

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 1, 2015

## **Minutes**

### **Date:**

December 1, 2015

### **Time:**

7:00 p.m.

### **Location:**

52 Seguin Street, Parry Sound, Ontario-Gibson Street Entrance

### **Members Present:**

Mayor McGarvey, Clr. P. Borneman, Clr. B. Keith, Clr. D. McCann, Clr. K. Saulnier, Clr. J. Marshall

### **Regrets:**

Clr. B. Horne

### **Staff Present:**

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

### **Presentations:**

Mayor McGarvey presented the Accessibility for Ontarians with Disabilities Act (AODA) 10th Anniversary Champion Award to former IT Co-ordinator Dan DiNicolo for

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outstanding dedication and commitment to ensure the new municipal website was AODA compliant and inclusive.

## **1. Agenda**

### **1.1 Additions to Agenda/Notice of Motions**

Addition: 9.6.1 Business Stimulus Strategy

### **1.2 Prioritization of Agenda**

9.2.1 Free Parking Downtown

### **1.3 Adoption of Agenda**

**Moved by Councillor Keith**

**Seconded by Councillor Borneman**

That the Council Agenda for December 1, 2015 be approved as amended.

**Carried**

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

Councillor Saulnier declared a pecuniary interest regarding item 9.1.1 - Redevelopment of Dock "B" - Big Sound Marina, as he owns a small marina with Georgian Bay Airways. Councillor Saulnier left the room during deliberation and the vote.

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## **2. Public Meeting**

### **2.1 Moved by Councillor Saulnier**

#### **Seconded by Councillor Marshall**

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 Clerk advised that notice of the proposed zoning by-law amendment had been given by prepaid first class mail to the property owners within 120 metres of the subject property. A notice was posted on the property and a notice was added to the Town's website.

Mr. Elgie advised that the proposed Zoning By-Law amendment Z/15/15 (Microsuite Properties Ltd. - 1 Joseph Street/100 Church), is to amend the Highway Commercial (C3) zone to permit residential development subject to reduced site specific setbacks. The motel is proposed to be converted into 12 residential units, and a new 10-plex is proposed on John/Church Street.

Additionally, a concurrent consent application has also been submitted, but this is a function of the Planning Board.

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

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John Jackson of John Jackson Planning Inc., representing Brian Moore owner of the application, provided a background on the project. There has been a revision to the application to reduce one of the parcels from 12 units to 10 and he has circulated it to Council and staff. The building has been essentially used as permanent residence. It has a mixed use designation of Commercial and higher density residential. It also has an acre of land included. Mr. Moore wants to construct the new 10 unit building in 2016. An application has been filed with the Planning Board to affect the separation of the 3 components of this application.

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 Mr. Elgie if any correspondence had been received in regard to this matter. Mr. Elgie advised that he had received no correspondence in regard to this matter.

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 Borneman

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**Seconded by Councillor McCann**

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

**Carried**

**3. Minutes and Matters Arising From Minutes**

**3.1 Adoption of Minutes**

**Moved by Councillor Marshall**

**Seconded by Councillor McCann**

That the Minutes from the Parry Sound Council Meeting held November 17, 2015 be approved with the following amendments:

That Resolution 2015-188 be labeled as Resolution 2015-209 and Resolution 2015 - 209 be labeled as Resolution 2015-210.

**Carried**

**3.2 Questions of Staff**

Councillor Keith asked Mr. Brown of the status of the CN Tracks on Cascade as it is a very rough road over the tracks and it looks very unkempt. Her second question is about the tree trimming concerns that residents are expressing. The trees are getting too much cut off. Mr. Brown says it's CN's responsibility for the up keep of their property. The Town is not allowed to do anything. They have been contacted about this but we have not heard back. Mr. Brown will contact them again.

As for the Tree trimming concerns, Mr. Brown affirmed that this is a Lakeland Energy project, not the Town of Parry Sound's. Unfortunately, there have been numerous

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complaints however, they have been forwarded to Lakeland for resolution. Sometimes the low bid isn't always the best bid. They are cutting a certain distance from the hydro lines and that's what they are legally allowed to do. We are communicating with them daily.

Mayor McGarvey said he met with a couple of representatives from Lakeland. They are mandated to trim back 10 feet from the wiring. Mayor McGarvey believes the Town should look at a policy with Lakeland to ensure trees are not planted near the lines and the right type of trees are planted. Mr. Brown noted that the Town has the right to tell the energy companies where to place their telephone poles as most are on the Town's road allowance.

Councillor Keith asked about the trackless installation. Have they been installed? If so how are they doing? Mr. Brown answered that we have 2 GPS units installed in our sidewalk equipment and it has been very successful. We are able to determine when the sidewalks were ploughed, sanded and salted at anytime as we now have a record.

Councillor Borneman asked Dave Thompson about the Town's Emergency Plan. Where does the Town's Emergency Plan reside? Chief Thompson says it's available on the Town's website and also available by calling the municipal office and asking for the Fire Department and they will insure a hard copy can be obtained.

## **4. Correspondence**

### 4.1 Jack Tynan, President of Park to Park Trail Association

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Re: Request for a budget line contribution of \$5,000 to assist with the operation and infrastructure maintenance of the trail.'

*(Copied to Mayor and Council and forwarded to Director of Development and Leisure Services for follow-up)*

4.2 Robert Lamb, Ec.D, CEcD, President of the Economic Development Council of Ontario

Re: Introductory letter about the benefits of joining the EDCO.

*(Copied to Mayor and Council and forwarded to Director of Development and Leisure Services for follow-up)*

4.3 James Chirico, H.BSc., M.D., F.R.C.P. (C) MPH, Medical Officer of Health

Re: Update on the Accommodation Planning Phase II - Tender Process for the new North Bay Parry Sound Health Unit, located in North Bay.

*(Copied to Mayor and Council and forwarded to the Town Clerk for filing)*

4.4 Malcolm Fraser, resident

Re: Concerns regarding fluoridation of the Town's water.

Response: No contact information provided

*(Circulated to Council and forwarded to the Town Clerk for follow-up)*

4.5 Joseph Moloney, Chair, Parry Sounders for Progressive Water Management

Re: Provision to Council of Dr. Limeback's slide presentation as a response to Dr. Jim Chirico, Medical Officer of Health presentation to Council on October 6, 2015.

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Response: Attached

*(Copied to Mayor and Council and forwarded to the Town Clerk for follow-up).*

4.6 AMO Watchfile - November 12 & 19, 2015

Re: Municipal Industry News.

*(Copied to Mayor and Council, attached to e-agenda and filed.)*

4.7 FONOM (Federation of Northern Ontario Municipalities)

Re: Fall Newsletter 2015 including FONOM/MMAH Northeaster Municipal Conference, Northern Leaders' Dialogue and an update on advocacy activities.

*(Copied to Mayor and Council, attached to e-agenda and filed.)*

## **5. Deputations**

### **5.1 Brian Downing, President of OPSEU Paramedics, Local #342, Tracey Mussett - Organizing Unit, Sean Wilson - Staff Representative, Jason Brearley - Ambulance Division**

Re: Information regarding successor rights with respect to the proposed Request for Proposals for Land Ambulance Services for the District of Parry Sound.

Mr. Downing presented information regarding the union's concern that they would not enjoy successor rights should the Land Ambulance RFP not contain that stipulation and the contract is ultimately awarded to another provider.

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## **5.2 Trevor Pinn, Director of Finance and POA Court Services**

Re: Review of Asset Management and 20-year Capital

Mr. Pinn provided an overview of the Town's assets, their life cycle and legislative requirements.

## **5.3 Kris Phillips, local pharmacist**

Re: Mr. Phillips spoke about his concerns about fluoride in the water as a concerned health care professional and as a father.

## **6. Mayor & Councillors' Reports**

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

## **7. Ratification of Matters From Closed Agenda**

n/a

## **8. Consent Agenda**

### **8.1 Ombudsman Investigation - Heads of Council Meeting(s)**

**Resolution 2015 - 211**

**Moved by Councillor Marshall**

**Seconded by Councillor Borneman**

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Whereas in May of 2015, the Office of the Ontario Ombudsman received a complaint that the heads of council of seven municipalities in the West Parry Sound area have been meeting behind closed doors to discuss municipal business on a regular basis, and did not comply with the open meeting requirements of the *Municipal Act, 2001*; and

Whereas an investigative process was launched by the Ombudsman's office; and

Whereas the Ombudsman's Report, attached as Schedule "A", concluded that the gatherings of the heads of council for West Parry Sound are not meetings for the purposes of the *Municipal Act, 2001* and therefore not subject to the open meeting requirements of the Act as they were information sharing meetings and did not advance the business of any of the attending municipalities' Councils;

Now therefore be it resolved that Council for the Town of Parry Sound acknowledges receipt of the Ombudsman's Report and will post it on the Town website.

**Carried**

## **9. Resolutions and Direction to Staff**

### **9.1 Development and Leisure Services**

#### **9.1.1 Redevelopment of Dock "B" - Big Sound Marina**

Lynn Middaugh, Director of Development and Leisure Services

#### **Resolution 2015 - 212**

**Moved by Councillor Saulnier**

**Seconded by Councillor Keith**

That Council accepts the tender received from Kropf Industrial Inc. in the amount of \$393,323.00 (excluding HST), for the Big Sound Marina Dock 'B' Redevelopment project, this being the lowest of four tenders received; and

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That Council grant 2016 pre-budget approval.

**Carried**

### **9.1.2 CiiNO Steering Committee Appointment**

Lynn Middaugh, Director of Development and Leisure Services

**Resolution 2015 - 213**

**Moved by Councillor Borneman**

**Seconded by Councillor McCann**

That Council appoint Lynn Middaugh to the Community Investment Initiative Northern Ontario (CiiNO) Steering Committee for the term ending November 30, 2018.

**Carried**

## **9.2 Emergency and Protective Services**

### **9.2.1 Free Parking Downtown**

Spokesperson: Tammy Purdy, MLEO

**Direction Approved (For Direct Staff Follow-Up):**

That Council direct staff to continue the Free Parking Program until June 1, 2016. A recommendation on a future parking strategy will return to Council as part of the Comprehensive Strategic review for the Downtown.

**Carried**

### **9.2.2 Land Ambulance 2016 Budget**

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Spokesperson: Dave Thompson, Director of Emergency and Protective Services, Fire Chief

**Resolution 2015 - 214**

**Moved by Councillor Keith**

**Seconded by Councillor Saulnier**

That upon the recommendation of the EMS Advisory Committee, Council of the Town of Parry Sound approve the 2016 Land Ambulance budget with a 3% municipal levy increase in the total amount of \$8,572,705.81, attached as Schedule "A".

**Carried**

**9.3 Administration**

**9.4 Finance and POA Court Services**

**9.4.1 2015 Parry Sound Public Library Budget**

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

**Resolution 2015 - 215**

**Moved by Councillor Marshall**

**Seconded by Councillor McCann**

That the Council for the Town of Parry Sound hereby approves the 2015 budget for the Parry Sound Public Library, attached as Schedule "A".

**Carried**

**9.5 Public Works**

**9.6 Other Business**

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### **9.6.1 Business Stimulus Strategy**

Spokesperson: Councillor Keith Saulnier

The following direction was proposed:

That consideration be given to the development and funding of a business development strategy as part of the 2016 budget process.

**Carried**

## **10. By-laws**

### **10.1 Development and Leisure Services**

**10.1.1** Offsite Parking Agreement - 34 Seguin Street (Metal Tree Inc.) and 7 Church Street (Alan Downing)

#### **By-law 2015 - 6585**

Being a By-law to authorize the execution of an offsite parking agreement between 34 Seguin Street (Metal Tree Inc.), 7 Church Street (Alan Downing) and The Corporation of the Town of Parry Sound.

**Read a First, Second and Third time, Passed, Signed and Sealed, this 1st day of December, 2015.**

### **10.2 Emergency and Protective Services**

#### **10.3 Administration**

**10.3.1** Renewal of Contract with Integrity Commissioner

#### **By-Law 2015 - 6586**

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Being a By-law to appoint an Integrity Commissioner for the Town of Parry Sound and to authorize the execution of an Agreement with Suzanne Craig.

**Read a First, Second and Third time, Passed, Signed and Sealed, this 1st day of December, 2015.**

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

##### **10.4.1 2016 Interim Tax Levy**

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

##### **By-Law 2015 - 6587**

Being a By-Law to provide for an interim tax levy, for the payment of taxes, and for penalty and interest at 1 1/4 percent per month for the 2016 taxation year.

**Read a First, Second and Third time, Passed, Signed and Sealed, this 1st day of December, 2015.**

#### **10.5 Public Works**

#### **10.6 Other Business**

##### **10.6.1 Confirming By-law**

##### **By-law 2015 - 6588**

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

**Read a First, Second and Third time, Passed, Signed and Sealed, this 1st day of December, 2015.**

## **11. Adjournment**

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

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Jamie McGarvey, Mayor

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Jackie Johnston Boggs, Clerk

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