



Municipality of Mississippi Mills

COUNCIL AGENDA

Tuesday, January 24, 2017
 6:00 p.m.
 Council Chambers, Municipal Office

PLEASE REMEMBER TO SET YOUR CELL PHONE TO SILENT AND THAT NO RECORDING DEVICES ARE PERMITTED.

A. CALL TO ORDER

B. O CANADA

C. ROLL CALL

D. APPROVAL OF AGENDA

E. DISCLOSURE OF PECUNIARY INTEREST

F. APPROVAL OF MINUTES FROM THE PREVIOUS MEETING(S)

Council Minutes dated January 17, 2017

Pages 2-7

G. PRESENTATIONS AND DELEGATIONS

H. COMMITTEE REPORTS & CONSENT AGENDA

Committee of the Whole Consent Items

Last page of agenda package

Mayor's Report

Page 8

County Councillors' Report – Councillor Torrance

Verbal Report

Mississippi Valley Conservation – Councillors Abbott & Gillis

No report

I. BY-LAWS

17-05 Ontario Tire Stewardship Community Renewal Grant Fund

Page 9

17-06 Part Lot Control Block 42 Plan 27M-75

Page 10

17-07 Waste Management Levy

Page 11

17-08 Water Sewer Rates

Page 12

17-09 Canada 150 Community Infrastructure Fund Gemmill Park Campus

Page 13

J. OTHER/NEW BUSINESS

1. Enerdu – Request for Noise By-law Exemption

Pages 14-15

K. NOTICE OF MOTION

L. ANNOUNCEMENTS AND INVITATIONS

M. CONFIRMATORY BY-LAW – 17-10

N. ADJOURNMENT



The Corporation of the Municipality of Mississippi Mills

Council Meeting #01-17

MINUTES

A regular meeting of Council was held on Tuesday, January 17, 2017 at 6:00 p.m. in the Council Chambers.

A. CALL TO ORDER

Mayor McLaughlin called the meeting to order at 6:00 p.m.

B. O CANADA

The Council meeting was opened with the singing of O Canada.

C. ROLL CALL

PRESENT:

Mayor Shaun McLaughlin
Councillor Duncan Abbott
Councillor John Edwards
Councillor Denzil Ferguson
Councillor Alex Gillis
Councillor Christa Lowry
Councillor Jill McCubbin
Councillor Amanda Pulker-Mok
Councillor Jane Torrance
Councillor Paul Watters
Councillor Val Wilkinson

ABSENT:

Diane Smithson, CAO
Shawna Stone, Clerk
Jeanne Harfield, Deputy Clerk
Guy Bourgon, Director of Roads and Public Works
Robert Kennedy, Facilities/Health and Safety Coordinator

D. APPROVAL OF AGENDA

Resolution No. 01-17

Moved by Councillor McCubbin

Seconded by Councillor Lowry

BE IT RESOLVED THAT the agenda be approved as presented.

CARRIED

E. DISCLOSURE OF PECUNIARY INTEREST

None were declared.

F. APPROVAL OF MINUTES FROM THE PREVIOUS MEETING(S)

Resolution No. 02-17

Moved by Councillor McCubbin

Seconded by Councillor Lowry

BE IT RESOLVED THAT the Council Minutes dated December 20, 2016 be approved as presented.

CARRIED

G. PRESENTATIONS AND DELEGATIONS

None

H. COMMITTEE OF REPORTS & CONSENT AGENDA

Resolution No. 03-17

Moved by Councillor McCubbin

Seconded by Councillor Lowry

BE IT RESOLVED THAT Council accept the Committee of the Whole Chairperson's report.

AND THAT Motions 1 and 2 the Consent Agenda be approved.

CARRIED

Motion #1

Resolution No. 04-17

Moved by Councillor Edwards

Seconded by Councillor McCubbin

BE IT RESOLVED THAT Council approve the Asset Management Plan for the Municipality of Mississippi Mills, as amended.

CARRIED

Motion #2

Resolution No. 05-17

Moved by Councillor Edwards

Seconded by Councillor McCubbin

BE IT RESOLVED THAT Council authorize staff to negotiate with Gord Pike Holdings on the use of the mall washrooms by the public.

CARRIED

MAYOR'S REPORT

Mayor McLaughlin provided a year-end expenditure report of the Mayor's Honorarium.

COUNTY COUNCILLOR'S REPORT

No report.

MISSISSIPPI VALLEY CONSERVATION REPORT

No report.

I. BY-LAWS

By-law 17-01

Resolution No. 06-17

Moved by Councillor Abbott

Seconded by Councillor Ferguson

BE IT RESOLVED THAT By-law 17-01, being a by-law to provide for an interim tax levy in 2017, be read, passed, signed and sealed in Open Council this 17th day of January, 2017.

CARRIED

By-law 17-02

Resolution No. 07-17

Moved by Councillor Ferguson

Seconded by Councillor Abbott

BE IT RESOLVED THAT By-law 17-02, being a by-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2017, be read, passed, signed and sealed in Open Council this 17th day of January, 2017.

CARRIED

By-law 17-03

Moved by Councillor Ferguson

Seconded by Councillor Watters

BE IT RESOLVED THAT By-law 17-03, being a by-law of the Municipality of Mississippi Mills to govern the proceedings of the Council and its Committees, be read, passed, signed and sealed in Open Council this 17th day of January, 2017.

Moved by Councillor Wilkinson

Seconded by Councillor Edwards

Amendment to strike out and insert: Section 95 – Any matter debated at Committee of the Whole may be held for further consideration, one time only, at the following Meeting based on a vote of at least four Members present.

CARRIED

Moved by Councillor Edwards
Seconded by Councillor Ferguson

Amendment to insert: Section 35 - The Inaugural Meeting shall commence with the singing of the National Anthem and the Royal Anthem.

CARRIED

Moved by Councillor Gillis
Seconded by Councillor Torrance

Amendment to strike out and insert: Section 125 (d) - business attire.

DEFEATED

Moved by Councillor Wilkinson
Seconded by Councillor Lowry

Amendment to strike out and insert: Sections 145-147 Defer, Refer, Table.

CARRIED

Moved by Councillor Edwards
Seconded Councillor Abbott

Amendment to strike out: Section 29 - Mayor.

CARRIED

Moved by Councillor Torrance
Seconded by Councillor Gillis

Amendment to insert: Role of the Mayor – The Mayor shall wear the Chain of Office at each Council Meeting.

CARRIED

Resolution No. 08-17

BE IT RESOLVED THAT By-law 17-03, being a by-law of the Municipality of Mississippi Mills to govern the proceedings of the Council and its Committees, as amended, be read, passed, signed and sealed in Open Council this 17th day of January, 2017.

CARRIED

J. OTHER/NEW BUSINESS

1. Report of the Striking Committee – December 20, 2016

Moved by Councillor Torrance
Seconded by Councillor Edwards

BE IT RESOLVED THAT Councillor Lowry be appointed Committee of the Whole Chair for the next one year period beginning January 1, 2017 ending December 31, 2017, with Councillor Edwards as the previous Chair acting in her absence.

Moved by Councillor Watters
Seconded by Councillor Wilkinson

Amendment to strike out and insert: Councillor Abbott to act in her absence.

DEFEATED

Moved by Councillor Torrance
Seconded by Councillor Edwards

Amendment to strike out: with Councillor Edwards as the previous Chair acting in her absence.

CARRIED

Resolution No. 09-17

BE IT RESOLVED THAT Councillor Lowry be appointed Committee of the Whole Chair for the next one year period beginning January 1, 2017 ending December 31, 2017.

CARRIED

Action: Striking Committee to consider an alternate Committee of the Whole Chair based on professional development opportunity. Interested members are to notify the Clerk in writing.

Resolution No. 10-17
Moved by Councillor Lowry
Seconded by Councillor Ferguson

BE IT RESOLVED THAT the Gemmill Park Working Group will deal with all construction matters and Canada 150 Working Group will deal with all matters relating to celebrations.

CARRIED

Action: Striking Committee to review membership of the Gemmill Park Working Group and Canada 150 Working Group. Interested members are to notify the Clerk in writing.

K. NOTICE OF MOTION

L. ANNOUNCEMENTS AND INVITATIONS

M. CONFIRMATORY BY-LAW

By-law 07-04

Resolution No. 11-17
Moved by Councillor Ferguson
Seconded by Councillor Watters

BE IT RESOLVED THAT By-law 17-04, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 17th day of January, 2017, be read, passed, signed and sealed in Open Council this 17th day of January, 2017.

CARRIED

N. ADJOURNMENT

Resolution No. 12-17

Moved by Councillor Torrance

Seconded by Councillor Edwards

BE IT RESOLVED THAT the meeting be adjourned.

CARRIED

Council adjourned at 7:02 p.m.

Shaun McLaughlin
MAYOR

Shawna Stone
CLERK

Mayor's Report – January 24, 2017

I have attended two meetings of the Rural Mayor's Forum of Eastern Ontario since I last reported on this group. On December 2, Mayor Kim Love of Madawaska Valley hosted us in Barry's Bay. On January 6, Mayor Glenda McKay of Greater Madawaska hosted us in Calabogie.

Much of the discussions related to our OPP-related activities at the upcoming ROMA conference. Mayor Love will attempt to present her workshop on the complications, complexities and inaccuracies in OPP billing to ROMA executives.

RMFEO members also reviewed its action plan, and passed resolutions specific to new legislation that involves downloading, such as changes to the Residential Tenancy Act.

RMFEO Mayors Love, Higgins and I secured a delegation at ROMA with Marie-France Lalonde Minister of Community Safety and Correctional Services. We will ask that OPP cost for service be more transparent, accurate and auditable. RMFEO members are concerned that the OPP bills municipalities for some calls that should be assigned to the province; such as, calls on provincial highways and calls on crown lands.

Mayor Brian Stewart of Lanark Highlands and I secured a delegation at ROMA for Lanark County with Chris Ballard Minister of Housing to discuss the changes to the Residential Tenancy Act.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 17-05

BEING a by-law to authorize the signing of a contribution agreement between the Corporation of the Municipality of Mississippi Mills and Ontario Tire Stewardship under the Community Renewal Fund Grant program to provide funding for rubber matting for the Gemmill Park Campus Project.

WHEREAS the *Municipal Act, 2001* (Ontario), c.25 S.O. 2001, as amended, (the “Act”) provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Municipality of Mississippi Mills deems it expedient to enter into an agreement with the Ontario Tire Stewardship to provide funding to the Gemmill Park Campus Project;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. **SHORT TITLE**

This By-Law is short titled “Ontario Tire Stewardship Funding”.

2. **AGREEMENT**

- (a) **THAT** the Chief Administrative Officer be and is hereby authorized on behalf of the Corporation of the Municipality of Mississippi Mills to execute a contribution agreement between the Corporation of the Municipality of Mississippi Mills and Ontario Tire Stewardship under the Community Renewal Fund Grant program.
- (b) **THAT** the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Municipality of Mississippi Mills to the said agreement.

BY-LAW READ, passed, signed and sealed in open Council this 24th day of January, 2017.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 17-06

BEING a by-law to remove certain lands from the part-lot control provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13 (the 'Act').

WHEREAS Section 50(7) of the *Planning Act* states in part that the Council of a local municipality may by by-law provide that Subsection (5) does not apply to land that is within such Registered Plan of Subdivision or parts thereof as is designated in the By-law, and where the By-law is approved by the County of Lanark, Subsection (5) ceases to apply to such lands;

AND WHEREAS the Municipality of Mississippi Mills is in favour of the resubdivision of the land in Plan 27M-75 to accommodate the development of seven (7) residential townhouse lots;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. That Section 50(5) of the Act, does not apply to the following lands within the Municipality of Mississippi Mills:
 - i) Registered Plan of Subdivision 27M-75, Block 42, described as Parts 1 through 13 on Reference Plan 27R-10855, municipally known as 368, 370, 372, 374, 376, 378 and 380 Honeyborne Street, Almonte Ward, Municipality of Mississippi Mills, County of Lanark.
2. This By-law shall come into full force and take effect after the requirements of Section 50(24) have been complied with.
3. This By-law shall be automatically repealed on the 10th day of January, 2020, unless the Council of the Municipality of Mississippi Mills has provided an extension by amendment to this by-law prior to its expiry.

BY-LAW READ, passed, signed and sealed in open Council this 24th day of January, 2017.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 17-07

BEING a by-law to charge an annual rate in the same manner and the same time as municipal taxes, for garbage collection, removal and disposal of garbage, other refuse and recyclable materials from within the Municipality of Mississippi Mills at the expense of the owners, householders or occupants of any building in the municipality.

WHEREAS the Municipal Act, 2001 (S.O.2001, c.25) Section 391(a) provides the authority to municipalities to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it.

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. **THAT** this By-law is short titled "Waste Management Levy By-Law".
2. **THAT** the entire area of the Municipality of Mississippi Mills be designated as a "Garbage Collection Area".
 - a. **THAT** an annual rate of \$252.00 shall be charged to the owners, householders or occupants of any building within the Municipality of Mississippi Mills, except those owners, householders or occupants who have "Opted Out" as permitted by the rules set out in By-law No. 99-03 and amended by By-law No. 01-31, and such rate shall be added to and collected in the same manner and at the same time as municipal taxes, *Municipal Act, 2001*, S.O. 2001, c.25, s. 391(a).
 - b. **THAT** the annual rate of \$252.00 is comprised of garbage collection, recycling, tipping charges and landfill site maintenance costs.
 - c. **THAT** Five Arches Non-Profit Housing Corporation will only be charged \$189.00 in tippage charge per unit by the Municipality on their tax bill (there are 40 units), as they have a private collection arrangement with the Municipality's garbage and recycling contractor and are billed separately by the contractor for these collection charges.
 - d. **THAT** churches will not be charged an annual rate as described in paragraph 2(a).
3. **THAT** By-law 16-40 and all other By-laws or parts of By-laws inconsistent with this By-law are hereby repealed.

BY-LAW READ passed, signed and sealed in open Council this 24th day of January, 2017.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 17-08

BEING a by-law to impose waterworks and sewer rates.

WHEREAS under section 326 (4) of the Municipal Act, 2001 (S.O.2001, c.25), a municipality may by by-law levy a special local municipality levy under section 312 on the rateable property in the area of an identified special service to raise the costs determined by this service;

AND WHEREAS under section 391(1) a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided by it;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. This By-law shall be short-titled: "Water and Sewer Services Rates By-law".
2. A water and sewer services annual base charge of \$562.54 shall be imposed upon the owners of lands for each identifiable unit that is supplied with water and/or sewer services as determined by the municipality.
3. The rates for consumption per one thousand gallons of water shall be \$11.53 per billing.
4. The Water and Sewer Services Base Charge shall be payable in three equal instalments of \$187.52 each.
5. When a water meter reading cannot be determined for reasons such as, but not limited to, an owner not returning the blue meter reading card, a meter malfunction, etc., an owner will be charged their Water and Sewer Services Base Charge in accordance with article 4 above plus a consumption charge based on a system estimate at the rate of \$11.53 per one thousand gallons of water. If a reading cannot be obtained for a period of one year, the owner will be charged a consumption charge based on 14,000 gallons and a service charge of \$25.00 will apply.
6. When the Municipality's officials have requested an owner continuously run their water, an owner will be charged their Water and Sewer Services Base Charge in accordance with article 4 above **plus** a consumption charge of \$11.53/1,000 gallons of water based on the lowest of 1) actual consumption 2) an average of the last three summer meter readings and 3) 14,000 gallons.
7. That By-law No.16-26 shall be and is hereby repealed.

BY-LAW READ passed, signed and sealed in open Council this 24th day of January, 2017.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 17-09

BEING a by-law to authorize the signing of an agreement between the Corporation of the Municipality of Mississippi Mills and Her Majesty the Queen in Right of Canada as represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario for receipt of funding under the Canada 150 Community Infrastructure Program (CIP) for the Gemmill Park Campus Project.

WHEREAS by Section 3.1 of the Municipal Act, 2001 (S.O. 2001, c.25), the Province acknowledges that a municipality has the authority to enter into agreements with the Crown in Right of Canada with respect to matters within the Municipality's jurisdiction;

AND WHEREAS the Council of the Municipality of Mississippi Mills deems it expedient to enter into an agreement with Her Majesty the Queen in Right of Canada as represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario to provide \$208,010 for the Expansion and Accessibility Improvements of Gemmill Park Campus;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. **SHORT TITLE**

This By-Law is short titled "Canada 150 Community Infrastructure Program – Gemmill Park Campus".

2. **AGREEMENT**

(a) **THAT** the Mayor and Clerk shall be and are hereby authorized on behalf of the Corporation of the Municipality of Mississippi Mills to enter into a contribution agreement between the Corporation of the Municipality of Mississippi Mills and Her Majesty the Queen in Right of Canada as represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario to provide \$208,010 funding under the Canada 150 Community Infrastructure Program for the Expansion and Accessibility Improvements of Gemmill Park Campus.

(b) **THAT** the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Municipality of Mississippi Mills to the said agreement.

BY-LAW READ, passed, signed and sealed in open Council this 24th day of January, 2017.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk

Enerdu Power Systems Ltd
11 Main Street, Almonte ON
MAIL Address:
9094 Cavanagh Road,
Ashton, ON
K0A 1B0

JAN 20 2017

Ms. Diane Smithson,
CEO
Town of Mississippi Mills
Almonte, ON

Dear Ms. Smithson,

RE: Enerdu Request for "Exception By Council" under section 8 of the Noise By-law"

As you are aware, Enerdu attempted to re-water the upstream section of the project on January 15th. This process will have had the new winter cofferdam built just upstream of the railway bridge put into service.

Unfortunately, during the building of the access road over the new cofferdam it appears that the stoplogs moved, compromising the integrity of the dam. While we had pumps on the downstream side the volume of water overpowered them and the excavation for the new powerhouse flooded.

As part of our contingency plan for the re-watering we had of course considered such an eventuality and therefore had moved equipment and materials to a higher elevation. Regardless, this put us into a critical situation.

Tested water was pumped back into the river and, until pumps were activated, the bucket of an excavator that was onsite to assist with the cofferdam and access road removal (and as a result had been washed and the bucket prepared for in-water work), was used to dip water and return it to the river.

All relevant agencies were informed that the powerhouse worksite had flooded and that the winter cofferdam needed work.

Work is underway to address this situation. Enerdu immediately began to dewater the upstream section by replacing the removed cofferdam with new clear stone bags. Once this was done, we began to re-work the winter cofferdam. This work should be completed on January 19th and we anticipate that the area Unfortunately it was and is necessary to work beyond the normal work times to ensure that the upstream cofferdam can be removed as soon as possible.

We appreciate the understanding of the area landowners and community at large for this noisy and disruptive process, and will endeavour to complete the work as soon as possible.

Despite our best efforts this situation has already had an impact on the project's schedule. In order for work to continue there are a number of construction milestones that need to be met prior to March 15th when the winter cofferdam must be removed. If we are unable to reach these, work will need to stop until July 1st. This would mean that the clear stone bag cofferdams would need to be reinstalled, the site de-fished and dewatered and construction restarted. The schedule would be extended throughout the summer of 2017 and 2018, with heavy construction next summer instead of this winter.

We respectfully request that Enerdu be granted an exception to the noise bylaw to allow construction from 7 am till 11 pm Monday through Saturday for the remainder of the winter and spring. This would ensure that we can meet the environmental and construction milestones, and therefore maintain the overall construction timeline. We would be in a position to have most of the disruptive work completed before the 2017 summer months.

We believe that it is to our mutual benefit to complete this project as quickly as possible and to have the least amount of "summer" work.

I am happy to discuss this request with you further as required, and thank you for considering this request.

Respectfully submitted



Ron Campbell
Enerdu Power Systems Ltd

Applicant: Enerdu Power Systems Ltd., 9094 Cavanagh Road, Ashton ON K0E 1A0

CONSENT AGENDA

January 24, 2017

Committee of the Whole

January 17, 2017

1. **WHEREAS** municipal governments' infrastructure is critical to our collective economic health; and

WHEREAS stable, predictable and formula- based infrastructure funding allows municipal governments to plan and schedule investments in infrastructure; and

WHEREAS Ontario municipal governments have asset management plans which set out a municipality's longer term capital plan which reflects the infrastructure priorities of these asset management plans; and

WHEREAS a federal incrementality rule interferes with municipal long-term infrastructure priorities and diminishes the value of municipal asset planning and management;

THEREFORE BE IT RESOLVED THAT the Municipality of Mississippi Mills calls on the federal government to provide long-term, predictable, and formula-based funding in its Phase 2 programs for municipal governments; and

THAT the Municipality of Mississippi Mills calls on the federal government to change incremental requirements in Phase 2 to recognize in Ontario that a municipal government' asset management plan meets a municipal incremental infrastructure requirement.