



The Corporation of The Town Of Midland

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Minutes of the Regular Meeting of Council with Closed Session held on Wednesday, January 23, 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 Corporate Services/Town Solicitor, A. Sidhu
Director of Finance/Treasurer, S. Turnbull
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 6:00 p.m.

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

Mayor Strathearn 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

- i) Deputy Mayor Ross declared a pecuniary interest with respect to Item 4.a)
i) Appointments – Board and Committees Midland Public Library appointees as he deals directly with an Appointee on a business level.
- ii) Councillor McGinn declared a pecuniary interest with respect to Item 4.b)
Labour Relations – Benefits as her domestic partner is an employee of the Corporation of the Town of Midland.

3. Motion to move into Closed Session

- a) Motion to move into Closed Session

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

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

- **Appointments – Boards and Committees**

Subsection 2d)

Labour Relations or employee negotiations

- **Labour Relations – Benefits**

Subsection 2b)

Personal matters about an identifiable individual

Subsection 2d)

Labour Relations or employee negotiations

Subsection 2e)

Litigation or Potential Litigation

Subsection 2f)

Advice that is subject to solicitor/client privilege

- **Email to Members of council from a former employee regarding contract negotiations.**

CARRIED

4. Closed Session Items

a) Appointments – Boards and Committees

Having declared a pecuniary interest, Deputy Mayor Ross left the Council Chambers during discussions regarding appointees to the Midland Public Library.

Council received, on-desk, a Confidential Report dated January 8, 2019 from the Midland Public along with a Confidential Report dated January 15, 2019 from L. Yourkin, Director of Human Resources/Health and Safety, with respect to the Appointments to the various Boards and Committees.

The Director and Clerk provided clarification and responded to questions raised by Members of Council.

Deputy Mayor Ross returned to the Council Chambers

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

b) Labour Relations – Benefits

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

L. Yourkin, Director of Human Resources/Health and Safety, provided a verbal report to Committee with respect to Benefits for the Management and Non-Union Staff.

The Director and 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

c) Email to Members of Council from a former employee regarding contract negotiations

The Director of Corporate Services/Town Solicitor provided Council with an on-desk copy of the email from a former employee regarding contract negotiations.

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: J. Downer

Seconded by: C. Oschefski

**That this Closed Meeting of Council be adjourned at 7:10 p.m.
and that Council now rise and report to open session.**

CARRIED

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 Corporate Services/Town Solicitor, A. Sidhu

Director of Planning and Building Services, W. Crown
Director of Finance/Treasurer, S. Turnbull
Director of Engineering, Water and Wastewater, A. Campbell
Director of Operations, Parks and Facilities, S. Berriault
Clerk, K. Desroches
Deputy Clerk, S. Edgar
Communications and Marketing Coordinator, R. Fee

6. CALL TO ORDER

Mayor S Strathearn called the meeting to order at 7:14 p.m.

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

7. MOMENT OF SILENT REFLECTION

8. DECLARATIONS OF PECUNIARY INTEREST

Mike Ross Library Appointments
Councillor McGinn 4c

9. Motions arising from Closed Session

a) Appointments – Boards and Committees

Having declared a pecuniary interest, Deputy Mayor Ross vacated his seat.

Moved by B. Prost
Seconded by J. Main

That further to Confidential Report dated January 8, 2019, from the Midland Public Library Board and related discussions held during the Closed Meeting Session held January 23, 2019, Council herein confirms the appointment of the following individuals to the Midland Public Library for a term to coincide with the Term of Council:

- **Roberta Bald**
- **Lise Roy**
- **Barb Kettle**
- **Ben Gorski**
- **Phillip Pantling**
- **Cathy McKay**
- **Glen Canning**
- **Liz Cascagnette**

CARRIED

Deputy Mayor returned to his seat.

Moved by B. Prost
Seconded by J. Main

That Report HR-HS 2019-01 dated January 15, 2019 regarding the Town of Midland Committee(s) and Board Appointment recommendations be received; and

That Administration be directed to provide notice and announce the appointment for each of the respective Committee and Boards of the candidates identified; and

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

CARRIED

b) Labour negotiations – Benefits

Having declared a pecuniary interest, Councillor McGinn vacated her seat.

Moved by J. Main
Seconded by B. Prost

That further to verbal report provided by the Director of Human Resources/Health and Safety at the Closed Meeting Session held January 23, 2019, Council herein confirms its direction to Staff respecting Labour Relations – Benefits.

CARRIED

Councillor McGinn returned to her seat.

c) Email to Members of Council from a former employee regarding contract negotiations

Moved by J. Main
Seconded by B. Prost

That Council receive as information the verbal update provided by the Town Solicitor at a closed meeting session held January 23, 2019 respecting an email to Members of Council from a former employee regarding contract negotiations

CARRIED

10. Approval of Agenda

Moved by C. Oschefski
Seconded by B. Prost

That the contents of the Council Agenda for January 23, 2019,

be approved as amended, noting that Item 11.a) Deputation – Bayport Village (Kaitlin) Corporation Rezoning and Subdivision Applications has been withdrawn.

CARRIED.

11. 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.

COMMITTEE OF THE WHOLE

12. Deputations

a) Bayport Village (Kaitlin Corporation) Rezoning and Subdivision Applications ****Withdrawn****

b) Hugel Avenue Reconstruction

Ms. D. Dundas addressed Council with respect to the proposed reconstruction of Hugel Avenue between Manly and George Street. Council was provided with an on-desk copy of the petition.

c) Midland Public Library

Crystal Bergstrom, CEO provided a PowerPoint presentation to Council regarding an update of the Library programs, services and activities. On desk copies of “2018 At a Glance Midland Public Library” and Strategic Plan 2016-2020 were provided to Council.

13. Consent Agenda

Moved by C. McGinn

Resolution (COW-2019-8)

Seconded by B. Gordon

That the following items and related recommendations contained within the January 23, 2019, Consent Agenda as consent items having been considered by Council be adopted with the exception of Report PL-2019-3 Zoning By-law Amendment Application ZBA-01-19 Plan of Subdivision MD-T-01-19 Kaitlin Corporation – 640 Bayport Boulevard and Report ENG-2019-01 Hugel Avenue Reconstruction – Sidewalks which will be considered under Reports withdrawn from the Consent Agenda for Council’s Consideration.

CARRIED.

i) Correspondence for consideration

a) Music in the Park Concert Series

That, further to letter dated January 10, 2019, 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 30, 2019 and finishing September 1, 2019, subject to approval of the related special events application.

b) Request to access Little Lake Park

That Council approve the request dated January 14, 2019, from the Wellness Ambassadors of GBDSS to host their third annual Wellness Fair at Little Lake Park on May 15, 2019, from 12:00 pm to 4:00 pm, for the third annual Wellness Fair, subject to approval of the related special events application.

c) Ste. Marie Among the Hurons – Collection Materials

That Council herein supports the Midland Public Library Board's recommendation under letter dated January 15, 2019, to return the collection materials donated to the Midland Public Library in 2001 by Ste. Marie Among the Hurons and to repeal By-law 2001-23 related to the receipt of the gifted donation; and

That staff be directed to prepare the necessary repealing by-law for consideration at an upcoming meeting.

ii) Council Minutes - Regular Meeting of Council held on January 9, 2019 and Special Council held on December 12, 2018.

iii) Council Information Packages for receipt - CIP January 2-4 and 7-11, 2019.

iv) All Reports

1. CL-2019-1 Appointment of an Integrity Commissioner

THAT Report CL-2019-1 dated January 14, 2019, being a report to consider the Appointment of an Integrity Commissioner be received, and

That the Clerk be authorized on behalf of the Corporation of the Town of Midland to retain the services of Principles *Integrity* for the purpose of delivering the required Integrity Commissioner Services including applicable training for Council and Senior Staff, and

That Council consider By-law 2019-2 to authorize an agreement with Principles *Integrity* and the Town of Midland.

2. CL-2019-2 Municipal Elections Accessibility Initiatives

That Report CL-2019-2 Municipal Elections Accessibility Initiatives dated January 10, 2019 from S. Edgar, Deputy Clerk, be received for information.

3. CL-2019-3 Procedural By-law Amendment

That Section 10.2 i) of Procedural By-law 2018-62 be amended by moving Item 14 Consent Agenda to the Open Session portion of the agenda as Item 10. Consent Agenda and the order of business renumbered accordingly; and

That By-law 2019-6, as noted under the By-law section, be given consideration.

4. PL-2019-2 Zoning By-law Amendment ZBA-03-17 – Removal of Holding “H” Symbol – Marchant – 461 Mundy’s Bay Road

That Zoning By-law Amendment ZBA-03-17 respecting the removal of the Holding “H” Symbol at 461 Mundy’s Bay Road be approved by Council and the implementing By-laws be passed in accordance with Staff Report PL2019-2 dated January 11, 2019.

5. PL-2019-4 Site Plan Control Approval Application No. SPA-12-18 877 King Street – Hampton Inn

That Site Plan Application SPA-12-18 respecting 877 King Street be hereby approved as set out in Staff Report PL-2019-4 dated January 15, 2019; and that the required drawings and/or reports be submitted and approved by the appropriate Municipal Staff in accordance with approved Site Plan Application SPA-12-18 and in accordance with the revisions as requested by Staff; and

That the Site Plan Agreement for Site Plan Application No. SPA-12-18 regarding the new Hampton Inn at 877 King Street, 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, subject to securing Ministry of Transportation approval.

6. FS-2019-01 Emergency Dispatch Services

That Council enters into the Emergency Dispatch Agreement for dispatch services with Barrie Fire and Emergency Services for a five (5) term January 1, 2019 to December 31, 2023; and that

Council adopt By-law 2019-7 authorizing the Mayor and Clerk to enter into the Fire Dispatch Agreement.

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

1. PL-2019-3 Zoning By-law Amendment Application ZBA-01-19
Plan of Subdivision MD-T-01-19 Kaitlin Corporation
640 Bayport Boulevard

Moved by: C. Oschefski Resolution (COW 2019-9)

Seconded by: McGinn

That Council support, for the purpose of scheduling a Public Meeting, Application ZBA-01-19 for an amendment to Zoning By-law 2004-90 and Application for a Plan of Subdivision MD-T-0119 as being Complete Applications.

That Notice of Public Meeting under the Planning Act be provided in accordance with the regulations issued pursuant to the Planning Act and the Town's Official Plan.

That Staff be directed to prepare the draft amending Zoning By-law.

CARRIED

2. ENG-2019-01 Hugel Avenue Reconstruction – Sidewalks.

Moved by S. Strathearn Resolution (COW-2019-10)

Seconded by C. McGinn

That Council receive report ENG-2019-01 Hugel Avenue Reconstruction - Sidewalks; and

That Council direct staff to design and construct a sidewalk on the both sides of Hugel Avenue to be consistent with draft policies in the Official Plan Review. Add recommendation

CARRIED

15. Notice of Motions

There were none presented.

16. General Announcements

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

Director of Finance noted that the second installment for taxes will be due Tuesday, March 23, 2019 and not Monday, April 22, 2019 as that day is Easter Monday and the Municipal Office will be closed. The website and Notice Boards will be changed accordingly.

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

Moved by B. Prost

Seconded by C. Oschefski

That the Committee of the Whole rise and report.

CARRIED.

FORMAL SESSION

18. **Motion to adopt actions of Committee of the Whole**

Moved by B. Prost

Seconded by C. Oschefski

That the recommendations of the Committee of the Whole for the meeting of January 23, 2019, be adopted as Resolutions of Council.

CARRIED.

19. **Motion for which Notice was given**

a) Bill 66

Moved by C. McGinn

Seconded by J. Main

That Administration be requested to monitor the progression of Bill 66 *Restoring Ontario's Competitiveness Act, 2018*, (Ontario Legislation) and provide Council with an update of the proposed legislation following second reading.

DEFEATED

20. **By-laws**

1. By-laws 2019-3, 2019-4, 2019-5, 2019-6 and 2019-7

Moved by J. Downer

Seconded C. Cunningham

That the following By-laws:

By-law 2019-3 Private Road Agreement with Glenn and Giselle Marchant at 461 Mundy's Bay Road.

By-law 2019-4 Amend Zoning By-law 2004-90, as amended, for the removal of the Holding “H” Symbol on 461 Mundy’s Bay Road.

By-law 2019-5 Appoint an Integrity Commissioner for The Corporation of the Town of Midland.

By-law 2019-6 Amend By-law 2018-62 being the Rules of Procedure for Council and its Committees.

By-law 2019-7 Dispatch and Information and Communication Services Agreement with the City of Barrie.

be passed and enacted.
CARRIED.

21. Confirmatory By-law

Moved by C. Cunningham
Seconded by J. Downer

That By-law 2019-8 being a by-law to adopt the proceedings of the Council meeting held January 23, 2019, be passed and enacted.

CARRIED.

22. Adjournment

Moved by B. Gordon
Seconded by C. Cunningham

That this Regular Meeting of Council adjourn at 9:14 p.m.

CARRIED.

Stewart Strathearn, Mayor

Karen Desroches, Clerk

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