



The Corporation of The Town Of Midland

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Minutes of the Regular Meeting of Council with Closed Session held on Monday, May 28, 2018 at 6:30 p.m. in the Municipal Office Council Chambers.

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

Regrets: Deputy Mayor M. Ross

Also Present: Director of Human Resources/Health and Safety, L. Yourkin
Clerk, K. Desroches

*arrived at 6:32 pm upon discussion of Item 3a)i)a)

1. CALL TO ORDER

Mayor G. 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

There were none declared.

3. CLOSED SESSION

a) Motion to move into Closed Session

Moved by S. Strathearn

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

Subject Matter

- **Employment Contract**

CARRIED.

i) Closed Session Item

a) HR/HS 2018-02 Employment Contract

Council reviewed a report dated May 22, 2018, from L. Yourkin, Director of Human Resources / Health & Safety.

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 S. Strathearn

Seconded by C. Oschefski

That this Closed Meeting of Council be adjourned at 6:56 p.m. and that Council now rise and report to open session.

CARRIED.

4. OPEN SESSION – 7:00 P.M.

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

Regrets: Deputy Mayor M. Ross

Also Present: Director of Human Resources/Health and Safety, L. Yourkin
Director of Operations, S. Berriault
Director of Engineering, Water and Wastewater, A. Campbell
Director of Corporate Services/Solicitor, A. Sidhu
Director of Finance/Treasurer, S. Turnbull
Director of Planning and Building Service, W. Crown
Communications and Marketing Coordinator, R. Fee
Clerk, K. Desroches

i) Motions arising from closed session discussions

a) HR/HS 2018-02 Employment Contract

Moved by S. Strathearn

Seconded by C. Oschefski

That, further to Confidential Staff Report HR/HS 2018-2 Employment Contract, Council accepts the recommendation of the CAO to amend the employment contract of Mr. Amanpreet Singh Sidhu from contract to full time for consideration at the next Council meeting.

CARRIED.

5. **MOMENT OF SILENT REFLECTION**

6. **DECLARATIONS OF PECUNIARY INTEREST**

Councillor J. Contin declared a pecuniary interest with respect to Deputations - Item 9c) Request to Rename Seniors' Room at the NSSRC as his spouse is the Executive Director of the Askennonnia Senior Centre.

7. **CONSENT AGENDA**

Moved by **S. Strathearn**

Seconded by **C. Oschefski**

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council with Closed Session held May 28, 2018.

CARRIED.

8. **PUBLIC MEETINGS**

- a) Notice of Intention to pass an Amending By-law to Remove a Holding "H" Symbol – 960 Sumac Lane

Mayor McKay called the meeting to order and advised that the Public Meeting is being held to receive input from the public on the proposed removal of a Holding "H" symbol from the Zoning By-law respecting 960 Sumac Lane. Mayor McKay advised that the Public Meeting is being held in accordance with Section 36 of *the Planning Act R.S.O. 1990*.

Mayor McKay then asked the Clerk to confirm notification of the meeting and to note any correspondence received regarding the proposed By-law.

The Clerk advised that notice of the meeting was posted on the Town's website, social media, and notice board and in the Midland Mirror. No written submissions were received.

Mayor McKay called for anyone in the audience to make comments in opposition or in support of the proposed B-law.

There being no comments, the public meeting regarding the proposed removal of a Holding "H" symbol from the Zoning By-law respecting 960 Sumac Lane was closed.

- b) Notice of Intention to Establish the 2018 Water and Wastewater Rates (By-law 2018-40)

Mayor McKay called the meeting to order and advised that the Public Meeting is being held to receive input from the public on the proposed adoption of the 2018 Water and Wastewater Rate By-law. Mayor McKay

advised that the Public Meeting is being held in accordance with Section 24 of the Town's Notice By-law, being By-law 2009-20.

Mayor McKay then asked the Clerk to confirm notification of the meeting and to note any correspondence received regarding the proposed By-law.

The Clerk advised that notice of the meeting was posted on the Town's website, social media, and notice board and in the Midland Mirror. No written submissions were received.

Mayor McKay called for anyone in the audience to make comments in opposition or in support of the proposed by-law.

There being no comments, the public meeting regarding the proposed 2018 Water and Wastewater Rate By-law was closed.

9. DEPUTATIONS

a) Georgian Bay Fisheries

Ms. M. Muter, Chair, Georgian Bay Great Lakes Foundation, provided a PowerPoint presentation, highlighting the increased presence of invasive species in the Great Lakes, particularly the Asian Carp. It was then,

**Moved by G. MacDonald
Seconded by J. Main**

That further to the deputation received from the Georgian Bay Great Lakes Foundation, staff be directed to consult with the Foundation and appropriate government agencies and bring back a report detailing an appropriate course of action respecting the potential invasion of the grass carp.

CARRIED.

b) 2018 Terry Fox Run

Mr. D. Chapman provided a PowerPoint presentation highlighting the success of the Terry Fox Run and providing details regarding plans for this year's event. It was then,

**Moved by P. File
Seconded by J. Contin**

That further to Mr. D. Chapman's May 28, 2018, deputation to Council, Council approves the Terry Fox Foundation's request for the closure of Balm Beach Road at Marshall Road on September 16, 2018, from 9:00 am for a period of approximately 4 hours as well as use of the accessible bus/driver.

CARRIED.

c) Request to Rename Senior's Room at the NSSRC

Mr. M. MacRae, Askennonnia Seniors Centre, provided a PowerPoint presentation highlighting the extensive volunteer efforts of Ms. Violet Kennedy and requesting that Council consider renaming the Seniors Room at the NSSRC in her honour.

Moved by G. MacDonald

Seconded by J. Main

That, in recognition of the significant contributions that Ms. Kennedy and others have made to the community, staff be directed to bring forward a policy providing for the establishment of a consistent process that identifies and recognizes those individuals that have contributed significantly to their community for Council's consideration at an upcoming meeting.

CARRIED.

10. CORRESPONDENCE

a) Affordable Housing - May 13 - 2018

Council received as information an email dated May 13, 2018, from Mr. C. Beck, providing a suggestion with respect to Affordable Housing in Midland.

Staff was directed to provide a letter of response to Mr. Beck regarding affordable housing resources.

b) Engagement of Services Agreement (Section 8) – August 5, 2016 Ontario Municipal Leadership Institute Inc. and the Town of Midland

Council received as information a letter dated May 17, 2018, from Mr. J. Skorobohacz, OMLI, extending appreciation to Council and staff for their support in advancing a number of change initiatives and advising of OMNI's intention to meet with the new council to ensure continued alignment with Council's expectations and OMNI's ability to meet those objectives.

11. REPORTS

a) General Committee Report 2018-5 of its meeting held May 14, 2018

- 1) ENG-2018-10 Highway 12 Watermain
(Reference Section A, Item 1 of the above Report)

Moved by G. MacDonald

Seconded by P. File

That Council receives Report ENG2018-10 and approves the inclusion of the design of the Highway 12 Watermain project in the 2018 Capital Budget; and

That staff issue a Request for Proposals for the Design, Approvals and Construction Management for the Highway 12 Watermain project.

CARRIED.

- 2) OP2018-005 HVAC Systems Council Chambers at Municipal Office Askennonia Centre at NSSRC
(Reference Section A, Item 2 of the above Report)

Moved by G. MacDonald

Seconded by P. File

That Report OP2018-005 dated May 9, 2018 respecting the supply and installation of Roof-Top HVAC Systems for the Municipal Office (Council Chamber) and the North Simcoe Sports and Recreation Centre (Askennonia Centre), be received by Council; and

That Council approve the tender bid received from Fred Hook Ltd. for the supply and installation of Roof-Top HVAC Systems for the Municipal Office in the amount of \$17,534 and the North Simcoe Sports and Recreation Centre in the amount of \$10,064 for a total amount of \$27,598 (exclusive of H.S.T.).

CARRIED.

- 3) CTS-2018-21 Cruise Ship Celebration Days
(Reference Section B, Item 1 of the above Report)

Moved by G. Canning

Seconded by J. Contin

That Staff Report CTS 2018-21, Cruise Ship Celebration Days, be received for information; and

That Administration continues to keep Council apprised of the progress respecting the Cruise Ship Celebration Days.

CARRIED.

- 4) CL-2018-17 Multi-Year Accessibility and Transit Plan
(Reference Section B, Item 2 of the above Report)

Moved by G. Canning

Seconded by J. Contin

That, Report CL-2018-17 dated May 7, 2018 from the Midland Accessibility Advisory Committee be received; and

That the Status Report attached to Staff Report CL-2018-17 be posted on the Town's website.

CARRIED.

- 5) Walk a Mile in Her Shoes
(Reference Section B, Item 3 of the above Report)

Moved by G. Canning

Seconded by J. Contin

That, further to letter dated April 17, 2018, from Ms. K. Willis, Executive Director, Huronia Transition Homes, permission be granted to Huronia Transition Homes to host the Walk a Mile in Her Shoes event on June 23, 2018, from 9:00 am to 1:00 pm, at the Midland Town Dock and moving through the Downtown area, subject to approval of the related Special Events Application.

CARRIED.

- 6) Housing Our Future – Our Community 10-Year Affordable Housing and Homelessness Prevention Strategy
(Reference Section B, Item 4 of the above Report)

Moved by G. Canning

Seconded by J. Contin

That, further to letter dated April 24, 2018, from Mr. A. Zwiers, Social Community Services Division, County of Simcoe, Council herein confirms its support of Option 1: A deputation before your Council regarding the 10-Year Strategy. To occur in 2018, the initial year of Phase Two of the Implementation Plan.

CARRIED.

- 7) Southern Georgian Bay Farmers Market moved back to 526 Bay Street
(Reference Section B, Item 5c of the above Report)

Moved by G. Canning
Seconded by J. Contin

That Council receive Report CL-2018-18 and confirm its granting of approval to the Southern Georgian Bay Farmers' Market to relocate to 526 Bay Street commencing on the Victoria Day Weekend.

CARRIED.

- 8) Correspondence from Habitat for Humanity Ontario Gateway North
(Reference Section B, Item 6 of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated April 25, 2018, from Mr. G. Dixon, Chair Midland Police Services Board, Council herein confirms its support of the donation of various unclaimed property in the possession of the police services to the Habitat for Humanity Ontario Gateway North to sell with proceeds going to their charitable organization.

CARRIED.

- 9) Midland's 7th Annual Random Acts of Kindness Day
(Reference Section B, Item 7 of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated May 4, 2018, from Ms. B. McKerrow, Event Chair, Council formally confirms its granting of approval to the Rotary Club of Midland to host their annual free BBQ lunch at the Town Dock on May 23, 2018 in recognition of Random Acts of Kindness Day.

CARRIED.

- 10) Canada Day Parade
(Reference Section B, Item 8 of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to letter dated May 2, 2018, from Mr. M. Tinney, permission be granted to the Midland Civitan Club to host the 2018 Midland Canada Day Parade on

July 1, 2018, subject to approval of the related special events application.

CARRIED.

- 11) Music in the Park
(Reference Section B, Item 9 of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to letter dated May 9, 2018, from Mr. T. Murray, permission be granted to the Rotary Club of Midland to organize the Music in the Park Concert series with two hour concerts every Sunday evening, in Little lake Park on the Rotary Stage starting on June 27, 2018 and finishing on September 2, 2018, subject to approval of the related special events application.

CARRIED.

- 12) CL-2018-19 Midland Bay Landing Development Corporation Shareholder Direction and Operating Agreement
(Reference Section B, Item 10 of the above Report)

Moved by J. Contin
Seconded by G. Canning

That Report CL-2018-19 dated May 11, 2018, regarding the Midland Bay Landing Development Corporation Shareholder Direction and Operating Agreement be received; and

That Council approves the Shareholder Direction and Operating Agreement; and

That staff be directed to bring forward the appropriate by-law providing for the execution of the Shareholder Direction and Operating Agreement upon the recruitment and appointment of the Board of Directors of the Midland Bay Landing Development Corporation.

CARRIED.

Moved by J. Contin
Seconded by P. File

That General Committee Report 2018-5 of its meeting held May 14, 2018, be adopted as printed and circulated.

CARRIED.

b) Planning and Development Committee Report 2018-5
Meeting held May 2, 2018.

- i) Site Plan Control Application No. SPA-10-17
Jarlette Health Services – 658 King Street
(Reference Item 4B of the above Report)

Moved by J. Contin
Seconded by G. Canning

That Site Plan Application SPA-10-17 in respect of Phase 1 of the Jarlette Health Services Seniors Campus be hereby approved as set out in Staff Report PL-2018-30 dated April 10, 2018.

That all required drawings and/or reports shall be submitted and approved by the appropriate Staff in accordance with approved Site Plan Application SPA-10-17 for Phase 1 and in accordance with the revisions requested by Staff and Source Protection RMO as set out in Staff Report PL-2018-30 dated April 10, 2018.

That the Site Plan Agreement for Phase 1 of Site Plan Application SPA-10-17, be brought forward to Council for approval and that a By-law to authorize the Mayor and Clerk to execute the said Site Plan Agreement be presented at a future meeting.

CARRIED.

- ii) Zoning By-law Amendment Application No. ZBA-01-18
28568 Ontario Ltd. (Kaitlin Group) – Bayport Village Subdivision
(Reference Item 4C of the above Report)

Moved by J. Contin
Seconded by G. Canning

That Zoning By-law Amendment Application ZBA-01-18 respecting the lands within Registered Plan of Subdivision 51M-953 (Applicant - 2428568 Ontario Ltd (Kaitlin Group)) be approved and the implementing Zoning By-law be passed.

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.

CARRIED.

- iii) Minor Variance Application A.11/2017 Acknowledgement Agreement Stepien – 297 Penetanguishene Road
(Reference Item 4D of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, as recommended Staff Report PL-2018-38 dated April 19, 2018, be received for information.

That the Mayor and Clerk be authorized to enter into an Acknowledgement Agreement with Jozef and Teresa Stepien on behalf of the Corporation of the Town of Midland.

That the applicable Execution By-law be presented to Council at the next available meeting.

CARRIED.

Moved by J. Contin
Seconded by G. Canning

That Report 2018-5 of the Planning and Development Committee of Council Meeting held May 2, 2018, be adopted as printed and circulated.

CARRIED.

- c) ENG-2018-13 Norene Street Reconstruction Request for Tenders

Council reviewed a report dated May 28, 2018, from A. Campbell, Director of Engineering, Water and Wastewater. (By-law 2018-44)

Moved by G. MacDonald
Seconded by C. Oschefski

That Council receives Report ENG-2018-13, Norene Street Reconstruction Request for Tenders, dated May 28, 2018; and

That Council approves the tender bid received from Arnott Construction Ltd. for the reconstruction of Norene Street (Tender No. 18-3236) for a total amount of \$1,554,554.46 (excluding HST); and

That the Mayor and Clerk be authorized to execute any and all Agreements for this project.

CARRIED.

- d) HR/HS 2018-01 Management/Non-Union Policy Manual

Council reviewed a report dated May 22, 2018, from L. Yourkin, Director of Human Resources / Health & Safety, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, as recommended in Report HR/HS 2018-01 dated May 22, 2018, Council direct administration to prepare a by-law to amend the Management/Non-Union Terms and Conditions of Employment and Policy Manual for consideration at the next Council meeting.

CARRIED.

e) HR/HS 2018-03 Code of Conduct and Respectful Workplace Policy

Council reviewed a report dated May 28, 2018, from L. Yourkin, Director of Human Resources / Health & Safety, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That Report HR/HS 2018-03, Code of Conduct and Respectful Workplace Policy, dated May 28, 2018 be received; and

That consideration of the Code of Conduct and Respectful Workplace Policy be deferred to give Council an opportunity for further review and pending Council adopts the Code of Conduct and the Respectful Workplace Policy.

CARRIED.

f) TR-2018-14 2018 Tax Rate By-law

Council reviewed a report dated May 28, 2018 and received a PowerPoint presentation from S. Turnbull, Director of Finance/Treasurer, following which it was then,
(By-law 2018-39)

Moved by G. Canning
Seconded by J. Contin

That Council receives Report TR-2018-14 dated May 28, 2018, setting out the details of the 2018 Property Tax Rates; and

That Council adopts the 2018 Tax Rate By-law.

CARRIED.

g) CL-2018-19 2018 Enbridge Franchise Agreement

Council reviewed a report dated May 22, 2018, from K. Desroches, Clerk, following which it was then,
(By-law 2018-43)

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

That staff Report CL-2018-19 dated May 22, 2018, regarding the 2018 Enbridge Franchise Agreement be received; and

That Mayor and Clerk be authorized to execute the By-law and Franchise Agreement with Enbridge for the distribution of natural gas in the Town of Midland.

CARRIED.

h) CL-2018-20 Youth Committee Initiatives

Council reviewed a report dated May 20, 2018, from K. Desroches, Clerk, following which it was then,

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

That Report CL-2018-19 dated April 9 2018 regarding Youth Committee Initiatives be received; and

That Council approves the proposed Youth Committee Logo for the purpose of branding that promoting the Committee.

CARRIED.

i) Resignation – Midland Audit Committee

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

That Mr. John Kurvink's resignation from the Midland Audit Committee be accepted with thanks and appreciation for his contributions.

CARRIED.

j) CL-2018-21 Encroachment Agreement – 290 King Street

Council reviewed a report dated May 22, 2018, from K. Desroches, Clerk.

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

That Report CL-2018-21 dated May 22, 2018 regarding an Encroachment Agreement respecting 290 King Street be received; and

That Council authorizes staff to proceed with the Encroachment Agreement respecting 290 King Street pending receipt of all necessary documentation and once staff is satisfied that all requirements respecting the proposed encroachment have been met; and

That, upon fulfillment of the requirements respecting the Encroachment Agreement, Mayor and Clerk be authorized to execute the By-law and Encroachment Agreement.

CARRIED.

12. CONSENT BY-LAW

Moved by C. Oschefski

Seconded by J. Main

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

By-law 2018-34 Acknowledgement Agreement with Jozef and Teresa Stepien.

By-law 2018-35 Amend Zoning By-law 2004-90 - 640 Bayport Blvd.

By-law 2018-36 Acknowledgement Agreement with Stanley Danks.

By-law 2018-37 Removal of the Holding "H" Symbol on 960 Sumac Lane.

By-law 2018-38 Private Road Agreement with Monique Holmes and Martin Kay at 960 Sumac Lane.

By-law 2018-39 Adopt the estimate of all sums required for the year and to set the rates of taxation for the year 2018.

By-law 2018-40 Establish rates for water and sewer services related to the operation of the systems.

By-law 2018-41 Agreement with participating municipalities, first nations and separated cities within and including the County of Simcoe to provide for mutual aid and assistance.

By-law 2018-43 Franchise Agreement - Enbridge Gas Distribution Inc.

By-law 2018-44 Agreement with Arnott Construction Ltd. for the reconstruction of Norene Street from Yonge Street to Hugel Avenue.

CARRIED.

It was then,

Moved by C. Oschefski

Seconded by J. Main

That By-laws 2018-34, 2018-35, 2018-36, 2018-37, 2018-38, 2018-39, 2018-40, 2018-41, 2018-43 and 2018-44 be read a first, second and third time and finally passed.

CARRIED.

It was then,

Moved by C. Oschefski

Seconded by J. Main

That leave be granted to introduce By-law 2018-42 being a by-law to authorize the entering into of an Encroachment Agreement between 2007608 Ontario Inc. and the Town of Midland in relation to 290 King Street.

CARRIED.

It was then,

Moved by S. Strathearn

Seconded by C. Oschefski

That By-law 2018-42 be read a first, second, and third time and finally passed.

CARRIED.

13. GENERAL BUSINESS

1) Notice of Motion

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

- a) That all correspondence intended to deal with libel or slander allegations with respect to the Town of Midland be approved by Council prior to being sent by staff.
- b) That, as a matter of principle, the Town of Midland respond to allegations regarding misinformation about the Town of Midland or its operations or its staff or its Council, by providing truthful information in response, in a form and/or format that is as closely linked to the form and/or format where the misinformation appeared, as is reasonable.

2) Other Business Introduced by Members of Council or Staff

Individual members advised of events and activities in the municipality for information purposes.

14. CONFIRMATORY BY-LAW

1) By-law 2018-45

Moved by S. Strathearn

Seconded by C. Oschefski

That leave be granted to introduce By-law 2018-45, being a by-law to adopt the proceedings of the Council Meeting held on May 28, 2018, and to authorize its execution.

CARRIED.

It was then,

**Moved by S. Strathearn
Seconded by G. MacDonald**

That By-law 2018-45 be read a first, second and third time and finally passed.

CARRIED.

15. ADJOURNMENT

**Moved by S. Strathearn
Seconded by C. Oschefski**

That this Regular Meeting of Council adjourn at 9:25 p.m.

CARRIED.

Karen Desroches, Clerk

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