



# The Corporation of The Town of Midland

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## Minutes of the Regular Meeting of Council with Closed Session held on Wednesday, July 10, 2019 at 6:00 p.m. in the Municipal Office Council Chambers.

**Present:** Mayor S. Strathearn, Deputy Mayor M. Ross, Councillors C. McGinn,  
J. Downer, B. Gordon and B. Prost\*\*\*\*

**Regrets:** Councillors J. Main, C. Cunningham, C. Oschefski

**Also Present:** Chief Administrative Officer, J. Skorobohacz  
Director of Corporate Services/Town Solicitor, A. Sidhu\*\*  
Director of Engineering, Water and Wastewater, A. Campbell\*  
Director of Human Resources/Health & Safety, L. Yourkin  
Clerk, K. Desroches  
Deputy Clerk, S. Edgar\*\*\*

\*Attended for item 4. 1) only

\*\*Attended for item 4. 2) only

\*\*\*Attended for Item 4. 1) and 2) only

\*\*\*\*arrived at 6:20 p.m. during discussion of Item 4. 2)

### 1. Call to Order

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

### 2. Declarations of Conflict of Interest

Councillor Bill Gordon declared the following with respect to Closed Meeting Item 4. 2) Update re. MPS Services:

*“ The Integrity Commissioner has advised I no longer have a disqualifying interest in Item 3 on today’s closed session agenda - “ Update re: MPS Records.” I make this transparency disclosure to disclose my changed circumstance in order that I may participate in the discussion and voting on this confidential matter”.*

Based on Councillor Gordon’s comments, the Director of Corporate Services/Solicitor recommended the report be withdrawn and that further clarification be obtained from the Integrity Commissioner. Council concurred with the Director’s recommendation.

3. Motion to move into Closed Session

a) Motion to move into Closed Session

**Moved by: B. Gordon**

**Seconded by: J. Downer**

**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 2b)**

**Personal matters about an identifiable individual, including municipal or local board employees**

- **Organizational Changes**

**Subsection 2c)**

**Proposed or pending acquisition or disposition of land by the municipality or local board**

- **Acquisition of land/possible expropriation – Highway 12**

**Subsection 2**

- a) **The security of the property of the municipality or local board**
- b) **Personal matters about an identifiable individual, including municipal or local board employees.**
- e) **Litigation or potential litigation**

**Subsection 3a)**

**A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purpose of that Act.**

- **Update re: MPS Records**

**CARRIED.**

4. Closed Session Items

1) Acquisition of Land/Possible Expropriation – Highway 12

The Director of Engineering Water and Wastewater provided a PowerPoint presentation and verbal update.

The Director provided clarification and responded to questions raised by Members of Council.

Following discussion, Council directed Staff to prepare the appropriate motion for consideration upon conclusion of the Closed Meeting Session.

2) Update re: MPS Services

As noted under Item 2. above, this item was withdrawn.

3) Organizational Changes

The CAO provided a PowerPoint presentation and verbal update.

The CAO provided clarification and responded to questions raised by Members of Council.

5. Motion to rise to Open Session

Closed Session recessed at 7:00 p.m.

**Now Present:** Mayor S. Strathearn, Deputy Mayor M. Ross, Councillors C. McGinn, J. Downer, B. Prost and B. Gordon

**Regrets:** Councillors J. Main, C. Cunningham, C. Oschefski

**Also Present:** Chief Administrative Officer, J. Skorobohacz  
Director of Corporate Services/Town Solicitor, A. Sidhu  
Director of Finance/Treasurer, S. Turnbull  
Director of Planning and Building Services, W. Crown  
Director of Engineering, Water and Wastewater, A. Campbell  
Municipal Law Enforcement Officer, J. Reichheld  
Clerk, K. Desroches  
Deputy Clerk. S. Edgar

6. Call to Order

Mayor Strathearn called the meeting to order at 7:06 p.m.

7. Mayor's Introductory Remarks and Moment of Silent Reflection

8. Declarations of Conflict of Interest

There were none declared.

9. Motions arising from Closed Session

1) Acquisition of land/possible Expropriation – Highway 12

**Moved by J. Downer**

**Seconded by M. Ross**

**That further to the verbal update and presentation regarding the**

Acquisition of land/possible Expropriation – Highway 12 at the Closed Meeting Session held July 10, 2019, the Director of Engineering, Water/Wastewater be authorized to proceed as directed.

**CARRIED.**

10. Approval of Agenda

**Moved by C. McGinn**

**Seconded by B. Prost**

That the contents of the Council Agenda for July 10, 2019, be approved as amended (By-law 2019-51 re Lease Agreement with Boys and Girls Club was withdrawn and By-law 2019-55 Delegation of Authority – Amendment to Schedule).

**CARRIED.**

11. Consent Agenda

**Moved by C. McGinn**

**Seconded by B. Prost**

That the items and related recommendations contained within the July 10, 2019, Consent Agenda as consent items having been considered by Council be adopted with the exception of:

- **CL-2019-10 Delegation of Administrative/Signing Authority**

which will be considered under “Reports and other items withdrawn from Consent Agenda for Council’s consideration”.

**CARRIED.**

i. Correspondence for consideration

ii. Council Minutes for adoption

1) Regular Meeting of Council held on June 19, 2019

That the Minutes of the Regular Meeting of Council held on June 19, 2019, be adopted as printed and circulated.

iii. Council Information Packages for receipt

1) CIP June 10 to June 14, 2019

2) CIP June 17 to June 21, 2019

3) CIP June 24 to June 28, 2019

Received as information.

iv. All Reports

1) ENG-2019-11 Climate Change Action Plan

That Report ENG-2019-11, Climate Change Action Plan dated July 10, 2019 be received; and

That the Town of Midland adopt the 2015 to 2028 Community and Corporate greenhouse gas reduction emission targets of 6% and 15% respectively; and

That the Town of Midland's Climate Change Action Plan be approved; and

That the Town of Midland's Climate Change Action Plan be reviewed every term of Council and updated accordingly, and that the actions be presented through the annual budget process identifying where appropriate the resource requirements.

2) ENG-2019-12 Drinking Water Research Group Partnership

That Report ENG-2019-12, Drinking Water Research Group Partnership, dated July 10, 2019, be received for information; and

That Council accept the proposal from the University of Toronto under the Single Source provisions of the Procurement By-law 2018-52; and

That Council direct staff to issue a purchase order to the University of Toronto's Drinking Water Research Group for this project as outlined in this report.

3) PL-2019-48 Zoning By-law Amendment Application ZBA-04-19 – 219 Queen Street

That Report PL-2019-48, Zoning By-law Amendment Application ZBA-04-19 for 219 Queen Street, dated July 10, 2019 be received; and

That Council directs the scheduling of a Public Meeting, to consider Application ZBA-04-19 for an amendment to Zoning By-law 2004-90 as being a Complete Application; and

That Notice of Public Meeting under the *Planning Act* be provided in accordance with the regulations issued pursuant to the *Planning Act* and the Town's Official Plan; and

That Staff be directed to prepare the draft amending Zoning By-law.

- 4) PL-2019-49 Zoning By-law Amendment Application ZBA-05-19 Draft Plan of Subdivision (43T-95021) Hanson Development – 16821 Highway 12

That Report PL-2019-49, Draft Plan of Subdivision (43T-95021) Phase 1A – Hanson Subdivision, dated July 10, 2019, be received; and

That Council consider the enactment of a By-law to authorize the execution of the Subdivision Agreement for Phase 1A of the Hanson Subdivision; and

That Zoning By-law Amendment ZBA-05-19 respecting the removal of the Holding “H” Symbol for Phase 1A of the Hanson Subdivision be given consideration by Council during that portion of the Council meeting when such by-laws are considered.

- 5) FIN-2019-11 2018 Year End Report on Tax Arrears

That Report FIN-2019-11 2018 Year End Report on Tax Arrears, dated July 10, 2019 be received for information.

12. Motion to suspend Council into Committee of the Whole

**Moved by C. McGinn**

**Seconded by B. Prost**

**That Council resolve into the Committee of the Whole.**

**CARRIED.**

13. Presentation

There were no Presentations.

14. Deputations

- 1) Awareness of Eco Initiatives

Ms. A. Marion, and two members of Georgian Bay District Secondary School, ECO Council, provided a presentation to Council outlining the Mission, Strategies and Eco Council at GBDSS.

Council thanked Ms. Marion and her students for their presentation.

- 2) Traffic Concerns on Cook and Wright Drive

Mr. B. Zimmerman addressed Council and shared his concerns regarding traffic and speed concerns within the Grove Subdivision particularly along Cook Drive and Wright Drive.

Council thanked Mr. Zimmerman for his presentation.

3) Secondary Plan Area re. 9422, 9376 and 9332 County Road 93

Ms. B. L. Clement, of Jones Consulting, addressed Council regarding the request for permission to undertake a Secondary Plan Study for a portion of the County Road 93 North Secondary Plan Area.

Council thanked Ms. Clement for her presentation.

Council then reviewed Report PL-2019-57 Secondary Plan Request, following which it was then,

Resolution (COW- 2019-38)

**Moved by S. Strathearn**

**Seconded by J. Downer**

That Council receive Staff Report PL-2019-57 dated July 10, 2019 with respect to the request from Jones Consulting Group on behalf of Pine Valley Homes to proceed with a Secondary Plan study for a portion of the County Road 93 North Secondary Plan Area;

That Council supports and approves the request for a Secondary Plan study for a portion of the County Road 93 North Secondary Plan Area as set out in Staff Report PL-2019-57 dated July 10, 2019, as conforming to the Town of Midland Official Plan; and

That Administration be directed to coordinate a landowners' meeting for the proposed Secondary Plan area and provide a report to Council on the approach and logistics for undertaking the Secondary Plan study including all financial and legal obligations and requirements.

**CARRIED.**

4) Love your Laneways Project Update

Mr. B. Penny provided a PowerPoint presentation highlighting the ongoing Love Your Laneways Project. Copies of the Love your Laneways Handbook and Improvement Project pamphlet were provided on-desk to Council.

Council thanked Mr. Penny for his presentation.

15. Public Meeting

1) Retail Businesses Opening in Midland on Statutory Holidays

The Deputy Mayor advised that this Public Meeting is being held in accordance with Section 4(6) of *the Retail Business Holidays Act*. The purpose of the Public Meeting is to hear from residents regarding a proposed by-law to permit retail business establishments within the Town of Midland to open on all Statutory Holidays for the maintenance and development of Tourism.

The Clerk confirmed that Notice of the Public Meeting was published in the Midland Mirror on Thursday, June 5, 2019 and advertised on the Town's website. To date there has been no correspondence received.

The Deputy Mayor then asked for comments from the Public to which there were none.

The Mayor noted that Council will consider the proposed By-law which will be presented later in the evening.

The Deputy Mayor then called to a close the Public Meeting regarding a proposed by-law to permit retail business establishments within the Town of Midland to open on all Statutory holidays.

16. Reports and other items withdrawn from Consent Agenda for Council's consideration

1) OP-2019-08 Retail Businesses Opening in Midland

Council reviewed a Report OP-2019-08 dated July 10, 2019 from J. Reichheld, MLEO, following which it was then,

Resolution (COW-2019-39)

**Moved by S. Strathearn**

**Seconded by J. Downer**

That Report OP-2019-08, Retail Businesses Opening in Midland, dated July 10, 2019, be received; and

That Council consider the draft By-law in respect to allowing retail businesses to remain open on all Statutory Holidays within the Town of Midland.

**DEFEATED.**

2) CL-2019-10 Delegation of Administrative/Signing Authority

Council reviewed Report CL-2019-10 dated July 10, 2019 from K. Desroches, Clerk, following which it was then,

Resolution (COW-2019-40)

**Moved by**

**Seconded by**

That Clerk's Report CL-2019-10 dated July 10, 2019 regarding the Delegation of Administrative/Signing Authority be received; and

That Council consider the adoption of the proposed By-law (as outlined in Schedule A to the staff report CL-2019-10) setting out the various Administrative and Signing Authority which allows for the expeditious consideration of routine matters.

**CARRIED.**



17. Notice of Motions

Councillor Bill Gordon gave notice that he would be presenting the following Motions at the next Regular Council Meeting:

- 1) "That Staff deploy the speed trailer on Cook Drive and that the metrics be presented to Council and the MPSB for recommendation to OPP for enforcement; and

That Staff look into costs of speed bumps and signage that can be located in various trouble spots in our Community".

- 2) "That Council support the painting of a rainbow crosswalk at a suitable location in our core area in support of Simcoe Pride and our LGBT Community members".

- 3) "That any member of a committee or board be assigned a Municipally controlled and audited email address for any and all official correspondence and that members be prohibited from using personal email accounts for the purpose of their business in relation to their position; and

That any email correspondence in their possession that has been sent/received for the purposes of their position on that committee or board be exported and transferred to the Town of Midland so that it may comply with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and enable Freedom of Information requests to be made against same".

Councillor C. McGinn gave notice that she would be presenting the following Motion at the next Regular Council Meeting:

- 1) That Council consider a suitable means for people who are vulnerable or concerned about stating their full name and address in public to confirm that they are a resident or a stakeholder within the Town of Midland.
- 2) That Council consider permitting those with a valid wheelchair plate and those with a veteran's plate to park in any legally designated parking spot/area for free.

18. General Announcements

Individual Members advised of various items, events and activities in the Municipality for information purposes.

19. Motion to close Committee of the Whole and resume to formal Council session

**Moved by B. Prost**  
**Seconded by C. McGinn**

**That the Committee of the Whole rise and report.**

**CARRIED.**

20. Motion to adopt actions of Committee of the Whole

**Moved by C. McGinn**  
**Seconded by B. Prost**

**That the recommendations of the Committee of the Whole for the meeting of July 10, 2019, be adopted as Resolutions of Council.**

**CARRIED.**

21. Motions for which Notice was given

1) **Moved by B. Prost**  
**Seconded by C. McGinn**

**That Council direct the Administration to undertake the appropriate research for the development of an Environmental Strategy/Action Plan for the elimination of straws and single use plastics in the municipality; and**

**That Administration be requested to report back to Council within the current calendar year.**

**CARRIED.**

2) **Moved by C. McGinn**  
**Seconded by B. Prost**

**That Administration be requested to prepare a report outlining the current exit interview process and provide an assessment of the leading HR practices as it pertains to this activity including how the insights gained from such interviews are utilized by the organization.**

**DEFEATED.**

22. By-laws

1. By-laws 2019-52, 2019-53, 2019-54 and 2019-55

**Moved by C. McGinn**  
**Seconded by B. Prost**

**That the following By-laws:**

**By-law 2019-52 Agency Agreement between Fire Marque Inc. and the Town of Midland.**

- By-law 2019-53**      Subdivision Agreement with Somerset Gables Inc. for Phase 1A.
- By-law 2019-54**      Amend Zoning By-law 2004-90, as amended, for the removal of the Holding “H” Symbol.
- By-law 2019-55**      Delegation of Administrative/Signing Authority by Council and to repeal By-laws 2011-3, 2009-92, 2007-72 and 2004-9.

be passed and enacted.

**CARRIED.**

23. Closed Session

**Moved by            B. Prost**  
**Seconded by        C. McGinn**

**That the Closed Meeting of Council that recessed at 7:00 p.m. now reconvene to conclude consideration of the remaining items.**

**CARRIED.**

**CLOSED SESSION**

3) Organizational Changes

The CAO concluded his presentation regarding proposed organizational changes and provided clarification in response to questions raised by members of Council.

Following discussion, Council directed staff to prepare the appropriate motion for consideration upon conclusion of the Closed Meeting Session.

24. Motion to rise to Open Session

**Moved by            J. Downer**  
**Seconded by        B. Gordon**

**That this Closed Meeting of Council be adjourned at 9:40 p.m. and that Council now rise and report to open session.**

**CARRIED.**

**OPEN SESSION**

25. Motions arising out of Closed Session

3) Organizational Changes

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

**That, further to the verbal update and presentation by the Chief Administrative Officer regarding organizational changes,**

**Council endorses the CAO's proposed organizational changes and authorizes the CAO to proceed with the restructuring program as outlined.**

**CARRIED.**

26. Confirmatory By-law

**Moved by            B. Prost  
Seconded by        C. McGinn**

**That By-law 2019-57 being a by-law to adopt the proceedings of the Council meeting held July 10, 2019, be passed and enacted.**

**CARRIED.**

27. Adjournment

**Moved by            B. Prost  
Seconded by        C. McGinn**

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

**CARRIED.**

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Stewart Strathearn, Mayor

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Karen Desroches, Clerk

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