



# The Corporation of The Town of Midland

575 Dominion Avenue  
Midland, ON L4R 1R2  
Phone: 705-526-4275  
Fax: 705-526-9971  
info@midland.ca

## Minutes of the Regular Meeting of Council with Closed Session held on Wednesday, February 20, 2019 at 6:00 p.m. in the Municipal Office Council Chambers.

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

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

1. Call to Order

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

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

2. Declarations of Pecuniary Interest

There were none declared.

3. Municipal Property Assessment Corporation (MPAC) Presentation

**Present:** Kelan Jylha, Account Manager - MPAC  
Kaitlin Potts, Account Support Coordinator - MPAC

Mr. K. Jylha, of MPAC provided a PowerPoint presentation outlining MPAC's role in the Property Assessment and Taxation System. Hard copies of the presentation were provided on-desk for Council and Staff.

A question and answer period followed.

Mayor Strathearn thanked Mr. Jylha for his presentation.

Upon conclusion of the MPAC Presentation Mayor Strathearn announced that the Regular Meeting of Council would commence at 7:00 p.m.

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

**Also Present:** Chief Administrative Officer, J. Skorobohacz

Director of Planning and Building Services, W. Crown  
Director of Corporate Services/Town Solicitor, A. Sidhu  
Director of Finance/Treasurer, S. Turnbull  
Director of Operations, Parks and Harbour, S. Berriault  
Director of Engineering, Water and Wastewater, A. Campbell  
Clerk, K. Desroches  
Deputy Clerk, S. Edgar

\*left the meeting at Item 19.c)

4. Call to Order

Mayor Strathearn called the Regular Council Meeting to order at 7:00 p.m.

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

6. Declarations of Pecuniary Interest

- i) Mayor Stewart Strathearn declared a direct pecuniary interest with respect to Item OP-2019-01 Use of RTVs (Rough Terrain Vehicles) on Municipal Roadways as he has a contract with the proponent for snow removal.
- ii) Councillor Carole McGinn declared a direct pecuniary interest with respect to Closed Session Item 19. b) Labour Relations as her domestic life partner is an employee of the Town of Midland and being employed within the bounds of the contract being negotiated.
- iii) Councillor Bill Gordon declared a deemed pecuniary interest with respect to Closed Session Item 19. c) Midland Police Service Records Update due to his former employment and involvement in some of the subject matter that is subject of Litigation.

7. Approval of Agenda

**Moved by C. Oschefski**

**Seconded by J. Main**

**That the contents of the Council Agenda for February 20, 2019, be approved as amended (reordered).**

**CARRIED.**

8. Consent Agenda

Moved by C. Oschefski

Seconded by J. Main

That the items and related recommendations contained within the February 20, 2019, Consent Agenda as consent items having been considered by Council be adopted with the exception of:

- Report FIN 2019-01 Community Grant Program Update (amended);
- Report PL-2019-11 Tree Canopy and Natural Vegetation Protection and Enhancement Policy;
- Report PL-2019-12 Lighting Guidelines; and
- Report OP-2019-01 Use of RTV's (Rough Terrain Vehicles) on Municipal Roadways.

which will be considered under "Reports and other items withdrawn from Consent Agenda for Council's consideration".

**CARRIED.**

i. Correspondence for consideration

a) 2019 World Maternal Mental Health Walk

That, further to letter dated January 31, 2019, from Ms. J. Charlebois, Perinatal Mood Disorder Coordinator, Orillia Soldiers' Memorial Hospital, permission be granted to conduct the 2019 WMMH walk on April 30, 2019, from 10:00 am to 12:00 pm, beginning at the Midland Town Dock to the EarlyON Centre on King Street; subject to approval of the related special events application.

b) Sidewalks and Tree Planting on Aberdeen Boulevard

That the email dated January 25, 2019, from Mr. R. Hajdukiewicz, Midland resident, requesting that Council consider the installation of sidewalks, trees and a bike lane on Aberdeen Boulevard be received as information and staff be directed to provide a letter of response.

ii. Council Minutes for adoption

a) Special Meeting of Council with Closed Session held on January 24, 2019

b) Regular Meeting of Council held on February 6, 2019

iii. Council Information Packages for receipt

- a) CIP January 28 to February 1, 2019
- b) CIP February 4 to February 8, 2019

Received as information.

iv. All Reports

- 1) CL-2019-5 Pregnancy and Parental Leave Policy – Members of Council

That Report CL-2019-5 dated February 8, 2019, regarding a Pregnancy and Parental Leave Policy for Members of Council be received; and

That Council consider adoption of the applicable By-law to establish a Pregnancy and Parental Leave Policy for members of Council.

- 2) CL-2019-6 Council-Staff Relations Policy

That Report CL-2019-6 dated February 8, 2019, regarding the establishment of a Council-Staff Relations Policy be received; and

That Council give consideration to the applicable by-law for the purpose of establishing a Council-Staff Relations Policy.

- 3) FIN-2019-02 Library Board Request

That Report FIN-2019-02, dated February 20, 2019, respecting a request from the Midland Library Board (RE: Library Capital Reserve), be received; and

That the capital deficit of \$45,581 be funded by the Library Capital Reserve; and

That the Midland Library Board be requested to provide funding to restore the balance in the Library Capital Reserve in Budget 2019; and

That the Town's Administration continue to work with the Midland Library Board to establish the criteria for funding the long-term capital needs of the Library.

- 4) FIN-2019-03 Property Tax Collection Policy

That Report FIN-2019-03, dated February 20, 2019, respecting the Legislative Changes with respect to Property Taxes & introduction of a Collection Policy, be received; and

That Council adopt the new Municipal Tax Collection Policy as appended to this report.

5) PL-2019-7 Proposed Growth Plan Amendment #1 to 2017 Growth Plan for the Greater Golden Horseshoe

That Staff Report No. PL-2019-7 dated February 11, 2019 regarding Proposed Growth Plan Amendment #1 to the Growth Plan for the Greater Golden Horseshoe, 2017 be received for information and Administration be directed to submit comments to the Environmental Registry Posting #013-4504 in keeping with the Staff Report; and

That Staff Report No. PL-2019-7 dated February 11, 2019 regarding Proposed Growth Plan Amendment #1 to the Growth Plan for the Greater Golden Horseshoe, 2017 be forwarded to the County of Simcoe for information.

9. Motion to suspend Council into Committee of the Whole

**Moved by C. Oschefski**

**Seconded by B. Prost**

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

**CARRIED.**

10. Deputations/Petitions

a) Georgian Bay General Hospital and Georgian Bay General Hospital Foundation Update

Ms. L. Perreault, VP Clinical Services, and K. Elsdon-Befort, GBGH Foundation member, provided a PowerPoint presentation with respect to updates at GBGH and the role of GBGH in the Community.

The Deputy Mayor thanked Ms. Perreault and Ms. Elsdon-Befort for their presentation.

b) Economic Development Corporation of North Simcoe (EDCNS) update

Mr. R. Ellis provided a PowerPoint presentation highlighting the accomplishments and activities of the EDCNS over the past few years.

c) North Simcoe Tourism Update

Ms. Kathryn Stephenson of Tourism Simcoe County, provided a PowerPoint presentation outlining the activities of the North Simcoe Tourism. Mr. R. Ellis also spoke to the matter.

Council engaged in discussion regarding Tourism.

The Deputy Mayor thanked Mr. Ellis and Ms. Stephenson for their presentation.

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

1) FIN-2019-01 Community Grant Program Policy Update

Council reviewed a Report dated February 20, 2019 from S. Turnbull, Director of Finance/Treasurer regarding the Community Grant Program Policy Update, following which it was then,

Resolution (COW-2019-16)

**Moved by C. Oschefski**

**Seconded by C. McGinn**

That Council receives Staff Report FIN-2019-01, being a report on the Community Grant Program Policy Update, dated February 20, 2019; and

That the program/service/event/activities totaling \$288,751 from the 2018 Budget listed in Attachment 2 be removed for funding from the Community Grant Program and be created as operational activities in appropriate departments; and

That the updated Community Grant Program Policy as appended to this report be adopted; and

That the Town of Midland Community Grant Program be rolled out in 2019 as generally outlined in the Staff Report and the details shared broadly with the community through the Town's various communications vehicles; and

That Council selects the ranking and recommending body for the annual review of the grant submissions; and

That in future, Council establishes the total grant funding envelope during their consideration of the annual budget guideline report, for the purpose of de-coupling the discussions from the actual budget exercise; and

That to expedite the 2019 Town of Midland Community Grant Program (“Program”) the Maximum Allowable Grant Funding for the General stream be set at \$57,294; and

That the \$50,000 originally designated for “Community Justice and Safety Activities” allocated from future police savings (Police Reserve) be approved as generally outlined in Staff Report TR-2018-24.

**CARRIED.**

2) PL-2019-11 Tree Canopy and Natural Vegetation Protection and Enhancement Policy

Council reviewed a Report dated February 7, 2019 from W. Crown, Director of Planning and Building Services regarding the establishment of a Tree Canopy and Natural Vegetation Protection and Enhancement Policy, following which it was then,

Resolution (COW-2019-17)

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

That Council receive Staff Report PL-2019-11 dated February 7, 2019 being a report to establish a Tree Canopy and Natural Vegetation Protection and Enhancement Policy consistent with the amendments to the Municipal Act (Bill 68 – Modernizing Ontario’s Municipal Legislation Act 2016); and

That the “Tree Canopy and Natural Vegetation Protection and Enhancement Policy” as set out in Staff Report PL-2019-11 be considered and approved and the necessary implementation By-law be enacted.

**CARRIED.**

3) PL-2019-12 Lighting Guidelines

Council reviewed a Report dated February 11, 2019 from W. Crown, Director of Planning and Building Services regarding Lighting Guidelines, following which it was then,

Resolution (COW-2019-18)

**Moved by J. Downer**  
**Seconded by J. Main**

That Staff Report PL-2019-12 presenting draft Lighting Guidelines for the Town of Midland dated February 11, 2019 be received, and;

That Council approved the proposed guidelines for the purpose of evaluation and approval of future development related initiatives.

**CARRIED.**

4) OP-2019-01 Use of RTV's (Rough Terrain Vehicles) on Municipal Roadways

Having declared a pecuniary interest, Mayor Strathearn vacated his seat.

Council reviewed a Report dated February 12, 2019 from J. Reichheld, Municipal Law Enforcement Officer regarding the use of RTVs on Municipal Roadways, following which it was then,

Resolution (COW-2019-19)

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

That Report OP2019-01 dated February 12, 2019, respecting the potential use of Rough Terrain Vehicles (RTV's) on municipal roadways be received by Council, and;

That Council continue to rely on the *Highway Traffic Act* to regulate the use of Utility Vehicles such as ATV's within the limits of the Town of Midland.

**DEFEATED.**

It was then,

Resolution (COW-2019-20)

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

That a by-law permitting the use of utility vehicles such are RTVs including UTVs and ATVs on public highways within the limits of the Town of Midland be restricted to certain times of the year November 15 to April 30 to align with our winter parking restriction by-law.

Prior to the motion being put to a vote, it was,

Resolution (COW-2019-21)

**Moved by M. Ross**  
**Seconded by C. Oschefski**

That the matter be deferred.

**CARRIED.**

Mayor Strathearn returned to his seat.

12. Notice of Motions

There were none presented.

13. General Announcements



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

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

**Moved by C. McGinn**

**Seconded by J. Main**

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

**CARRIED.**

15. Motion to adopt actions of Committee of the Whole

**Moved by J. Main**

**Seconded by C. McGinn**

**That the recommendations of the Committee of the Whole for the meeting of February 20, 2019, be adopted as Resolutions of Council.**

**CARRIED.**

16. Motion for which Notice was given

There were no Motions.

17. By-laws

1. By-laws 2019-13, 2019-14 and 2019-15

**Moved by J. Downer**

**Seconded by C. Cunningham**

**That the following By-laws:**

**By-law 2019-13** Pregnancy and Parental Leave Policy for Members of Council.

**By-law 2019-14** Council-Staff Relations Policy.

**By-law 2019-15** Policy for the protection and enhancement of tree canopy and natural vegetation.

**be passed and enacted.**

**CARRIED.**

18. Motion to move into closed Session

**Moved by** C. Cunningham

**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 2a)**

**The security of the Property of the Municipality**

**Subsection 2f)**

**Advice that is subject to solicitor/client privilege**

- **Cyber Security Ransomware Update**

**Subsection 2d)**

**Labour Relations or employee negotiations**

- **Labour Relations**

**Subsection 2b)**

**Personal matters about an identifiable individual**

**Subsection 2e)**

**Litigation or Potential Litigation**

**Subsection 2f)**

**Advice that is subject to solicitor/client privilege**

- **Midland Police Services Records Update**

**CARRIED.**

19. Closed Session Items

a) Cyber Security Ransomware Update

The Director of Corporate Services/Solicitor provided a verbal update on the Cyber Security Ransomware matter, as well as confidential on-desk correspondence related to the matter.

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

b) Labour Relations - OPSEU

Having declared a pecuniary interest, Councillor McGinn left the Council Chambers.

The Chief Administrative Officer provided a PowerPoint presentation and verbal update.

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.

Councillor McGinn returned to the Council Chambers

At this point in the meeting, the Mayor noted it was approaching 11:00 p.m. following which it was then,

**Moved by C. Oschefski**

**Seconded by C. McGinn**

**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.**

c) Midland Police Service Records Update

Having declared a pecuniary interest Councillor Gordon left the meeting.

The Director of Corporate Services/Solicitor provided a verbal update, as well as confidential on-desk correspondence related to the matter.

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.

20. Motion to rise to open session

**Moved by J. Downer**

**Seconded by C. Cunningham**

**That this Closed Meeting of Council be adjourned at 11:16 p.m. and that Council now rise and report to open session.**

**CARRIED.**

21. Motions arising from closed session discussions

a) Cyber Security Ransomware Update

**Moved by C. Cunningham**

**Seconded by B. Prost**

**That Council receives as information the verbal update on the Cyber Security Ransomware matter provided by the Director of Corporate Services/Solicitor at the Closed Meeting Session held February 20, 2019.**

**CARRIED.**

b) Labour Relations

**Moved by C. Cunningham**

**Seconded by B. Prost**

**That Council receives as information the PowerPoint presentation and verbal update provided by the Chief Administrative Officer at the Closed Meeting Session held February 20, 2019, regarding Labour Relations – OPSEU.**

**CARRIED.**

c) Midland Police Service Records Update

**Moved by B. Prost**

**Seconded by C. Cunningham**

**That, further to the verbal update provided by the Director of Corporate Services/Solicitor at the Closed Meeting Session held February 20, 2019, Council herein confirms its direction to Administration and the Midland Police Services Board to continue to seek and pursue appropriate remedies in this matter.**

**CARRIED.**

22. Confirmatory By-law

**Moved by M. Ross**

**Seconded by C. Cunningham**

**That By-law 2019-16 being a by-law to adopt the proceedings of the Council meeting held February 20, 2019, be passed and enacted.**

**CARRIED.**

23. Adjournment

**Moved by C. Cunningham**

**Seconded by B. Prost**

**That this Regular Meeting of Council adjourn at 11:21 p.m.**

**CARRIED.**

---

Stewart Strathearn, Mayor

---

Karen Desroches, Clerk

.....