

**Minutes of the Regular Meeting of Council with Closed Session held on Monday, May 25, 2015, at 5:00 p.m. in the Municipal Office Council Chambers.**

**Present:** Mayor G. McKay\*, Deputy Mayor M. Ross, Councillors G. Canning, J. Contin, G. MacDonald, J. Main, C. Oschefski, and S. Strathearn

**Regrets:** Councillor P. File

**Also Present:** Chief Administrative Officer, C. Tripp  
Director of Corporate Services/Clerk/Deputy CAO, A. Fay  
Director of Human Resources/Health and Safety, G. Green\*\*  
Director of Finance/Treasurer, M. Villeneuve  
Deputy Clerk, K. Desroches

**Guests:** Mark Rodger, Borden Ladner Gervais LLP

\*Mayor McKay arrived at 5:05 pm during discussion of Item 3a)i)a)

\*\*Joined the meeting upon the commencement of discussion of Item 3a)i)a).

**1. CALL TO ORDER**

Deputy Mayor M. Ross called the meeting to order at 5:00 p.m.

The Deputy Mayor then asked the Clerk to provide information regarding notice of the meeting. The Clerk advised that the meeting agenda was posted on the website in advance of the meeting in accordance with the Town's Procedural By-law. The agenda was also provided to both Council and Department Heads.

**2. DECLARATIONS OF PECUNIARY INTEREST**

No declarations were brought forward.

**3. CLOSED SESSION**

a) Motion to move into closed session

**Moved by J. Main**

**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 2 (c)**

- Proposed or pending acquisition or disposition of land
- Subsection 2 (d)  
Labour Relations or Employee Negotiations
- Subsection 2 (f)  
Advice subject to Solicitor-Client Privilege

**CARRIED.**

i) Closed Session Item

- a) Discussion with M. Rodger re: MPUC and Confidential Staff Report from the CAO re: MPUC

M. Rodger provided a verbal report regarding options respecting the Midland Power Utility Corporation (MPUC).

Mr. Rodger responded to questions raised by members of Council.

Council reviewed Confidential Report CAO-2015-08 from CAO Tripp regarding MPUC.

Following discussion, staff was directed to prepare the appropriate motion for consideration upon conclusion of this closed meeting session.

- b) Confidential Staff Report from the Director of Human Resources/Health & Safety re. Fire Negotiations.

Council reviewed Confidential Report HR/HS-2015-05 dated May 24, 2015, from the Director of Human Resources/Health and Safety regarding the Midland Professional Fire Fighters Association (MPFFA) negotiations.

Following discussion staff was directed to prepare the appropriate motion for consideration upon conclusion of this closed meeting session.

ii) Motion to rise to open session

**Moved by J. Main**

**Seconded by C. Oschefski**

**That this Closed Meeting of Council be at adjourned 6:30 pm and that Council now rise and report to open session.**

**CARRIED.**

**4. OPEN SESSION – 7:00 P.M.**

**Now Present:** Mayor G. McKay, Deputy Mayor M. Ross, Councillors G. Canning, J. Contin, G. MacDonald, J. Main, C. Oschefski and S. Strathearn

**Regrets:** Councillor P. File.

**Also Present:** Chief Administrative Officer, C. Tripp  
Director of Corporate Services/Clerk/Deputy CAO, A. Fay  
Director of Finance/Treasurer, M. Villeneuve  
Town Engineer, J. Galloway  
Director of Operations, S. Berriault  
Deputy Clerk, K. Desroches

**5. MOMENT OF SILENT REFLECTION**

**6. DECLARATION OF PECUNIARY INTEREST**

Councillor J. Contin declared a pecuniary interest with respect to Item 10a) Accounts, as his spouse is the Executive Director of the Askennonia Seniors Centre to which funding has been allocated, and with respect to Item 12f) TR-2015-15 Midland Police Services – 2015 Budget, as his spouse is the provincial appointee to the Midland Police Service Board.

i) Motions arising from closed session discussions

- a) Discussion with M. Rodger re: MPUC and Confidential Staff Report from the CAO re: MPUC

**Moved by J. Contin**

**Seconded by C. Oschefski**

**That Council confirm the direction provided to staff with respect to Confidential Report CAO 2015-08 – MPUC and the discussion with M. Rodger.**

**CARRIED.**

- b) Confidential Staff Report from the Director of Human Resources/Health & Safety re. Fire Negotiations.

**Moved by S. Strathearn**

**Seconded G. Canning**

**That, further to Confidential Report HR/HS-2015-05 dated May 24, 2015, regarding the Midland Professional Fire Fighters Association (MPFFA) negotiations, staff be authorized to proceed as directed by Council at the Closed Meeting session held May 25, 2015, pending a positive response from staff with respect to the questions raised by Council.**

**CARRIED.**

**7. CONSENT AGENDA**

**Moved by G. MacDonald**

**Seconded by J. Main**

**That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held May 25, 2015, with the exception of Item 1 a) Regular Meeting of Council with Closed Session held April 27, 2015 as Councillor Strathearn wishes to speak to the matter.**

**CARRIED.**

**1a) Regular Meeting of Council with Closed Session held April 27, 2015**

Councillor Strathearn spoke to an email from Mr. K. Cowie and comments from Mr. Saltsman expressing concern with respect to the recording of their comments during the public meeting regarding Cross Connection and Backflow Prevention Regulation at the April 27, 2015, Council meeting.

**Moved by G. MacDonald**

**Seconded by J. Main**

**That Consent Agenda Item 1 a) Regular Meeting of Council with Closed Session held April 27, 2015, be adopted as printed and circulated.**

**DEFEATED.**

The Clerk was directed to amend the minutes accordingly and to bring forward a motion to adopt the amended minutes at the June Council Meeting.

**8. DEPUTATIONS**

**a) 10-Year Affordable Housing & Homelessness Prevention Strategy**

Ms. C. Lambie, member, Affordable Housing Advisory Committee and Ms. C. Kytayko, Director of Social Housing, provided a PowerPoint presentation highlighting the County of Simcoe's Affordable Housing and Homelessness Prevention Strategy, legislative requirements, preliminary targets, affordable housing programs, and tools for affordable housing Assistance.

Ms. Kytayko advised that the County is seeking the Town's support in understanding the affordable housing need and ensuring custom strategies for Midland are included within the implementation plan. Additionally, the designation of a Town staff representative to liaise with County staff on a regular basis to support local affordable housing initiatives is requested.

CAO Tripp advised that contact information for staff representatives would be provided.

b) Physician Recruitment Efforts and Budget Request

Mr. D. Gravelle, Physician Recruitment and Retention Officer, provided a PowerPoint presentation highlighting the success of the recruitment efforts to date of the Southern Georgian Bay Family Physician Recruitment Program, funding opportunities, challenges, and ongoing recruitment initiatives.

c) The Power of Four - A Vision for Prosperity

Mr. D. Ewen, Executive, Economic Development Corporation of North Simcoe, provided a PowerPoint presentation highlighting the Corporation's accomplishments to date, its mission and priorities for 2015/2016, and encouraging the four municipalities to work collaboratively on land/building inventories, barrier identification and removal, the development of a consistent policy approach, and stable and long term funding for Economic Development.

d) Bill Gordon – Petition – Outsourcing of Dispatch Services

Mr. Bill Gordon, Communications Committee, Midland Police Association, presented a petition on behalf of 340 concerned Midland Citizens regarding the outsourcing of the dispatching service. Mr. Gordon requested that Council consider holding at least one public meeting in advance of the June Ontario Civilian Police Commission hearing to allow for comments from proponents and opponents of the funding cuts which identify outsourcing of dispatch as the only viable solution for the Midland Police Service in achieving its financial target.

**9. PUBLIC MEETING**

a) Notice of Proposed By-Law to Amend the Rules of Procedure for Council and Its Committees

Mayor McKay called the meeting to order and advised that the public meeting relates to a proposed amendment to the current Procedural By-law (Audit Committee) is held in accordance with Section 16 of the Town's Notice By-law 2009-20.

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

The Clerk advised that notice of the meeting was provided on the Town's website and notice board on May 12, 2015. 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 were no comments from the public brought forward.

There being no further comments, the public meeting regarding a proposed amendment to Procedural By-law 2010-42 was closed.

## 10. ACCOUNTS

### a) General Accounts

Having previously declared a pecuniary interest, Councillor Contin vacated his seat.

**Moved by M. Ross**

**Seconded by G. Canning**

**That the accounts for the month of April 2015, totalling \$1,105,454.28 be approved and confirmed as paid.**

**CARRIED.**

Councillor Contin returned to his Council seat.

## 11. CORRESPONDENCE

### a) A request to the Mayor to organize a simple civic ceremony on September 9<sup>th</sup> to mark The Queen's reign

Council reviewed an email dated May 8, 2015, from Robert Finch, Dominion Chairman, The Monarchist League of Canada, regarding the above request.

Staff was directed to provide a copy of the letter to the Midland Royal Canadian Legion and the Heritage Committee. Staff was also directed to forward a congratulatory letter on behalf of the Town acknowledging Her Majesty's longstanding reign.

### b) SSEA 2014 Approved Financial Statement from KPMG LLP

Council received as information a letter dated May 1, 2015, from Mr. K. Sherman, Executive Director, and Mr. R. Stevens, Chair, Severn Sound Environmental Association, providing a copy of their approved Financial Statement.

### c) Permission for vendor at Water Cross

Council reviewed an email dated May 14, 2015, from Ms. K. Henderson, Owner/Operator of Kris Kross Dawgs, following which it was then,

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

**That email dated May 14, 2015, from Ms. K. Henderson, owner/operator of Kris Kross Dawgs, requesting permission to apply for a hot dog vendor permit in order to participate at the Ontario Water Cross Races at Little Lake Park on July 25, 2015, be supported, in principle, subject to staff approval of the related Refreshment Vehicle Licence.**

**CARRIED.**

- d) Application to close the main street for Artwalk August 22, 2015

Council reviewed an email dated May 15, 2015, from Mr. V. Bignell, Huronia Foundation for the Arts, following which it was then,

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

**That email dated May 15, 2015, from Mr. V. Bignell, Huronia Foundation for the Arts, requesting permission to close King Street between Elizabeth Street and Bayshore Drive on August 22, 2015, from 8:00 a.m. to 5:00 p.m. to conduct an Artwalk event, be supported, in principle, subject to staff approval of the related Special Events Application.**

**CARRIED.**

- e) Relay for Life Event

Council reviewed a letter dated April 30, 2015, from Ms. J. Fitzgerald, and Ms. J. Lambie, Relay for Life Awareness Chairperson, following which it was then,

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

**That letter dated April 30, 2015, from Ms. J. Fitzgerald, and Ms. J. Lambie, Relay for Life Awareness Chairpersons, requesting permission to host the Relay for Life event on June 6, 2015, at St. Theresa's Catholic High School, from 10:00 a.m. to 10:00 p.m. be approved by providing an exemption to Section 5a) of Noise By-law 2009-104.**

**CARRIED.**

- g) Midland Civitans Club – Canada Day Parade

Council reviewed a letter dated April 7, 2015, from M. Tinney, following which it was then,

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

**That letter dated April 7, 2015, from Mr. M. Tinney, Midland Civitan Club requesting permission to conduct the 2015 Midland Canada Day Parade, on Wednesday, July 1, 2015, in the Town of Midland and to close King Street from Bayshore Drive to Little Lake Park Road, be supported, in principle, subject to staff approval of the related Special Events Application.**

**CARRIED.**

f) Fuller Avenue Bike Lanes

Council reviewed a letter dated May 5, 2015, from Ms. J. Sykes-Hesler, SGBATA, expressing concern for the safety of cyclists due to the improper use of the bike lanes along Fuller Avenue by motorists.

Staff was directed to forward the letter to the staff Traffic Safety Committee, the Midland Police Service and the Active Transportation Advisory Committee for review and consideration.

g) Council Meeting on May 25, 2015

Council received as information an email from Councillor P. File dated May 24, 2015, advising that she is unable to attend the May 25, 2015, Council meeting and providing comments with respect to various agenda items.

## **12. REPORTS**

a) General Committee Report 2015-5 of its meeting held May 11, 2015

1) **ML-2015-6 OSPCA Request for Payment**  
**(Reference Section A, Item 3, of the above Report)**

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

**That, as recommended in Report ML-2015-6 dated May 4, 2015, the OSPCA's request for payment in the amount \$10,656.32 to cover a portion of the costs associated with the removal and care of cats at 343 Hugel Avenue be denied.**

**CARRIED.**



- 2) **CL-2015-22 Audit Committee**  
(Reference Section A, Item 4, of the above Report)

Moved by J. Contin  
Seconded by G. Canning

That further to Report CL-2015-22 dated May 4, 2015, staff be directed to bring forward a by-law to amend the Annual Audit Meeting section of By-law 2010-42 being the Rules of Procedure for Council and its Committees;

And further that notice of the proposed changes be prepared in accordance with the Town's Notice By-law being By-law 2009-20;

And further that staff be directed to bring forward a by-law to amend By-law 2014-1 being the by-law to establish and adopt the Terms of Reference for the Audit Committee;

And further that said by-laws be brought forward to the May Council meeting for consideration.

**CARRIED.**

- 3) **CL-2015-25 Indemnification By-law**  
(Reference Section A, Item 5, of the above Report)

Moved by J. Contin  
Seconded by M. Ross

That, further to Report CL-2015-25 dated May 4, 2015, staff be directed to bring forward a new draft Indemnification By-law to a future meeting for consideration of Council.

**CARRIED.**

- 4) **CL-2015-26 Local Government Week**  
(Reference Section A, Item 6, of the above Report)

Moved by M. Ross  
Seconded by J. Contin

That, further to Report CL-2015-26 dated April 7, 2015, staff be directed to forward a letter to the local schools to advise of Local Government Week and to solicit ideas for activities to engage students and bring awareness of the important role of local government in Ontario.

**CARRIED.**

5) **CL-2015-27 Miss Midland Lease**  
(Reference Section A, Item 7, of the above Report)

Deputy Mayor Ross declared a pecuniary interest with respect to Item 12i) WPSC-2015-003 Termination Notice Midland Tours Inc. Boat Storage Lease, as Midland Tours Inc. is a direct customer of his.

Moved by G. MacDonald  
Seconded by J. Contin

That, further to Report CL-2015-27 dated May 5, 2015, Council approve the extension of the terms of the previous lease agreement with Midland Tours authorized by by-law 2014-17 until such time as a new lease has been executed by both parties;

And further that the terms related to rent be subject to the approval of both parties at a later date.

**CARRIED.**

Deputy Mayor Ross returned to his Council seat.

6) **CL-2015-28 Municipal Leases**  
(Reference Section A, Item 8, of the above Report)

Moved by J. Contin  
Seconded by M. Ross

That, further to Report CL-2015-28 dated May 5, 2015, staff be directed to develop a standardized policy framework that incorporates six to seven key areas of criteria to be used as a tool in evaluating the potential terms and conditions of leases for Not-For-Profit and For-Profit organizations moving forward, for Council's consideration at a future meeting.

**CARRIED.**

7) **Habitat for Humanity**  
(Reference Section A, Item 9, of the above Report)

Moved by J. Contin  
Seconded by M. Ross

That, further to letter dated April 28, 2015 from Habitat for Humanity, North Simcoe Chapter, Council support, in principle, the donation of 808 Birchwood Drive or, in lieu thereof, another property deemed surplus to the needs of the municipality that is suitable to the needs of Habitat for Humanity.

**CARRIED.**

8) **Library Board Member Resignation**  
(Reference Section A, Item 10, of the above Report)

Moved by J. Contin  
Seconded by M. Ross

That Mr. D. Derasp's letter of resignation from the Midland Library Board dated May 6, 2015, be accepted with thanks and appreciation for his contributions;

And further that staff be directed to advertise for the vacancy.

**CARRIED.**

Moved by M. Ross  
Seconded by J. Contin

That General Committee Report 2015-5 of its meeting held May 11, 2015, be adopted as printed and circulated.

**CARRIED.**

b) **Amend Auctioneer, Hawker and Peddler, Farmers' Market and Refreshment Vehicles Licensing By-law 2010-28**

Clerk Fay advised that, as per Council's direction at the April 27, 2015 Council meeting, amending By-law 2015-5 has been modified and is being brought forward later in the agenda for Council's consideration.

c) **Procedural By-law 2010-42 Amendment**

Clerk Fay advised that, as per Council's direction at the April 27, 2015 Council meeting, Item #2 has been removed from amending By-law 2015-22. Items 1 and 3 have been retained as directed. The By-law is being brought forward later in the agenda for Council's consideration.

d) **CL-2015-29 Transfer a Portion of PIN 58405-0003 and 58405-0001**

Council reviewed a report dated May 21, 2015, from A. Fay, Director of Corporate Services/Clerk/Deputy CAO, following which it was then,

Moved by J. Contin  
Seconded by G. Canning

That, as recommended in Report CL-2015-29 dated May 21, 2015, parts 1-7 on the draft R-plan depicting a portion of lands abutting Golf Link Road which abut 9620 County Road 93 be declared surplus to the needs of the Town;

**And further that staff be directed to proceed with the sale of said lands in accordance with the Town's land sale by-law and to bring forward the related by-law to the June Council meeting for consideration.**

**CARRIED.**

- e) HR/HS-2015-04 Compensation/Pay Equity RFP Recommendation (IBEW)

Council reviewed a report dated May 21, 2015, from the RFP Evaluation Committee: Tracy Leonard, Executive Assistant, Treasury; Madelaine Twitchin, Executive Assistant, Engineering; Glenda Green, Director of HR/H&S; Carolyn Tripp, Chief Administrative Officer, following which it was then,

**Moved by M. Ross  
Seconded by J. Contin**

**That, as recommended in Report HR/HS-2015-04, dated May 21, 2015, Council contract with McDowall Associates for the Compensation and Pay Equity review for the IBEW staffing group.**

**CARRIED.**

Council agreed to remove the requirement that the consultant present to Council.

- f) TR-2015-15 Midland Police Services – 2015 Budget

Having previously declared a pecuniary interest, Councillor Contin vacated his seat.

Council reviewed a report dated May 21, 2015, from M. Villeneuve, Director of Finance/Treasurer, recommending that the Midland Police Services 2015 Budget be adopted.

**Moved by G. MacDonald  
Seconded by G. Canning**

**That, as recommended in Report TR-2015-15 dated May 15, 2015, the Midland Police Services 2015 Budget be adopted.**

**CARRIED.**

Councillor Contin returned to his Council seat.

- g) TR-2015-16 2015 Tax Rate By-Law

Council reviewed a report dated May 19, 2015, from M. Villeneuve, Director of Finance/Treasurer, following which it was then,

**Moved by J. Contin**  
**Seconded by G. Canning**  
That, as recommended in Report TR-2015-16 dated May 19, 2015, Council adopt the 2015 tax rate by-law.  
**CARRIED.**

h) ENG-2015-009 Wastewater Treatment Centre Cogeneration System Detailed Engineering Study

Council reviewed a report dated May 19, 2015, from J. Galloway, Town Engineer, following which it was then,

**Moved by C. Oschefski**  
**Seconded by G. MacDonald**  
That, as recommended in Report ENG-2015-009 dated May 19, 2015, Council pass a by-law to enter into an agreement with R.H. Shergold & Associates to apply for funding and, if the funding application is successful, to carry out a detailed engineering study to investigate the feasibility of a combined heat and power Cogeneration System for the Wastewater Treatment Centre.  
**CARRIED.**

i) WPSC-2015-003 Termination Notice Midland Tours Inc. Boat Storage Lease

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

Council reviewed a report dated May 6, 2015, from J. Galloway, Town Engineer, following which it was then,

**Moved by C. Oschefski**  
**Seconded by G. MacDonald**  
That, as recommended in Report WPSC-2015-003 dated May 6, 2015, Council accept the recommendation from the Waterfront Project Steering Committee that staff give notice to Midland Tours Inc. that the 'month by month' lease of boat storage space on the Midland Bay Landing property be terminated by September 1, 2015.  
**CARRIED.**

Deputy Mayor Ross returned to his Council seat.

- j) Planning and Development Committee Report 2015-5  
Meeting held May 6, 2015.

**Moved by G. Canning**  
**Seconded by M. Ross**

**That Report 2015-5 of the Planning and Development Committee of Council Meeting dated May 6, 2015, be adopted as printed and circulated.**

**CARRIED.**

**13. CONSENT BY-LAW**

**Moved by J. Main**  
**Seconded by C. Oschefski**

**That leave be granted to introduce the following by-laws:**

By-law 2015-15 Amend By-law 2010-28 - Auctioneers, Hawkers and Peddlers, Farmers' Markets and Refreshment Vehicles.

By-law 2015-26 Amend Sign By-law 2011-79 respecting "Amphibious Floating Water Signs".

By-law 2015-27 Amend By-law 2010-42 - Rules of Procedure for Council and its Committees.

By-law 2015-28 Amend By-law 2014-1 - Audit Committee Terms of Reference.

By-law 2015-29 Adopt the estimate of all sums required for the year and to set the rates of taxation for the year 2015.

By-law 2015-30 Agreement with RH Shergold & Associates for a detailed Engineering Study to investigate the feasibility of a combined heat and power Cogeneration System for the Wastewater Treatment Centre.

**CARRIED.**

It was then,

**Moved by J. Main**  
**Seconded by C. Oschefski**

**That By-laws 2015-15, 2015-26, 2015-27, 2015-28, 2015-29 and 2015-30 be read a first, second and third time and finally passed.**

**CARRIED.**

It was then,

**Moved by J. Main**  
**Seconded by S. Strathearn**

**That leave be granted to introduce By-law 2015-22 being a by-law to amend By-law 2014-42 being rules of procedure for Council and its Committees.**

**CARRIED.**

It was then,

**Moved by J. Main**  
**Seconded by S. Strathearn**

**That By-law 2015-22 be read a first, second and third time and finally passed.**

**DEFERRED.**

#### **14. GENERAL BUSINESS**

##### **1) Other Business Introduced by Members of Council or Staff**

- a) Councillor Main advised of the retirement of the Honourable Justice Robert P. Main and noted that an Open House is being held at the Midland Cultural Centre on June 20, 2015.
- b) G. MacDonald spoke to the many energy saving initiatives undertaken by the Town and questioned whether these efficiencies have resulted in cost savings.  
  
S. Berriault advised that while energy saving initiatives have resulted in reduced consumption, energy costs have continued to rise due to annual rate increases. As a result, a cost comparison would not be a true reflection of savings. A copy of the Town's Energy Audit document will be provided to Councillor MacDonald for information purposes.
- c) Councillor Oschefski advised that the poor condition of the outdoor shuffleboard court has rendered it unusable. As a result, fundraising efforts are underway to raise \$2000 to cover repair costs.
- d) Deputy Mayor Ross spoke to the success of the Midland Y's Men's Music Festival.
- e) Councillor Contin spoke to a storytelling event taking place on May 28 at the Midland Cultural Centre which highlights the Ojibway Cultural.

- f) Councillor Main advised that the Seniors Council is holding a luncheon on June 23 at the NSSRC in recognition of Seniors Appreciation Month. The luncheon features a guest speaker who will provide information on how to make Midland an age friendly community.

**15. CONFIRMATORY BY-LAW**

- a) By-law 2015-33

**Moved by G. MacDonald**

**Seconded by C. Oschefski**

**That leave be granted to introduce By-law 2015-33, being a by-law to adopt the proceedings of the Council Meeting held on May 25, 2015, and to authorize its execution.**

**CARRIED.**

It was then,

**Moved by G. MacDonald**

**Seconded by C. Oschefski**

**That By-law 2015-33 be read a first, second and third time and finally passed.**

**CARRIED.**

**16. ADJOURNMENT**

**Moved by G. MacDonald**

**Seconded by C. Oschefski**

**That this Regular Meeting of Council adjourn at 9:33 p.m.**

**CARRIED.**

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A. Fay, Director of Corporate Services/Clerk/Deputy CAO

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