

Minutes of the Regular Meeting of Council with Closed Session held on Monday, June 22, 2015, at 6:00 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
Deputy Clerk, K. Desroches

1. CALL TO ORDER

Mayor G. McKay called the meeting to order at 6:10 p.m.

The 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 J. Contin

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

CARRIED.

i) Closed Session Item

a) Appointments to Boards and Committees

Council reviewed confidential Report CL-2015-35 dated June 17, 2015, from the Deputy Clerk, together with applications submitted for consideration for appointments to various boards/committees.

Council directed staff to prepare the appropriate motions for consideration upon conclusion of this closed meeting session.

ii) Motion to rise to open session

Moved by J. Contin

Seconded by G. Canning

That this Closed Meeting of Council be adjourned at 6:12 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 Planning and Building Services, W. Crown
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

No declarations were brought forward.

i) Motions arising from closed session discussions

a) Appointments to Boards and Committees

Moved by J. Main

Seconded by S. Strathearn

That further to Report CL-2015-35 dated June 17, 2015, Council confirms the appointment of Phillip Pantling and Lise Roy to the Midland Public Library Board of Directors for a term to expire November 30, 2018.

CARRIED.

It was then,

Moved by J. Main

Seconded by S. Strathearn

That further to Report CL-2015-35 dated June 17, 2015, Council confirms the appointment of Travis Warlow and Alexa Lafond to the Midland Accessibility Advisory Committee for a term to expire November 30, 2018.

CARRIED.

7. CONSENT AGENDA

Moved by S. Strathearn

Seconded by J. Main

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held June 22, 2015.

CARRIED.

8. DEPUTATIONS

a) Downtown Master Plan Study

Mr. D. Penrose and Rev. Ptolemy-Stam, on behalf of St. Paul's United Church Official Board, to address Council regarding the above.

The deputation was withdrawn.

b) Splash Pad at Little Lake Park

Ms. A. Jeanveau spoke to a petition containing approximately 1100 signatures in support of the construction of a splash pad at Little Lake Park. Ms. Jeanveau presented photos of the proposed splash pad as well as a video provided by Monsignor Castex School highlighting the benefits of a splash pad. Ms. Jeanveau provided various funding options and requested that the Town consider allocating funds towards this initiative once a splash pad location has been confirmed.

c) Petition re. proposed site of new health hub

Ms. R. McTague spoke to the Town's decision to permit the construction of a health hub on a portion of Edgehill Park and presented a petition with approximately 1000 signatures in opposition to construction of the health hub on parkland. Ms. McTague noted that parkland is to be cherished and maintained for all residents and suggested the Town consider an alternate location.

9. PETITIONS

- a) Proposed Changes to Parking in the Downtown
- 103 signatures on the letter
 - 146 on individual letters

The Clerk advised that the above petitions were received at the Downtown Master Plan Steering Committee Meeting and are available for viewing in the Clerk's Department.

10. PUBLIC MEETING

- a) Sale of a Portion of the Original Road Allowance West of Portage Road

Mayor McKay called the meeting to order and advised that the public meeting relates to the sale of a portion of the original road allowance west of Portage Road. The meeting is being held in accordance with Section 17 of Notice By-law 2009-20 and deals with the selling of a portion of land being part of the original road allowance between Lots 110 and 111 on Concession 1.

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

The Clerk advised that the legal description of the land may lead to some confusion and confirmed that the property is in fact along Golf Link Road. The Clerk advised that notice of the meeting was advertised in the May 28, 2015 edition of the Midland Mirror, on the Town's notice boards and website. 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 sale of a portion of the original road allowance west of Portage Road was closed.

11. **ACCOUNTS**

a) **General Accounts**

Moved by G. Canning

Seconded by J. Contin

That the accounts for the month of May 2015, totalling \$1,431,288.88 be approved and confirmed as paid.

CARRIED.

12. **CORRESPONDENCE**

a) **Resignation – Library Board**

Councillor reviewed a letter dated June 8, 2015, from Mr. N. Pape, advising of his resignation from the Library Board, following which it was then,

Moved by S. Strathearn

Seconded by C. Oschefski

That the letter of resignation from Nathan Pape, as a member of the Midland Library Board, be accepted with thanks and appreciation for his contributions.

CARRIED.

b) **Resignation – Heritage Committee and the Accessibility Advisory Committee**

Council reviewed an email dated June 9, 2015, from Ms. U. Schmid-Jones, advising of her resignation from the above Committees, following which it was then,

Moved by S. Strathearn

Seconded by C. Oschefski

That Ms. Ute Schmid-Jones' letters of resignation from the Heritage Committee and the Midland Accessibility Advisory Committee be accepted with thanks and appreciation for her contributions.

CARRIED.

c) **2015 Regional and Provincial Truck Safety Roadeo**

Council reviewed a letter dated June 8, 2015, from Mr. B. Morrison, SCRSA President, Simcoe County Road Supervisors, requesting support from all the municipalities within Simcoe County for drivers to compete and for staff to help run the two day event being held on September 9 and 10, 2015.

S. Berriault noted that staff have participated in the past and will be competing again this year. Councillor Oschefski advised that he, too, would like to participate.

d) Runway Renovation

Council received as information a letter dated June 16, 2015, from the Huronia Airport Commission, presenting three options that the Commission is considering for financing the cost of renovating the runway.

e) Ninth Street Walkway

Council reviewed a letter dated June 10, 2015, from Mr. R. G. Ferguson, Ferguson Barristers, regarding his concerns of the Ninth Street Walkway.

Staff was directed to investigate the matter and to bring forward a report to a future Council meeting providing possible options.

13. REPORTS

a) General Committee Report 2015-6 of its meeting held June 8, 2015

1) ML-2015-7 Open Air Burning By-Law and Fireworks By-Law
(Reference Section B, Item #1, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to Report ML-2015-7 dated May 27, 2015, a public meeting be held to receive input from the public on Open Air Burning By-law 2005-61 and Fireworks By-law 2007-8 to determine whether amendments to the respective by-laws are required.

CARRIED.

2) ML-2015-8 Clean Yards By-law
(Reference Section B, Item #2, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to Report ML-2015-8 dated May 28, 2015, By-law 2011-27 be amended to include the following provision (Subject to solicitor approval):

“If a property has received a notice to clean their property or cut the grass/weeds in a calendar year, and re-offends within the same calendar year, the Town may enter and clean the property or cut the grass without further notice.”

And further that leaves and brush be added to the definition of waste.

DEFERRED.

It was then,

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

That staff be directed to hold a public meeting to receive feedback from the public on proposed changes to Clean Yards By-law 2011-27.

CARRIED.

**3) CL-2015-30 Midland Cultural Advisory Committee
(Reference Section B, Item #4, of the above Report)**

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

That, further to Report CL-2015-30 dated May 28, 2015, the Terms of Reference related to the Midland Cultural Advisory Committee be amended to reflect the Committees new name being Culture Midland;

And further that the Terms of Reference be amended to replace Director of Parks and Recreation (or alternate) with Culture, Tourism and Special Events Manager and Executive Assistant, Parks and Recreation Department with Customer Service Representative;

And further that the Terms of Reference be amended by increasing community representation on the committee from one (1) to two (2) Community Representatives to provide for the appointment of Bryan Peter as a voting member on the Committee;

And further that Schedule “C” to By-law 2014-96 be amended by removing the current appointment from the Huronia Foundation for the Arts under d) Cultural Advisory Committee and adding H. Slater with the

appointment expiration remaining the same, and adding B. Peter as the second Community Representative;

And further that reference to Cultural Advisory Committee within By-law 2014-96 be changed to Culture Midland.

CARRIED.

- 4) **CL-2015-31 Encroachment Agreement with 1719426 Ontario Inc.**
(Reference Section B, Item #5, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to Report CL-2015-31 dated June 1, 2015, staff be directed to prepare a by-law to authorize the execution of an encroachment agreement with 1719426 Ontario Inc.;

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

CARRIED.

- 5) **CL-2015-32 BIA**
(Reference Section B, Item #6, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to Report CL-2015-32 dated June 1, 2015, staff be directed to prepare a by-law to amend By-law 77-74;

And further that said amending by-law be brought forward to the June Council meeting for consideration;

And further that the BIA provide to Council their proposed budget each fiscal year by September 1st of the preceding year and that said budget clearly state all revenues and expenditures anticipated as well as the requested tax levy for the year;

And further that the BIA provide to Council their annual report including financial statements for the preceding year by June 1st of the following year and that said report be prepared in accordance with Public Sector Accounting Standards;

And further pursuant to Section 296 (11) of the *Municipal Act* the BIA is not required to include their audited financial statements with their annual report as their statements are consolidated with the Town.

DEFERRED.

- 6) CL-2015-33 Banner Installation Policy
(Reference Section B, Item #7, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to Report CL-2015-33 dated June 1, 2015, Council adopt the Banner Installation Policy set out in Schedule "A" of this report.

CARRIED.

- 7) TR-2015-17 Budget Direction and Schedule
(Reference Section B, Item #8, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That staff be directed to prepare the 2016 budget based on -2, 0 and 2 percent scenarios while being cognizant of Council's Strategic Priority to reduce taxes with the objective of moving to the 75% percentile by 2018 and the other directions of the Council Strategic Plan.

CARRIED.

- 8) Request for Beer Garden – Midland Indians Hosting League All Star Games
(Reference Section B, Item #9, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated May 25, 2015 from Mr. F. Flood, General Manager, Midland Indians Baseball Team and Mr. S. Lafreniere, Head Coach and Field Manager, Midland Baseball Team, permission be granted, in principle, to the Midland Indians Baseball Team to operate a beer garden during their annual fundraising tournament on July 4, 2015, from 12 noon to 9:00 p.m. at Tiffin Park, Gord Dymont Playing Field, subject to staff approval of the related Special Events Application.

CARRIED.

- 9) **Request for Road Closure**
(Reference Section B, Item #10, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That letter dated May 14, 2015, from the Huronia Museum, requesting the closure of Little Lake Park Road from the top of the hill at the entrance to the YMCA to Yonge Street on Saturday, August 22, 2015, from 8:00 am to 5:00 pm, to accommodate a Storytelling Festival event be supported, in principle, subject to staff approval of the related Special Events Application.

CARRIED.

- 10) **Access Road to Lawn Bowling Green and Shuffleboard Courts**
(Reference Section B, Item #11, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to a letter of request dated May 22, 2015, from the Midland and District Lawn Bowling Club, financial support to assist with the maintenance of the entry road from King Street into their location on the shore of Little Lake be granted.

CARRIED.

- 11) **OP2015-016 Request for Proposals - NSSRC Concession Booth Operation**
(Reference Section C, Item #2, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, further to Report OP-2015-016 dated June 3, 2015, the Proposal from Christine Patenaude for the provision of Concession Booth management services at the North Simcoe Sports and Recreation Centre for the next 3 years, in the total amount of \$40,094 (inclusive of HST), be accepted.

CARRIED.

- 12) **OP2015-017 Tender for Sidewalk Reconstruction - Various Locations**
(Reference Section C, Item #3, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That further to Report OP-2015-017 dated June 3, 2015, the Tender from Wilcox Contracting for the reconstruction of concrete sidewalks in various locations in Midland, in the amount of \$116,166.50 (exclusive of HST), be accepted.

CARRIED.

- 13) **OP2015-018 Tender for Asphalt Paving - Various Locations**
(Reference Section C, Item #4, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, further to Report OP-2015-018 dated June 3, 2015, the Tender from K.J. Beamish Construction Co. Limited for the asphalt paving of various streets in Midland, in the adjusted amount of \$744,262.91 (exclusive of HST), be accepted.

CARRIED.

- 14) **OP2015-019 Source Water Protection Plan - Proposed Partnership Continuation with Severn Sound Environmental Association**
(Reference Section C, Item #5, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, further to Report-2015-019 dated June 3, 2015, Council:

1. Accept the proposal from the Severn Sound Environmental Association to continue their partnership with the Town for the provision of Risk Management Services required under the Clean Water Act (Part IV) and under the South Georgian Bay Lake Simcoe (SGBLS) Source Protection Plan (SPP) for the sum of \$16,000 (exclusive of taxes); and

2. Consider a By-law to appoint Melissa Carruthers of Severn Sound Environmental Association as a Risk Management Inspector (RMI) as required under the Clean Water Act (Part IV) (Reg. 248/07).

CARRIED.

- 15) **OP2015-020 Tandem Axle Diesel Snow Plough Truck with Accessories**
(Reference Section C, Item #6, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, further to Report OP2015-020 dated June 3, 2015, the tender from Currie Truck Centre for the supply of a 2016 Tandem Axle Diesel Powered Cab and Chassis (Snow Plough Truck), with Accessories, in the amount of \$247,900 inclusive of trade-in and exclusive of all taxes, be accepted.

CARRIED.

- 16) **ENG-2015-11 Proposed New Operations Depot Architectural Design Services**
(Reference Section C, Item #7, of the above Report)

Moved by J. Main
Seconded by G. MacDonald

That, further to Report ENG-2015—11 dated May 6, 2015, the quotation from Chamberlain Architect Services Limited for architectural design services for the proposed new Operations Depot in the amount of \$80,450, exclusive of all taxes, be accepted and that the Mayor and Clerk be authorized to execute the agreement.

CARRIED.

Moved by S. Strathearn
Seconded by J. Main

That General Committee Report 2015-6 of its meeting held June 8, 2015, be adopted as printed and circulated.

CARRIED.

- b) **CAO-2015-8 Little Lake Park – Initiative**

Council reviewed a report dated June 2, 2015, from C. Tripp, CAO, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, as recommended in CAO Report CAO-2015-8 dated June 2, 2015, Council supports the Action Plan developed by the Community Services working group to “Bring People Back to Little Lake Park”.

CARRIED.

c) CAO-2015-10 Midland Bay Landing Steering Committee

Council reviewed a report dated June 16, 2015, from K. Desroches, Deputy Clerk, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, as recommended in Report CAO-2015-10 dated June 16, 2015, staff be directed to bring forward By-law 2015-40 for Council’s consideration to provide for adoption of the Terms of Reference for the Midland Bay Landing Steering Committee.

CARRIED.

d) TR-2015-18 Revised 2016 Budget Schedule

Council reviewed a report dated June 16, 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-2015-18, dated June 16, 2015, Council endorse the revised 2016 Budget Schedule as proposed in Appendix A.

CARRIED.

e) AU-2015-5 Surplus/Deficit Policies

Council reviewed a report dated June 16, 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 AU-2015-5, dated June 16, 2015, the Town continue the practice of making recommendations to Council on an annual basis, incorporated into the annual budget where possible, for their approval of the allocations of surplus and deficits.

CARRIED.

f) Planning and Development Committee Report 2015-6

Moved by G. Canning

Seconded by J. Contin

That Report 2015-6 of the Planning and Development Committee of Council Meeting dated June 3, 2015, be adopted as printed and circulated.

CARRIED.

g) Appointment of a Building Inspector

W. Crown, Director of Planning & Building Services, spoke to a recent agreement with the Town of Penetanguishene for the provision of Ontario Building Code Enforcement Services with the Town of Midland which has resulted in the need for an additional Building Inspector. Mr. Crown advised that By-law 2015-39 providing for the appointment of Mike Campitelli as Building Inspector is being brought forward later in the agenda for Council's consideration.

h) PL-2015-38 Downtown Master Plan

Council reviewed a report dated June 17, 2015, from W. Crown, Director of Planning and Building Services, following which it was then,

Moved by G. Canning

Seconded by J. Contin

That, as recommended in Report PL-2015-38 dated June 17, 2015, the Downtown Master Plan and Community Improvement Plan dated June 2015 by Urban Strategies Inc., as recommended by the Downtown Master Plan Steering Committee, be hereby approved;

And that Staff be directed to prepare a report for Council in respect of the implementation of the Downtown Master Plan and Community Improvement Plan.

DEFERRED.

The Downtown Master Plan and Community Improvement Plan will be forwarded to the Downtown Master Plan Steering Committee for review prior to be considered by Council at a future meeting.

14. **CONSENT BY-LAW**

1) **By-law 2015-22b**

Moved by G. MacDonald

Seconded by J. Main

That leave be granted to introduce By-law 2015-22b, being the Rules of Procedure for Council and its Committees.

CARRIED.

It was then,

Moved by

Seconded by

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

CARRIED.

It was then,

Moved by G. MacDonald

Seconded by J. Main

That staff be directed to prepare a motion to reconsider by-law 2015-22b as previously carried by Council.

DEFEATED.

It was then,

Moved by G. MacDonald

Seconded by J. Main

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

By-law 2015-31 Agreement with SSEA for the enforcement of the Source Protection Plan Part IV.

By-law 2015-32 Appoint a Risk Management Inspector for the purpose of the *Clean Water Act*, 2006.

By-law 2015-34 Encroachment Agreement - 1719426 Ontario Inc.

By-law 2015-36 Agreement with K.J. Beamish Construction Co. Limited for the asphalt paving of various streets in Midland.

<u>By-law 2015-37</u>	Agreement with Wilcox Contracting for the reconstruction of concrete sidewalks in various locations in Midland.
<u>By-law 2015-38</u>	Agreement with Christine Patenaude o/a The Snack Shack for the operation of the Concession Booth at the NSSRC.
<u>By-law 2015-39</u>	Appointment of Mike Campitelli as a Building Inspector.
<u>By-law 2015-40</u>	Terms of Reference - Midland Bay Landing Steering Committee.
<u>By-law 2015-41</u>	Agreement with Chamberlain Architect Services Limited to provide architectural design services for the proposed new Operations Depot.

CARRIED.

It was then,

Moved by G. MacDonald

Seconded by J. Main

That By-laws 2015-31, 2015-32, 2015-34, 2015-36, 2015-37, 2015-38, 2015-39, 2015-40 and 2015-41 be read a first, second and third time and finally passed.

CARRIED.

15. GENERAL BUSINESS

1) Notices of Motion

Councillor Canning advised that he will be bringing forward a motion at the July Council meeting proposing the installation of lights and cameras at the Borsa and Bourgeois laneways to improve public safety for those using these laneways in the evening.

2) Other Business Introduced by Members of Council or Staff

a) Appointment to Culture Midland Committee

Council received a verbal report from the Clerk regarding notification by the Chair of the Culture Midland Committee of a new representative from the Georgian Bay Native Friendship Centre.

Moved by J. Contin
Seconded by G. Canning

That Council herein confirms the appointment of Jennifer Bullock to the Culture Midland Committee replacing R. MacArthur as the Georgian Bay Native Friendship Centre's representative on the Committee.

CARRIED.

b) **By-law 2015-43 – To dedicate as part of Prospect Blvd**

Council received a verbal report from the Clerk advising that the Town's solicitor has recommended a further by-law be passed to provide clarification regarding By-law 2015-24 for dedication of land for road purposes.

Moved by C. Oschefski
Seconded by S. Strathearn

That leave be granted to introduce By-law 2015-43, being a by-law to dedicate as part of Prospect Blvd Part of the North ½ of Lot 100 on Concession 1 more particularly described as Parts 20 & 21 on 51R-22276, in the Town of Midland, in the County of Simcoe.

CARRIED.

Moved by J. Main
Seconded by C. Oschefski

That By-law 2015-43 be read a first, second and third time and finally passed.

CARRIED.

c) **Tieless Month**

Moved by C. Oschefski
Seconded by S. Strathearn

That the remainder of this month and the months of July and August 2015, be declared as Tieless Months in support of the many visitors and tourists visting our area.

CARRIED.

16. **CONFIRMATORY BY-LAW**

a) By-law 2015-42

Moved by J. Main

Seconded by C. Oschefski

That leave be granted to introduce By-law 2015-42, being a by-law to adopt the proceedings of the Council Meeting held on June 22, 2015, and to authorize its execution.

CARRIED.

Moved by C. Oschefski

Seconded by S. Strathearn

That By-law 2015-42 be read a first, second and third time and finally passed.

CARRIED.

17. **ADJOURNMENT**

Moved by C. Oschefski

Seconded by S. Strathearn

That this Regular Meeting of Council adjourn at 8:51 p.m.

CARRIED.

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