

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Minutes

Date:

April 21, 2015

Time:

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

Location:

Council Chambers - 52 Seguin Street, Parry Sound, Ontario

Members Present:

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

Staff Present:

R. Mens, J. Boggs, D. Thompson, T. Elgie, P. Brown, M. Nelly, C. Gilbert, D. DiNicolo

Mayor McGarvey called the meeting to order at 7:00 p.m. Prior to the Open Meeting of Council, Council adjourned to a Closed Meeting pursuant to the following resolution:

Resolution 2015 - 054

Moved By Councillor Borneman

Seconded by Councillor McCann

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

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:

- d) labour relations or employee negotiations (**CUPE**)
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (**Legal Matter**)

Carried

Presentations:

The Mayor presented certificates of recognition and extended congratulations to the Parry Sound Brokerlink Midgets for winning the All Ontario Midget B Hockey Championship and the Dr. Leon Hipwell Trophy.

Connor McLeod-On-Ice Assistant Coach, Bryanne Orr-Manager, Jim Badger Jr.-Trainer, Brian McLeod-Assistant Coach, Chico Ralf-Head Coach

Team: Carter Bissonette, Justin Dawson, Josh Tunis, Kyle Doherty, Tieonie Tabobandung-Ralf, Jacob Maltas, Josh Quinn, Mitchell Jackson, Ben Higgins, Ryan Archer, Quinn Steele, Noah Dudas, Cullen Buchanan, Logan Clayden, Jared Orr, Adam Badger, Tyler Kalbe

1. Agenda

1.1 Additions to Agenda

9.6.1 - Communication with CP and CN Rail

Additional Correspondence:

4.7 Andrea Ellis Nsiah, Ministry of Natural Resources and Forestry

4.8 John Jackson, Planner Inc., acting on behalf some property owners, Louisa Street

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

1.2 Prioritization of Agenda

1.3 Adoption of Agenda

Moved by Councillor McCann

Seconded by Councillor Borneman

That the April 21, 2015 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 regarding item 8.1 - Community Living Month as Community Living Parry Sound is his employer. Councillor Horne left the room during the vote.

2. Public Meeting

2.1 Moved by Councillor Borneman

Seconded By Councillor Keith

That we do now adjourn the regular meeting and declare the public meeting open.

Carried

Council held a public meeting to consider a Proposed Zoning By-law Amendment under Sections 34 of the Planning Act, as amended. After the Mayor adjourned the regular meeting and declared the public meeting open, the CAO/Clerk advised that notice of the proposed zoning by-law amendment had been given by prepaid first class mail to the prescribed agencies, posted in the newspaper and a notice was added to the Town's website.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Mr. Elgie advised that the purpose of the proposed Zoning By-Law amendment is to amend the Zoning By-law to permit the renovation of existing buildings in the Business Improvement Area for residential units (in accordance with all other provisions of the by-law) subject to offsite parking agreements that are not registered on title.

The Mayor invited those in favour of the proposed Zoning By-law amendment to address Council.

Brenda Ryan, Co-owner of FAD Architects, supports the proposed Zoning By-Law amendment and believes it's forward thinking and good for urban planning.

The Mayor invited those opposed to the proposed Zoning By-law amendment to address Council. No one spoke in opposition to the amendment.

The Mayor asked if any correspondence had been received in regard to this matter.

Mr. Elgie advised that he had received two pieces of correspondence regarding this matter. One letter from Don Duduk, owner of 34 Seguin Street, in support of the proposed Zoning By-law Amendment as he believes this will bring more people into the downtown area and will assist with the revitalization of the downtown. A second letter from CN Rail requesting a 30 metre setback in conjunction with a 2.5 metre high earthen berm.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

The Mayor advised that Council may at its discretion approve the zoning by-law amendment. If they should do this then notice of passage of the by-law would be provided by circulation of such notice or by advertising in the local newspaper. Any objections to the proposed zoning by-law must be received by the Clerk within 20 days of the date that notice was given. Any objections would be forwarded to the Ontario Municipal Board. The Mayor further advised that if an appeal is submitted and the appellant has not provided Council with an oral or written submission before the passing of the by-law, then the Ontario Municipal Board may choose to dismiss the appeal.

2.2 Moved by Councillor Marshall

Seconded By Councillor McCann

That we do declare the public meetings closed and the regular meeting reconvened.

Carried

3. Minutes and Matters Arising From Minutes

3.1 Adoption of Minutes

Moved by Councillor Borneman

Seconded by Councillor McCann

That the Minutes of the April 7, 2015 Council Meeting be approved as circulated.

Carried

3.2 Questions of Staff

Councillor Borneman asked Mr. Brown and Mr. Thompson about the CN train that straddled Isabella, Church and Cascade for nearly 4 hours last Friday holding up auto and pedestrian traffic. What can be done about this? Mr. Thompson reported that our

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

dispatch centre should have had this information but didn't so no one was aware of the situation. Both Mr. Thompson and Mr. Brown tried to contact CN. It was very frustrating trying to contact the CN people to get any answers. They said they had contacted Fire and OPP and that is incorrect. CN's response when they did respond was to provide each of them with different time frames when the train would start moving again. CN had to bring in a new engine in to connect to the train and then it moved out. There was a significant traffic buildup and general inconvenience trying to get through the Town. Public Works staff dealt with traffic issues. There was a lot of traffic around the public school. Safety was a big concern.

Councillor Saulnier asked Mr. Thompson about garbage on people's property that they are not cleaning up, who should people call? Mr. Thompson responded that people should call the By-law Department. The Town does have a proactive program to address this along with the Clean Yards By-law.

Councillor Keith asked if we have any figures for cost factors involved in dealing with these Rail Road items? Mr. Thompson responded that we have no statistics. He can attest that staff spent the better part of the day to deal with this last issue. Councillor Keith asked that until this situation is remedied would Mr. Thompson consider keeping statistics current? Mr. Thompson replied that he can add up the hours for AA as well.

Councillor McCann stated that it's clear we are all frustrated dealing with CN. We need to stand up and take some sort of defensive action. They should be held accountable. Mr. Thompson reported that they couldn't get the train to South Parry because of the engine problem but they could have stopped prior to entering Parry Sound. There was general agreement that the communication between municipal authorities and CN is unacceptable.

Councillor Marshall suggested that the Town bill CN for staff time spent on last Friday's problem. Mr. Marshall asked about the project on Forest Street. Is CN still holding up the project? Mr. Brown responded that they are putting us through a lot of hoops. We

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

may not be able to get the project done this year unless work commences almost immediately.

4. Correspondence

4.1 Jo-Anne Demick, Executive Director - Community Living Parry Sound

Re: Request for proclamation of the month of May 2015 as "Community Living Month" in Parry Sound.

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

4.2 Sylvia Jones, MPP, Dufferin-Caledon

Re: Requesting input and support for her Private Member's bill, Bill 36 the *Respecting Private Property Act*.

(Circulated to Mayor and Council and forwarded to the CAO for follow-up)

4.3 David Pearce, Stewardship Ontario

Re: Final payment for funding for the Parry Sound blue box program for 2014 in the amount of \$13,421.14.

(Circulated to Mayor and Council and forwarded to the Public Works Admin. Assist. for follow-up)

4.4 AMO Watchfile - April 2, 2015, April 9, 2015

Re: Government Industry News

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

4.5 FONOM - Media Release - State of the North Summit in Toronto

Re: Government Industry News

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

4.6 Don Dudek, Georgetown, Ontario, owner of 34 Seguin Street

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Re: Support for the Zoning By-law Amendment regarding amending the cash-in-lieu of parking provision.

(Circulated to Mayor and Council and forwarded to the Planner for follow-up)

Additions to Agenda:

4.7 Andrea Ellis Nsiah, Ministry of Natural Resources and Forestry

Re: Notice that MNRF is planning to carry out wetland evaluations within the Town of Parry Sound in the summer of 2015. The wetland is located in the area of Louisa Street

(Circulated to Mayor and Council and forwarded to the Town's Planner for follow-up)

4.8 John Jackson, Planner Inc., acting on behalf some property owners, Louisa Street area

Re: The owners will not be providing permission to MNRF to access their properties to conduct the wetland evaluation. Mr. Jackson is requesting that Parry Sound request that the MNRF remove the municipality from this wetland evaluation process.

(Circulated to Mayor and Council and forwarded to the Town's Planner for follow-up)

5. Deputations

5.1 Terrilynne Bannon, Municipal Relations Representative, Municipal Property Assessment Corporation (MPAC)

Ms. Bannon provided an overview of the function of the Municipal Property Assessment Corporation, how they assess properties in Ontario, how they resolve assessment concerns and MPAC's 4 year strategic plan.

5.2 Bernadette and Erick Phillis, residents of Seguin

Re: Transportation issues in Parry Sound

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Cancelled by the Phillis' - Rescheduled for May 5, 2015

5.3 Dan DiNicolo, IT Co-ordinator, Town of Parry Sound

Mr. DiNicolo provided an overview and demonstration of the Town's new website.

5.4 Jo Bossart, resident

Mr. Bossart spoke about railway assets. How can we capture that value in property taxes? Both CN and CP have recently announced record profits.

6. Mayor & Councillors' Reports

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

7. Ratification of Matters From Closed Agenda

None.

8. Consent Agenda

8.1 Community Living Month - May 2015

Resolution 2015 - 055

Moved by Councillor Saulnier

Seconded by Councillor Keith

Whereas Community Living Parry Sound has worked to bring people and their communities together for the last 53 years; and

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Whereas Community Living Parry Sound supports individuals as they develop their capacity to live, work and participate in all aspects of living in the community; and

Whereas Community Living Parry Sound helps the community develop its capacity to welcome and support people who have not always had the same opportunities as the rest of us, to participate in their community in meaning full, productive ways; and

Whereas the Council of the Town of Parry Sound wishes to urge its citizens to celebrate the inclusion in our community of people who have a developmental disability;

Now therefore be it resolved that Mayor and Council do hereby proclaim the month of May Community Living Month.

Carried

8.2 Rail Safety Week - April 27 to May 3, 2015

Resolution 2015 - 056

Moved by Councillor Borneman

Seconded by Councillor Marshall

Whereas it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage caused by collisions at level crossings or incidents involving trains and citizens; and

Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness; and

Whereas Operation Lifesaver has requested Town Council to adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities, including our municipality; and

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Whereas Public-Rail Safety Week is to be held across Canada from April 27 to May 3, 2015;

Now therefore be it resolved that Mayor and Council declare April 27 to May 3, 2015 Public-Rail Safety Week.

Carried

9. Resolutions and Direction To Staff

9.1 Administration

9.2 Finance and POA Court Services

9.2.1 Ontario Regulation 284/09 - Reporting of Amortization Expense

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

Resolution 2015 - 057

Moved by Councillor Keith

Seconded by Councillor Horne

That Council adopt the compliance report for expenses excluded from the 2015 budget outlined in the report attached as Schedule "A" as a requirement of Ontario Regulation 284/09 passed under the Municipal Act, 2001.

Carried

9.3 Public Works

9.3.1 Tower Hill Heritage Garden

Spokesperson: Peter Brown, Director of Public Works

Resolution 2015 - 058

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Moved by Councillor Borneman

Seconded by Councillor Marshall

That the efforts of the Tower Hill Gardeners that are part of the Civic Beautification committee of the Parry Sound and District Horticultural Society at Tower Hill continue; and

That it be resolved that Council approves in principle the plans identified in the report attached as Schedule "A", to continue to beautify the Tower Hill site, in consultation with and approval from the Director of Public Works.

Carried

9.3.2 Tender - 7 Ton Cab and Chassis

Spokesperson: Peter Brown, Director of Public Works

Resolution 2015 - 059

Moved by Councillor Horne

Seconded by Councillor Keith

That Council accept the tender from B & I Complete Truck Centre for one (1) Western Star 4700SB, 7-Ton Cab and Chassis with Dump Body and Spreader, including the trade-in of one (1) 2004 7-ton Sterling, in the amount of \$195,528.00, taxes extra, this being the lowest tender of five (5) tenders received.

Carried

9.3.3 Tender - 4x4 Loader Extended Backhoe

Spokesperson: Peter Brown, Director of Public Works

Resolution 2015 - 060

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

Moved by Councillor Marshall

Seconded by Councillor McCann

That Council accept the tender from Miller Technology for one (1) 4 wheel drive loader with extended backhoe, Model JCB 3CX-15 Super, in the amount of \$126,900.00, taxes extra, this tender being the lowest tender of five (5) tenders received.

Carried

9.3.4 RFP Wharf Repairs - Seguin River Parkette

Spokesperson: Peter Brown, Director of Public Works

Resolution 2015 - 061

Moved by Councillor Horne

Seconded by Councillor Keith

That Council accept the proposal from Schlager Excavating in the amount of \$21,700.00, taxes extra, for repair of the wharf located at the Seguin River Parkette.

Carried

9.3.5 Gas Tax for Transportation Options

Spokesperson: Peter Brown, Director of Public Works

Direction Approved (For Direct Staff Follow-Up):

That Council directs staff to negotiate an agreement with the West Parry Sound District Community Support Services (CSS) for the provision of a specialized transportation service.

Carried

The Corporation of The Town of Parry Sound
Council Meeting Minutes April 21, 2015

9.4 Development and Leisure Services

9.5 Emergency and Protective Services

9.6 Other Business

9.6.1 Communication with CP and CN Rail

Spokesperson: Councillor Bonnie Keith

The following direction was proposed:

Direction Approved (For Direct Staff Follow-up)

That a letter be sent to CP and CN Rail addressing our concerns with sub-standard and poor communications related to rail cars blocking street crossings particularly in light of the nearly four hour block of three streets in Parry Sound on April 17th; and

That due to recent incidents with respect to insecure loads, the dangers posed by transporting crude oil and rail shipping methods used through populated areas including our Town of Parry Sound, the letter should be copied to Transport Canada and the Hon. Tony Clement, MP, the Association of Municipalities of Ontario (AMO), the Federation of Municipalities of Canada (FCM); Norm Miller, MPP; and

That a meeting be requested between the railroad and Town representatives to discuss the aforementioned concerns.

Carried

10. By-laws

10.1 Administration

10.2 Finance and POA Court Services

10.2.1 Adoption of 2015 Budget By-law

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

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

By-law 2015 - 6523

Being a By-law to adopt the Operating and Capital Budget Estimates for the Year 2015.

Read a First, Second and Third time, Passed, Signed and Sealed this 21st day of April 2015.

10.2.2 Striking tax rates for fiscal year 2015

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

By-law 2015 - 6524

Being a bylaw to Strike the Tax Rates for Municipal Purposes for the Year 2015.

Read a First, Second and Third time, Passed, Signed and Sealed this 21st day of April 2015.

10.3 Public Works

10.4 Development and Leisure Services

10.4.1 Agreement to permit access onto Town lands in the Archipelago to evaluate the properties

Spokesperson: Taylor Elgie, Planner

By-law 2015 - 6525

Being a By-law to authorize the execution of two agreements for the access and assessment of Town owned lands by Henvey LP.

Read a First, Second and Third time, Passed, Signed and Sealed this 21st day of April 2015.

10.5 Emergency and Protective Services

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 21, 2015

10.6 Other Business

10.6.1 Confirming By-law

By-law 2015-6526

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

Read a First, Second and Third time, Passed, Signed and Sealed this 21st day of April 2015.

11. Adjournment

The Mayor adjourned the meeting at 9:15 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.