



**THE CORPORATION OF THE
TOWN OF MIDLAND**

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**Minutes of the Regular Meeting of Council with Closed Session held on Monday,
August 28, 2017 at 6:30 p.m. in the Municipal Office Council Chambers.**

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

Regrets: Councillor C. Oschefski

Also Present: Chief Administrative Officer, J. Skorobohacz
Director of Corporate Services/Solicitor, A. Sidhu
Director of Planning and Building Services, W. Crown
Director of Finance/Treasurer
Clerk, K, Desroches

1. CALL TO ORDER

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

The Clerk informed Council that public notice of the meeting was provided consistent with the Town's notice provisions.

Mayor McKay asked Members of Council if they had any concerns to move into a closed session based on the stated purpose of the meeting.

There were no concerns brought forward.

2. DECLARATIONS OF PECUNIARY INTEREST

Councillor G. Canning declared a pecuniary interest with respect to Item 3a)i)a) Organizational Change Proposal as the matter relates to an event of which is he is a direct participant.

3. CLOSED SESSION

a) Motion to move into closed session

Moved by G. MacDonald

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

Subject matter
- Organizational Change Proposal

- **Subsection 2 (b)**
Personal matters about an identifiable individual
- **Subsection 2e)**
Matter before Administrative Tribunal

Subject matters
- Letter from a member of the public regarding an alleged incident

CARRIED.

- a) Organizational Change Proposal

Having previously declared a pecuniary interest, Councillor Canning left the Council Chamber.

Council reviewed Confidential Staff Report HR/HS 2017-06 from A. Sidhu, Director of Corporate Services/Solicitor and G. Green, Director of HR/H&S proposing the consolidation of two Committees of Council administrative resources roles.

The Director of Corporate Services/Solicitor and the Director of Human Resources 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.

- b) Letter from a member of the public regarding an alleged incident

Council reviewed a letter dated August 13, 2017.

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

- ii) Motion to rise to open session

Moved by G. MacDonald

Seconded by J. Main

That this Closed Meeting of Council be adjourned at 6:54 p.m. and that Council now rise and report to open session.

CARRIED.

Mayor McKay noted that the Association of Municipal Clerks and Treasurers of Ontario (AMCTO) has recognized K. Desroches, Clerk, with a certificate for 10 years of membership in AMCTO.

4. OPEN SESSION – 7:00 P.M.

- i) Motions arising from closed session discussions

- a) Organizational Change Proposal

Moved by G. MacDonald

Seconded by J. Main

That, further to Confidential Staff Report HR/HS 2017-06 dated August 24, 2017, and related discussions that occurred at the Closed Session held August 28, 2017, Council confirm the direction provided by the HR Committee of Council with respect to the proposed organizational change.

CARRIED.

- b) Letter from a member of the public regarding an alleged incident

Moved by J. Main

Seconded by G. MacDonald

That the letter dated August 13, 2017 from a member of the public concerning an alleged incident currently under investigation by the Midland Police Service and reviewed by Council at the Closed Session held August 28, 2017 be received as information.

CARRIED.

5. CONSENT AGENDA

Moved by G. Canning

Seconded by J. Contin

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held August 28, 2017.

CARRIED.

6. DEPUTATION

a) First Light 2017

Mr. S. Campbell, Midland BIA and representing Huronia Historical Parks, Sainte-Marie among the Hurons, and Discovery Harbour, provided a Powerpoint presentation highlighting the success of Sainte Marie's First Light and advising of plans underway for this year's event. It was then,

Moved by S. Strathearn

Seconded by J. Main

That Council support the Midland BIA request to utilize Midland Transit buses and drivers to provide a free bus shuttle link from downtown Midland to Sainte-Marie Among the Hurons and Martyrs' Shrine during the first Light Celebrations from 5:00 p.m. to 9:30 p.m. the evenings of November 23 - 25, and November 30 – December 2, and December 7 to 9, 2017, at no cost to Midland BIA or Sainte-Marie;

And further that the actual cost of this in-kind grant be charged to Council's Special Events account 1-20-111-1111-3295.

CARRIED.

7. CORRESPONDENCE

a) Changes to the Municipal Elections Act, 1996 under Bill 68

Council received as information a letter received August 21, 2017, from Mr. L. Rinaldi, Parliamentary Assistant to the Minister of Municipal Affairs, advising of recent changes to the Municipal Elections Act, 1996 under Bill 68 (Modernizing Ontario's Municipal Legislation Act, 2017), and requesting feedback regarding same.

8. REPORTS

a) ENG-2017-07 King St. Rejuvenation Project Update

Council reviewed a report dated August 28, 2017, from A. Campbell, Director of Engineering, Water & Wastewater, following which it was then,

Moved by G. MacDonald

Seconded by P. File

THAT, as recommended in Report ENG-2017-07 dated August 28, 2017, Council receives Report ENG2017-07 King Street Rejuvenation Project Update, dated August 28, 2017; and

THAT Council approves the Contract Change Orders for C. C. Tatham and Associates for a total of \$53,500 excluding taxes as outlined in this report.

CARRIED.

b) ENG-2017-08 Sanitary Sewage By-Pass Chamber A

Council reviewed a report dated August 28, 2017, from A. Campbell, Director of Engineering, Water & Wastewater, following which it was then,

Moved by G. MacDonald

Seconded by P. File

THAT, as recommended in Report ENG-2017-08 dated August 28, 2017, Council directs staff to implement design changes in the sanitary sewer system on Bayshore Drive, as part of the King Street Rejuvenation project, to eliminate the by-pass of raw sewage into Midland Harbour at the Town Docks as outlined in Report ENG2017-08, dated August 28, 2017; and

THAT Council approves a single source contract to C. C. Tatham and Associates to complete an Infiltration and Inflow Study at a cost of \$59,200 excluding taxes; and

THAT Council approves a single source contract to C. C. Tatham and Associates to undertake a Municipal Class Environmental Assessment for the upgrade of Sanitary Pump Station 1 at a cost of \$50,000 excluding taxes; and

THAT Council directs staff to apply for funding for this project through the Ontario Community Infrastructure Fund (OCIF) Top-Up Application process.

CARRIED.

c) ENG-2017-09 Wastewater Hot Water Boiler Replacement

Council reviewed a report dated August 28, 2017, from C. Fiddy, Manager of Water and Wastewater Services, following which it was then,

Moved by G. MacDonald

Seconded by P. File

THAT, as recommended in Report ENG-2017-09 dated August 28, 2017, Council awards RFP F18-051953 to North Wales Mechanical Ltd for the supply and installation of new boiler equipment in the amount of \$216,780 excluding HST, as outlined in Staff Report ENG-2017-09 dated August 28, 2017; and

THAT the 2017 Capital Budget for the Boiler Removal and Replacement be increased by \$34,280; and

**THAT the additional costs associated with the replacement of hot water boiler be funded from the Wastewater User Reserve.
CARRIED.**

d) ENG-2017-10 West Zone Booster Station Funding Agreement

Council reviewed a report dated August 28, 2017, from A. Campbell, Director of Engineering, Water & Wastewater, following which it was then, (See By-law 2017-59)

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

THAT, as recommended in Report ENG-2017-10 dated August 28, 2017, Council authorizes entering into an agreement between the Town and the Province of Ontario for the *Clean Water and Wastewater Fund (Ontario) Transfer Payment Agreement* as outlined in Report ENG-2017-10 dated August 28, 2017; and

THAT the Director of Corporate Services/Town Solicitor and the Director of Engineering Water & Wastewater be granted delegated authority to execute and submit to the Province any and all documents related to the Agreement.

CARRIED.

e) TR-2017-14 2016 Capital Project Reconciliation and Funding Carry Forwards

Council reviewed a report dated August 28, 2017, from S. Turnbull, Director of Finance/Treasurer, following which it was then,

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

THAT, as recommended in Report TR-2017-14 2016 dated August 28, 2017, Report TR-2017-14 2016 Capital Project Reconciliation and Funding Carry Forwards, dated August 28, 2017, be received; and

THAT \$25,000 be transferred to the Tax Rate Stabilization Reserve; and

THAT \$12,553.50 be transferred to the Information Technology Reserve; and

THAT \$2,274.46 be transferred to the Roads/Capital Construction Reserve; and

THAT \$859,204.03 be carried forward and included in the 2017 Tax Supported Capital Program; and

THAT \$1,636,912.19 be carried forward and included in the 2017 Rate Supported Capital Program; and

THAT \$295,416.21 be transferred to the Waste Water Reserve; and

THAT \$38,182.08 be transferred to the Water Reserve, based upon the completed analysis of the various 2016 capital projects.

CARRIED.

- f) TR-2017-15 Council Remuneration & the Elimination of One-Third Tax Allowance

Council reviewed a report dated August 28, 2017, from S. Turnbull, Director of Finance/Treasurer, following which it was then,

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

THAT, as recommended in Report TR-2017-15 dated August 28, 2017, Council Remuneration & the Elimination of One-Third Tax Allowance, dated August 28, 2017, be received; and

THAT Council chose Option # 2; and

THAT the effective date of the option chosen be January 1, 2019.

CARRIED.

- g) TR-2017-16 2016 Building Department Financial Report

Council reviewed a report dated August 28, 2017, from S. Turnbull, Director of Finance/Treasurer, following which it was then,

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

THAT, as recommended in Report TR-2017-16 dated August 28, 2017, Report TR-2017-16 2016 Building Department Financial Report dated August 28, 2017 be received as information; and

THAT consideration be given to directing one-half of the 2016 surplus created by Building Department activity in 2016 (\$134,500) to the Building Reserve Fund; and

THAT the 2016 Building Department Financial Report attached to this report be posted on the Town's website.

CARRIED.

h) CTS-2017-19 Silver Goose Cyclone Race

Council reviewed a report dated August 28, 2017, from N. Major, Culture, Tourism and Special Events Manager, following which it was then,

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

THAT, as recommended in Report CTS 2017-19 dated August 28, 2017, formal approval of the Silver Goose Cyclocross Race event be granted, in principle; and

THAT the Silver Goose Cyclocross Race Committee be given permission to allow a maximum of 20 camping spots for campers and a maximum of 2 (two) contained fires; and

THAT the Silver Goose Cyclocross Race Committee be given permission to have a licensed area at the event in the large pavilion on both Saturday and Sunday, October 21st and 22nd from 10:00 am – 6:00 pm; subject to staff approval of the related Special Events Application.

AND FURTHER THAT Little Lake Park Road remain closed for the two-day event.

CARRIED.

i) CL-2017-27 Appointment of an Assistant Lottery Licensing Officer

Council reviewed a report dated August 23, 2017, from K. Desroches, Clerk, recommending that Council consider By-law 2017-58 providing for the appointment of Catherine LeMesurier as Assistant Lottery Licensing Officer for the Town of Midland. (See By-law 2017-58)

9. CONSENT BY-LAW

**Moved by S. Strathearn
Seconded by J. Main**

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

By-law 2017-58 Amend By-law 2008-23, Appointment of Lottery Licensing Officers.

By-law 2017-59 Transfer Payment Agreement with Her Majesty The Queen in right of Ontario, as represented by the Minister of Infrastructure, for the Clean Water and Wastewater Fund (CWWF).

CARRIED.

It was then,

**Moved by S. Strathearn
Seconded by J. Main**

That By-laws 2017-58 and 2017-59, be read a first, second and third time and finally passed.

CARRIED.

10. GENERAL BUSINESS

1) Notice of Motion

Councillor File gave notice that she will be presenting the following motion at the next regular meeting of Council:

“That staff at the Town of Midland create a small temporary parkette in the parking lot at Easy Street and First Street with seating and other public realm improvements and that they consult with local stakeholders about a more permanent site as part of the Downtown Rejuvenation Project and any other plan for the downtown.”

11. CONFIRMATORY BY-LAW

**Moved by S. Strathearn
Seconded by J. Main**

That leave be granted to introduce By-law 2017-60, being a by-law to adopt the proceedings of the Council Meeting held on August 28, 2017, and to authorize its execution.

CARRIED.

It was then,

**Moved by S. Strathearn
Seconded by J. Main**

That By-law 2017-60 be read a first, second and third time and finally passed.

CARRIED.

12. **ADJOURNMENT**

Moved by S. Strathearn

Seconded by J. Main

**That this Regular Meeting of Council adjourn at 9:13 p.m.
CARRIED.**

Karen Desroches, Clerk
