



**THE CORPORATION OF THE
TOWN OF MIDLAND**

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**Minutes of the Regular Meeting of Council with Closed Session held on Monday,
May 23, 2017 at 6:00 p.m. in the Municipal Office Council Chambers.**

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

Regrets: Deputy Mayor M. Ross

Also Present: Chief Administrative Officer, J. Skorobohacz
Director of Finance/Treasurer, S. Turnbull
Director of Corporate Services/Solicitor, A. Sidhu
Director of Planning and Development, W. Crown
Director of Engineering/Water and Wastewater, Andy Campbell
Acting Clerk, K. Desroches

1. CALL TO ORDER

Mayor McKay called the meeting to order at 6:00 p.m.

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

Mayor McKay asked Members of Council if they had any concerns to move into a closed session based on the stated purpose of the meeting. Councillor Main raised a question regarding closed meeting notice requirements, to which the Acting 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

- Appointments–Community Service Delivery Advisory Committee

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

Subject matter

- Municipal Land Sale

- **Update on the Sale of Municipal Parking Lot #7**
- **Update re. 279 Whitfield Crescent**

CARRIED.

i) Closed Session Items

- a) CL-2017-19 Appointments – Community Service Delivery Advisory Committee

Council reviewed a report dated May 18, 2017, from K. Desroches, Acting Clerk, together with applications for positions on the Community Service Delivery Advisory Committee.

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

Staff was also directed to amend the advertisement to encourage a diversity of applicants.

- b) Municipal Property Sale

Council received a verbal report from the CAO Skorobohacz regarding the status of the sale of 526 Bay Street.

The CAO responded to questions raised by members of Council.

Council received a verbal report from the Acting Clerk regarding the sale of 279 Whitfield Crescent.

The Acting Clerk responded to questions raised by members of Council.

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

ii) Motion to rise to open session

Moved by S. Strathearn

Seconded by C. Oschefski

That this Closed Meeting of Council be adjourned at 7:02 p.m. and that Council now rise and report to open session.

CARRIED.

4. OPEN SESSION – 7:03 P.M.

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

Regrets: Deputy Mayor M. Ross

Also Present: Chief Administrative Officer, J. Skorobohacz
Director of Finance/Treasurer, S. Turnbull
Acting Clerk, K. Desroches
Director of Operations, S. Berriault
Director of Engineering/Water and Wastewater, A. Campbell
Director of Planning and Building Services, Wes Crown
Deputy Treasurer, K. Dallaire
Marketing and Communications Coordinator, S. Cooper

5. DECLARATIONS OF PECUNIARY INTEREST

Councillor Contin declared a pecuniary interest with respect to Item 9a)7) Zucchini Mania as his spouse is the Executive Director of the Askennonia Senior Centre.

Councillor Canning declared a pecuniary interest with respect to Item 9a)6) Request for Street Closure – Buttertart Festival as his business participates in the Festival.

i) Motions arising from closed session discussions

a) CL-2017-19 Appointments – Community Service Delivery Advisory Committee

Moved by C. Oschefski

Seconded by S. Strathearn

That, further to Report CL-2017-19 dated May 18, 2017 and discussions that occurred at the Closed Meeting

Session held May 23, 2017, Council herein confirms the appointment of Kevin Cowie, Bill Kernohan, Gerard Lyons, Burke Penny, Ken Stief and Zena Pendlebury to the Community Service Delivery Advisory Committee.

CARRIED.

b) Municipal Property Sale

Moved by C. Oschefski
Seconded by S. Strathearn

That Council receive as information the verbal update provided by the Chief Administrative Officer regarding the sale of Municipal Parking Lot #7 (526 Bay Street) that occurred at the Closed Meeting Session held May 23, 2017.

CARRIED.

Moved by J. Main
Seconded by C. Oschefski

That Council receive as information the verbal update provided by the Acting Clerk regarding 279 Whitfield Crescent that occurred at the Closed Meeting Session held May 23, 2017.

CARRIED.

6. CONSENT AGENDA

Moved by S. Strathearn
Seconded by C. Oschefski

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held May 23, 2017.

CARRIED.

7. DEPUTATIONS

1. Second Driveway Proposal

Mr. J. Stepien provided details regarding his application for a second driveway to provide direct access to a proposed detached garage, and requested that Council reconsideration his application. It was then,

Moved by C. Oschefski
Seconded by S. Strathearn

That Planning Report PL-2017-24 dated April 20, 2017, be received for information and further that the application for a second driveway at 297 Penetanguishene Road be referred back to staff for further review and consideration.

CARRIED.

8. CORRESPONDENCE

a) Road Closure Request

Council reviewed a letter dated May 17, 2017, from Mr. P. Nihill, Midland resident, following which it was then,

Moved by C. Oschefski

Seconded by S. Strathearn

That, further to letter dated May 17, 2017, from Mr. P. Nihill, Midland resident, permission be granted, in principle, to close a portion of Mapledawn Drive to non-local vehicle traffic on the afternoon and early evening of July 1, 2017, from 3:00 pm to 9:00 pm in order to host a neighbourhood family-oriented Canada Day celebration.

CARRIED.

b) Request Permission to Host a Public BBQ at the Town Dock

Council reviewed a letter dated May 17, 2017, from Ms. K. Smith, President, Southern Georgian Bay Chamber of Commerce, following which it was then,

Moved by C. Oschefski

Seconded by S. Strathearn

That, further to letter dated May 17, 2017, from Ms. K. Smith, President, Southern Georgian Bay Chamber of Commerce (SGBCC), permission be granted, in principle, to the SGBCC to host its annual BBQ event on June 16, 2017, from 11:00 am to 1:30 pm, at the Town Dock, subject to approval of the related Special Events application.

CARRIED.

c) Resignation – Youth Committee

Council reviewed an email dated May 3, 2017, from Ms. P. Roe Shee, following which it was then,

Moved by C. Oschefski

Seconded by S. Strathearn

That Ms. P. Roe Shee's resignation from the Midland Youth Committee be accepted with thanks and appreciation for her contributions.

CARRIED.

9. **REPORTS**

a) General Committee Report 2017-5 of its meeting held May 8, 2017

1) OP-2017-010 Tender for Asphalt Paving - Various Locations
(Reference Section A, Item 1, of the above Report)

Moved by G. MacDonald

Seconded by J. Main

That, further to Report OP-2017-010 dated May 3, 2017, Council approve the Tender bid from Georgian Paving Ltd. for the asphalt paving of various areas in Midland, in the amount of \$240,901 (exclusive of H.S.T.).

CARRIED.

2) OP-2017-012 Tender for Sidewalk Reconstruction - Various Locations
(Reference Section A, Item 2, of the above Report)

Moved by G. MacDonald

Seconded by J. Main

That, further to Report OP-2017-012 dated May 3, 2017, Council approve the Tender from Wilcox Contracting for the construction of concrete sidewalks in various locations in Midland, in the amount of \$92,025 (exclusive of H.S.T.).

CARRIED.

3) OP-2017-013 Supply and Delivery of Fuel - Tender Results
(Reference Section A, Item 3, of the above Report)

Moved by G. MacDonald

Seconded by J. Main

That, further to Report OP-2017-013 dated May 3, 2017, the tender bid from Bowman Fuels Ltd. to supply and deliver various grades of fuel to the Operations Depot tanks and to the Water and Wastewater back-up generator fuel tanks for a three year contract for the period July 1, 2017 to June 30, 2020 in the annual amount of \$290,009.50, exclusive of H.S.T., be accepted.

CARRIED.

- 4) TR-2017-08 Request from Tiny Township for Funding the Balance of the Champlain Commemorations
(Reference Section B, Item 1, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to Report TR-2017-08 dated April 26, 2017, the Request from Tiny Township to pay Midland's share of the balance of the Champlain Commemorations in the amount of \$6,000 be approved.

CARRIED.

- 5) Request for Street Closure – Buttertart Festival
(Reference Section B, Item 2, of the above Report)

Having previously declared a pecuniary interest, Councillor Canning vacated his Council seat and refrained from voting.

Moved by J. Contin
Seconded by P. File

That, further to letter dated April 21, 2017, from Ms. A. Bird, Festival Manager, Council approve the closure of various streets for the Buttertart Festival Event on Saturday, June 10, 2017, starting at 9:00 am and wrapping up shortly after 5:00 pm, subject to approval of the related Special Events application.

CARRIED.

Councillor Canning returned to his Council seat.

- 6) Zucchini Mania
(Reference Section B, Item 3, of the above Report)

Having previously declared a pecuniary interest, Councillor Contin pushed away from the table and refrained from voting.

Moved by G. Canning
Seconded by P. File

That, further to letter dated April 3, 2017, from Mr. L. Smith, President, Askennonnia Senior Centre, permission be granted to the Centre to hold the 2nd Annual Zucchini Mania in Little Lake Park at the Rotary Stage on Saturday, August 19, 2017, from 10:00 am to 4:00 pm, subject to approval of the related Special Events application.

CARRIED.

Councillor Contin returned to his Council seat.

- 7) 2017 Music on the Dock – Midland
(Reference Section B, Item 4, of the above Report)

Moved by G. Canning

Seconded by J. Contin

That, further to letter dated March 1, 2017, from A. Light, permission be granted to Mr. Light to host live music on the PMCL wharf every Saturday from 12:00 pm to 4:00 pm beginning on June 3 and ending on August 26, 2017, subject to approval of the related Special Events application.

CARRIED.

- 8) Request to use Parking Lot - 3rd Annual Georgian Bay Jeep Poker Run
(Reference Section B, Item 5, of the above Report)

Moved by G. Canning

Seconded by J. Contin

That, further to letter received April 24, 2017, from Mr. B. Cain, permission be granted to the Planning Committee for the Georgian Bay Jeep Poker Run to use a portion of the parking lot by the Midland Town Dock on Sunday, September 3, 2017, from 10:00 am to 11:30 am for registration of the vehicles, subject to approval of the related Special Events application.

CARRIED.

It was then,

Moved by J. Contin

Seconded by G. Canning

That General Committee Report 2017-5 of its meeting held May 8, 2017, be adopted as printed and circulated.

CARRIED.

- b) Planning and Development Committee Report 2017-5
Meeting held May 3, 2017.

- i) 297 Penetanguishene Road – Second Driveway
(Reference Item 4c, of the above report)

Moved by C. Oschefski

Seconded by S. Strathearn

That Planning Report PL-2017-24 dated April 20, 2017, be received for information and further that the application for a second driveway at 297 Penetanguishene Road be referred back to staff for further review and consideration.

CARRIED.

It was then,

Moved by J. Contin

Seconded by P. File

That Report 2017-5 of the Planning and Development Committee of Council Meeting held May 3, 2017, be adopted as printed and circulated.

CARRIED.

- c) OP-2017-C06 Public Transit Infrastructure Fund (PTIF) Phase One Transfer Payment Agreement

Council reviewed a report dated May 17, 2017, from S. Berriault, Director of Operations, following which it was then:

(See By-law 2017-39)

Moved by G. MacDonald

Seconded by P. File

That, as recommended in Report OP-2017-C06 dated May 17, 2017, Council authorize the entering into of an Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario for the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) transfer payment agreement; and

That the Mayor and the Director of Finance/Treasurer be authorized to sign the Agreement on behalf of the Corporation.

CARRIED.

- d) TR-2017-11 Tangible Capital Asset Policy

The Deputy Treasurer, K Dallaire provided a PowerPoint presentation highlighting the proposed Tangible Capital Asset Policy.

Council reviewed a report dated May 23, 2017, from S. Turnbull, Director of Finance/Treasurer, recommending that Council receive Report TR-2017-11, and approve the accompanying Tangible Capital Asset Policy. It was then,

Moved by G. Canning

Seconded by J. Contin

That, as recommended in Report TR-2017- 11 dated May 23, 2017, Council receive Report TR-2017-11, and approve the accompanying Tangible Capital Asset Policy.

CARRIED.

e) TR-2017-9 Options for use of MPUC Sale Proceeds

Council reviewed a report dated May 23, 2017, from S. Turnbull, Director of Finance/Treasurer, following which it was then,

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

That, further to Report TR-2017-9 dated May 23, 2017, Council direct staff to establish a community engagement exercise to provide feedback and input on the guiding principles and the financial investment strategy options for the net proceeds of the MPUC sale, and

That staff present the public feedback from the community engagement, to Council for its consideration and direction.

CARRIED.

f) TR-2017-10 2017 Tax Rate By-law

Council reviewed a report dated May 23, 2017, from S. Turnbull, Director of Finance/Treasurer, recommending that Council adopt the 2017 Tax Rate By-law. (See By-law 2017-37)

g) CAO-2017-12 Grant Funding Support

Council reviewed a report dated May 18, 2017, from J. Skorobohacz, CAO, following which it was then,

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

That, as recommended in Report CAO-2017-12 dated May 18, 2017, Council receives Report CAO-2017-12 dated May 18, 2017 from the Chief Administrative Officer respecting the acquisition of a membership for access to private and public grant funding opportunities; and

That the cost for the five year membership, being a one-time (five year) service level enhancement be funded from the Council initiatives reserve in the amount of \$8,995 (plus HST).

CARRIED.

10. CONSENT BY-LAW

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

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

<u>By-law 2017-33</u>	Agreement with Georgian Paving Ltd. for the asphalt paving of various roadways in Midland.
<u>By-law 2017-34</u>	Agreement with Wilcox Contracting for the construction of concrete sidewalks in various areas in Midland.
<u>By-law 2017-35</u>	Agreement with Bowman Fuels Ltd. for the supply and delivery of unleaded gasoline, clear diesel and coloured diesel fuel.
<u>By-law 2017-36</u>	Amend By-law 2001-10 to provide for the payment of expense accounts for members of Council and municipal administrative/management staff.
<u>By-law 2017-37</u>	Adopt the estimate of all sums required for the year and to set the rates of taxation for the year 2017.
<u>By-law 2017-38</u>	Appointment of Karen Desroches as Municipal Clerk.
<u>By-law 2017-39</u>	Agreement with Her Majesty The Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario for the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario).
<u>By-law 2017-40</u>	Appointment of John Skorobohacz as Acting Deputy Clerk.

It was then,

Moved by J. Contin
Seconded by G. Canning

That By-laws 2017-33, 2017-34, 2017-35, 2017-36, 2017-37, 2017-38, 2017-39 and 2017-40, be read a first, second and third time and finally passed.

CARRIED.

11. GENERAL BUSINESS

1) Notice of Motion

a) Midland Youth Committee

Councillor File spoke to the Youth Committee's composition as defined within the Terms of Reference and proposed an amendment to the composition. It was then,

Moved by P. File
Seconded by C. Oschefski

That the Terms of Reference for the Youth Committee be amended to include one position that would be open to young people under the age of 18 who do not reside in Midland, but who have a connection to the Town of Midland through their participation in school, as a member of a club or other youth related organization or as a volunteer.

DEFERRED.

Staff was directed to consult with the Town of Penetanguishene and the Townships of Tay and Tiny to ensure the proposed amendment to the Committee's composition does not compete with their respective Committees.

- b) Councillor Main gave notice that he will be presenting a motion at the next regular meeting of Council regarding the April 21, 2017 letter from Forests Ontario on Ontario's Green Leaf Challenge, Heritage Tree Program and the 50 Million Tree Program.

12. CONFIRMATORY BY-LAW

- 1) By-law 2017-41

Moved by J. Contin
Seconded by G. Canning

That leave be granted to introduce By-law 2017-41, being a by-law to adopt the proceedings of the Council Meeting held on May 23, 2017, and to authorize its execution.

CARRIED.

It was then,

Moved by J. Contin
Seconded by G. Canning

That By-law 2017-41 be read a first, second and third time and finally passed.

CARRIED.

13. ADJOURNMENT

Moved by J. Contin
Seconded by G. Canning

That this Regular Meeting of Council adjourn at 10:01 p.m.

CARRIED.

Karen Desroches, Acting Clerk