

Minutes of the Regular Meeting of Council held on Monday, February 23, 2015, at 6:30 p.m. in the Municipal Office Council Chambers.

Present: Mayor G. McKay, Deputy Mayor M. Ross, Councillors G. Canning, J. Contin, G. MacDonald, J. Main, C. Oschefski, P. File and S. Strathearn

Also Present: Chief Administrative Officer, C. Tripp
Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Deputy Clerk/Senior Executive Assistant, K. Desroches

1. CALL TO ORDER

Mayor G. McKay called the meeting to order at 6:30 p.m.

The Mayor then asked the Clerk to provide information regarding notice of the meeting. The Clerk advised that the meeting agenda was posted on the website in advance of the meeting in accordance with the Town's Procedural By-law. The agenda was also provided to both Council and Department Heads.

2. DECLARATIONS OF PECUNIARY INTEREST

No declarations were brought forward.

3. CLOSED SESSION

a) Motion to move into closed session

Moved by M. Ross
Seconded by G. MacDonald
That Council move into closed session;

And further that this portion of the meeting be closed to the public pursuant to section 239 of the *Municipal Act, 2001*, as indicated;

- **Subsection 2 (b)**
Personal matters about an identifiable individual

CARRIED.

i) Closed Session Items

(1) Confidential Staff Report from Deputy Clerk/Senior Executive Assistant re. Appointment to the Midland Accessibility Advisory Committee

Council reviewed Confidential Report CL-2015-12 dated February 19, 2015, from the Deputy Clerk/Senior Executive Assistant, together with an application for consideration for appointment to the Midland Accessibility Advisory Committee.

Council directed staff to prepare the appropriate motion for consideration upon conclusion of this closed meeting session.

(2) Confidential Staff Report from CAO re. Games Manager 55+ Senior Games Appointment

Council reviewed Confidential Report CAO-2015-02 dated January 23, 2015, from the Chief Administrative Officer.

To allow for the Regular Meeting of Council to proceed at its scheduled time and to permit Council additional time to review the remaining closed meeting items, it was,

Moved by G. MacDonald

Seconded by C. Oschefski

That this Closed Meeting of Council recess at 6:54 pm and reconvene at the end of the regularly scheduled open Council Meeting to conclude discussion.

CARRIED.

4. OPEN SESSION – 7:00 P.M.

Now Present: Mayor G. McKay, Deputy Mayor M. Ross, Councillors G. Canning, J. Contin, G. MacDonald, J. Main, C. Oschefski, P. File and S. Strathearn

Also Present: Chief Administrative Officer, C. Tripp
Director of Planning and Building Services, W. Crown
Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Director of Parks and Recreation, B. Peter
Town Engineer, J. Galloway
Deputy Clerk/Senior Executive Assistant, K. Desroches

5. MOMENT OF SILENT REFLECTION

6. DECLARATION OF PECUNIARY INTEREST

No declarations were brought forward.

At the request of Councillor File, review of the Consent Agenda was deferred until conclusion of the presentations and deputations.

7. PRESENTATION

a) Heritage Awards

i) Heritage Merit Award to 308 King Street (St. Paul's Church)

Mayor McKay presented the 2015 Heritage Merit Award to 308 King Street in recognition of the extensive exterior restoration work undertaken in 2014 and the interior work currently underway to revitalize a building which has been a fixture in Midland for more than 100 years. Rev. Karen Ptolemy-Stam and Bruce Wilcox accepted the award.

ii) Heritage Appreciation Award

Mayor McKay presented Mr. Rene Hackstetter with 2015 Heritage Appreciation Award for his significant contributions to the promotion and support of local heritage and the Town's history, and for his commitment to the preservation of local heritage assets as a member of the Midland Heritage Committee and the Huronia Museum Board.

8. DEPUTATIONS

a) Party on the Dock Event

Mr. R. Befort, Event Chair, Rotary Club of Midland, highlighted the popularity and fund raising success of the Club's annual Party on the Dock event and advised that the organization is seeking Council's permission to host its 10th annual outdoor concert on June 19, 2015.

Moved by G. MacDonald

Seconded by J. Main

That Council approve, in principle, the request from the Midland Rotary Club for the Party on the Dock Event to be held at the Town Dock on Friday, June 19, 2015, from 6:00 p.m. to 1:00 a.m., provided all requirements of the L.L.B.O. are met and subject to staff approval of the related Special Events Application.

CARRIED.

b) Cycling Tourism Strategy

Mr. B. Matheson of Cycle Simcoe, provided a PowerPoint presentation highlighting the fundamentals of the Cycle Tourism project, the project's partners and marketing strategy, and requesting the Town's support of the initiative through a contribution of \$3,000 to assist with map printing and online development. In-kind support in the form of route approval, road quality consultation, and signage placement approvals was also requested.

Council referred the request for funding to 2015 budget deliberations for consideration.

c) Midland Cultural Advisory Committee

Ms. L. Lipton, member of the Midland Cultural Advisory Committee, highlighted the role of the Committee in promoting, celebrating and leveraging Midland's cultural resources as a means to grow a prosperous year-round economy and enhance the quality of life for all residents. Ms. Lipton spoke to the efforts the Committee has undertaken to date and steps yet to be taken towards implementing cultural activities and amenities that will drive Midland's economy and make Midland a major tourism destination. She reiterated their request regarding the need for a Culture Development Coordinator to assist the committee.

9. CONSENT AGENDA

**Moved by M. Ross
Seconded by J. Contin**

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held February 23, 2015, with the exception of Item 1b) Special Closed Meeting of Council held February 9, 2015, Item 1d) Special Meeting of Council with Closed Session held February 12, 2015, and Item 1e) Special Closed Meeting of Council held February 17, 2015, as Councillor File wished to speak to the items.

CARRIED.

- 1b) Special Closed Meeting of Council held February 9, 2015
- 1d) Special Meeting of Council with Closed Session held February 12, 2015
- 1e) Special Closed Meeting of Council held February 17, 2015

Councillor File spoke to the current closed meeting agenda distribution process, and the ability of members of Council to participate in closed meetings via teleconference or an alternate means when they are unable to be physically present for a meeting.

Staff was directed to investigate the options available for agenda distribution and meeting participation keeping in mind confidentiality, with a report to be brought forward to a future meeting.

Moved by J. Contin

Seconded by M. Ross

That Consent Agenda 1 b) Special Closed Meeting of Council held February 9, 2015, be adopted as printed and circulated.

CARRIED.

It was then,

Moved by M. Ross

Seconded by J. Contin

That Consent Agenda 1d) Special Meeting of Council with Closed Session held February 12, 2015, be adopted as printed and circulated.

CARRIED.

It was then,

Moved by M. Ross

Seconded by J. Contin

That Consent Agenda and Item 1e) Special Closed Meeting of Council held February 17, 2015, be adopted as printed and circulated.

CARRIED.

10. ACCOUNTS

a) General Accounts

Moved by J. Contin

Seconded by G. Canning

That the accounts for the month of January 2015, totalling \$2,351,936.41 be approved and confirmed as paid.

CARRIED.

11. CORRESPONDENCE

a) 2015 Mandarin MS Walk - Midland

Council reviewed a letter dated January 21, 2015, from Ms. T. Ritchie, Walk Coordinator, Multiple Sclerosis Society of Canada, Ontario Division, following which it was then,

Moved by S. Strathearn
Seconded by C. Oschefski

That letter dated January 21, 2015, from the Multiple Sclerosis Society of Canada, Ontario Division, requesting permission to conduct the 2015 Mandarin MS Walk on Sunday, May 3, 2015, be supported, in principle, subject to staff approval of the related Special Events Application.

CARRIED.

b) Fun Run and Walk – Butter Tart Trot

Council reviewed a letter dated January 28, 2015, from Ms. I. Parker, WyeFitness, following which it was then,

Moved by S. Strathearn
Seconded by C. Oschefski

That letter dated January 28, 2015, from WyeFitness, requesting permission for the use of the Harbourside Park and the Rotary waterfront trail on Sunday, June 14, 2015, for the purpose of hosting a Fun Run and Walk, be supported, in principle, subject to staff approval of the related Special Events Application.

CARRIED.

c) Fun Run and Walk

Council reviewed a letter dated February 7, 2015, from Ms. I. Parker, WyeFitness, following which it was then,

Moved by S. Strathearn
Seconded by C. Oschefski

That letter dated February 7, 2015, from WyeFitness, requesting permission for the use of the Harbourside Park and the Rotary waterfront trail on Monday, August 3, 2015, for the purpose of hosting a Fun Run and Walk, be supported, in principle, subject to staff approval of the related Special Event Application.

CARRIED.

d) Annual Log-Sawing Contest – Elmvale Maple Syrup Festival

Council reviewed a letter dated January 20, 2015, from Mr. B. French, Mayor, Springwater Township, extending an invitation to Council to compete in their annual log-sawing contest, as part of the 2015 Elmvale Maple Syrup Festival, to be held on Saturday, April 25, 2015.

Councillor Oschefski advised that he will be participating in the annual log-sawing contest together with Councillor Main.

e) Lakehead-Georgian University Plan

Council reviewed a letter dated January 22, 2015, from Mr. F. Larsen, Oro-Medonte resident, following which it was then,

Moved by S. Strathearn

Seconded by C. Oschefski

That, further to letter dated January 22, 2015, from Mr. F. Larsen, Oro-Medonte resident, Council confirms its support of the Lakehead-Georgian University Plan and recommends that a letter of support be forwarded to the Minister of Training Colleges and Universities and MPP Garfield Dunlop.

DEFERRED.

f) Banner on Yonge Street Request

Council reviewed a letter dated February 19, 2015, from Ms. M. Jejna, Job Developer, YMCA Simcoe Muskoka, following which it was then,

Moved by S. Strathearn

Seconded by C. Oschefski

That, further to letter dated February 19, 2015, from YMCA Simcoe Muskoka, permission be granted to YMCA Simcoe Muskoka to hang a banner on Yonge Street from February 27 to March 11, 2015, to promote the annual Midland Spring Job Fair 2015.

CARRIED.

g) Management of Hauled Waste – Class Environmental Assessment Study

Council received as information a letter dated January 19, 2015, from Mr. S. Gendron, Project Engineer, R. J. Burnside & Associates Limited, advising that the Town of Penetanguishene has initiated a Municipal Class Environmental Assessment to evaluate alternatives for the management of hauled wastewater, and requesting comments and/or concerns with respect to the proposed project.

12. REPORTS

a) General Committee Report 2015-2 of its meeting held February 9, 2015

- 1) PR-2015-10 Emerald Ash Borer
(Reference Section A, Item #1, of the above Report)

Moved by M. Ross
Seconded by P. File

That staff be directed to continue to implement the appropriate strategies as outlined in Report PR-2015-10 dated January 29, 2015, regarding the Emerald Ash Borer Program.

CARRIED.

- 2) PR-2015-11 Parks Turf Maintenance Program
(Reference Section A, Item #2, of the above Report)

Moved by M. Ross
Seconded by P. File

That, as recommended in Report PR-2015-11 dated January 28, 2015, Council approve the call for tenders for the 2015 Parks Turf Maintenance Program.

CARRIED.

- 3) PR-2015-12 2015 Candlelight Tribute Ceremonies
(Reference Section A, Item #3, of the above Report)

Moved by M. Ross
Seconded by P. File

That, as recommended in Report PR-2015-12 dated February 2, 2015, Council approve the closure of King Street from Hannah Street to Colborne Street on Wednesday, May 13, 2015, from 6:00 pm to 8:30 pm to accommodate the Candlelight Tribute Ceremonies.

CARRIED.

- 4) PR-2015-14 Seasonal Plus Rink Controller Tender
(Reference Section A, Item #5, of the above Report)

Moved by M. Ross
Seconded by P. File

That, further to Report PR-2015-14 dated February 3, 2015, Council approve the tender from CIMCO Refrigeration in the amount of \$62,300, plus HST for the two seasonal controllers at the North Simcoe Sports and Recreation Centre.

CARRIED.

- 5) ENG-2015-02 Traffic Concern - Ontario Street and Sixth Street
(Reference Section B, Item #3, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, as recommended in Report ENG-2015-02 dated February 4, 2015, Staff be directed to send a letter to Adco Tire, the Town Public Works Department and Midland Police Service from the Town Engineering Department indicating that a concern regarding traffic on Ontario Street has been raised and requesting adherence to the signage and speed limitations already in place;

And further that Town vehicles use Sixth Street to/from Vindin Street as a main access to the Works Depot.

CARRIED.

- 6) ENG-2015-3 Pedestrian Crossing Traffic Concern - Borsa Lane and Easy Street
(Reference Section B, Item #4, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, as recommended in Report ENG-2015-3 dated February 4, 2015, Staff be directed to put a 'Watch for Traffic' sign on the southeast corner of the Borsa Lane and Easy Street corner.

CARRIED.

- 7) ENG-2015-04 Traffic Concern - King Street Pedestrians Crossing - Near Re/Max and Lot 012 and Tim Hortons
(Reference Section B, Item #5, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, further to Report ENG-2015-04 dated February 4, 2015, staff be directed to investigate further options and to contact the school board to obtain input on additional measures that could be implemented, with a report to be brought back to a future meeting.

CARRIED.

- 8) ML-2015-2 Municipal Law Enforcement Officer's Investigative Report – January 2015
(Reference Section C, Item #1, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to Report ML-2015-2 dated February 4, 2015, the funds collected in the downtown parking meters during the month of December totalling \$3,104.20 be donated to the Boys and Girls Club.

CARRIED.

- 9) CL-2015-11 One-Third Tax Free Expense Allowance
(Reference Section C, Item #2, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, as recommended in Report CL-2015-11 dated February 2, 2015, the Council of the Town of Midland herein support the continuation of the one third tax free expense allowance as provided through By-law 2002-84.

CARRIED.

- 10) Southern Georgian Bay Active Transportation Advocates (SGBATA)
(Reference Section C, Item #5, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to an email dated January 2, 2015, from Mr. J. Hauser, Chair, Southern Georgian Bay AT Advocates, Council confirms its support of the purchase of a medium advertisement at a cost of \$475 to assist the organization in its efforts to promote active and healthy lifestyle choices in our region.

CARRIED.

- 11) Whispering Pines Area – Soapbox Races
(Reference Section C, Item #6, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That the letter of request dated January 12, 2015, from the Midland Scouting Group Committee requesting Council's permission to close Hugel Avenue, between Third Street and Sixth Street, on Saturday, May 23, 2015, from 8:00 a.m. to 2:00 p.m., to conduct their annual Soap

**Box Derby be supported, in principle, subject to staff approval of the related Special Events Application.
CARRIED.**

- 12) Music Concert Program
(Reference Section C, Item #7, of the above Report)

**Moved by G. Canning
Seconded by J. Contin**

That the letter of request dated January 14, 2015, from the Rotary Club of Midland, requesting permission to conduct Sunday night music concerts from June 15 to August 30, 2015, and September, weather permitting, at Little Lake Park be supported, in principle, subject to staff approval of the Special Events Application.

CARRIED.

- 13) Penetanguishene Transit Service
(Reference Section C, Item #8, of the above Report)

**Moved by J. Contin
Seconded by G. Canning**

That, further to a letter dated February 4, 2015, from T. Walker, Acting CAO/Clerk, Town of Penetanguishene, CAO Tripp, Director of Public Works S. Berriault, Treasurer M. Villeneuve, Councillor P. File and Councillor J. Main be appointed as the Town of Midland's working group to consider the concept of being a partner in transit for the Town of Penetanguishene.

CARRIED.

**Moved by M. Ross
Seconded by P. File**

That General Committee Report 2015-2 of its meeting held February 9, 2015, be adopted as printed and circulated.

CARRIED.

- b) CAO-2015-03 Town Engineer Position

Council reviewed a report dated February 19, 2015, from C. Tripp, CAO, recommending that a by-law to appoint a full-time Town Engineer be brought forward for consideration of Council later in the meeting. (See By-law 2015-8)

c) CL-2015-13 Appointment to Midland Library Board

Council reviewed a report dated February 19, 2015, from K. Desroches, Deputy Clerk, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, further to Report CL-2015-13, dated February 19, 2015, Council herein confirms the appointment of Maureen Pearce to the Midland Public Library Board as the Township of Tiny's Representative for a term to expire November 30, 2018.

CARRIED.

d) Lease Agreement with Midland Duplicate Bridge Club

B. Peter, Director of Parks and Recreation, spoke to the Midland Duplicate Bridge Club's desire to lease the land and building located at 427 William Street, and advised that a by-law has been prepared for Council's consideration providing for the entering into of a Lease Agreement. (See By-law 2015-9)

e) PWC-2015-01 Supply and Delivery of Fuel Tender Results

Council reviewed a report dated February 18, 2015, from S. Berriault, Director of Public Works, following which it was then,

Moved by P. File
Seconded by M. Ross

That, as recommended in Report PWC-2015-01, dated February 18, 2015, the tender bid from Mayes-Martin Ltd. to supply and deliver various grades of fuel to the Public Works Depot tanks and to the Water and Wastewater operations back-up generator fuel tanks for the period March 1, 2015 to September 30, 2016 with an option to renew on a month to month basis for up to one year, in the amount of \$432,205.98, exclusive of H.S.T., be accepted.

CARRIED.

See By-law 2015-7 which provides for the entering into of an Agreement with Mayes-Martin Ltd. for the Supply and Delivery of Unleaded Gasoline, Diesel and Colour Diesel Fuel.

f) Planning and Development Committee Report 2015-2
Meeting held February 4, 2015.

- 1) Bill 140 Implementation – Second Units
(Reference Item 3A, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, as recommended in Planning and Development Committee Report 2015-2 dated February 4, 2015, the Planning and Building Services Department undertake a Second Units Implementation Study in accordance with Report No. PL-2015-09 dated January 20, 2015 leading to the required amendments to the Town's Official Plan and Zoning By-law in 2015. The Study shall also include a review of the Registry By-law 2010-32.

CARRIED.

- 2) Appeal – Source Protection Plan Implementation Zoning By-law
(Reference Item 3B, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, as recommended in Planning and Development Committee Report 2015-2 dated February 4, 2015, Mr. Paul Peterson of HGR Graham Partners LLP be retained by the Town in respect of the Appeal of Passing of Zoning By-law 2014-84 under Section 34(19) of the *Planning Act*, and By-law 2014-83 (OPA No. 6) if appealed, respecting the Source Protection Plan Implementation.

That the Town confirm its support of By-laws 2014-83 and 2014-84 in respect of the implementation of the Source Protection Plan.

CARRIED.

Moved by G. Canning
Seconded by J. Contin

That Report 2015-2 of the Planning and Development Committee of Council Meeting dated February 4, 2015, be adopted as printed and circulated.

CARRIED.

g) PL-2015-13 Report to Council on Heritage Committee Activities for 2014

Council reviewed a report dated February 18, 2015, from A. Betty, Planner, following which it was then,

Moved by M. Ross

Seconded by P. File

That PL-2015-13 Report to Council on Heritage Committee Activities for 2014, dated February 18, 2015, be received by Council for information.

CARRIED.

h) PL-2015-14 Heritage Committee Reserve

Council reviewed a report dated February 18, 2015, from A. Betty, Planner, following which it was then,

Moved by M. Ross

Seconded by P. File

That Council receive Staff Report PL-2015-14 dated February 18, 2015 outlining the revenue and expenditures of the Heritage Committee Reserve Fund and approve the transfer of the funds in the fundraising account to the Heritage Committee Reserve Account.

CARRIED.

13. CONSENT BY-LAW

Moved by G. MacDonald

Seconded by J. Main

That leave be granted to introduce the following by-laws:

By-law 2015-7 Agreement with Mayes-Martin Ltd. for the Supply and Delivery of Unleaded Gasoline, Diesel and Colour Diesel Fuel.

By-law 2015-8 Appointment of Jamie Galloway as the Town Engineer.

By-law 2015-9 Lease Agreement with the Midland Duplicate Bridge Club.

CARRIED.

It was then,

Moved by G. MacDonald

Seconded by J. Main

That By-laws 2015-7, 2015-8 and 2015-9 be read a first, second and third time and finally passed.

CARRIED.

14. GENERAL BUSINESS

1) Other Business Introduced by Members of Council or Staff

Deputy Mayor Ross spoke to the Ministry of Education's recent funding announcement of \$27.5 million to enable the construction of a new high school in Midland that will accommodate students from Midland and Penetanguishene.

Councillor File commented on the Town's Farmers' Market process and spoke to the appropriate use of the term 'Farmers Market' as defined by Farmers' Markets Ontario.

Councillor J. Main advised that tickets are on sale for "Midland Reads" and encourage everyone to attend the event.

14. CONFIRMATORY BY-LAW

a) By-law 2015-10

Moved by G. MacDonald.

Seconded by J. Main

That leave be granted to introduce By-law 2015-10, being a by-law to adopt the proceedings of the Council Meeting held on February 23, 2015, and to authorize its execution.

CARRIED.

It was then,

Moved by G. MacDonald

Seconded by J. Main

That By-law 2015-10 be read a first, second and third time and finally passed.

CARRIED.

16. ADJOURNMENT

Moved by G. MacDonald

Seconded by J. Main

That this Regular Meeting of Council adjourn at 9:43 p.m.

CARRIED.

17. CLOSED SESSION:

Now Present: Mayor G. McKay, Deputy Mayor M. Ross, Councillors G. Canning, J. Contin, G. MacDonald, J. Main, C. Oschefski, P. File and S. Strathearn

Also Present: Chief Administrative Officer, C. Tripp
Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Deputy Clerk/Senior Executive Assistant, K. Desroches

Mayor McKay called the meeting to order and advised that the purpose of the meeting was to consider the remaining closed session items, following which it was then,

Moved by G. Canning

Seconded by J. Contin

That the Closed Meeting of Council reconvene at 9:49 p.m.

CARRIED.

- 2) Confidential Staff Report from CAO re. Games Manager 55+ Senior Games Appointment

Council continued its discussions on Confidential Report CAO-2015-02 dated January 23, 2015 regarding the appointment of a Games Manager for the 55+ Senior Games.

Council directed staff to prepare the appropriate motion for consideration upon conclusion of this closed meeting session.

- 3) MPUC Appointment

Council received a verbal report from the Chief Administrative Officer and reviewed a letter of application dated February 18, 2015, submitted for consideration for appointment to the Midland Power Utility Corporation.

Council directed staff to prepare the appropriate motion for consideration upon conclusion of this closed meeting session.

It was then,

Moved by G. MacDonald

Seconded by M. Ross

That this Closed Meeting of Council be adjourned at 10:06 p.m. and that Council now rise and report to open session.

CARRIED.

18. OPEN SESSION:

i) Motions arising from closed session discussions

- (1) Confidential Staff Report from Deputy Clerk/Senior Executive Assistant re. Appointment to the Midland Accessibility Advisory Committee

**Moved by G. Canning
Seconded by P. File**

That, further to Confidential Report CL-2015-12 dated February 19, 2015, Council herein confirms the appointment of Fran Moreau to the Midland Accessibility Advisory Committee for a term to expire November 30, 2018.

CARRIED.

- (2) Confidential Staff Report from CAO re. Games Manager 55+ Senior Games Appointment

**Moved by G. Canning
Seconded by P. File**

That further to Confidential Report CAO-2015-02 dated January 23, 2015, from the CAO, staff be directed on how to proceed with a Games Manager for the 55+ Games.

CARRIED.

- (3) Verbal Report from CAO re. MPUC Appointment

**Moved by G. Canning
Seconded by P. File**

That staff be directed on how to proceed with the appointment to the Midland Power Utility Corporation Board of Directors.

CARRIED.

It was then,

**Moved by G. Canning
Seconded by J. Contin**

That this open session to report closed meeting motions be adjourned at 10:08 p.m.

CARRIED.

A. Fay, Director of Corporate Services/Clerk/Deputy CAO