

The Corporation of The Town of Parry Sound

Council Meeting Minutes February 8, 2017

Minutes

Date:

February 8, 2017 (Rescheduled from February 7, 2017)

Time:

7:00 p.m. (Closed 6:30 p.m.)

Location:

52 Seguin Street, Parry Sound, Council Chambers - Gibson Street Entrance

Members Present:

Mayor Jamie McGarvey, Clr. Paul Borneman, Clr. Bonnie Keith, Clr. Jim Marshall, Clr. Doug McCann, Clr. Keith Saulnier

Regrets:

Clr. Brad Horne

Staff Present:

Rob Mens, CAO

Jackie Boggs, Clerk

Peter Brown, Director of Public Works

Lynn Middaugh, Director of Development and Leisure Services

Trevor Pinn, Director of Finance and POA Court Services

Dave Thompson, Director of Emergency and Protective Services

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April McNamara, Parks and Recreation Manager

Brad Weiler, Community Recreation and Programs Coordinator

Presentations:

n/a

The Mayor called the meeting to order at 7:08 p.m. Prior to the Open Meeting of Council, Council adjourned to a Closed Meeting pursuant to the following resolution:

Resolution 2017 - 014

Moved by Councillor Marshall

Seconded by Councillor Borneman

That pursuant to Section 239(2) of the Municipal Act, R.S.O. 2001, Chapter 25, as amended, the Council of the Corporation of the Town of Parry Sound move to a meeting closed to the public in order to address a matter(s) pertaining to:

- c) a proposed or pending acquisition or disposition of land for municipal or local board purposes. **(Property Matter)**
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. **(Zoning By-law Amendment Appeal)**

Carried

1. Agenda

1.1 Additions to Agenda/Notice of Motion

Additional Correspondence:

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4.5 Wendy Morrow, Muskoka North Film Studios, Parry Sound

Re: Support for Maurizio's proposal for the Old Fire Hall

4.6 Adrian Averhoff, Sound Software, McDougall

Re: Support for Parry Sound Bike's proposal to purchase the Old Fire Hall

1.2 Prioritization of Agenda

9.6.1 Request for Donation to the Treetops Community Forest

1.3 Adoption of Agenda

Moved by Councillor Marshall

Seconded by Councillor McCann

That the Council agenda for February 8, 2017 be approved as amended.

Carried

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

None declared.

2. Public Meeting

3. Minutes and Matters Arising from Minutes

3.1 Adoption of Minutes

Moved by Councillor Keith

Seconded by Councillor Borneman

That the Minutes from the Council meetings held January 17, 2017 be approved as circulated.

Carried

3.2 Questions of Staff

Councillor Keith asked Mr. Brown about the cleaning of the snow on the roads on Farrer and Cascade Streets. Neighbours near the generation plant have called to complain. Councillor Keith would like to know why more snow can't be removed from Farrer and Cascade Streets. Residents end up having to back up quite a distance to get past the snow banks. Mr. Brown replied that he has had a number of discussions about the snow removal with the contractor working on the generating station. Farrer Street is quite narrow so it's difficult to put the snow anywhere. The contractor has been removing snow on Cascade Street but not as often on Farrer Street. Our staff will take care to remove more snow on Farrer.

Councillor Borneman asked April McNamara about the events planned for Winterfest. Ms. McNamara replied that Winterfest is scheduled for Feb. 17-20 this year. Unfortunately, due to unstable ice, the Fishing Derby has been cancelled. Everything else is a go-- dinners, dances, free skating, an animal show and fireworks on Sunday.

4. Correspondence

4.1 Kevin Baker, Harold's Barber Shop

Re: Concerns about the rates for his installed water meter.

(Circulated to Council and forwarded to Accounting Supervisor for follow-up)

4.1 Response to Kevin Baker

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Letter from Christine Gilbert responding that Mr. Baker is currently paying less than he was before his meter was installed, however in October of 2014 Council provided direction to staff to review the water rate structure and this review is currently underway.

4.2 Stephen P. Kaegi, CAO, The Township of The Archipelago.

Re: Letter addressed to Transport Canada, Marine Office and copied to Mayor and Council. Questions about the proposed operational restrictions of the Wasauksing Swing Bridge.

(Mayor and Council were circulated this letter as a courtesy by The Township of The Archipelago's Chief Administrative Officer)

4.3 John Maheu, M.A.Sc., P.Eng., Executive Director of the Association of Ontario Road Supervisors

Re: Congratulations to Peter Brown, Director of Public Works, for his recent Certified Road Supervisor certification.

(Circulated to Mayor and Council and forwarded to Mr. Brown's Personnel file).

4.4 AMO Watchfile - January 12, 19 26, 2017

Re: Municipal Industry News

(Circulated to Mayor and Council and forwarded for e-filing).

Additions:

4.5 Wendy Morrow, Muskoka North Film Studios, Parry Sound

Re: Support for Maurizio's proposal for the Old Fire Hall

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(Circulated to Mayor and Council and forwarded to Principal Planner).

4.6 Adrian Averhoff, Sound Software, McDougall

Re: Support for Parry Sound Bike's proposal to purchase the Old Fire Hall

(Circulated to Mayor and Council and forwarded to Principal Planner).

5. Deputations

5.1 Brad Weiler, Community Recreation and Programs Coordinator 10 mins.

Re: Update to Council on Community Recreation Programming.

Mr. Weiler updated council on the various programs underway in Parry Sound--such as the Drop-in Youth Ball Hockey, Sound of Autumn Community Decoration Challenge, Sound of Winter Magic Community Decoration Challenge, Art Classes & Wine Glasses, Drop-in Shuffleboard. *{Presentation link located on website on Council Calendar next to Minutes}*

5.2 Aleesha Mullen, Owner/Operator Parry Sound Bikes 10 mins.

Re: Review of her proposal submitted for the Old Fire Hall

Ms. Mullen provided a powerpoint presentation for her vision for the Old Fire Hall which would include the relocation of Parry Sound Bikes. *{Presentation link located on website on Council Calendar next to Minutes}*

5.3 Debbie Hill, President of CUPE #2049 10 mins.

Re: Update to Council on the status of the CAS lock out of CUPE #2049

workers.

Ms. Hill introduced herself and highlighted the following concerns: service levels during the lockout, a bargaining update including outstanding issues, replacement workers and how to get CUPE #2049 back to work by contacting Norm Miller, our MPP, contacting the Minister of Children and Youth Services, Michael Coteau and contacting the Board of Directors and the Executive Director of the Children's Aid Society to request that the Board get back to the bargaining table and end this lock out. *{Presentation link located on website on Council Calendar next to Minutes}*

6. Mayor & Councillors' Reports

Mayor and Councillors gave their reports on meetings attended and matters arising.

7. Ratification of Matters from Closed Agenda

7.1 Old Fire Hall Request for Proposals

Resolution 2017 - 015

Moved by Councillor Marshall

Seconded by Councillor McCann

That Council accept the proposal from Parry Sound Bikes to purchase the Old Fire Hall in the amount of \$130,000 + HST; and

That Council declare the property surplus, waive the notice requirement per the Town's Notice Policy and Property Disposal By-law, and to identify a means of sale to Parry Sound Bikes; and

That Council direct staff to work with the Town's solicitor to prepare the formal Agreement of Purchase and Sale and severance.

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Carried

8. Consent Agenda

8.1 Parry Sound Downtown Business Association Board of Directors

Resolution 2017 - 016

Moved by Councillor Keith

Seconded by Councillor Saulnier

Whereas Jim Shaw was appointed to serve on the Board of Directors for the Parry Sound Downtown Business Association during the current term of Council; and

Whereas Mr. Shaw has missed three consecutive Board Meetings; and

Whereas the DBA's Policies and Procedures state that missing three consecutive Board Meetings could result in removal from the Board;

Now, therefore be it resolved that upon recommendation from the Parry Sound Downtown Business Association Board of Directors Mr. Shaw's appointment to the Board be rescinded.

Carried

8.2 West Parry Sound Health Centre Auxiliary Tag Day - July 14, 2017

Resolution 2017 - 017

Moved by Councillor Borneman

Seconded by Councillor McCann

That Council declare July 14, 2017 Tag Day for the West Parry Sound Health Centre Auxiliary for the purpose of collecting donations from the public.

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Carried

8.3 Funding Formula for Gas Tax

Resolution 2017 - 018

Moved by Councillor Keith

Seconded by Councillor Saulnier

Whereas the provincial gas tax funding formula has not received an increase in over 10 years, since 2006; and

Whereas with the implementation of Cap and Trade January 1, 2017 it is more expensive for municipalities consuming the fuel; and

Whereas the City of Owen Sound adopted a resolution to send a letter to the Minister of Transportation, the Honourable Steven Del Duca, stipulating these facts and requesting that the formulas be revisited;

Now, therefore be it resolved that the Council for the Town of Parry Sound supports the City of Owen Sound and will also send a letter to Minister of Transportation to request a review of the gas tax; and

Further that this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, Norm Miller, M.L.A. for Parry Sound-Muskoka and all Ontario municipalities.

Carried

8.4 Property Taxation on Railways

Resolution 2017 - 019

Moved by Councillor Borneman

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Seconded by Councillor Marshall

Whereas it has been identified that railway companies in the province of Ontario, do not pay a proportionate share of municipal property tax as compared to other properties in their class, or compared to any other municipal tax class; and

Whereas in other provinces and jurisdictions the railway companies do remit a more equitable share of taxes to the local tax base; and

Whereas taxes in other jurisdictions for railway properties are calculated using a ton-mile concept; and

Whereas said fees are reviewed and adjusted on a regular basis according to inflation and ongoing current conditions; and

Whereas the Province of Ontario has continued to fall further and further behind in their approach to railroad property taxation over the past 112 plus years;

Now, Therefore Be It Resolved That the Town of Parry Sound supports the Resolutions passed by Fort Frances, Atikokan and Marathon and calls upon the Minister of

Finance for the Province of Ontario to implement a new system of municipal property taxation for railroad right-of-way properties based on utilizing a per ton-mile concept; and

Further that this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, Northwestern Ontario Municipal Association, Norm Miller, M.L.A. for Parry Sound-Muskoka and all Ontario municipalities.

Carried

8.5 Vimy Ridge Day in Parry Sound - March 9, 2017

Resolution 2017 - 020

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Moved by Councillor Saulnier

Seconded by Councillor Keith

Whereas 2017 is the year of Canada's 150th birthday; and

Whereas the battle of Vimy Ridge played an important role in the development of Canada as a nation; and

Whereas the sacrifices of all of Canada's veterans have preserved our country's freedom and democracy; and

Whereas the 100th Anniversary of the Battle of Vimy Ridge is occurring on April 9th of this year and 46 students and teachers from Parry Sound High School will be travelling to Europe to represent our community at the 100th Anniversary of the battle of Vimy Ridge; and

Whereas three award-winning Canadian authors, Tim Cook, Mary Swan and Hugh Brewster are coming to Parry Sound on March 9th to discuss the importance of the battle of Vimy Ridge with Parry Sound Elementary School and Parry Sound High School students; and

Whereas these same authors will be speaking to the public at the Stockey Centre at 7:00 p.m. on March 9th, 2017 in an event entitled, "Vimy, Remembrance, and Canadian Nationhood: 150 Years after Confederation";

Now, Therefore Be It Resolved That Mayor and Council of the Town of Parry Sound declare Thursday March 9, 2017 to be "Vimy Ridge Day" in Parry Sound to honour our veterans who fought and died at the battle of Vimy Ridge to uphold the freedoms we enjoy to-day, 100 years later.

Carried

8.6 2016 Integrity Commissioner Report

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Resolution 2017 - 021

Moved by Councillor Marshall

Seconded by Councillor Borneman

Whereas the Council, Boards and Committees Code of Conduct stipulates that the Integrity Commissioner shall file his/her annual report regarding any activities to Council no later than March 31st of each year; and

That should there be no complaints/investigations for the year, in this case, 2016, then the Clerk shall report to Council accordingly;

Therefore, the Clerk reports that the former Integrity Commissioner, Suzanne Craig, and the current Integrity Commissioner, George Rust-D'Eye have reported that there were no formal complaints filed nor investigations conducted in the year 2016.

Carried

9. Resolutions and Direction to Staff

9.1 Development and Leisure Services

9.2 Emergency and Protective Services

9.3 Administration

9.3.1 Bill 68, *Modernizing Ontario's Municipal Legislation Act*

Spokesperson: Jackie Boggs, Clerk

Resolution 2017 - 022

Moved by Councillor Keith

Seconded by Councillor Saulnier

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That Council for the Town of Parry Sound acknowledge receipt of the attached Report and Recommendation regarding changes to the *Municipal Act* and the *Municipal Conflict of Interest Act* by the introduction of Bill 68, *Modernizing Ontario's Municipal Legislation Act*.

Carried

The following direction was proposed:

Direction Approved (For Direct Staff Follow-up)

That the Mayor send a letter to the Association of Municipalities of Ontario to request that the province ensure that those making accusations under the Conflict of Interest Act are accountable if the accusation turns out to be frivolous or vexatious.

Carried

9.4 Finance and POA Court Services

9.4.1 Ontario Regulation 284/09

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Resolution 2017 - 023

Moved by Councillor McCann

Seconded by Councillor Marshall

That Council hereby adopts the compliance report for expenses excluded from the 2017 budget outlined in the staff report "Ontario Regulation 284/09", attached as Schedule "A", as a requirement of Ontario Regulation 284/09 passed under the Municipal Act, 2001.

Carried

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9.4.2 Vacancy Tax Rebate Review

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Direction Approved (For Direct Staff Follow-up)

That Staff initiate the required consultation process for the modification or elimination of the Vacancy Tax Rebate, as outlined by the Ministry of Finance (once available).

Carried

9.4.3 Co-location of Lakeland Power Customer Service

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Direction Approved (For Direct Staff Follow-up)

That Staff work with Lakeland Power to develop a co-location agreement which includes the redesign of the front reception office and that staff attain the services of an appropriate consultant to advise on the redesign; and

Lakeland Power will pay the total cost of the redesign.

Carried

9.4.4 2017 Parry Sound Public Library Budget

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Resolution 2017 - 024

Moved by Councillor Borneman

Seconded by Councillor McCann

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Whereas S.24(1) of the Libraries Act requires that the Parry Sound Public Library provide its annual budget to the Council of the Town of Parry Sound;

And Whereas S.24 (2) of the Act provides Council the ability to approve, reject or amend the budget;

Now Therefore be it resolved that the 2017 budget for the Parry Sound Public Library, attached as Schedule "A", is approved.

Carried

9.5 Public Works

9.6 Other Business

9.6.1 Request for Donation to the Treetops Community Forest.

Spokesperson: Mayor Jamie McGarvey

This motion was postponed on January 17, 2017 to this meeting pending more information about the in-kind services that the Town has contributed to-date:

Resolution 2017 - 013

Moved by Councillor McCann

Seconded by Councillor Borneman

That Council hereby will provide a grant of \$_____ to the Treetops Community Forest to be funded from the 2017 Budget; and

That the direction passed January 10, 2017 be amended to include the above addition.

The following amendment was proposed:

Moved by Councillor Keith

Seconded by Council McCann

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That the grant be in the amount of \$5,000.00.

Carried

Resolution 2017 - 013

Moved by Councillor McCann

Seconded by Councillor Borneman

That Council hereby will provide a grant of \$5,000.00 to the Treetops Community Forest to be funded from the 2017 Budget; and

That the direction passed January 10, 2017 be amended to include the above addition.

Carried

10. By-laws

10.1 Development and Leisure Services

10.1.1 Extension of Agreement - Massasauga Management Co. Inc. - Big Sound Marina

Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

By-law 2017 - 6704

Being a By-law to amend By-law No: 2014-6428, the operating agreement between Massasauga Management Co. Inc. and the Town of Parry Sound for operation of Big Sound Marina and the Town Dock, conditional on the Department of Fisheries and Oceans Canada approving the operating agreement and the extension of a head lease between the Town and Department of Fisheries and Oceans or the completion of the divestiture process.

Read a First, Second and Third time, Passed, Signed and Sealed, this 8th day of February, 2017.

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10.1.2 Memorandum of Understanding with the Horticultural Society

Spokesperson: April McNamara, Manager of Parks and Recreation

By-law 2017 - 6705

Being a by-law to execute the memorandum of understanding for Town flower beds, between the Town of Parry Sound and the Parry Sound District Horticulture Society.

Read a First, Second and Third time, Passed, Signed and Sealed, this 8th day of February, 2017.

10.1.3 Rezoning Application - Z/16/07 - 25 Mary Street - Old Fire Hall

Spokesperson: Taylor Elgie, Principal Planner

The following motion was proposed:

Moved by Councillor Marshall

Seconded by Councillor McCann

That By-law 2017-6706, Rezoning Application -Z/16/07 - 25 Mary Street - Old Fire Hall be withdrawn.

Carried

By-law 2017 - 6706

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law), as amended, for 25 Mary Street (Old Fire Hall).

Withdrawn

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10.2 Emergency and Protective Services

10.3 Administration

10.4 Finance and POA Court Services

10.4.1 Tax Policies - Capping and New to Class / New Construction

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

By-law 2017 - 6707

Being a bylaw to specify our Tax Policies, including the claw back percentage, the capping threshold parameters, the minimum tax level for new to class / new construction and to exclude certain properties from the capping program for the year 2017.

Read a First, Second and Third time, Passed, Signed and Sealed, this 8th day of February, 2017.

10.4.2 Tax Ratios for 2017

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

By-law 2017 - 6708

Being a by-law to set Tax Ratios for Municipal purposes for the year 2017.

Read a First, Second and Third time, Passed, Signed and Sealed, this 8th day of February, 2017.

10.4.3 2017 Budget

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

By-law 2017 - 6709

Being a By-law to Adopt the Operating and Capital Budget Estimates for the Year 2017.

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Read a First, Second time,

The following amendment to the attachments was proposed:

Moved Councillor Marshall

Seconded by Councillor Borneman

That Schedule "A" be amended to provide a \$5,000 community grant to Treetops Community Forest.

Carried

Read a Third time, **Passed, Signed and Sealed**, this 8th day of February, 2017.

10.4.4 Scale of Cost for Property Tax Sale

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

By-law 2017 - 6710

Being a bylaw to establish a policy and scale of cost for the sale of land for tax arrears pursuant to Section 385 of the Municipal Act, 2001, c25.

Read a First, Second and **Third** time, **Passed, Signed and Sealed**, this 8th day of February, 2017.

10.5 Public Works

10.6 Other Business

10.6.1 Confirming By-law

By-law 2017 - 6711

Being a By-law to confirm the proceedings of Council.

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Read a First, Second and Third time, Passed, Signed and Sealed, this 8th day of February, 2017.

11. Adjournment

The Mayor adjourned the meeting at 8:45 p.m.

Mayor Jamie McGarvey

Jackie Johnston Boggs, Clerk

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