



**THE CORPORATION OF THE
TOWN OF MIDLAND**

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**Minutes of the Regular Meeting of Council with Closed Session held on Monday,
August 22, 2016 at 6:00 p.m. in the Municipal Office Council Chambers.**

Present: Deputy Mayor Ross, Councillors J. Main, G. MacDonald, P. File,
J. Contin G. Canning and C. Oschefski

Regrets: Mayor McKay, Councillor S. Strathearn.

Also Present: Chief Administrative Officer (Interim), G. Wood
Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Director of Planning and Building Services, W. Crown
Town Engineer, J. Galloway
Deputy Clerk, K. Desroches

1. CALL TO ORDER

Deputy Mayor Ross called the meeting to order at 6:00 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 Town's website in advance of the meeting in accordance with the Town's Procedural By-law.

Deputy Mayor Ross asked Council if they had any concerns with moving into a closed session based on the purpose of the meeting.

In response to a question raised by Councillor File, the CAO advised that the matter concerning the retainer letter was being addressed in camera as the letter contained private commercial information belonging to Borden Ladner Gervais (BLG) and highlighted an approach that was unique to Mr. Rodgers.

2. DECLARATIONS OF PECUNIARY INTEREST

No declarations were made.

3. CLOSED SESSION

a) Motion to move into closed session

Moved by J. Contin
Seconded by G. MacDonald
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 (b)
Personal matters about an identifiable individual**

Subject matter

- **Youth Committee Appointments**

- **Subsection 2 (f)
Advice that is subject to Solicitor Client Privilege**

Subject matter

- **Midland Bay Landing Lands**
- **Retainer Services**

CARRIED.

i) Closed Session Item

a) Retainer Services

Council reviewed Confidential Report CAO-2016-7 dated August 15, 2016, from the Interim CAO, together with a retainer letter detailing the provision of services to be undertaken and related costs should Council proceed with retaining BLG.

The Interim CAO provided clarification in response to questions raised by members of Council.

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

a) Midland Bay Landing Lands

Council received a verbal update from the Interim CAO on the status of the Midland Bay Landing site.

The Town Engineer and the Director of Planning and Building Services also spoke to the subject matter.

Staff responded to questions raised by members of Council.

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

b) Youth Committee Vacancies

Council reviewed Confidential Report CL-2016-27 dated August 17, 2016, from the Deputy Clerk, together with applications submitted for consideration for appointment to the Midland Youth Committee.

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

ii) Motion to rise to open session

Moved by J. Contin

Seconded by G. MacDonald

That this Closed Meeting of Council be adjourned at 6:55 p.m. and that Council now rise and report to open session.

CARRIED.

4. OPEN SESSION – 7:00 P.M.

Now Present: Deputy Mayor M. Ross, Councillors G. Canning, P. File, G. MacDonald, J. Main, C. Oschefski and J. Contin

Regrets: Mayor G. McKay and S. Strathearn

Also Present: Chief Administrative Officer (Interim), G. Wood
Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Director of Planning and Building Services, W. Crown
Town Engineer, J. Galloway
Operations Technician, L Bergstrom
Marketing and Communications Coordinator, S. Cooper
Deputy Clerk, K. Desroches

5. MOMENT OF SILENT REFLECTION

6. DECLARATIONS OF PECUNIARY INTEREST

No declarations were made.

i) Motions arising from closed session discussions

a) Retainer Services

**Moved by C. Oschefski
Seconded by G. MacDonald**

That, further to Report CAO-2016-7 dated August 15, 2016, and related discussions that occurred during the Closed Meeting of Council held August 22, 2016, Council herein confirms its direction to staff respecting retainer services regarding MPUC RFP.

CARRIED.

b) Midland Bay Landing Lands

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

That, further Report to the update provided by staff at the Closed Meeting Session held August 22, 2016, regarding the Midland Bay Landing Lands, Council herein confirms its discussion respecting same.

CARRIED.

b) Youth Committee Vacancies

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

That, further to Report CL-2016-29 dated August 17, 2016, and related discussions that occurred at the Closed Meeting session held August 22, 2016, Council herein confirms the appointment of Tatiana Fisher, Paula Castillo, Kyle Senatore, and Mackena Murray to the Midland Youth Committee.

CARRIED.

7. CONSENT AGENDA

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

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held August 22, 2016.

CARRIED.

8. PRESENTATION

a) Georgian Bay Physician Recruitment Program

Deputy Mayor Ross presented a cheque in the amount of \$22,000 to Mr. David Gravelle, Physician Recruitment and Retention Officer, Southern Georgian Bay Family Physician Recruitment Program.

Mr. Gravelle expressed thanks and provided an update on the success of the physician recruitment program.

b) Georgian Bay General Hospital Foundation

Deputy Mayor Ross presented a cheque in the amount of \$41,600 to Lois Lipton, President, Georgian Bay General Hospital Foundation.

Ms. Lipton expressed thanks and advised that the proceeds would be used towards the purchase of a CT scanner.

c) Salvation Army Outreach

Deputy Mayor Ross presented a cheque in the amount of \$5,000 to Captain Bill Preston, Corps Officer/Pastor, Salvation Army.

Mr. Preston thanked Council for its support of the Outreach Program.

9. DEPUTATIONS

a) Quest Art Update

Ms. J. Goode, President of the Board, Quest Art School and Gallery, provided a PowerPoint presentation highlighting the school and gallery, and its benefits to the community as it relates to economic development, tourism, and the attraction of new and creative talents.

Ms. Goode requested that, in keeping with the Town's Municipal Culture Plan, Council reaffirm its commitment to arts and culture by allocating \$10,000 in its 2017 budget to the Quest Art School and Gallery.

b) Terry Fox Walk

Mr. D. Chapman, provided a PowerPoint presentation highlighting past successes of the Terry Fox Run, preparations being made for this year's event including efforts to recruit teams and increase participation, and advising of other fundraising initiatives being undertaken by the Terry Fox Foundation.

c) Culture Midland

Mr. R. Neumann, Culture Midland Committee, provided a PowerPoint presentation highlighting the work of the Culture Midland Committee, the abundance of culture that defines Midland, and requesting that Council reaffirm its commitment to investing in culture by allocating \$35,000 in its 2017 budget, plus the \$6,000 currently budgeted for Culture Midland, to assist the Committee with the hiring of a full time resource person.

Deputy Mayor Ross advised that the Town of Midland has been awarded the Community of the Year award by the LGBT community.

10. ACCOUNTS

a) General Accounts

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

That the accounts for the month of July 2016, totalling \$2,080,845.63 be approved and confirmed as paid.

CARRIED.

11. CORRESPONDENCE

a) 1 Snake Island

Council received as information an email dated July 25, 2016, from Mr. D. Desroches, requesting that the Mill Rate be lowered on Snake Island.

b) News from the Town – Update

Council reviewed an email dated July 26, 2016, from Ms. M. Holmes, expressing her concerns with respect to the Watercross Event that took place on July 23 and 24, 2016, at Little Lake.

Staff was directed to prepare a follow up report highlighting the results of the event including its positive/negative economic impact, concerns raised, and the results of the SSEA testing.

c) Noise Complaint

Council reviewed an email dated July 24, 2016, from Mr. R. McLarney, regarding the noise level on Little Lake.

As noted in Item 11b) above, staff was directed to prepare a follow up report.

d) 2nd Quarter Sustainable Severn Sound Project Update

Council reviewed an email dated August 5, 2016, from Ms. T. Roxborough, Sustainability Coordinator, following which it was then,

Moved by G. MacDonald

Seconded by J. Contin

That, further to email dated August 5, 2016, from Ms. T. Roxborough, Sustainability Coordinator, Sustainable Severn Sound, Council herein acknowledges receipt of a copy of Sustainable Severn Sound's Second Quarter Project Update Report: May 2016 – July 2016.

CARRIED.

e) Road Closure Request

Council reviewed a letter received August 10, 2016, from the Silver Goose Cyclocross Race Committee, following which it was then,

Moved by G. MacDonald

Seconded by J. Contin

That, further to letter dated August 10, 2016, Council approve, in principle, the request from the Silver Goose Cyclocross Race Committee, to hold a Cyclocross event at Little Lake Park on November 6, 2016;

And further that Little Lake Park Road be closed for the duration of the day, as the road is part of the race course; subject to staff approval of the related Special Events Application.

CARRIED.

f) Request for Use of Parking Lot

Council reviewed a letter dated August 10, 2016, from Mr. R. Sykes, Chief Executive Officer, The Guesthouse Shelter, following which it was then,

Moved by J. Contin

Seconded by G. MacDonald

That, further to letter dated August 10, 2016, Council approve, in principle, the request from The Guesthouse Shelter to use a portion of the parking lot bordered by Easy Street and First Street, immediately adjacent to their building at 522 Elizabeth Street, as per the schematic provided indicating the area requested, for the purpose of conducting a garage sale on September 17, 2016, from 6:00 am to 3:00 pm; subject to staff approval of the related Special Events Application.

CARRIED.

g) Neon Nights 5km Run/Walk Event

Council reviewed an email dated August 10, 2016, from Ms. J. Mayne, Community Fundraising Specialist, Canadian Cancer Society, following which it was then,

Moved by G. MacDonald

Seconded by J. Contin

That, further to email dated August 10, 2016, Council approve, in principle, the request from the Canadian Cancer Society, to hold a Neon Nights 5km Walk/Run Event on September 23, 2016, from 7:30 pm to 10:00 pm, and further requesting that Little Lake Park Road be closed off to cars/vehicles for 2.5 hours from both the Yonge Street and King Street entrances; subject to staff approval of the related Special Events Application.

CARRIED.

12. REPORTS

a) KSRPSC-2016-01 Construction Schedule

Council received as information a report dated August 12, 2016, from J. Galloway, Town Engineer, providing an update with respect to the King Street Rejuvenation Project.

b) MBLSC-2016-02 Development Partner Update

Council received as information a report dated August 12, 2016, from J. Galloway, Town Engineer, providing an update with respect to the interactions between the Town and the development partner Mountain Ridge Estates.

c) OP-2016-C11 Monthly Report on Waterworks - July 2016

Council received as information a report dated August 17, 2016, from J. Beauchamp, Compliance Officer, which included details on current water quality and production, distribution maintenance, training, and sample results for the month of July 2016.

d) OP-2016-C12 Aluminum Sulphate – Tender Results and Recommendations

Council reviewed a report dated August 17, 2016, from S. Berriault, Director of Operations, following which it was then,

Moved by P. File
Seconded by J. Main

That, as recommended in Report OP-2016-C12 dated August 17, 2016, the tender bid from Chemtrade Chemicals Canada Ltd. for a one year contract for the supply and delivery of liquid Aluminum Sulphate for the Wastewater Treatment Centre in Midland, in the amount of \$148,050, with pricing for an optional 2nd year contract of \$152,100.00, exclusive of H.S.T., be accepted.

CARRIED.

e) Chief Administrative Officer Appointment

Interim CAO Wood advised that a by-law providing for the appointment of John Skorobohacz as Chief Administrative Officer has been prepared for Council's consideration. (By-law 2016-59)

f) Director of Finance/Treasurer Appointment

Interim CAO Wood advised that a by-law providing for the appointment of Susan Turnbull as the Director of Finance/Treasurer has been prepared for Council's consideration. (By-law 2016-58)

g) Planning and Development Committee Report 2016-7
Meeting held August 3, 2016.

i) Site Plan Application SPA-04-16 - 2479865 Ontario Inc.
719 Prospect Boulevard

Moved by G. Canning
Seconded by J. Contin

That Site Plan Application SPA-04-16 (submitted by 2479865 Ontario Inc.) be hereby approved as set out in Staff Report PL-2016-43 dated July 22, 2016.

That all required drawings and/or reports shall be submitted and approved by the appropriate Staff in accordance with approved Site Plan Application No. SPA-04-16 and the changes identified in Staff Report PL-2016-43 dated July 22, 2016.

That the Site Plan Agreement for Site Plan Application No. SPA-04-16, substantially in the form attached to Staff Report PL-2016-43 dated July 22, 2016, 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 the next available meeting.

CARRIED.

Moved by G. Canning

Seconded by J. Contin

That Report 2016-7 of the Planning and Development Committee of Council Meeting held August 3, 2016, be adopted as printed and circulated.

CARRIED.

h) PL-2016-40 2015 Heritage Property Tax Relief Program

Council reviewed a report dated June 16, 2016, from W. Crown, Director of Planning and Building Services, following which it was then,

Moved by J. Main

Seconded by C. Oschefski

That, as recommended in Report PL-2016-40 dated June 16, 2016, Council authorize the payment of the 2015 Heritage Tax Relief in the amount of \$1,541.14 from the Planning Reserves.

CARRIED.

i) PL-2016-46 Downtown Midland Community Improvement Plan

Council reviewed a report dated August 8, 2016, from W. Crown, Director of Planning and Building Services, recommending that the final Downtown Community Improvement Plan as set out in Staff Report PL-2016-46 dated August 8, 2016 be approved and Council pass By-law 2016-56 pursuant to Section 27 of the *Planning Act* adopting the Downtown CIP. (By-law 2016-56)

j) PL-2016-47 Committee of Adjustment Decision on Application A.1/2016 – 735 Portage Park Lane

Council reviewed a report dated August 15, 2016, from J. Lewis, Senior Planner, following which it was then,

Moved by G. Canning

Seconded by J. Contin

That, as recommended in Report PL-2016-47 dated August 15, 2016, in the event of receiving an Ontario Municipal Board appeal to Committee of Adjustment Decision on Application A.1/2016, the Town of Midland negotiate a settlement with 2176297 Ontario Inc. and present Minutes of Settlement in accordance with the recommendation contained in Staff Report PL-2016-45 to the Ontario Municipal Board with respect to Application A.1/2016 (735 Portage Park Lane).

CARRIED.

k) 735 Portage Park Lane

Council received as information a letter dated August 16, 2016, from Mr. C. Ritchie, Resident, requesting the Town's assistance with the application process to the OMB with respect to his property at 735 Portage Park Lane.

l) ML-2016-09 Municipal Law Enforcement Officer's Investigative Report – July 2016

Council received as information a report dated August 17, 2016, from J. Reichheld, Municipal Law Enforcement Officer, providing an update on departmental operations and street parking meter revenue.

m) CAO-2016-5 Huronia Community Foundation – Flow-Through Funds

Council reviewed a report dated August 9, 2016, from G. Wood, Interim CAO, following which it was then,

Moved by G. MacDonald

Seconded by J. Contin

That, as recommended in Report CAO-2016-5 dated August 9, 2016, Council approve the request by the Huronia Community Foundation (HCF) for the Town of Midland to accept periodic payments from the Community Foundation and for the Town of Midland to Flow-Through funds received to the Community Non-Profit Group identified by HCF.

CARRIED.

n) CAO-2016-6 Midland Public Library – Memorandum of Understanding

Council reviewed a report dated August 9, 2016, from G. Wood, Interim CAO, following which it was then,

Moved by J. Contin

Seconded by G. MacDonald

That, as recommended in Report CAO-2016-6 dated August 9, 2016, Council authorize the Mayor and Clerk to sign the attached Memorandum of Understanding between The Town of Midland and The Midland Public Library Board.

CARRIED.

o) Procurement By-law

Clerk Fay advised that draft By-law 2016-55 has been amended based on feedback provided by Council respecting the tender opening process during its review of Report CL-2016-26 at the July Council Meeting. The by-law provides for an amendment to Procurement By-law 2014-48. (By-law 2016-55)

p) Youth Committee – Council Appointment

The Deputy Clerk noted that the appointment of a Council representative to the Youth Committee has yet to be made; following which it was then,

Moved by J. Contin
Seconded by G. MacDonald

That Council herein confirms its appointment of Cody Oschefski to the Midland Youth Committee as the Council representative on the Committee for a term to expire November 30, 2018.

CARRIED.

11. CONSENT BY-LAW

Moved by P. File
Seconded by J. Contin

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

By-law 2016-55 Amend By-law 2014-48 being the Procurement By-law.

By-law 2016-57 Site Plan Agreement with 2479865 Ontario Inc. at 719 Prospect Boulevard.

By-law 2016-58 Appointment of Susan Turnbull as the Director of Finance/Treasurer.

By-law 2016-59 To define and determine the duties and responsibilities of the Chief Administrative Officer, and to appointment John Skorobohacz as the CAO.

CARRIED.

It was then,

Moved by P. File
Seconded by J. Contin

That By-laws 2016-55, 2016-57, 2016-58 and 2016-59, be read a first, second and third time and finally passed.

CARRIED.

It was then,

Moved by P. File
Seconded by J. Contin

That leave be granted to introduce By-law 2016-56 being a By-law to designate a Community Improvement Project Area and adopt a Community Improvement Plan under Section 28 of the *Planning Act*.

CARRIED.

Councillor File requested clarification regarding the Community Improvement Plan Program administration process.

The Director of Planning and Building Services advised that annual status reports would be provided.

Moved by P. File

Seconded by J. Contin

That By-laws 2016-56 be read a first, second and third time and finally passed.

CARRIED.

12. GENERAL BUSINESS

2) Other Business Introduced by Members of Council or Staff

Deputy Mayor Ross expressed sincere thanks and appreciation to Interim CAO Gary Wood, on behalf of Council, for his hard work and for the support he provided to Council and staff during his tenure with the Town.

13. CONFIRMATORY BY-LAW

1) By-law 2016-60

Moved by G. MacDonald

Seconded by J. Contin

That leave be granted to introduce By-law 2016-60, being a by-law to adopt the proceedings of the Council Meeting held on August 22, 2016, and to authorize its execution.

CARRIED.

It was then,

Moved by G. MacDonald

Seconded by J. Contin

That By-law 2016-60 be read a first, second and third time and finally passed.

CARRIED.

14. ADJOURNMENT

Moved by G. MacDonald

Seconded by J. Contin

That this Regular Meeting of Council adjourn at 9:56 p.m.

CARRIED.

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