carried

vii. Tender Results – Main Street Waterline Replacement, Glencoe

#2021-110

Moved by Councillor Carruthers

Seconded by Councillor Cowell

THAT Council approves the recommendation of Spriet Associates for the selection of Omega Contractors at a cost of \$1,727,423.93 for the construction of the Main Street Waterline in Glencoe.

Carried

9. NOTICE OF MOTION

#2021-111

Moved by Councillor Sholdice

Seconded by Councillor Vink

WHEREAS at the time of the adoption of changes to the Southwest Middlesex Procedural Bylaw in 2019, it was indicated that there would still be opportunities for councillors to offer comments and inquiries during public council meetings;

AND WHEREAS at the time the consent agenda format was adopted as a means to expedite meetings, councillors were initially informed they were welcome to pull items out of the agenda but have since been encouraged to go directly to staff, rather than bringing questions forward at public meetings;

AND WHEREAS “Announcements” has replaced the term “comments and enquiries” in the new Procedural Bylaw;

AND WHEREAS there is no definition of the term “Announcements” in the Procedural Bylaw;

AND WHEREAS, by dictionary definition, an announcement can be “a formal public statement about a fact, occurrence or intention;”

AND WHEREAS Section 12.3 (ff) of the 2019 Procedural Bylaw indicates that it is the presiding officer’s responsibility to keep the public informed, ensuring the public knows the status of the business of the meeting throughout the meeting;

AND WHEREAS the members of council are individually the direct link between ratepayers and council as a means of maintaining accountability;

AND WHEREAS meetings are the only opportunity for council members to legally share information;

AND WHEREAS every member of this council has been acclaimed or elected to represent the ratepayers of this municipality to the best of their ability;

THEREFORE councillors should be given the opportunity to represent their ratepayers with respectful comments and enquiries, as requested by ratepayers, in an effort to maintain transparent and accountable governance.

Recorded Vote

Councillor Vink – Yes

Councillor Bartlett – No

Councillor Sholdice – Yes

Deputy Mayor Wilkins – No

Mayor Mayhew – No

Councillor McGill – No
Councillor Carruthers – Yes
Councillor Cowell -No

Defeated

10. CORRESPONDENCE AND PETITIONS

a. Transfer Payment – OFMEM

#2021-112

Moved by Councillor Carruthers

Seconded by Councillor Bartlett

THAT Council support the funds from OFMEM for increased training opportunities.

Carried

11. UNFINISHED BUSINESS

None

12. NEW BUSINESS

None

13. COUNTY COUNCIL AND CONFERENCE UPDATE

Council members attended a session held by the Poultry Industry Council on backyard chickens.

14. ANNOUNCEMENTS

None

15. CLOSED SESSION

Closed session not anticipated.

16. BY-LAWS

1. By-law No. 2021/028

Being a by-law to appoint a Chief Building Official and Building Inspectors for the Municipality of Southwest Middlesex.

2. By-law No. 2021/029

Being a by-law to appoint Municipal By-law Enforcement Officers for the Municipality of Southwest Middlesex.

Having declared a pecuniary interest in the by-laws 2021/028 and 2021/029, Councillor Cowell did not participate in the matter.

#2021-113

Moved by Councillor Bartlett

Seconded by Councillor Carruthers

That By-law No. 2020/028 to By-law No. 2020/029 be given first, second, third and final readings.

Carried

3. By-law No. 2021/030

Being a by-law to authorize the signing of an agreement between the Municipality of Strathroy-Caradoc and the Municipality of Southwest Middlesex for fire protection services.

4. By-law No. 2021/031

Being a by-law to authorize the signing of an agreement between the Municipality of Southwest Middlesex and Omega Contractors for the construction of the Main Street Waterline, Glencoe.

5. By-law No. 2021/032

Being a by-law to confirm the 2021 budget estimates of the Municipality of Southwest Middlesex and adopt tax rates to be levied by the local municipality.

6. By-law No. 2021/033

Being a by-law to confirm the proceedings of the council of the Municipality of Southwest Middlesex on April 7, 2021.

#2021-114

Moved by Councillor McGill

Seconded by Councillor Cowell

That By-law No. 2020/030 to By-law No. 2020/033 be given first, second, third and final readings.

Carried

17. FUTURE MEETINGS (subject to change)

- April 21, 2021 – 7:00 p.m. – Council and Committee of Agenda Meeting
- May 12, 2021 – 7:00 p.m. – Council Meeting

18. ADJOURNMENT

The Mayor adjourned the meeting at 8:43 p.m.