



The Corporation of The Town Of Midland

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Minutes of the Regular Meeting of Council held on Wednesday, January 9, 2019 at 7:00 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 Planning and Building Services, W. Crown
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

1. CALL TO ORDER

Mayor S Strathearn called the meeting to order at 7:00 p.m.

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

2. MOMENT OF SILENT REFLECTION

3. DECLARATIONS OF PECUNIARY INTEREST

- i) Councillor Gordon declared a potential pecuniary interest with respect to Item 7. (iii)(a) PL-2019-1 Cannabis Legalization and Cannabis Retail Stores in Midland as he is a shareholder and director in a publicly traded pharmaceutical enterprise engaged primarily in the extraction of Cannabis concentrates for supply to both the medicinal and recreational channels.
- ii) Mayor Strathearn declared a pecuniary interest with respect to item 6. c) Harbourview Property Management as he currently has a contract with Harbourview Property Management for snow clearing, leaf removal and dock installation/removal.

4. Approval of Agenda

Moved by J. Downer
Seconded by C. Cunningham

That the contents of the Council Agenda for January 9, 2019, be approved as amended (reordered).

CARRIED.

5. Motion to suspend Council into Committee of the Whole

Moved by C. Cunningham

Seconded by J. Downer

That Council resolve into the Committee of the Whole.

CARRIED.

COMMITTEE OF THE WHOLE

6. Deputations

a) Chigamik/Waypoint Health Hub

Ms. C. Lambie, President and CEO, provided a Power Point Presentation to Council highlighting the current and upcoming Programs along with details regarding the Planned Opening for the Chigamik/Waypoint Health Hub in 2019.

b) Culture Midland

Mr. F. Hacker provided a Power Point Presentation to Council requesting that the Culture Midland Committee (CMC) be authorized to seek support of Penetanguishene, Tiny, Tay and Beausoleil First Nation (Communities) to create a Joint Culture Committee.

Following discussion and review of Report CS-2019-1 Joint Cultural Committee, it was then,

Moved by J. Downer Resolution (COW-2019-1)

Seconded by C. McGinn

That Council supports in principle the establishment of a joint Cultural Committee (Town of Midland, Town of Penetanguishene, Township of Tay, Township of Tiny, Beausoleil First Nation).

Council supports the appointment of a member of Council to the interim committee which would be charged with drafting the Terms of Reference for the joint Cultural Committee.

Council supports the inclusion of \$10,000 within the draft 2019 budget presentation with the understanding that each of the other participating communities would match the contribution to support broader regional cultural programming initiatives.

CARRIED.

c) Harbourview Property Management

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

Mr. W. Taws provided a Power Point Presentation outlining his client's request to permit the Kubota Utility Vehicle on Municipal Roads. Mr. Taws together with the owners of Harbourview Property Management responded to various questions raised by Council, following which it was then,

Moved by B. Prost Resolution (COW-2019-2)

Seconded by C. Cunningham

That the matter respecting the use of Multi-Purpose Utility vehicles on Municipal roads be referred to Staff for a Report detailing the findings be brought back to a future meeting for Council's consideration.

CARRIED.

Mayor Strathearn returned to his seat.

7. Consent Agenda

Moved by J. Main Resolution (COW-2019-3)

Seconded by B. Prost

That the following items as noted on the January 9, 2019, Consent Agenda as consent items having been considered by Council be adopted with the exception of Report PL-2019-1 Cannabis Legalization and Cannabis Retail Stores in Midland, and Report CS-2019-1 Joint Cultural Committee.

CARRIED.

i) Council Minutes - Regular Meeting of Council held on December 17, 2018

ii) Council Information Packages for receipt - CIP December 17 to December 21, 2018

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

a) PL-2019-1 Cannabis Legalization and Cannabis Retail Stores in Midland

Having declared a pecuniary interest, Councillor Gordon vacated his seat.

Council reviewed a Report dated January 2, 2019 and received a verbal summary from W. Crown, Director of Planning and Building Services.

Councillor McGinn requested that the recommendation contained within Report PL-2019-1 be divided into separate motions to which Council agreed. It was then,

Moved by C. Oschefski Resolution (COW-2019-4)
Seconded by B. Prost

That Council pass the following resolution in support of permitting Cannabis Retail Stores in the Town of Midland pursuant to Section 42 of the *Cannabis Licence Act, 2018*:

“Whereas Bill C-45, *The Cannabis Act*, legalized recreational cannabis in Canada as of October 17, 2018;

And Whereas Bill 36, being a Provincial Act legalizing the use and sale of cannabis in Ontario, came into effect on October 17, 2018;

And Whereas the *Cannabis Licence Act, 2018* requires that Council pass a resolution by no later than January 22, 2019 if it wishes to prohibit cannabis retail stores from being located in the Town;

And Whereas the Federal and Provincial laws and regulations permit no special municipal role in the control or regulation of cannabis retail store locations;

Now therefore Council of the Corporation of the Town of Midland hereby supports the establishment of Provincially licenced cannabis retail stores within the Town of Midland.”

A recorded vote was requested.

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

CARRIED.

Moved by C. McGinn Resolution (COW-2019-5)
Seconded by J. Main

That for the reasons outlined in Staff Report PL-2019-01 the Town elects not to adopt the suggestion of the Association of Municipalities of Ontario respecting a 'Municipal Cannabis Policy Statement' for the purposes of commenting on AGCO Cannabis Retail Store applications.

CARRIED.

Moved by C. Oschefski Resolution (COW-2019-6)
Seconded by B. Prost

That the Town will rely upon the new rules under the *Smoke Free Ontario Act, 2018* for the purpose of regulating the matter of public smoking.

CARRIED.

Moved by J. Downer Resolution (COW-2019-7)
Seconded by C. Cunningham

That the OCLIF funding be directed equally to offset the cost of municipal policing and Municipal Law Enforcement.

CARRIED.

Councillor Gordon returned to his seat.

9. Notice of Motions

Councillor Carole McGinn gave notice that she will be presenting the following motion at the next Regular Meeting of Council:

"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."

10. General Announcements

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

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

Moved by B. Gordon
Seconded by C. Cunningham

That the Committee of the Whole rise and report.

CARRIED.

FORMAL SESSION

12. Motion to adopt actions of Committee of the Whole

Moved by B. Gordon

Seconded by C. Cunningham

That the recommendations of the Committee of the Whole for the meeting of January 9, 2019, be adopted as Resolutions of Council.

CARRIED.

13. Motion for which Notice was given

a) Outstanding Legal Actions Update

Moved by C. McGinn

Seconded by B. Gordon

That Council be briefed on any and all outstanding legal actions both initiated by the Town of Midland or against the Town of Midland, the status of those actions, anticipated costs if not resolved extrajudicially, the opportunities explored to resolve them – in alignment with Council’s risk management and fiduciary responsibility to the municipality and the 2019 budget deliberations.

DEFEATED.

14. By-laws

1. By-law 2019-1

Moved by C. McGinn

Seconded J. Main

That By-law 2019-1 being a by-law to appoint an Alternate Member to the Council of the County of Simcoe during an absence of the Mayor or Deputy Mayor be passed and enacted.

CARRIED.

15. Confirmatory By-law

Moved by B. Prost

Seconded by C. Oschefski

That By-law 2019-2 being a by-law to adopt the proceedings of the Council meeting held January 9, 2019, be passed and enacted.

CARRIED.

16. **Adjournment**

Moved by C. Oschefski

Seconded by B. Prost

That this Regular Meeting of Council adjourn at 9:22 p.m.

CARRIED.

Stewart Strathearn, Mayor

Karen Desroches, Clerk

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