

Minutes

Date:

September 2, 2014

Time:

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

Location:

52 Seguin Street, Parry Sound

Members Present:

Mayor Jamie McGarvey, Clr. P. Borneman, Clr. B. Horne, Clr. B. Keith, Clr. D. McCauley, Clr. K. Saulnier, Clr. D. Williams

Staff Present:

R. Mens, J. Boggs, D. Thompson, P. Brown, T. Pinn, L. Middaugh, T. Elgie

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

Resolution 2014 - 172

Moved By Councillor McCauley

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:

- a) the security of property of the municipality or local board (**Parry Sound Energy**)

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b) personal matters about an identifiable individual, including municipal or local board employees (**Parry Sound Public Library, Employment Agreement Renewal**)

Carried

1. Agenda

1.1 Additions to Agenda

1.2 Prioritization of Agenda

5.4 Brenda Peacock, Specialist, CNIB

9.2.1 Amendment to Site Plan Approval Application - Hands the Family Help Network

1.3 Adoption of Agenda

Moved by Councillor Williams

Seconded by Councillor Horne

That the September 2, 2014 Council Meeting Agenda be approved as amended.

Carried

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

Councillor Horne declared a pecuniary interest with Item 5.1 during this deputation as it is his immediate neighbours who are in dispute of a right-of-way application and left the room during the deputation and subsequent discussion.

2. Public Meeting

3. Minutes and Matters Arising From Minutes

3.1 Adoption of Minutes

Moved by Councillor Keith

Seconded by Councillor Saulnier

That the minutes of the Council meeting held August 12, 2014 and the minutes of the Special Council meeting held August 26, 2014 be approved as circulated.

Carried

3.2 Questions of Staff

Councillor Keith asked Mr. Brown to update the public on the Forest Street project. Mr. Brown responded that there have been significant discussions with the Ministry of the Environment (MOE) and their provision of our Certificate of Approval. We have conditional C. of A. from MOE pending the acceptance of CN Rail as CN Rail has some concerns.

Councillor McCauley asked Mr. Brown to update the public regarding the other two projects. Mr. Brown responded that the Wakefield and Dufferin project is progressing quite well except for the frequent encounters with underground rock that is inherent in this area. As for Beatty Street, Fowler Construction is doing some fine grading for MX Contractors, the company in charge of the work on Beatty Street. Curb and gutter work is almost complete. MX is hoping that the paving will be done this week.

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Councillor Horne stated that it appears that CP Rail has completed their work on the St. Charles crossing area but it's a bit of a launch pad. Mr. Brown indicated that he is aware of the problem and will be discussing this with CP Rail.

4. Correspondence

4.1 Barb Bradey

Re: Compliments to staff at the Transfer Station for their professionalism, courtesy and a well organized and maintained site.

(Circulated to Mayor and Council and forwarded to Director of Public Works for follow-up)

4.2 Peter Istvan, Peddling for Parkinson's

Re: Update on the success of the July 11-13th Peddling for Parkinson's event. Over 180 riders participated and they raised close to \$160,000 for Parkinson's research.

(Circulated to Mayor and Council and forwarded to Leisure Services Coordinator for follow-up)

4.3 The Miller Family,

Re: Thank you note for donation in memory of Linda Miller, former volunteer ambulance attendant with the Argyle Volunteer Fire Department.

(Circulated to Mayor and Council and forwarded to file)

4.4 Patti Morel, 33 Hillcrest Avenue

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Re: Infrastructure issues at 33 Hillcrest Avenue.

(Circulated to Mayor and Council and forwarded to Director of Public Works for follow-up)

4.5 Eric McIntyre, Parry Sound

Re: Concern with Parry Sound no longer providing used paint for residents to utilize.

(Circulated to Mayor and Council and forwarded to Director of Public Works for follow-up – Response Letter attached.)

4.6 AMO Watch Files - August 7, August 14, August 21, 2014

(Circulated to Mayor and Council, Department Heads, attached to E-Agenda – Filed)

4.7 FCM News - August 4, 2014

(Circulated to Mayor and Council, Department Heads, attached to E-Agenda – Filed)

5. Deputations

5.4 Brenda Peacock, Specialist, CNIB

Re: Ms. Peacock provided information to Council and the public regarding Accessible Pedestrian Signals and is requesting that they be installed at the intersection of James and Seguin.

The following direction was proposed:

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Direction Approved (Direct Staff Follow-up)

That staff investigate the addition of accessible pedestrian traffic signals at James and Seguin Streets and at Johnson and Miller Streets for the 2015 budget.

Carried

5.1 John Jacklin, 146 Isabella, Parry Sound

Re: Healey Consent Application

Mr. Jacklin objects to the Healy Consent application approval regarding the right-of-way over both Healey lots. He thinks it will be inconvenient to the neighbours and that this is not in the public interest. He felt he should have been notified of when it was coming to Council for Council's review. Mr. Jacklin feels the process wasn't followed and he is requesting the resolution that was passed by Council granting the consent application at the August 12th Council meeting be rescinded and that the application be denied.

The following direction was proposed:

Direction (Direct Staff Follow-up)

That Mr. Elgie provide the August 12, 2014 Healey Consent R&R to Council for their information.

Mr. Mens requested that Mr. Elgie respond to Mr. Jacklin. Mr. Elgie explained when the Planning Board sent out their notice of when Council might have a meeting regarding the Healey Consent application the Town did not receive it. The Notice is a request for comments from the Town and other affected parties. Mr. Elgie did not prepare an R&R for Council to review on July 15th as he had not received the Notice of Application as yet. To clarify Mr. Elgie does not circulate the Notice, it is the Planning Board's function

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to circulate the Notice and provide tentative Council meeting dates when the item may come up for Council's review. Mr. Elgie received two letters of objection and they were included in the R&R to Council requesting Council's support of the application which came to Council on August 12th. Mr. Elgie clarified there is no flaw in the Town's process but has contacted the Planning Board to ensure that the Town receives Notice at the same time as other affected parties. It has never been the Town's practice to notify Planning Board applicants and affected parties for formal Planning Board activities.

The following resolution was proposed:

Resolution 2014 - 172

Moved by Councillor Keith

Seconded by Councillor Williams

That Council rescind the resolution of August 12, 2014 with respect to Mr. Healey's consent approval and revisit the issue.

Defeated

Direction Approved (Direct Staff Follow-up)

That Mr. Elgie provide the August 12, 2014 Healey Consent R&R to Council for their information.

Carried

5.2 Jeffrey Hawkins, Hands TheFamilyHelpNetwork - 2 May Street, Wendall Fisher, Chair and Angus Hilts

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Re: Site Plan Amendment - 2 May Street. Mr. Hawkins spoke for the group that they are here in objection to the recommendation provided to Council to remove the grinder pump agreement from title. They feel that Council should honour the original agreement and continue to be responsible for the grinder pump.

5.3 Patti Morel, 33 Hillcrest Avenue

Re: Infrastructure issue with 33 Hillcrest Avenue

Ms. Morel is looking for help from her community with her infrastructure issues. She experienced a sewage backup into her basement and it turns out that her sewage line runs through her and her two neighbour's properties then runs to the main line of the Town's. Town staff have been assisting with the problem from the Town's end however the Town did not have a record of this sewage line or the storm drain that was discovered. The storm drain has now been located and repaired however her legal representation says that her property can't be sold with all the infrastructure issues on it. Ms. Morel wants an engineer come in and assess the property.

The following direction was proposed:

Direction Approved (For Direct Staff Follow-up)

That Council direct Mr. Brown to provide an R & R to Council regarding Ms. Morel's infrastructure issues with her property for the first meeting in October.

Carried

5.5 Douglas Allen and Diane Allen

Re: Mr. Allen spoke about the All Ontario Native Fastball Tournament that he and his wife volunteered for in Parry Sound on the second last weekend in August.

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They experienced or observed a lack of respect for those in attendance from the custodians that were involved with the ball park port-a-potty services. Two public toilets that were accessible were locked and were unable to be used. Parry Sound's reputation will not be good after their demonstration of this lack of respect.

The following direction was proposed:

Direction Approved (Direct Staff Follow-up)

That staff provide a report investigating the allegations of lack of respect by those responsible for the park during the All Ontario Native Fastball Tournament; and further

That staff investigate the issue with the accessible washrooms not being available to the public.

Carried

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 Peter Brown Employment Agreement Renewal Without End Term

Spokesperson: Rob Mens, CAO

By-law 2014 - 6469

Being a By-law to authorize execution of an employment contract with Peter Brown for the position of Director of Public Works.

Read a First, Second and Third time, Passed, Signed and Sealed, this 2nd day of September, 2014.

7.2 PS Energy Settlement

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

Resolution 2014 - 173

Moved by Councillor Borneman

Seconded by Councillor McCauley

That Council approves the write-off of \$53,572.48 receivable from PS Energy Services in relation to the final settlement approved by Council on February 18, 2014 (resolution 2014 - 025).

Carried

8. Consent Agenda

8.1 National Foster Parent Appreciation Week - October 19-27, 2014

Resolution 2014 - 174

Moved by Councillor Saulnier

Seconded by Councillor Horne

Whereas October 19-27, 2014 across Canada, will be marked as National Foster Parent Appreciation Week; and

Whereas the Foster Parent Appreciation 2014 Committee is sponsoring activities to increase awareness of Foster Parenting and to promote the themes of "Keeping Children and Youth Safe, Nurtured, and Strong"; and

Whereas we encourage the citizens of our community to participate in National Foster parent appreciation activities; and

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Whereas we encourage citizens to take time to education themselves about Foster Care and the ways to support Foster Parents, as well as the children they care for and for the well-being of the community;

Now therefore be it resolved that Mayor and Council do hereby declare the week of October 29-27, 2014 National Foster Parent Appreciation Week.

Carried

8.2 Life-sized Bronze Sculpture Commemorating Francis Pegahmagabow

Resolution 2014 - 175

Moved by Councillor McCauley

Seconded by Councillor Borneman

Whereas the Francis Pegahmagabow Commemoration 2016 Committee was recently formed to create and install a life-sized bronze sculpture commemorating Francis Pegahmagabow, one of the most decorated soldiers of WW1; and

Whereas some of the Committee members lending their support to this project include James Pegahmagabow, Roger Chum, Roxane Manitowabi, Joseph Boyden, Tyler Fauvelle and Sheila Rogers; and

Whereas this project will also include the development of Grades 9 and 10 educational resource materials teaching students of all cultural backgrounds about Francis Pegahmagabow and First Peoples' military service to Canada; and

Whereas the Wasauksing First Nation heard the Committee's presentation, and approved the project at a meeting of the Band Council on July 29, 2014. Both the family, and the Wasauksing First Nation, support this commemoration; and

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Whereas the Committee expects 50% of the funding for the sculpture and unveiling celebration to come from the federal Legacy Fund and funding for the balance will come from other private and public sector sources;

Now therefore be it resolved that Council for the Town of Parry Sound endorses and supports the commemoration of Francis Pegahmagabow with a monumental bronze sculpture and unveiling ceremony; and

That Council appoints Councillor Saulnier and Councillor Borneman to work closely with the Commemorative Committee in selecting a suitable Parry Sound location on municipal land that is freely-accessible to all; and

That Council permits the installation of the sculpture on the chosen site for the benefit of the community and its visitors.

The following amendment was proposed:

Moved by Councillor Keith

Seconded by Councillor Saulnier

That a staff member be included as a resource for the Committee.

Carried

Resolution 2014 - 175

Moved by Councillor McCauley

Seconded by Councillor Borneman

Whereas the Francis Pegahmagabow Commemoration 2016 Committee was recently formed to create and install a life-sized bronze sculpture commemorating Francis Pegahmagabow, one of the most decorated soldiers of WW1; and

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Whereas some of the Committee members lending their support to this project include James Pegahmagabow, Roger Chum, Roxane Manitowabi, Joseph Boyden, Tyler Fauvelle and Sheila Rogers; and

Whereas this project will also include the development of Grades 9 and 10 educational resource materials teaching students of all cultural backgrounds about Francis Pegahmagabow and First Peoples' military service to Canada; and

Whereas the Wasauksing First Nation heard the Committee's presentation, and approved the project at a meeting of the Band Council on July 29, 2014. Both the family, and the Wasauksing First Nation, support this commemoration; and

Whereas the Committee expects 50% of the funding for the sculpture and unveiling celebration to come from the federal Legacy Fund and funding for the balance will come from other private and public sector sources;

Now therefore be it resolved that Council for the Town of Parry Sound endorses and supports the commemoration of Francis Pegahmagabow with a monumental bronze sculpture and unveiling ceremony; and

That Council appoints Councillor Saulnier and Councillor Borneman and a Town Staff member to work closely with the Commemorative Committee in selecting a suitable Parry Sound location on municipal land that is freely-accessible to all; and

That Council permits the installation of the sculpture on the chosen site for the benefit of the community and its visitors.

Carried

9. Resolutions and Direction To Staff

9.1 Public Works

9.1.1 Quotation - Sewer Flushing and Cleaning

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Spokesperson: Peter Brown, Director of Public Works

Resolution 2014 - 177

Moved by Councillor Saulnier

Seconded by Councillor Horne

THAT Council accept the quotation from Sewer Technologies Inc. in the amount of SIXTEEN THOUSAND, SIX HUNDRED AND SEVENTY-FIVE DOLLARS AND SIXTY CENTS, (16,675.60) taxes extra, for the flushing and cleaning of 17,740 meters of sanitary sewer, this quotation being the lower quotation of two (2) quotations received.

Carried

9.1.2 Ontario Community Infrastructure Fund and Small Communities Fund

Spokesperson: Peter Brown, Director of Public Works

Resolution 2014 - 178

Moved by Councillor McCauley

Seconded by Councillor Williams

That Council resolve that the highest priority for the Ontario Community Infrastructure Fund (OCIF) is William Street, from Mill Lake Road to Annie Street and further,

That Council authorize staff to submit an Expression of Interest for pre-screening.

Carried

Resolution 2014 - 179

Moved by Councillor Keith

Seconded by Councillor Horne

That Council resolve that the highest priority for the Small Communities Fund (SCF) is Emily Street from McFarlane Street to Sound Boat Works and further,

That Council authorize staff to submit an Expression of Interest for pre-screening.

Carried

9.2 Development and Leisure Services

9.2.1 Amendment to Site Plan Approval Application - Hands the Family Help Network-
2 May Street

Spokesperson: Taylor Elgie, Planner

Resolution 2014 - 176

Moved by Councillor Williams

Seconded by Councillor McCauley

That the request by the applicant for the Town to register the recently approved Development Agreement and not discharge the 1988 Development Agreement be denied; and

Further that Resolution 88-26 of the Corporation of the Town of Parry Sound be rescinded, and Instrument Number 118811 be removed from title.

Recorded Vote:

P. Borneman	No
B. Horne	No
B. Keith	No
D. McCauley	No
K. Saulnier	No
D. Williams	No
J. McGarvey	No

Defeated

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9.2.2 Planning and Building Permit Process

Spokesperson: Lynn Middaugh, Director of Community Development and Leisure Services

Resolution 2014 - 180

Moved by Councillor Horne

Seconded by Councillor Keith

THAT Council appoint two members of Council to the Committee of Adjustment Committee, commencing with the new term of Council; and

THAT the Terms of Reference for the Committee of Adjustment (to be developed), include two members of Council.

Carried

Direction Approved (For Direct Staff Follow-Up):

That Council direct staff to:

- i) review all existing planning/building/public works/emergency & protective services application forms related to development to ensure relevant information is being collected.
- ii) research and develop a driveway entrance permit application process/permit, and review sewer/water permit application and process. Public Works is currently in the process of completing the new forms.
- iii) implement use of the Planning/Building/Public Works/Emergency & Protective Services Intra-departmental Comment Sheet, contained in the Planning etc., for development matters

Carried

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9.3 Emergency and Protective Services

9.4 Administration

9.5 Finance and POA Court Services

9.5.1 Establishment of a 2015 Budget Schedule

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

Resolution 2014 - 181

Moved by Councillor Borneman

Seconded by Councillor Williams

That Council hereby approves the 2015 budget preparation schedule as set out per Schedule "A" to the Report and Recommendation entitled "Establishment of a 2015 Budget Schedule".

The following amendment to the schedule was proposed:

Moved by Councillor Keith

Seconded by Councillor Borneman

That the January 13, 2015 date be determined/confirmed by the incoming Council.

Carried

Resolution 2014 - 181

Moved by Councillor Borneman

Seconded by Councillor Williams

That Council hereby approves the 2015 budget preparation schedule as set out per Schedule "A" to the Report and Recommendation entitled "Establishment of a 2015 Budget Schedule".

Carried

9.6 Other Business

10. By-laws

10.1 Public Works

10.1.1 Cemetery By-law

Spokespersons: Peter Brown, Director of Public Works, Ann Hurdman,
Cemetery Administration

Direction Defeated (For Direct Staff Follow-Up):

That staff be directed to continue to follow the methodology for determining residency as is shown on Schedule C, Price List for both purchase and interment purposes.

Defeated

By-Law 2014 - 6466

Being a By-law to amend By-law 2014-6451, a By-law which establishes the maintenance, management, regulation and control of the Hillcrest Cemetery and Sylvan Acres Cemetery and repeal By-law 2014-6451.

Read a First and Second time,

The following amendments were proposed:

Moved by Councillor Keith

Seconded by Councillor McCauley

That " and repeal by-law 2014-6451" be removed from the preamble.

Carried

Moved by Councillor Keith

Seconded by Councillor McCauley

That Section 1.j) be amended to include *or ownership of property in Parry Sound or the Municipality of McDougall*; and

That Schedule "C", Item 2) be amended to include *or ownership of property in Parry Sound or the Municipality of McDougall*.

Carried

Read a Third time, Passed, Signed and Sealed this 2nd day of September 2014.

10.2 Development and Leisure Services

10.3 Emergency and Protective Services

10.4 Administration

10.4.1 Boards & Committees

Spokesperson: Rob Mens, CAO/Clerk

By-law 2014 - 6467

Being a bylaw to amend By-law 2012-6138, a by-law governing Council's Conduct through a Code of Conduct, to incorporate boards and committees.

Read a First, Second and Third time, Passed, Signed and Sealed, this 2nd day of September 2014.

Resolution 2014 - 182

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Moved by Councillor Saulnier

Seconded by Councillor Horne

That upon the recommendation of the Boards & Committees Ad-hoc Committee,
the Committee Policy attached as Schedule "A" be adopted and,

That the Committee Rights and Responsibilities Policy attached as Schedule "B" be
adopted.

The following amendments were proposed:

Moved by Councillor McCauley

Seconded by Councillor Saulnier

That *a formal meeting of Council* be added to the third paragraph under Item 4-
Appointment of Members.

Carried

Moved by Councillor McCauley

Seconded by Councillor Horne

That the following be added to Item 5-Committee Administration, First Note:

*The Parry Sound Public Library Board and the Parry Sound Downtown Business
Association Board are independently responsible for their own respective staff support
requirements.*

Carried

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Section 6-Town of Parry Sound Councillor Liaison in Attachment "A" be removed
as it is not applicable.

Carried

Resolution 2014 - 182

Moved by Councillor Saulnier

Seconded by Councillor Horne

That upon the recommendation of the Boards & Committees Ad-hoc Committee, the Committee Policy attached as Schedule "A" be adopted and,

That the Committee Rights and Responsibilities Policy attached as Schedule "B" be adopted.

Carried

Direction (For Direct Staff Follow-Up):

That upon the recommendation of the Boards & Committees Ad-hoc Committee the following Direction provided March 9, 2014 be withdrawn:

That the Integrity Commissioner be requested to present a governance and procedural information and education session for Council, staff, and Town board and committee members.

And be replaced by the following Direction:

Direction (For Direct Staff Follow-Up):

That the CAO and EA/Deputy Clerk be directed to provide appropriate training to Council, staff, boards and committees following the establishment of boards and committees and members by the Council-elect.

Carried

10.5 Finance and POA Court Services

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10.6 Other Business

10.6.1 Confirming By-law

By-law 2014 - 6468

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

Read a First, Second and Third time, Passed, Signed and Sealed, this 2nd day of September, 2014.

11. Adjournment

The Mayor adjourned the meeting at 10:02 p.m.

Mayor Jamie McGarvey

Rob Mens, CAO/Clerk

Personal Information collected in *Section 2. Public Meeting, Section 4. Correspondence and/or Section 5. Deputations* is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Section 21. (1) c* and will be used to create a record available to the general public.