



The Corporation of The Town of Midland

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Minutes of the Regular Meeting of Council with Closed Session held on Wednesday, October 2, 2019 at 5:45 p.m. in the Municipal Office Council Chambers.

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

Also Present: Director of Corporate Services/Town Solicitor, A. Sidhu
Director of Infrastructure, A. Campbell
Director of Human Resources/Health & Safety, L. Yourkin
Clerk, K. Desroches
Deputy Clerk. S. Edgar

* arrived at 5:55 p.m.

5:45 PM Water and Wastewater Treatment Centre (WWTC) User Education Program

Present: C. Fiddy, Manager of Water and Wastewater

Mr. Chuck Fiddy provided a Power Point presentation with respect to the WWTC's Public Outreach Campaign. After a brief discussion, Council thanked Mr. Fiddy for his presentation.

6:00 PM Municipal Insurance and Risk Management

Present: Ms. S. Runnalls, BFL Canada

Prior to commencing, Ms. Runnalls suggested that Council may wish to receive the presentation in closed session to allow for a more fulsome educational opportunity and discussion on the subject matter. The Director of Corporate Services/Solicitor and Mr. Runnalls provided clarification on the content of the presentation in response to questions raised by members of Council. The Clerk noted that the matter had been posted on the Council agenda as an open meeting item; however, should Council choose to suspend the rules of procedure, a two-thirds vote would be required.

Following further debate, it was then,

Moved by C. Oschefski

Seconded by B. Prost

That Council moved 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 2e)

Purpose of educating or training the members; and no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the Council.

- **Council Orientation – Municipal Insurance and risk Management**

A Recorded Vote was requested

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

CARRIED.

CLOSED SESSION

Council received a PowerPoint presentation from Ms. S. Runnalls of BFL Canada regarding Municipal Insurance and Risk Management.

Ms. Runnalls provided clarification in response to questions raised by members of Council.

Following discussion, staff was directed to bring forward the appropriate motion for Council's consideration upon conclusion of the closed meeting session.

It was then,

Moved by B. Prost

Seconded by C. Oschefski

That this Closed Meeting of Council be adjourned at 7:08 p.m. and that Council now rise and report to open session.

CARRIED.

OPEN SESSION

Staff Present: Director of Corporate Services/Town Solicitor, A. Sidhu
Director of Infrastructure, A. Campbell
Director of Planning and Building Services, W. Crown
Director of Community Services, S. Berriault
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 7:10 p.m.

2. Declarations of Conflict of Interest

There were no declarations

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

4. Motions arising from Closed Sessions discussions

Moved by C. Oschefski

Seconded by B. Prost

That Council receive as information the presentation (Council Orientation) provided by S. Runnalls from BFL Canada in closed session on October 2, 2019 regarding Municipal Insurance and Risk Management.

CARRIED.

5. Approval of Agenda

Moved by C. McGinn

Seconded by J. Main

That the contents of the Council Agenda for October 2, 2019, be approved, as amended, (Site Plan Control Agreement re. 619 Prospect Developments Inc. – addition of clause respecting Existing Servicing Agreement – Housekeeping matter).

CARRIED.

6. Consent Agenda

Moved by C. McGinn

Seconded by J. Main

That the items and related recommendations contained within the October 2, 2019, Consent Agenda as consent items having been considered by Council be adopted with the exception of:

- **PL-2019-79 Site Plan Control Approval Application No. SPA-05-19 - 619 Prospect Boulevard**
- **FIN-2019-19 Budget 2020 Guidelines**

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

CARRIED.

i. Correspondence for consideration

1) Parking Meter Info Signs – BigDig.Info

That, further to letter dated September 11, 2019, from Mr. J. Shepherd, Communications Manager, Downtown Midland Business Improvement Area (BIA), permission be granted to the BIA to hang up small laminated parking meter signs on all the parking meters with respect to Big Dig information

ii. Council Minutes for adoption

1) Regular Meeting of Council held on September 18, 2019

That the Minutes of the Regular Meeting of Council held on September 18, 2019, be adopted as printed and circulated.

ii. Council Information Packages for receipt

1) CIP September 9 to September 13, 2019

2) CIP September 16 to September 20, 2019

Received as information.

iii. All Reports

1) PL-2019-77 MD-T-0119 Bayport Village (Kaitlin) Phase 2 - Appeal of Conditions, appointment of Counsel and Confirmation of the Town's Position

That Report PL-2019-77, MD-T-0119 Bayport Village (Kaitlin) Phase 2 Appeal, dated October 2, 2019, be received; and

That Mr. Quinto Annibale of Loopstra Nixon LLP be retained as Solicitor for the Town in respect of the Appeal of the Conditions of Draft Plan Approval, File MD-T- 0119 Bayport Village (Kaitlin), under Section 51 (43) of the *Planning Act*; and

That the Town confirm its support of the conditions in respect of the proposed Bayport Village (Kaitlin) Phase 2 subdivision; and

That the Solicitor and Town Staff attend all necessary meetings, complete all required filings and attend all proceedings related to the appeal and the Director and/or Solicitor sign any Minutes of Settlement on behalf of the Town, if required, where such settlement maintains the intent of the applicable Town and Provincial policies.

2) PL-2019-78 Site Plan Control Approval Application No. SPA-04-19 Weber Manufacturing 16566 Highway 12

That Report PL-2019-78, Site Plan Control Approval Application No.SPA-04-19 for 16566 Highway 12, dated October 2, 2019 be received; and

That Site Plan Application No.SPA-04-19 respecting 16566 Highway 12 be hereby approved as set out in Staff Report PL-2019-78 dated October 2, 2019; and

That the required drawings and/or reports be submitted to Municipal Staff for approval in accordance with approved Site Plan Application No.SPA-04-19; and

That the Site Plan Agreement for Site Plan Application No. SPA-04-19, be delegated to Staff to finalize and present to the Mayor and Clerk to execute the said Site Plan Agreement.

3) PL-2019-80 Zoning By-law Review - ZBA-02-17 Recommendation

That Report PL-2019-80, Zoning By-law Review File No. ZBA-02-17, dated October 2, 2019, be received; and

That Zoning By-law Review File No. ZBA-02-17 be approved and the implementing Zoning By-law Amendment be considered as set out in Staff Report PL-2019-80 dated October 2, 2019.

Pursuant to Section 34(17) of the *Planning Act*, Council determines that no further Notice of the proposed By-law is required as the changes to the proposed By-law are minor in nature.

4) COM-2019-02 Boys and Girls Club Lease Agreement

That Report COM-2019-02, regarding the Boys and Girls Club Lease Agreement, dated October 2, 2019, be received; and

That Council approve the Lease Agreement with the Boys and Girls Clubs of North Simcoe and further authorize the Mayor and Clerk to execute the Agreement; and

That By-law 2012-54 be repealed, and that Council consider enacting a new By-law regarding the Agreement (By-law 2019-51).

5) CS-2019-7 Community Engagement Strategy Progress Update

That Report CS-2019-7, being a report regarding an update with respect to the Community Engagement Strategy, dated October 2, 2019, be received for information; and

That Corporate Services be requested to provide semi-annual progress reports incorporating measures respecting the deliverables as it pertains to the implementation of the Town of Midland's Community Engagement Strategy.

That Report PL-2019-73, Sign By-law Review, dated September 18, 2019, be received; and

That Council hereby authorizes and directs Staff to schedule a Public Meeting (Task 4) for the Sign By-law Review Project.

6) CL-2019-13 Community Hydro Distribution Advisory Committee

That Report CL-2019-13, Community Hydro Distribution Advisory Committee Appointments, dated October 2, 2019 be received; and

That Councillor Jim Downer be appointed to the Community Hydro Distribution Advisory Committee as the Council representative; and

That Shawn Berriault, Director of Community Services, be appointed as an interim representative on the Committee.

7) CL-2019-14 Seniors Council – Simcoe County Age Friendly Municipal Grant Program

That Report CL-2019-14, Seniors Council – Simcoe County Age Friendly Municipal Grant Program, dated October 2, 2019 be received; and

That Council supports the Town of Midland's application under the Simcoe County Age Friendly Municipal Grant Program for funding to retain a consultant to spearhead a comprehensive needs assessment of older adults living in Midland for the purpose of establishing an Age Friendly Action Plan specific to Midland; and

That Council confirms its willingness to provide overall grant management should the application be successful.

7. Motion to suspend Council into Committee of the Whole

Moved by C. Cunningham

Seconded by B. Gordon

That Council resolve into the Committee of the Whole.

CARRIED.

COMMITTEE OF THE WHOLE

8. Presentations

1) 2019 Employee Appreciation Awards

The following Awards were presented:

- Customer Service Award – Melanie Bader presented by Councillor Cunningham.
- Health and Safety Award – Charmen Leblanc presented by Councillor Downer
- Trailblazer Award – Randy Fee presented by Councillor Main

9. Deputations

1) Proposal to patrol Downtown on October 30, 2019

Mr. Ryan Stacey, CEO of Black Light Investigative and Surveillance Services, provided a PowerPoint presentation requesting permission that his security company patrol the streets of Downtown Midland on October 30, 2019 through to October 31, 2019.

It was then,

Moved by J. Downer

Seconded by S. Strathearn

That, further to the Deputation provided by Mr. Ryan Stacey of Black Light Investigative and Surveillance Services, Council receive with thanks, Mr. Stacey's offer to donate the services of Black Light ISS resources to help be the eyes and ears supplementing our local OPP on October 30, 2019 through to October 31, 2019 also known as Devil's Night and that Mr. Stacey's proposal be referred to the Midland Police Services Board.

CARRIED.

10. Public Meeting

There was no Public Meeting.

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

1) PL-2019-79 Site Plan Control Approval Application No. SPA-05-19 619 Prospect Boulevard

Council reviewed Report PL-2019-79 Site Plan Control Approval Application No. SPA-05-19 619 Prospect Boulevard dated October 2, 2019 from A. Zhao, Planner, following which it was then,

Resolution (COW-2019-48)

Moved by J. Downer
Seconded by C. McGinn

That Staff Report PL-2019-79, Site Plan Control Approval Application No.SPA-05-19 for 619 Prospect Boulevard, dated October 2, 2019 be received; and

That Site Plan Application SPA-05-19 respecting 619 Prospect Boulevard be hereby approved as set out in Staff Report PL-2019-79 dated October 2, 2019; and

That the required drawings be submitted and approved by the appropriate Municipal Staff in accordance with approved Site Plan Application SPA-05-19; and

That the Site Plan Agreement for Site Plan Application No. SPA-05-19 regarding 619 Prospect Boulevard, be brought forward to Council for approval and that the Mayor and Clerk be authorized to execute the said Site Plan Agreement.

CARRIED.

2) FIN-2019-19 Budget 2020 Guidelines

Council reviewed Report FIN-2019-19 Budget 2020 Guidelines dated October 2, 2019 from S. Turnbull, Director of Finance/Treasurer. A PowerPoint was also provided following which it was then,

Resolution (COW-2019-49)

Moved by J. Downer
Seconded by C. Cunningham

That Report FIN-2019-19, Budget 2020 Guideline, dated October 2, 2019, be received; and

That the Water and Wastewater Reserve balances be transferred from the Discretionary Reserve Portfolio to the Obligatory or Restricted Reserve Fund Portfolio effective January 1, 2020; and

That Council endorses the proposed accelerated Budget 2020 meeting schedule as noted in Report FIN-2019-19 with a target budget approval date of January 15, 2020; and

That Council directs the Director of Finance to present the 2020 Operating and Capital Tax-Supported Budgets that reflect a maximum net increase of 2.0%; and

That Council directs the Director of Engineering to present the 2020 Operating and Capital Rate-Supported Budgets that reflect net increases in line with the long-term rate forecast presented last year of 5.0% for Water and of 4.0% for Wastewater; and

That within this framework the Administration continues to advance Council's approved Strategic Priorities and identify same within the budget presentations as well as continuing to advance the Service Delivery Review (2017) recommendations.

CARRIED.

12. Notice of Motion

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

- 1) That the Midland Police Services Board be invited to attend our next Council meeting to address the community safety concerns and their plans to address them in both the short term and long term.
- 2) That the Midland Police Services Board provide reports showing that we are receiving the four FTE police officers in Midland 24/7 as per the published staffing intention presented by the OPP in their Proposal for Municipal Police in Midland.

Councillor J. Main gave notice that he would be presenting the following Motion at the next Regular Council Meeting:

- 1) That, further to the letter from Mr. Drummond Peet, dated September 6, 2019, staff be directed to explore expanding partnerships regarding seasonal lighting activities with HHP, BIA, SG Chamber of Commerce and/or Heart of Georgian Bay and community service groups; and

That Staff explore the operational and financial feasibility of a seasonal passive lighting installation for little lake park or other Municipal properties.

13. General Announcements

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

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

Moved by J. Downer
Seconded by C. Cunningham
That the Committee of the Whole rise and report.
CARRIED.

FORMAL SESSION

15. Motion to adopt actions of Committee of the Whole

Moved by J. Downer
Seconded by C. Cunningham
That the recommendations of the Committee of the Whole for the meeting of October 2, 2019, be adopted as Resolutions of Council.
CARRIED.

16. Motions for which Notice was given

There were none.

17. By-laws

1. By-laws 2019-51, 2019-65, 2019-71 and 2019-73

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

By-law 2019-51 Agreement between with the Boys & Girls Clubs of North Simcoe for the use of the Youth Centre located in the North Simcoe Sports and Recreation Centre and to repeal By-law 2012-54.

By-law 2019-65 Rezone part of the lands known as 16928 Highway 12 and remove the Holding “H” Symbol.

By-law 2019-71 Site Plan Agreement with 619 Prospect Developments Inc.

By-law 2019-73 Amend By-law 2004-90, as amended.

be passed and enacted.

CARRIED.

Staff Present: Director of Corporate Services/Town Solicitor, A. Sidhu
Director of Human Resources/Health & Safety, L. Yourkin
Clerk, K. Desroches
Deputy Clerk, S. Edgar

18. Motion to move into Closed Session

Moved by B. Prost

Seconded by C. Oschefski

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

- **Appointment to the Heritage Committee**

Subsection 2i)

A trade secret or scientific, technical, commercial financial or labor relations information, supplied in confident.

Subsection 2k)

A position, plan, procedure, criteria or instruction to be applied to any negotiations, carried or to be carried on by or on behalf of the municipality.

- **Proposal for the purpose of seeking Council's instruction on a potential future facility.**

CARRIED.

CLOSED SESSION

19. Closed Session Items

1) Appointment to the Heritage Committee

The Director of Human Resources/Health and Safety provided, on-desk, Confidential Staff Report HR-HS 2019-03 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) Proposal for the purpose of seeking Council's instruction on a potential future facility

The Clerk distributed, on-desk, a Confidential Project outline and verbal update with respect to the proposal.

Mayor Strathearn 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.

20. Motion to rise to open session

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

That this Closed Meeting of Council be adjourned at 10:07 p.m. and that Council now rise and report to open session.

CARRIED.

21. Motions arising from Closed Session

- 1) Appointment to the Heritage Committee

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

That Report HR-HS dated October 2, 2019, regarding the Town of Midland Committee(s) and Board Appointment recommendations be received; and

That Rene Hackstetter be appointed to the Heritage Committee for a term consistent with the term of Council; and

That appointment to the Midland Penetanguishene Transit Committee be put on hold until the result of the Transportation Master Plan and Regional Governance Review have been completed at which time a review of the Terms of Reference will be undertaken, and

That Administration re-post respective Committee and Boards with available appointments for this Council term.

CARRIED

- 2) Proposal for the purchase of seeking Council's instruction on a potential future facility

Moved by C. Oschefski
Seconded by B. Prost

That Council confirms its discussions held during the October 2, 2019 Closed Meeting Session regarding a proposal for the purpose of seeking Council's instruction on a potential future facility on Municipal property; and

That the CAO, Mayor and Clerk be directed to pursue a memorandum of understanding with the proponents of the project; and

That the draft Memorandum of Understanding be brought back to Council for consideration.

CARRIED.

22. Confirmatory By-law

Moved by C. Oschefski
Seconded by B. Prost

That By-law 2019-74 being a by-law to adopt the proceedings of the Council meeting held October 2, 2019, be passed and enacted.

CARRIED.

23. Adjournment

Moved by C. Oschefski
Seconded by B. Prost

That this Regular Meeting of Council adjourn at 10:15 p.m.

CARRIED.

Stewart Strathearn, Mayor

Karen Desroches, Clerk

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