

**The Corporation of The Town of Parry Sound
Council Meeting Minutes May 6, 2014**

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Date: May 6, 2014
Time: 7:00 p.m. (5:30 p.m. – Closed)
Location: 52 Seguin Street – Gibson Street Entrance
Members Present: Mayor Jamie McGarvey, Clr. P. Borneman, Clr. B. Keith, Clr. K. Saulnier, Clr. D. Williams
Regrets: Clr. B. Horne, Clr. D. McCauley
Staff Present: R. Mens, J. Boggs, D. Thompson, T. Pinn, L. Middaugh, A. McNamara, T. Elgie.

Presentation(s): None

Prior to the Open Meeting of Council, Council adjourned to a Closed Meeting pursuant to the following resolution:

Resolution 2014 - 077

Moved By Councillor Borneman

Seconded By Councillor Saulnier

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:

- b) personal matters about an identifiable individual, including municipal or local board employees. (**Performance Review, Employment Contracts**)
- d) labour relations or employee negotiations (**Employment Contracts**)

Carried

1. **Agenda**

1.1 ***Additions to Agenda***

Item 9.2.1 - [Pre-Delivery inspection of the Fire Department Aerial - Out of Province](#)

1.2 ***Prioritization of Agenda***

10.1.1 – Rezoning Application - Z14-02 - Kondwani Corporation - 58 Emily Street

10.1.2 - Big Sound Marina/Town Dock - Operating Agreement: Massasauga Management Co. Inc.

9.1.5 - Consent Application B 5/2014(PS) - P.S. Dock Company

1.3 ***Adoption of Agenda***

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Moved By Councillor Saulnier

Seconded By Councillor Keith

That the May 6, 2014 Council Meeting Agenda be approved as amended.

Carried

1.4 *Disclosure of Pecuniary Interest and the General Nature Thereof*

Councillor Keith Saulnier declared a pecuniary interest regarding item 10.1.2 as he owns Georgian Bay Airways and left the room during deliberation and the vote.

2. *Public Meeting*

3. *Minutes and Matters Arising From Minutes*

3.1 *Adoption of Minutes*

Moved By Councillor Borneman

Seconded By Councillor Keith

That the April 15, 2014 Regular Meeting Minutes be approved as circulated.

Carried

3.2 *Questions to Staff*

Councillor Saulnier asked April McNamara if we should invite someone to run a ball tournament in conjunction with the Rib Fest. Ms. McNamara replied that staff time does not allow us to organize a ball tournament but she would be happy to approach partners and community organizations to see if they are interested.

Councillor Keith asked Mr. Mens about the two columbaria that were recently purchased for Hillcrest Cemetery. Will there be any consideration of purchasing another two? Mayor McGarvey responded on behalf of Mr. Brown that he would be considering centering the upright one, putting the lower one on one side and then adding a third lower one on the right hand side. Mr. Brown has spoken to the company about getting a third one. Councillor Keith asked if Council could have some input into how they are laid out at Hillcrest.

Councillor Williams asked Mr. Mens about the Market Square Park project and where it stands. Mr. Mens reported that the April 17 stakeholders meeting was well attended. Representatives of all the stakeholders were there. The Library, the Legion, Art in the Park, Farmer's Market, the Downtown Business Association, Festival of the Sound and the Town. The group decided to strike an

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ad hoc committee with representatives of each group to review the design plan to see if the plan works for existing users and whether changes to the plan will meet the funding provisions of TD Greenstreets. Councillor Williams asked if this was still considered a viable project. Mr. Mens said that yes it is still viable but there will be adjustments to the design of the project with the all the stakeholders providing input.

4. Correspondence

- 4.1 Dr. Jim Chirico, H.BSc., M.D., F.R.C.P. (C), MPH
Medical Officer of Health/Executive Officer
Re: Request for Council's support for the accommodation plan for the North Bay location of the Health Unit.

(Circulated to Mayor and Council and forwarded to Deputy Clerk for Follow-up)

- 4.2 Susan Murphy, Chair of the Parry Sound Public Library Board
Re: Request for Council's support for Parry Sound Public Library Renovations

(Circulated to Mayor and Council and forwarded to the C.A.O. for Follow-up)

- 4.3 Katrine Floegel Martin
Re: Letter of resignation to the Parry Sound Downtown Business Association Board. Copied to Mayor and Council.

(Circulated to Mayor and Council and forwarded to file)

- 4.4 Joe Ryman, West Parry Sound Road Supervisors Association
Re: Invitation to the Town of Parry Sound to participate in the West Parry Sound Truck Roadeo competition on June 17th, 2014 at the Salt Docks in Parry Sound.

(Circulated to Mayor and Council and forwarded to Director of Public Works)

Added on Monday May 5, 2014

- 4.5 Josef Bossart
Re: Letter of resignation from Stockey Centre Advisory Committee and the Community Rail Safety Committee.

(Circulated to Mayor and Council and forwarded to file)

5. Deputations

- 5.1 Wayne Simpson, Planner

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Re: Consent application filed by Parry Sound Dock Limited. Mr. Simpson felt that Council should support the application. Mr. Simpson has a different opinion regarding “development” as it applies to this application than the Town Planner, Mr. Elgie, has. “Development” is not lot creation rather it should more correctly be understood as creating a use of land, a project or changing the built form. He went on to say the definition of “development” should be that as found in Section 41 of the Planning Act, “The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alternation to a building or structure that has the effect of substantially increasing the size or usability thereof . . .”. Mr. Simpson is requesting that Council not support the Mr. Elgie’s recommendation to deny the application.

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 Employment Agreement (Greg Hancock) - Extension of Term
Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

By-law 2014-6431

Being a By-law to amend By-law 2009-5315, a by-law authorizing the execution of an Employment Contract with Greg Hancock.

Read a First, Second and Third time, Passed, Signed and Sealed, this 6th day of May, 2014.

- 7.2 Lynn Middaugh - Performance Review
Spokesperson: Rob Mens, C.A.O.

Resolution 2014 - 078

Moved by Councillor Keith

Seconded by Councillor Saulnier

That the Performance Review date May, 2014 for Lynn Middaugh be accepted.

Carried

- 7.3 Employment Agreement (Jackie Johnston Boggs) - Extension of Term
Spokesperson: Rob Mens, C.A.O.

By-law 2014-6432

Being a By-law to amend By-law 2008-5278, a by-law authorizing the execution of an Employment Contract with Jackie Johnston Boggs.

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Read a First, Second and Third time, Passed, Signed and Sealed, this 6th day of May, 2014.

8. Consent Agenda

8.1 World Lupus Day – May 10, 2014

Resolution 2014 - 079

Moved by Councillor Saulnier

Seconded by Councillor Keith

Whereas, lupus is an autoimmune disease that can cause severe damage to the tissue and organs in the body and, in some cases, death; and

Whereas, more than five million people worldwide suffer the devastating effects of this disease and each year over a hundred thousand young women, men and children are newly diagnosed with lupus, the great majority of whom are women of childbearing age; and

Whereas many physicians worldwide are unaware of symptoms and health effects of lupus, causing people with lupus to suffer from many years before they obtain a correct diagnosis and medical treatment; and

Whereas there is an urgent need to increase awareness in communities worldwide of the debilitating impact of lupus;

Now therefore be it resolved that Mayor and Council declare May 10, 2014 as World Lupus Day on which lupus organizations around the globe call for increases in public and private sector funding for medical research on lupus, targeted education programs for health professionals, patients and the public and worldwide recognition of lupus as a significant public health issue.

Carried

8.2 Pitch-In Canada Week - May 12 to May 16, 2014

Resolution 2014 - 080

Moved by Councillor Keith

Seconded by Councillor Saulnier

Whereas hundreds of thousands of Canadians show their concern for the environment and their communities each year by participating in PITCH-IN CANADA projects to: Clean up and rejuvenate local neighborhoods, green spaces, ravines, waterways and illegal dump sites; restore habitats; and to establish composting and recycling projects; and

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Whereas PITCH-IN CANADA, a national, community-based, organization comprised of eco-action and community volunteers, believes that maintaining a quality environment and encouraging civic pride is everyone's responsibility; and

Whereas PITCH-IN CANADA encourages voluntary action to: Keep communities clean and beautiful and restore and maintain a healthy environment;

Now Therefore Be It Resolved That Mayor and Council of the Town of Parry Sound declare the week of May 12 to May 16, 2014 as "PITCH-IN CANADA Week" in Parry Sound and invite all citizens in our community to actively support the campaign.

Carried

- 8.3 North Bay Parry Sound Health Unit Accommodation Plan– Phase I – Purchase of Land

Resolution 2014 - 081

Moved by Councillor Williams

Seconded by Councillor Borneman

Whereas the Board of Health for the North Bay Parry Sound District Health Unit would like to proceed with the option to purchase property to address the accommodation issue, and

Whereas Consent of councils from the majority of municipalities within the health unit service area is required,

Now Therefore Be It Resolved That the Council for the Town of Parry Sound supports the Board of Health for the North Bay Parry Sound District Health Unit in proceeding with the purchase of property.

Carried

- 8.4 Funeral Professionals Week May 4 – 11, 2014

Resolution 2014 - 082

Moved by Councillor Keith

Seconded by Councillor Saulnier

Whereas funeral professionals are celebrating a century of service and success; and

Whereas funeral service, one of the oldest self-regulated professions, funeral professionals are honoured to have served consumers in Ontario with care, dignity, and respect; and

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Whereas for the past 100 years, the collective efforts of unreal professionals throughout the province have been exemplary;

Now, Therefore, Mayor and Council do hereby proclaim May 4 - 11, 2014 as Funeral Professionals Week.

Carried

8.5 Committee/Board Resignations

Resolution 2014 - 083

Moved by Councillor Borneman

Seconded by Councillor Saulnier

That Council for the Town of Parry Sound accept the resignations from the following people:

Angelika Distler, Katrine Floegel Martin and Brittany Mahnke from the Parry Sound Downtown Business Association,

Jo Bossart from the Stockey Centre Advisory Committee and the Community Rail Safety Committee, and

Lis McWalter from the Waterfront Advisory Committee

Council expresses their thanks to all for their participation.

Carried

8.6 Appointments to the Parry Sound Downtown Business Association

Resolution 2014 - 084

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Council appoints the following people to the Parry Sound Downtown Business Association Board for the term ending November 30, 2014:

Cathy Downing representing New Life Family Health and Fitness

Sue Sullivan representing Jeans Unlimited

David Coles representing Lorraine McMurray's property – 25 Seguin Street

Carried

9. **Resolutions and Direction To Staff**

9.1 ***Development and Leisure Services***

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- 9.1.1 Bobby Orr Golf Classic/Samsung' Reserve Fund
Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

Resolution 2014 - 087

Moved by Councillor Borneman

Seconded by Councillor Williams

That Council authorizes a \$10,000 donation from the 'Bobby Orr Golf Classic/Samsung' Reserve Fund to the West Parry Sound Health Centre Foundation per Mr. Bobby Orr's request.

Carried

- 9.1.2 Sail Parry Sound: Support in Principle
Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

Resolution 2014 - 088

Moved by Councillor Keith

Seconded by Councillor Saulnier

That upon the recommendation of the Waterfront Advisory Committee, Council support in principle Sail Parry Sound's funding application(s) for Phase 2 of the Sail Parry Sound Sailing Centre and Public Park.

Carried

- 9.1.3 Waterfront Advisory Committee Appointment
Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

Resolution 2014 - 089

Moved by Councillor Williams

Seconded by Councillor Borneman

That upon the recommendation of the Waterfront Advisory Committee, Council appoint Bob Bowland to the Waterfront Advisory Committee, term ending November 30, 2014.

Carried

- 9.1.4 Ribfest 2014: Noise By-Law Relief & Event of Municipal Significance
Spokesperson: April McNamara, Leisure Services Co-ordinator

Resolution 2014 - 090

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Council of the Corporation of the Town of Parry Sound declare Ribfest 2014 at the Bobby Orr Community Centre an event of municipal significance and,

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That Council provide relief from By-Law 2009-5301, being the by-law to regulate noise in the municipality, to permit noise on the following dates/times for the purpose of Ribfest:

Thursday July 10, 2014	4pm - 11pm
Friday July 11, 2014	11am - 1am
Saturday July 12, 2014	11am - 1am
Sunday July 13, 2014	11am - 6pm

Carried

The following direction was proposed:

Direction (Direct Staff Follow-up)

That staff be directed to discuss the rearrangement of the site plan to try and take the beer tent off the tennis court and/or lessen the impact and ensure results are better this year than last.

Carried

- 9.1.5 Consent Application B 5/2014(PS) - P.S. Dock Company
Spokesperson: Taylor Elgie, Planner

Resolution 2014 - 085

Moved by Councillor Williams

Seconded by Councillor Borneman

That Council for the Town of Parry Sound recommends that the Consent Application No. B5/2014(PS) - P.S. Dock Company's request to sever a lot with no road frontage, no conformance to the Official Plan nor compliance with the Zoning By-law, be denied.

Carried

The following resolution was proposed:

Resolution 2014 - 086

Moved by Councillor Saulnier

Seconded by Councillor Keith

That Council for the Town of Parry Sound support the application with a condition of consent which requires the severed lot be rezoned with a holding provision that cannot be lifted until such a time that access can be provided in accordance with the Official Plan; and

That a condition of cash-in-lieu of park land dedication would also be required in the amount of \$2,525.00.

Carried

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- 9.1.6 Acquisition of Ministry of Transportation Owned Lands - Former Kinsmen Park
Spokesperson: Taylor Elgie, Planner

Direction (For Direct Staff Follow-up)

That staff be directed to continue correspondence with Ministry of Transportation (MTO) staff in regards to the potential purchase of MTO owned lands.

The following amendment was proposed:

And **That** \$1.00 be offered for each of those properties.

Carried

Direction Approved (For Direct Staff Follow-up)

That staff be directed to continue correspondence with Ministry of Transportation (MTO) staff in regards to the potential purchase of MTO owned lands; and

That \$1.00 be offered for each of those properties.

Carried

9.2 ***Emergency and Protective Services***

- 9.2.1 Pre-Delivery inspection of the Fire Department Aerial - Out of Province
Spokesperson: Dave Thompson, Director of Emergency and Protective Services

Resolution 2014 - 091

Moved by Councillor Saulnier

Seconded by Councillor Keith

That Council authorizes Dave Thompson and Greg Skinner to attend a pre delivery inspection of the E-One aerial in Ocala, Florida on May 12-14 further to By-law 2002-4549 which requires prior Council approval for attendance at seminars, conferences, and conventions outside of the Province of Ontario.

Carried

9.3 ***Administration***

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 2014 - 092

Moved by Councillor Borneman

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Seconded by Councillor Williams

That Council adopt the compliance report contained in the R&R entitled Ontario Regulation 284/09 dated May 6, 2014, as prepared by the Director of Finance

and POA Court Services, for expenses excluded from the 2014 budget as a requirement of Ontario Regulation 284/09 passed under the Municipal Act, 2001.

Carried

- 9.4.2 Charles W. Stockey Centre - Transfer to BOHF Reserve and to Unfinanced Capital Outlay
Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Resolution 2014 - 093

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Council approve a reduction in the "Unfinanced Capital Outlay" (being the Capital Construction Debt) relating to the Charles W. Stockey Centre in the amount of \$31,600.04 for the year-ended December 31, 2013; and

That Council approve a transfer of \$31,600.05 to the BOHF Reserve for the year-ended December 31, 2013.

Carried

- 9.4.3 2014 Provincial Gas Tax Reserve Allocation
Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Resolution 2014 - 094

Moved by Councillor Borneman

Seconded by Councillor Williams

That Council approve the transfer of \$16,686.88 to the "Dedicated Gas Tax Funds Reserve Fund" bank account relating to the 2013 operations of the Public Transportation Program.

Carried

- 9.4.4 Transfer from Tax Stabilization Reserve
Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Resolution 2014 - 095

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Council approve the transfer of \$29,313.39 from the Tax Stabilization Reserve to the General Surplus in accordance with Resolution 2009-08.

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Carried

- 9.4.5 Reductions in Unfinanced Capital as at December 31, 2013
Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

Resolution 2014 - 096

Moved by Councillor Borneman

Seconded by Councillor Williams

That Council approve the following reductions in "Unfinanced Capital Outlay" as at December 31, 2013 as an allocation of the 2013 surplus resulting from property sales in 2013:

Cascade Street Rebuild	\$500,000
Joseph St/ Parry Sound Drive	\$122,101

Carried

Resolution 2014 - 097

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Council approve the following reduction in "Unfinanced Capital Outlay" as at December 31, 2013 as an allocation of "Other Municipal Contributions":

Joseph St / Parry Sound Drive	\$11,500
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Carried

9.5 ***Public Works***

- 9.5.1 Bay St. Retaining Wall
Spokesperson: Peter Brown, Director of Public Works

Resolution 2014 - 098

Moved by Councillor Williams

Seconded by Councillor Borneman

Whereas an inspection performed by Triton Engineering Services Limited has identified that the retaining wall located on the south side of Bay St. between the fitness trail and Bay St. is exhibiting significant deterioration; and

Whereas the estimated cost to replace the wall, including engineering and contingency is \$135,000; and

Whereas funds to replace the wall is not included in the 2014 budget;

Therefore Be It Resolved That Council approves that the wall replacement

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project be funded by the Tax Rate Stabilization Fund.

The following amendment to the resolution was proposed:

Moved by Councillor Borneman

Moved By Councillor Williams

That the 2nd paragraph and last paragraph be removed; and

That the last paragraph be replaced with:

Therefore Be It Resolved That Council approves that the wall replacement project be tendered and that the funding source be determined once the successful tender is brought forward for approval.

Carried

The following amendment to the resolution was proposed:

Moved by Councillor Keith

Seconded by Councillor Saulnier

That alternative material be considered in the repair and building of the wall.

Carried

The following motion to postpone the resolution was proposed:

Moved by Councillor Williams

Seconded by Councillor Borneman

That the resolution be postponed.

Defeated

Resolution 2014 - 098

Moved by Councillor Williams

Seconded by Councillor Borneman

Whereas an inspection performed by Triton Engineering Services Limited has identified that the retaining wall located on the south side of Bay St. between the fitness trail and Bay St. is exhibiting significant deterioration; and

Whereas funds to replace the wall is not included in the 2014 budget;

Therefore Be It Resolved That Council approves that the wall replacement project be tendered and that the funding source be determined once the successful tender is brought forward for approval; and

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That alternative material be considered in the repair and building of the wall.
Carried

9.6 ***Other Business***

10. **By-Laws**

10.1 ***Development and Leisure Services***

10.1.1 Rezoning Application - Z14-02 - Kondwani Corporation - 58 Emily Street
Spokesperson: Taylor Elgie, Planner

By-law 2014 – 6427

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law), as amended, for a property on Emily Street (Kondwani Corporation - 58 Emily Street).

Read a First, Second and Third time, Passed, Signed and Sealed, this 6th day of May, 2014.

10.1.2 Big Sound Marina/Town Dock - Operating Agreement: Massasauga Management Co. Inc.
Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

By-law 2014 – 6428

Being a By-law to enter into an operating agreement with Massasauga Management Co. Inc. for operation of Big Sound Marina and the Town Dock, conditional on approval from Department of Fisheries and Oceans/Small Craft Harbours, and to repeal By-law 2014-6414.

Read a First, Second and Third time, Passed, Signed and Sealed, this 6th day of May, 2014.

10.2 ***Emergency and Protective Services***

10.3 ***Administration***

10.4 ***Finance and POA Court Services***

10.4.1 Budget Approval and Tax Rate By-Law for 2014
Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

By-law 2014 – 6429

Being a By-Law to adopt the estimates of all sums required during the year and

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to strike the tax rates for the year 2014.

Read a First, Second and Third time, Passed, Signed and Sealed, this 6th day of May, 2014.

The following direction was proposed:

Direction Approved (Direct Staff Follow-up)

That in future when staff consider going to tender for work or services that the cost estimate not be provided publicly and that the suggested funding source be provided to Council once the decision to go to tender is approved.

Carried

10.5 ***Public Works***

10.6 ***Other Business***

10.6.1 **Confirming By-law**

By-law 2014 - 6430

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

Read a First, Second and Third time, Passed, Signed and Sealed, this 6th day of May, 2014.

11. **Adjournment**

The Mayor adjourned the meeting at 8:50 p.m.

JAMIE McGARVEY, MAYOR

ROB MENS, C.A.O./CLERK