



**THE CORPORATION OF THE
TOWN OF MIDLAND**

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**Minutes of the Regular Meeting of Council with Closed Session held on Monday,
March 27, 2017 at 5:30 p.m. in the Municipal Office Council Chambers.**

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

Also Present: Chief Administrative Officer, J. Skorobohacz
Acting Clerk, K. Desroches

* Arrived upon conclusion of Item 3a).

1. CALL TO ORDER

Mayor McKay called the meeting to order at 5:30 p.m.

The Mayor then asked the Acting Clerk to provide information regarding notice of the meeting. The Acting 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.

Mayor McKay asked Council if they had any concerns with moving into a closed session based on the purpose of the meeting. Councillor Main requested clarification regarding the exception cited with respect to Item 3a)i)b) Potential Litigation – Notice of Pending Action. The Clerk responded.

There were no additional concerns brought forward.

2. DECLARATIONS OF PECUNIARY INTEREST

There were none declared.

3. CLOSED SESSION

a) Motion to move into closed session

Moved by S. Strathearn

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 (b)
Personal matters about an identifiable individual**

Subject matter
- Committee/Board Appointments

- **Subsection 2c)**
Proposed or Pending Disposition of Land

Subject matter
- Potential Land Sale – 279 Whitfield Crescent

- **Subsection 2e)**
Litigation or potential litigation

Subject matter
- Potential Litigation – Notice of Pending Action

CARRIED.

i) Closed Session Items

a) Potential Land Sale – 279 Whitfield Crescent

Council reviewed Confidential Report CL-2017-12 dated March 24, 2017, from K. Desroches, Acting Clerk, regarding an Agreement of Purchase and Sale respecting 279 Whitfield Crescent.

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

b) Potential Litigation – Notice of Pending Action

Council reviewed Confidential Staff Report CAO-2017-6 dated March 24, 2017 from the Chief Administrative Officer, regarding a Notice of Pending Action.

The CAO and Acting Clerk 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 the closed meeting session.

c) Appointment to Active Transportation Advisory Committee

Council reviewed Confidential Report CL-2017-10 dated March 24, 2017, from K. Desroches, Acting Clerk, together with an application submitted for consideration for appointment to the Midland Active Transportation Advisory Committee.

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

d) Appointment to Canada 150 Community Leadership Network

Council reviewed Confidential Report CL-2017-11 dated March 24, 2017, from K. Desroches, Acting Clerk, regarding the nomination of an additional individual to the Canada 150 Community Leadership Network.

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

ii) Motion to rise to open session

Moved by C. Oschefski

Seconded by J. Main

That this Closed Meeting of Council be adjourned at 6:35 p.m. 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 J. Main, G. MacDonald, P. File, J. Contin, G. Canning, C. Oschefski, and S. Strathearn

Also Present: Chief Administrative Officer, J. Skorobohacz
Acting Clerk, K. Desroches
Director of Finance/Treasurer, S. Turnbull
Director of Operations, S. Berriault
Director of Planning and Building Services, W. Crown
Marketing & Communications Coordinator, Scott Cooper

5. MOMENT OF SILENT REFLECTION

6. DECLARATIONS OF PECUNIARY INTEREST

No declarations were made.

i) Motions arising from closed session discussions

a) Potential Land Sale – 279 Whitfield Crescent

Moved by G. MacDonald

Seconded by J. Main

That, further to Confidential Report CL-2017-12 dated March 24, 2017, and related discussions that occurred at the Closed Meeting session held March 27, 2017, Council herein confirms its direction to staff on how to proceed respecting the sale of 279 Whitfield Crescent.

CARRIED.

b) Potential Litigation – Notice of Pending Action

Moved by G. MacDonald

Seconded by J. Main

That Council receive for information the Confidential Report CAO-2017-6 from the Chief Administrative Officer respecting the potential threat of litigation, and further that the course of action be in accordance with the instructions received from Legal Counsel.

CARRIED.

c) Appointment to Active Transportation Advisory Committee

Moved by G. MacDonald

Seconded by J. Main

That, further to Confidential Report CL-2017-10 dated March 24, 2017, and related discussions that occurred at the Closed Meeting session held March 27, 2017, Council herein confirms the appointment of Stephen Roden to the Midland Active Transportation Advisory Committee for a term to expire on November 30, 2018.

CARRIED.

d) Appointment to Canada 150 Community Leadership Network

Moved by J. Main

Seconded by C. Oschefski

That, further to Confidential Report CL-2017-11 dated March 24, 2017 and related discussions that occurred at the Closed Meeting session held March 27, 2017, Council nominate Saima Khan as a Community Leader to represent the Town of Midland on the Canada 150 Community Leaders Network.

CARRIED.

7. CONSENT AGENDA

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

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held March 27, 2017.

CARRIED.

8. DEPUTATIONS

a) Simcoe Muskoka District Health Unit – Breastfeeding Friendly Places

Ms. M. Bouffard, Public Health Nurse, Child Health Program; and Ms. N. Riewe, Manager of Child Health, Simcoe Muskoka District Health Unit, provided a PowerPoint presentation highlighting the health benefits of breastfeeding for infants and children, as well as the breastfeeding parent, and its positive impact on family economics and the environment. The proponents requested Council's support through the creation of Breastfeeding Friendly Places. It was then,

**Moved by M. Ross
Seconded by P. File**

That the Town of Midland support breastfeeding mothers and their right to breastfeed undisturbed in public places and directs staff to develop an appropriate policy to support Breastfeeding in or on Municipal Property.

CARRIED.

9. CORRESPONDENCE

a) Walk a Mile in Her Shoes Event

Council reviewed a letter dated March 2, 2017, from Ms. K. Willis, Executive Director, Huronia Transition Homes, following which it was then,

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

That, as recommended in letter dated March 2, 2017, from Ms. K. Willis, Executive Director, Huronia Transition Homes, permission be granted, in principle, to Huronia Transition Homes, to host the Walk a Mile in Her Shoes Event on June 17, 2017, from 9:00 am to 1:00 pm, at the Midland Town Dock, subject to approval of the related Special Events application.

CARRIED.

b) Show n Shine Event

Council reviewed a letter dated March 8, 2017, from Ms. S. Summerhayes, Chapter Founder, Ghost Riders Riding Club Lake of Bays, following which it was then,

Moved by C. Oshefski
Seconded by J. Main

That, as recommended in letter dated March 8, 2017, from Ms. S. Summerhayes, Chapter Founder, Ghost Riders Riding Club Lake of Bays, permission be granted, in principle, to the Ghost Riders Riding Club Lake of Bays, to host the Shine n Show Event on June 4, 2017, from 1:00 pm to 4:00 pm, at Little Lake Park, subject to approval of the related Special Events application.

CARRIED.

c) Music in the Park Concerts Series

Council reviewed a letter dated March 27, 2017, from Mr. J. MacMillan, Rotary Club of Midland, following which it was then,

Moved by C. Oschefski
Seconded by J. Main

That, as recommended in letter dated March 27, 2017, from Mr. J. MacMillan, Rotary Club of Midland, permission be granted, in principle, to the Rotary Club of Midland, to hold their annual Music in the Park Concert Series on Sunday evenings in Little Lake Park on the Rotary Stage starting on July 2nd and finishing on September 3, 2017, subject to approval of the related Special Events application.

CARRIED.

d) Easter Egg Hunt

Council reviewed an email dated March 21, 2017, from Ms. K. Lesperance, Midland Small Set Nursery School, following which it was then,

Moved by C. Oschefski
Seconded by J. Main

That, as recommended in email dated March 21, 2017, from Ms. K. Lesperance, Midland Small Set Nursery School, permission be granted, in principle, to Midland Small Set Nursery School, to hold an Easter Egg Hunt on April 9, 2017, in Little Lake Park, subject to approval of the related Special Events application.

CARRIED.

10. REPORTS

a) General Committee Report 2017-3 of its meeting held March 6, 2017

- 1) HR/HS 2017-02 Human Resources Committee
(Reference Section A, Item a) of the above report)

Moved by P. File
Seconded by G. MacDonald

That further to Report HR/HS 2017-02, dated March 1, 2017, staff be directed to bring forward a by-law to amend By-law 2016-82 for the purposes of:

- 1. Establishing a Human Resources Standing Committee of Council, and**
- 2. Appointing Council Members to the Human Resources Standing Committee.**

CARRIED.

- 2) CTS-2017-13 2017 Rib Fest
(Reference Section A, Item b) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to Report CTS-2017-13, dated March 6, 2017, Council supports in principle the first annual 2017 Rib Fest to be held at Harbourside Park from July 7 through July 9, 2017, subject to the proponents complying with the Town's Special Events application/policy.

CARRIED.

- 3) CTS-2017-14 2017 Ontario 150 Tour
(Reference Section A, Item c) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to Report CTS-2017-14, dated March 6, Council approve, in principle, the ONTARIO 150 Tour and Feast Fest to be held at Harbourside Park from July 21 – 23, 2017 subject to completion and compliance with the Town's Special Events application/policy.

CARRIED.

- 4) Request for Municipal Support for a Little Lake Park Event and Project
(Reference Section A, Item d) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to a letter dated March 1, 2017 from interested citizens, Council supports, in principle, a community collaborative public art project and special event for Little Lake Park in the spring of 2017, on either June 1 or 2 with June 7 or 8 being the rain date, subject to staff approval of the related Special Events Application;

And that the request for financial support be forwarded to budget deliberations;

And that the group work with the Director of Operations to determine a suitable location in Little Lake Park for the event.

CARRIED.

- 5) Canada Day Parade
(Reference Section A, Item e) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to a letter dated February 17, 2017, from the Midland Civitan Club, permission be granted to host the 2017 Midland Canada Day Parade, on Friday, July 1, 2017, in the Town of Midland, subject to staff approval of the related Special Events Application;

And that the parade route be confirmed with the Club and reported back to Council.

CARRIED.

- 6) Request to use Parking Lot – Town Dock
(Reference Section A, Item e) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to a letter dated February 21, 2017, from Performance Boat Club Events Inc., permission be granted, in principle, to use part of the parking lot at the Town Dock to display a variety of offshore performance boats, late afternoon and evening on Friday, July 7, and Saturday morning, July 8, 2017, during the Performance Boat Club Canada Georgian Bay Charity Poker Run,

subject to staff approval of the related Special Events Application.

CARRIED.

- 7) 2017 Mandarin MS Walk
(Reference Section A, Item e) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to a letter dated March 1, 2017 from the Multiple Sclerosis Society of Canada, permission be granted, in principle, to host the 2017 Mandarin MS Walk on May 7, 2017, from 8:00 a.m. to 1:30 p.m., subject to staff approval of the related Special Events Application.

CARRIED.

- 8) Annual Log-Sawing Contest – Elmvale Maple Syrup Festival
(Reference Section A, Item e) of the above Report)

Moved by G. Canning
Seconded by J. Contin

That further to a letter, dated February 6, 2017, from Springwater Township, Mayor French be advised that Councillors C. Oschefski and J. Main will be competing in the annual log-sawing contest, as part of the Elmvale Maple Syrup Festival, to be held on Saturday, April 29, 2017.

CARRIED.

Moved by M. Ross
Seconded by P. File

That General Committee Report 2017-3 of its meeting held March 6, 2017, be adopted as printed and circulated.

CARRIED.

- b) OP-2017-C03 Recreation Management Activity System (PerfectMind) - Proposal Results 2016-TOB-RFP-001

Council reviewed a report dated March 22, 2017, from S. Berriault, Director of Operations, following which it was then,

Moved by G. MacDonald
Seconded by P. File

That, as recommended in Report OP-2017-C03 dated March 22, 2017, the contract for the purchase and implementation of a Recreation Management Activity Software System, as outlined in Request for Proposal 2016-TOB-RFP-001, be awarded to PerfectMind at a cost not to exceed \$46,150, plus HST; and

That the contract for annual maintenance and service of the Recreation Management Activity Software System, as outlined in Request for Proposal 2016-TOB-RFP-001, be awarded to PerfectMind at a cost not to exceed \$14,178, plus HST, per year for five (5) years; and

That the Mayor and Director of Finance/Treasurer be authorized to execute an agreement with the PerfectMind Recreation Management Activity Software System for the purchase and implementation of their system; and

That the Mayor and Director of Finance/Treasurer be authorized to execute a Service Agreement with the PerfectMind Recreation Management Activity Software System for annual maintenance and servicing for a five (5) year period; and

That the final form and content of the Agreements for the purchase of the PerfectMind Recreation Management Activity System and for the maintenance and servicing of the system be to the satisfaction of the Director of Operations and the Director of Finance/Treasurer; and

That the capital cost of the acquisition of the PerfectMind Recreation Management Activity Software System (\$46,150, plus HST) be funded from the IT Reserve.

CARRIED.

c) Planning and Development Committee Report 2017-3
Meeting held March 1, 2017.

i) Zoning By-law Amendment ZBA-04-16, Derrick & Laura Lea Vogel, Owners Brady McDonald, Agent - 438 Hugel Avenue
(Reference Item 3B of the above Report)

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

That Zoning By-law Amendment Application ZBA-04-16 respecting the lands at 438 Hugel Avenue be approved and the implementing Zoning By-law be passed to rezone the property from Residential – R2 to Residential Exception – R4-2.

CARRIED.

ii) Joint OBC Services – Penetanguishene and Midland
(Reference Item 3D of the above Report)

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

That the Town of Midland agrees to the provision of

Ontario Building Code enforcement services under a Joint Agreement Service Delivery Model with the Town of Penetanguishene as set out in Staff Report PL-2017-14 dated February 23, 2017.

That Staff be directed to bring the applicable By-law and Agreement to the next appropriate Council meeting for passing.

CARRIED.

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

That Report 2017-3 of the Planning and Development Committee of Council Meeting held March 1, 2017, be adopted as printed and circulated.

CARRIED.

d) PL-2017-13 Jarlette Health Services Request for DC Exemptions

Council reviewed a report dated March 20, 2017, from W. Crown, Director of Planning and Building Services, following which it was then,

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

That, as recommended in Report PL-2017-13 dated March 20, 2017, Council endorse the proposed Development Charges Deferral Agreement as set out in Staff Report PL-2017-13 dated February 17, 2017 and directs Administration to present the appropriate By-law for adoption by Council at a subsequent Council meeting.

CARRIED.

e) CAO-2017-4 Taxi Licensing - Penetanguishene

Council reviewed a report dated March 27, 2017, from J. Skorobohacz, CAO, following which it was then,

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

That, as recommended in Report CAO-2017-4 dated March 27, 2017, Administration be authorized to undertake exploratory discussions with the Town of Penetanguishene to examine the merits of a dual taxi license, and to report their findings back to Council in due course.

CARRIED.

f) CAO-2017-5 Fire Service Review Regional Approach

Council reviewed a report dated March 22, 2017, from J. Skorobohacz, CAO, following which it was then,

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

That, as recommended in Report CAO-2017-5 dated March 22, 2017, the Chief Administrative Officer in concert with the Fire Chief be Authorized to explore the costs of undertaking a consulting exercise that would examine the feasibility of a regional model for fire service delivery.

CARRIED.

g) HR Committee Appointments

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

THAT the following members of Council be appointed to the Human Resources Standing Committee: Mayor MacKay, Councillor G. Canning, Councillor S. Strathearn and Councillor J. Contin.

CARRIED.

11. CONSENT BY-LAW

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

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

By-law 2017-16 Amend the Zoning By-law 2004-90, as amended respecting 438 Hugel Avenue.

By-law 2017-17 Establish a Human Resources Standing Committee and to amend By-law 2016-82, being a by-law to establish the Standing Committees along with their terms of reference.

CARRIED.

It was then,

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

That By-laws 2017-16 and 2017-17, be read a first, second and third time and finally passed.

CARRIED.

12. GENERAL BUSINESS

1) Other Business Introduced by Members of Council or Staff

Councillor File requested that the draft capital and operating budgets be made available to the public prior to the March 30, 2017 Public Meeting for information purposes. Staff was directed to place the information on the Town's website under the Budget section.

13. CONFIRMATORY BY-LAW

1) By-law 2017-18

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

That leave be granted to introduce By-law 2017-18, being a by-law to adopt the proceedings of the Council Meeting held on March 27, 2017, and to authorize its execution.

CARRIED.

It was then,

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

That By-law 2017-18 be read a first, second and third time and finally passed.

CARRIED.

14. ADJOURNMENT

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

That this Regular Meeting of Council adjourn at 8:26 p.m.

CARRIED.

Karen Desroches, Acting Clerk
