



The Corporation of The Town of Midland

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Minutes of the Regular Meeting of Council with Closed Session held on Wednesday, May 15, 2019 at 6:20 p.m. in the Municipal Office Council Chambers.

Present: Mayor S. Strathearn, Deputy Mayor M. Ross, Councillors J. Main, B. Prost, B. Gordon, C. McGinn and C. Cunningham

Regrets: Councillors J. Downer, C. Oschefski

Also Present: Chief Administrative Officer, J. Skorobohacz
Director of Human Resources/Health & Safety, L. Yourkin
Clerk, K. Desroches
Deputy Clerk, S. Edgar

1. Call to Order

Mayor Strathearn called the meeting to order at 6:20 p.m.

2. Declarations of Conflict of Interest

There were none declared for this portion of the meeting.

3. Motion to move into Closed Session

a) Motion to move into Closed Session

Moved by: B. Prost

Seconded by: J. Main

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

- **Confidential Staff Report – 2019 Budget**

Subsection 2d)

Labour relations or employee negotiations

- **Labour Negotiation Updates**

Subsection 2c)

Proposed or Pending Acquisition

- **Land Acquisition**

CARRIED.

4. Closed Session Items

1) Confidential Staff Report – 2019 Budget

The Director of Human Resources/Health & Safety provided a PowerPoint presentation and a verbal report with respect to the 2019 Budget.

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.

5. Motion to rise to Open Session

Moved by C. McGinn

Seconded by J. Main

That this Closed Meeting of Council recess at 7:01 p.m. and reconvene at the end of the regularly scheduled open Council Meeting to conclude discussion.

CARRIED.

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

Regrets: Councillors J. Downer, 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 Operations, Parks and Harbour, S. Berriault
Director of Engineering, Water and Wastewater, A. Campbell
Director of Fire Services/Fire Chief, P. Ryan
Director of Human Resources/Health & Safety, L. Yourkin
Clerk, K. Desroches
Deputy Clerk. S. Edgar
R. Fee, Communications Coordinator

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) Confidential Staff Report – 2019 Budget

Moved by B. Prost

Seconded by J. Main

That further to the PowerPoint presentation regarding 2019 Budget provided by the Director of Human Resources/Health and Safety at the Closed Meeting Session held May 15, 2019, Council herein confirms its direction to Staff on how to proceed.

CARRIED.

10. Approval of Agenda

Moved by J. Main

Seconded by B. Prost

That the contents of the Council Agenda for May 15, 2019, be approved as amended. (Items provided on desk: Email dated May 14, 2019, from Mr. Harinder Brar re: Development Charges, and Regional Government Review – Strategic Considerations on the Future of North Simcoe).

CARRIED.

11. Consent Agenda

Moved by C. McGinn

Seconded by J. Main

That the items and related recommendations contained within the May 15, 2019, Consent Agenda as consent items having been considered by Council be adopted with the exception of:

- **Request for Free Transit for Seniors during Seniors' Month**
- **CAO-2019-05 Sustainable Capital Infrastructure Funding – 2019 Budget Deliberations**
- **FIN-2019-07 Budget 2019 Approval**
- **PL-2019-38 Site Plan Control Approval Application No. SPA-12-18 877 King Street - 2641039 Ontario Inc. (Hampton Inn)**
- **Regional Government Review**

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

CARRIED.

i. Correspondence for consideration

1) Midland’s 8th Annual “Random Acts of Kindness Day”

That, further to letter dated April 16, 2019, from Mr. S. Flood, Event Chair, Rotary Club of Midland, permission be granted, in principle, to

proceed with the annual free BBQ lunch and music at the Town Dock on May 22, 2019, at 12 noon; subject to approval of the related special events application.

2) Simcoe Shores Secondary School – Community Feast

That, further to letter dated April 17, 2019, from Ms. J. Jeffries, Teacher, and Ms. M. Milek-Hopkins, Teacher, permission be granted, in principle, to conduct a Community Feast on Friday, June 21, 2019, from 11:00 am to 1:00 pm at the Town Dock pavilion; subject to approval of the related special events application.

3) Relay for Life Event

That, further to letter dated April 17, 2019, from Ms. S. Miller, Relay for Life Event Chairperson, and Ms. L. Clancy, Teacher Advisory, St. Theresa's Catholic High School, permission be granted to host their Relay for Life event on May 24, 2019, at the high school on 347 Galloway Boulevard.

ii. Council Minutes for adoption

1) Special Meeting of Council held on April 16, 2019

That the Minutes of the Special Meeting of Council held on April 16, 2019, be adopted as printed and circulated.

2) Regular Meeting of Council with Closed Session held on April 17, 2019

That the Minutes of the Regular Meeting of Council with Closed Session held on April 17, 2019, be adopted as printed and circulated.

3) Special Meeting of Council held on April 24, 2019

That the Minutes of the Special Meeting of Council held on April 24, 2019, be adopted as printed and circulated.

4) Special Meeting of Council re: Budget held on March 27 and April 10, 2019

That the Minutes of the Special Meeting of Council re: Budget held on March 27 and April 10, 2019, be adopted as printed and circulated.

iii. Council Information Packages for receipt

1) CIP April 8 to April 12, 2019

2) CIP April 15 to April 18, 2019

3) CIP April 23 to April 26, 2019

4) CIP April 29 to May 3, 2019

Received as information.

iv. All Reports

1) PL-2019-24 Deeming By-Law Lots 14 and 15, Plan 51M-657

That Council pass a deeming By-law for Lots 14 and 15, Registered Plan: Plan 51M-657; and

That Notice of the Passing of the By-law be provided in accordance with subsection 50 (29) of the *Planning Act* and that the owner be provided with the information contained in subsection 50 (30) of the *Planning Act* for hearing by Council.

2) PL-2019-33 Heritage Designation of 640 Bayport Boulevard

That the Midland Heritage Committee hereby recommends to Council that 640 Bayport Boulevard be considered for designation pursuant to Section 29 of the *Ontario Heritage Act*; and

That staff be directed to prepare the designation By-law and commence the required “Notification of Intent to Designate” process as provided under the *Ontario Heritage Act*.

3) OP-2019-03 Proposed User Fees NSSRC, Parks and Harbour

That Report OP-2019-03 dated April 30, 2019, regarding the Proposed User fees for the North Simcoe Sports and Recreation Centre, Parks and Harbour be received; and

That Council approve the Proposed User Fees for 2019 and 2020 for the North Simcoe Sports and Recreation Centre, Parks and Harbour facilities as outlined in the attached by-law and user fee schedule.

4) OP-2019-04 Public Transit Infrastructure Fund Amending Agreement

That Report OP-2019-04, Public Transit Infrastructure Fund Amending Agreement, dated May 3, 2019, be received; and

That Council authorize the entering into of an Amending Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario for Amending Agreement No. 1 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement (Amending Agreement); and

That the Mayor and Clerk be authorized, by By-law, to sign the Amending Agreement on behalf of the Corporation.

5) OP-2019-06 Appointment of Municipal Law Enforcement Officer Related to the Enforcement of Municipal By-laws

That Council receive report OP-2019-06, dated May 15, 2019, Appointments of Municipal Law Enforcement Officers Related to the Enforcement of Municipal By-laws; and

That Council approve By-law 2019-33.

12. Motion to suspend Council into Committee of the Whole

Moved by C. McGinn

Seconded by J. Main

That Council resolve into the Committee of the Whole.

CARRIED.

13. Presentation

There were no Presentations.

14. Deputations

1) 2019 Terry Fox Run

Mr. Don Chapman provided a PowerPoint presentation highlighting the 2018 results and noting the renaming of the Run to Terry Fox Day 2019 in the Heart of Georgian Bay, following which it was then,

Resolution (COW-2019-27)

Moved by C. McGinn

Seconded by S. Strathearn

That the Deputation by Mr. Don Chapman with respect to the 2019 Terry Fox Run scheduled for Sunday, September 15, 2019 be received with thanks; and

That Council refer the matter to staff for a report to be brought forward to a future Council meeting providing recommendations for Council's consideration.

CARRIED.

2) Transient Slips at the Town Dock

Mr. Ron Lyzeu, CEO of Boating Ontario, provided a PowerPoint presentation highlighting the importance of recreational boating in Waterfront Planning and Development in particular, transient slips and sea wall access.

Council received, with thanks, the presentation from Mr. Lyzeu.

15. Public Meeting/Hearing

There was no Public Meeting/Hearing scheduled.

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

1) Request for Free Transit for Seniors during Seniors Month

Council reviewed correspondence dated April 27, 2019 from Mr. L.J. Ferris Chair of the Midland Seniors Council, following which it was then,

Resolution (COW-2019-28)

Moved by C. McGinn
Seconded by C. Cunningham

That the request under letter dated April 27, 2019, from Mr. L. J. Ferris, Chair, be received as information; and

That the Seniors Council prepare a report providing additional options.

CARRIED.

2) CAO-2019-05 Sustainable Capital Infrastructure Funding – 2019 Budget Deliberations

Council reviewed Report CAO-2019-05 dated April 10, 2019 from J. Skorobohacz, Chief Administrative Officer, following which it was then,

Resolution (COW-2019-29)

Moved by B. Gordon
Seconded by C. Cunningham

That Staff Report CAO-2019-05, Sustainable Capital Infrastructure Funding – 2019 Budget Deliberations, dated April 10, 2019, be received for information; and

That Council adopt the proposed 1% Sustainable Capital Infrastructure Renewal strategy, pending receipt of a final report from the Treasurer detailing the overall impact of the proposed 2019 Budget.

CARRIED.

3) FIN-2019-07 Budget 2019 Approval

Council reviewed Report FIN-2019-07 from S. Turnbull, Director of Finance/Treasurer. A PowerPoint presentation was also provided.

It was then,

Moved by S. Strathearn

Seconded by B. Gordon

That Report FIN-2019-07, Budget 2019 Approval, dated May 15, 2019, be received; and

1. That Council approve the 2019 Municipal Operating Budget in the gross amount of \$27,087,670 requiring a net amount of \$20,815,113 to be raised through property taxation; and
2. That Council approve the addition of \$204,140 to the 2019 Municipal Operating Budget as the initial contribution of 1% of the property tax levy to a Sustainable Capital Infrastructure Renewal Strategy reserve; and
3. That Council approve the 2019 Municipal Capital Budget representing a gross expenditure of \$4,318,202; and
4. That the Director of Finance/Treasurer be directed to present the 2019 Tax Rate By-law for all classes of property assessment for consideration by Council at the June 5, 2019 Council Meeting; and
5. That the 2019 Water and Wastewater Operating Budget in the gross amount of \$6,736,059 be approved; and
6. That the 2019 Water and Wastewater Capital Budget representing a gross expenditure of \$2,657,445 be approved; and
7. That the Director of Engineering, Water and Wastewater Services be directed to present an updated Water and Wastewater Rate By-Law to establish the 2019 Water and Wastewater rates effective July 1, 2019 for both the monthly fixed fee and the variable charge per cubic metre of consumption reflecting an increase of 5% for water and 4% for wastewater; and
8. That in accordance with s.s.5(1) of the *Development Charges Act, 1997* and s.5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity provided by any of the above-referenced capital works will be paid for by future development charges.

An amendment to the main motion was,

Resolution (COW-2019-30)

Moved by C. Cunningham

Seconded by B. Gordon

That the Parking System Budget Item be approved conditional upon acceptance of a report from staff to be brought forward to a future Council Meeting.

CARRIED.

Deputy Mayor Ross proposed an amendment to the main motion following which it was moved by C. McGinn and seconded by B. Prost that the main motion be amended by removing Item 2. The motion was noted supported.

It was then,

Resolution (COW-2019-31)

Moved by S. Strathearn

Seconded by B. Gordon

That Report FIN-2019-07, Budget 2019 Approval, dated May 15, 2019, be received; and

1. That Council approve the 2019 Municipal Operating Budget in the gross amount of \$27,087,670 requiring a net amount of \$20,815,113 to be raised through property taxation; and
2. That Council approve the addition of \$204,140 to the 2019 Municipal Operating Budget as the initial contribution of 1% of the property tax levy to a Sustainable Capital Infrastructure Renewal Strategy reserve; and
3. That Council approve the 2019 Municipal Capital Budget representing a gross expenditure of \$4,318,202, **as amended**; and
4. That the Director of Finance/Treasurer be directed to present the 2019 Tax Rate By-law for all classes of property assessment for consideration by Council at the June 5, 2019 Council Meeting; and
5. That the 2019 Water and Wastewater Operating Budget in the gross amount of \$6,736,059 be approved; and
6. That the 2019 Water and Wastewater Capital Budget representing a gross expenditure of \$2,657,445 be approved; and
7. That the Director of Engineering, Water and Wastewater Services be directed to present an updated Water and Wastewater Rate By-Law to establish the 2019 Water and Wastewater rates effective July 1, 2019 for both the monthly fixed fee and the variable charge per cubic metre of consumption reflecting an increase of 5% for water and 4% for wastewater; and
8. That in accordance with s.s.5(1) of the *Development Charges Act, 1997* and s.5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity provided by any of the above-referenced capital works will be paid for by future development charges.

A recorded vote was requested

	<u>AYE</u>	<u>NAY</u>
Jonathan Main	X	
Carole McGinn		X
Deputy Mayor Ross	X	
Bill Gordon	X	
Beth Prost	X	
Cher Cunningham	X	
Mayor Stewart Strathearn	X	

CARRIED.

- 3) FIN-2019-08 Terms of Reference for the Council Community Grant Review Committee

Council reviewed Report FIN-2019-08, dated May 15, 2019, from the Director of Finance/Treasurer, following which it was then,

Resolution (COW-2019-32)

Moved by C. McGinn

Seconded by B. Gordon

That Report FIN-2019-08, Terms of Reference for the Council Community Grant Review Committee, dated May 15, 2019 be received; and

That the draft terms of reference for the Council Ad-Hoc Community Grant Review Committee be approved; and

That the Mayor be requested to advise the Clerk of the names of 3 Council Members to be appointed to the Council Community Grant Review Committee as per the approved Terms of Reference.

CARRIED.

- 4) PL-2019-38 Site Plan Control Approval Application No. SPA-12-18 877 King Street – 2641039 Ontario Inc. (Hampton Inn)

Council reviewed Report PL-2019-38 dated May 15, 2019 from the Director of Planning and Building Services, following which it was then,

Resolution (COW-2019-33)

Moved by Prost

Seconded by McGinn

That Report PL-2019-38, Site Plan Control Approval Application No. SPA-12-18, dated May 3, 2019 be received; and

That the Mayor and Clerk be authorized, by by-law, to execute a Site Plan Agreement with 2641039 Ontario Inc. respecting Site Plan Application No. SPA-12-18 regarding the new Hampton Inn at 877 King Street; and

That Council having considered the applicant's request by way of correspondence dated May 2, 2019 regarding the phasing of the payment of Development Charges authorizes the Administration to proceed with the phasing considerations as noted in this report (PL-2019-38).

CARRIED.

5) Regional Government Review

J. Skorobohacz provided a verbal report and PowerPoint presentation regarding the Regional Government Review. An on-desk copy of the Town of Midland's submission entitled "Strategic Considerations on the Future of North Simcoe" was provided for Council's information.

It was then,

Resolution (COW-2019-34)

Moved by **B. Prost**
Seconded by **S. Strathearn**

That the verbal report and PowerPoint presentation provided by CAO J. Skorobohacz regarding the Regional Government Review be received as information.

CARRIED.

17. Notice of Motions

Councillor B. Gordon gave notice that he will be presenting the following Motions at the next Regular Meeting of Council:

- 1) "That further to the objectives of Council's Community Engagement Strategy and Strategic Plan, and in consideration of a request for additional social media links on the Council page, Council consider the removal of Twitter profile links or the addition of other social media profile links as alternative methods of contact and communications with Councillors".
- 2) "That the Clerk be requested to provide a report, outlining a proposed amendment to the Town's Procedure By-law 2018-62, that enables Council Members to introduce new/other business as part of the Council process for consideration prior to the Motion that considers the adoption of the Agenda."
- 3) "That Council consider holding a Special Meeting for the purpose of providing guidance to Staff respecting IT/AV upgrades to the Council Chambers"

Deputy Mayor M. Ross gave notice that he will be presenting the following Motion at the next Regular Meeting of Council:

- 1) "That the Town of Midland review the By-law respecting Holiday Hours and Days of Operation for local businesses."

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 J. Main
Seconded by B. Prost
That the Committee of the Whole rise and report.
CARRIED.

20. Motion to adopt actions of Committee of the Whole

Moved by B. Prost
Seconded by J. Main
That the recommendations of the Committee of the Whole for the meeting of May 15, 2019, be adopted as Resolutions of Council.
CARRIED.

21. Motions for which Notice was given

There were none.

22. By-laws

1. By-laws 2019-29, 2019-30, 2019-31, 2019-32, 2019-33 and 2019-34

Moved by J. Main
Seconded by B. Prost
That the following By-laws:

By-law 2019-29 Deem Lot 14 and 15 of Registered Plan of Subdivision 51M-657.

By-law 2019-30 Site Plan Agreement with 2641039 Ontario Inc. (Hampton Inn).

By-law 2019-31 Agreement with the Minister of Transportation for Amending Agreement No. 1 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement.

By-law 2019-32 Composite fee schedule for services and activities provided by the North Simcoe Sports and Recreation Centre, Parks and Harbour facilities within the Town of Midland for 2019 and 2020 and to repeal By-law 2017-11.

By-law 2019-33 Appoint Municipal Law Enforcement Officers for the purpose of enforcing Parking By-law 2010-76, as amended, within the Town of Midland.

By-law 2019-34 Wildland Firefighting Agreement for Simcoe County Forests with the County of Simcoe.

**be passed and enacted.
CARRIED.**

23. Closed Session (continued)

**Moved by B. Prost
Seconded by J. Main**

That the Closed Meeting of Council reconvene at 10:20 p.m.

CARRIED.

2) Labour Negotiation Updates

Councillor McGinn left the Council Chamber.

The Director of Human Resources/Health & Safety provided a PowerPoint presentation with respect to Labour Negotiation Updates.

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.

Councillor McGinn returned to the Council Chamber.

3) Land Acquisition

J. Skorobohacz, Chief Administrative Officer, provided a verbal update regarding a proposed land acquisition.

The CAO 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.

It was then,

Moved by B. Prost
Seconded by B. Gordon

That pursuant to Section 9.2 c) of Procedural By-law 2018-62, Council agrees to remain in session past 11:00 p.m. in order to deal with the remaining items included on the Agenda.

CARRIED.

24. Motion to rise to Open Session

Moved by B. Prost
Seconded by M. Ross

That this Closed Meeting of Council be adjourned at 11:02 p.m. and that Council now rise and report to open session.

CARRIED.

25. Motions arising from Closed Session

2) Labour Negotiation Updates

Councillor McGinn pushed away from the table and refrained from voting on the matter.

Moved by B. Prost
Seconded by M. Ross

That further to the PowerPoint presentation regarding Labour Negotiation Updates provided by the Director of Human Resources/Health and Safety at the Closed Meeting Session held May 15, 2019, Council herein confirms its direction to staff on how to proceed.

CARRIED.

3) Land Acquisition

Moved by M. Ross
Seconded by B. Prost

That further to the verbal report provided by CAO Skorobohacz regarding Land Acquisition, Council herein confirms its direction to staff on how to proceed and directs the CAO to produce a public report for the next Council meeting.

CARRIED.

26. Confirmatory By-law

Moved by B. Gordon
Seconded by C. Cunningham

That By-law 2019-35 being a by-law to adopt the proceedings of the Council meeting held May 15, 2019, be passed and enacted.

CARRIED.

27. Adjournment

Moved by

Seconded by

That this Regular Meeting of Council adjourn at 11:05 p.m.

CARRIED.

Stewart Strathearn, Mayor

Karen Desroches, Clerk

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