

The Corporation of The Town of Parry Sound

Council Meeting Minutes June 17, 2014

Minutes

Date:

June 17, 2014

Time:

7:00 p.m. (5:00 p.m.)

Location:

52 Seguin Street (Gibson Street Entrance)

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, T. Elgie, A. McNamara, L. Middaugh

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

Resolution 2014 - 127

Moved By Councillor Saulnier

Seconded by Councillor Keith

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:

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- a) the security of property of the municipality or local board (**Parry Sound Municipal Airport**)
- b) personal matters about an identifiable individual, including municipal or local board employees (**Sports Team Proposal**)
- d) labour relations or employee negotiations. (**Performance Review, Director of Emergency Services/Fire Chief**)
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (**Pending Litigation, Rezoning**)
- i) educating or training council members and no member shall discuss or deal with any matter in a way that materially advances the business of the Council. (**Ontario One Call Process, Development and Leisure Services KPO's**)

Carried

1. Agenda

1.1 Additions to Agenda

1.2 Prioritization of Agenda

10.1.2 Site Plan Approval Application - Crombie Property Holdings Limited - Robert

Blacklock - 25 Pine Drive

1.3 Adoption of Agenda

Moved by Councillor Williams

Seconded by Councillor McCauley

That the June 17, 2014 Council Meeting Agenda be approved.

Carried

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

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 of June 3rd, 2014 be approved as circulated.

Carried

3.2 Questions of Staff

Councillor Horne asked Mr. Thompson about the new fire truck just recently delivered. Mr. Thompson says it arrived last Tuesday and the fire department is very happy with the truck and training is proceeding very well.

4. Correspondence

4.1 AMO (Association of Municipalities of Ontario) Watch File - May 27, 2014

Re: Weekly Communications - Ontario Municipal Priorities regarding the Provincial and Federal Government

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

4.2 AMO (Association of Municipalities of Ontario) Watch File - May 29, 2014

Re: Weekly Communications - Ontario Municipal Priorities regarding the Provincial and Federal Government

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

4.3 AMO (Association of Municipalities of Ontario) Watch File - June 5, 2014

Re: Weekly Communications - Ontario Municipal Priorities regarding the Provincial and Federal Government

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

4.4 District of Parry Sound (West) Belvedere Heights Home for the Aged

Re: Financial Statements for the year ending December 31, 2013.

(Circulated to Mayor and Council and forwarded to Director of Finance and POA Court Services for follow-up)

4.5 Ray Pavlove, Rotary Club of Parry Sound

Re: Proposal to build a storage building at Kinsmen Park, in partnership with the Town of Parry Sound.

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

4.6 Ida McGarvey

Re: Thank you card for her birthday plaque.

(Circulated to Mayor and Council and posted on office bulletin board)

5. Deputations

5.1 Dave Thompson, Parry Sound Representative for West Parry Sound [SMART Community](#) Committee, Lis McWalter, Chair

Re: Mr. Thompson provided a review of the SMART initiative, the development of a broadband strategy to deliver affordable ultra-high speed connectivity in the west parry sound area. He also reviewed the proposed set up for SMARTCo WPS, a Not for Profit Corporation under the Ontario Not for Profit Corporations Act (ONCA) to govern and administer the expenses and capital for the infrastructure build.

Resolution 2014 -

Moved By Councillor Williams

Seconded By Councillor Borneman

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Whereas the West Parry Sound SMART Community Committee has been working on the SMART initiative for approximately two years as a volunteer subcommittee of the Regional Economic Development Advisory Committee (REDAC); and

Whereas the Committee's key objective is to define and develop a Broadband Strategy to deliver affordable ultra-high speed connectivity throughout the West Parry Sound Area and to provide leadership for the adoption of SMART applications, processes, and initiatives that leverage the Broadband to create economic and social value for West Parry Sound; and

Whereas it is well recognized that this initiative is necessary and key to developing Innovation and Economic Development for the long term success of our Area; and

Whereas the SMART Community initiative is critical for building an innovative sustainable economy, job creation and social well-being; and

Whereas the SMART Community Committee undertook an extensive process to develop the concept of a SMART Community by engaging members of the Community to identify the current state as it relates to becoming a SMART Community and identify key projects that are economically or socially important to West Parry Sound and necessary to create jobs, establishing a Request for Proposal for the Broadband infrastructure, developing a business model, and completed a set of terms and conditions for a legal agreement to be entered into with Vianet, the successful preferred supplier for the fibre backbone; and

Whereas the funding to complete the work to date has come from REDAC , NOHFC, Fednor and Vianet; and

Whereas the Infrastructure scope of the project will be an open access network to a major Fibre trunk line between Sudbury, West Parry Sound, and Toronto and to build a Fibre backbone through the 7 Municipalities of approximately 175 km, and create 9 Point of Presence Sites ("POP"); and

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Whereas preferred solution would see a Not for Profit Corporation established called SMARTCo WPS; which would be granted an Irrefutable Right to Use (IRU) for 6 fibre optic fibres from Sudbury, to West Parry Sound, to Bolton, and 2 wave lengths from the termination of the 6 fibre optics fibre in Bolton to Vianet's facilities located at 151 Front St. Toronto, for a period of fifteen (15) years with the option to renew for one or more renewal terms; and

Whereas Capital costs of \$35.8 million dollars being funded 30% by Vianet \$10.7 million and 70% by the Federal and Provincial Governments \$25.1 million, plus a Contingency Fund of \$4.7M to be funded by the same parties and in the same proportion as the Capital costs which would be managed with expenditures approved by SMARTCo WPS; and

Whereas there is a need for funding of an estimated amount of up to \$42,000 to set up the Not For Profit Corporation and complete funding applications;

Now therefore be it resolved that the Corporation of the Town of Parry Sound supports in Principle the Smart Community Committees recommendations to:

1. Prepare and submit to the Federal and Provincial Governments the necessary grant applications for funding;
2. Prepare necessary documents to establish SMARTCO WPS as a Not For Profit Corporation;
3. Provide where possible easements along Municipal roads for future installation;
4. Provide where possible Municipal lands for Point of Presence and possible Tower Sites;
5. Allocate \$6,000.00 from the existing Operating Budget
6. Adopt a culture of innovation in day to day business as intended by the SMART Community initiative.

The following amendments to the resolution were proposed:

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Moved by Councillor McCauley

Seconded by Councillor Horne

Paragraph 9 add: *and Whereas the Town of Parry Sound is in the process of being wired with fibre optics designed for home connection outside this initiative,*

Paragraph 11 add at the end of the sentence: *as an area economic development initiative [to] :*

Paragraph 11, Item 2. add at the end of the sentence: *which documents are to be to the satisfaction of the area municipal partners;*

Paragraph 11 delete Items 3 and 4.

Paragraph 11, Item 5. add to the end of the sentence *subject to agreement on the components of the \$42,000 set up fees.*

The following amendment to the amendment was proposed:

Moved by Councillor Horne

Seconded by Councillor Keith

Paragraph 11 Item 5. add to the end of the sentence *subject to "an estimate" be substituted for "agreement" on the components of the \$42,000 set up fees.*

Carried

Carried

The amended resolution was read:

Resolution 2014 - 128

Moved By Councillor Williams

Seconded By Councillor Borneman

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Whereas the West Parry Sound SMART Community Committee has been working on the SMART initiative for approximately two years as a volunteer subcommittee of the Regional Economic Development Advisory Committee (REDAC); and

Whereas the Committee's key objective is to define and develop a Broadband Strategy to deliver affordable ultra-high speed connectivity throughout the West Parry Sound Area and to provide leadership for the adoption of SMART applications, processes, and initiatives that leverage the Broadband to create economic and social value for West Parry Sound; and

Whereas it is well recognized that this initiative is necessary and key to developing Innovation and Economic Development for the long term success of our Area; and

Whereas the SMART Community initiative is critical for building an innovative sustainable economy, job creation and social well-being; and

Whereas the SMART Community Committee undertook an extensive process to develop the concept of a SMART Community by engaging members of the Community to identify the current state as it relates to becoming a SMART Community and identify key projects that are economically or socially important to West Parry Sound and necessary to create jobs, establishing a Request for Proposal for the Broadband infrastructure, developing a business model, and completed a set of terms and conditions for a legal agreement to be entered into with Vianet, the successful preferred supplier for the fibre backbone; and

Whereas the funding to complete the work to date has come from REDAC , NOHFC, Fednor and Vianet; and

Whereas the Infrastructure scope of the project will be an open access network to a major Fibre trunk line between Sudbury, West Parry Sound, and Toronto and to build a Fibre backbone through the 7 Municipalities of approximately 175 km, and create 9 Point of Presence Sites ("POP"); and

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Whereas the preferred solution would see a Not for Profit Corporation established called SMARTCo WPS; which would be granted an Irrefutable Right to Use (IRU) for 6 fibre optic fibres from Sudbury, to West Parry Sound, to Bolton, and 2 wave lengths from the termination of the 6 fibre optics fibre in Bolton to Vianet's facilities located at 151 Front St. Toronto, for a period of fifteen (15) years with the option to renew for one or more renewal terms; and

Whereas Capital costs of \$35.8 million dollars being funded 30% by Vianet \$10.7 million and 70% by the Federal and Provincial Governments \$25.1 million, plus a Contingency Fund of \$4.7M to be funded by the same parties and in the same proportion as the Capital costs which would be managed with expenditures approved by SMARTCo WPS; and

Whereas the Town of Parry Sound is in the process of being wired with fibre optics designed for home connection outside this initiative; and

Whereas there is a need for funding of an estimated amount of up to \$42,000 to set up the Not For Profit Corporation and complete funding applications;

Therefore Be It Resolved That the Corporation of the Town of Parry Sound supports in Principle the Smart Community Committee's recommendations as an Area economic development initiative (ADD) to:

1. Prepare and submit to the Federal and Provincial Governments the necessary grant applications for funding;
2. Prepare necessary documents to establish SMARTCO WPS as a Not For Profit Corporation which documents are to be to the satisfaction of the area municipal partners;
3. Allocate \$6,000.00 from the existing 2014 Operating Budget subject to an estimate on the components of the \$42,000 set up fees.

4. Adopt a culture of innovation in day to day business as intended by the SMART Community initiative.

Carried

5.2 Terrilyne Bannon and Maureen Ryman, Municipal Property Assessment Corporation (MPAC)

Re: Presentation of MPAC Enumeration - Voter Look-Up - 2014 Municipal Election
Ms. Bannon spoke about what MPAC does. MPAC assess and classifies over 4.8 million properties in Ontario. One of the other legislated activities that MPAC does is it provides all Ontario municipalities with the Preliminary List of Electors (PLE) for municipal elections every 4 years. For the 2014 municipal election, and future elections, MPAC has eliminated the traditional municipal enumeration form (MEF) that was mailed out to electors. This shifts the onus for confirmation and registration on the voter's list to the elector. Eligible electors are now able to check on-line through MPAC to see if they are on the voter's list. MPAC has provided media tools to key stakeholders to get the word out that all eligible electors are able to check on-line whether or not they are on the voter's list prior to its delivery to Ontario municipalities. See <http://www.voterlookup.ca/> or check the Town of Parry Sound [Website](#) or call your municipal office for more information.

5.3 Jennifer Obdam

Re: Hanging flower baskets in the downtown core. Ms. Obdam spoke to the hanging baskets that went up to-day and she is disappointed in them. She has been in the flower business for @ 30 years and she takes pride in what she does. She showed pictures of what was delivered and there are no flowers flowing, there is a dead plant in one and there appears to be no established root system for the plants in the flower baskets. Ms. Obdam thinks that Council should not pay full price for these baskets and in future suggests that the purchase of hanging baskets for the Town be kept in the community.

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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 Performance Review - Dave Thompson

Resolution 2014 - 129

Moved By Councillor Williams

Seconded By Councillor Borneman

That the Performance Review dated June, 2014 for Dave Thompson, Director of Emergency Services/Fire Chief be accepted.

Carried

8. Consent Agenda

8.1 Municipality of McDougal Representative - PS Public Library Board

Resolution 2014 - 130

Moved By Councillor McCauley

Seconded By Councillor Borneman

That Council for the Town of Parry Sound appoint Phil Bywater as the Municipality of McDougall's representative on the Parry Sound Public Library Board of Directors.

Carried

8.2 Trent Severn Waterway

Resolution 2014 - 131

Moved By Councillor Keith

Seconded By Councillor Saulnier

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Whereas 23 Trent-Severn Waterway lock masters and operators have received layoff notices representing as much as 50 percent of the staff who operate the locks and,

Whereas the hours of operation on the waterway will be reduced by 2 to 3.5 hours daily resulting in anticipated delays in moving through the system and,

Whereas the 386 kilometer Trent-Severn Waterway is a key link between Georgian Bay and Lake Ontario for boaters who rely on the waterway as a critical part of the loop within the Great Lakes system; and

Whereas this segment of the boating industry provides a significant boost to the tourism industry along the entire system including Georgian Bay and Parry Sound,

Now therefore be it resolved that Council of the Town of Parry Sound petitions Parks Canada to give serious reconsideration to the economic impacts of making such dramatic changes to the operations of the Trent-Severn Waterway system and increase funding to the operations of the system to protect the economic viability of the impacted communities and

That this resolution be circulated to Parks Canada, Parry Sound – Muskoka MP Tony Clement, the affected municipalities along the Trent-Severn Waterway, FCM and AMO.

Carried

9. Resolutions and Direction To Staff

9.1 Development and Leisure Services

9.1.1 WiFi Market Square Park.

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

Resolution 2014 - 132

Moved By Councillor Borneman

Seconded By Councillor Williams

That Council accepts the proposal from Vianet Internet Solutions in the amount of \$1,500 plus HST (including set-up costs, radios, antennas, hotspot hardware and software, cabling and installation services), for the installation, development and management of WiFi service at Market Square Park for a 24 month term; and

That the Town provide Vianet Internet Solutions use of Town's yard space to store up to 6 pick-up trucks and trailers, a 40' shipping container, and five six-foot diameter fibre spools, for the same 24 month term, conditional on Vianet Internet Solutions providing a written statement indemnifying the Town against liability for damage to or theft of Vianet property while stored on Town property.

Carried

9.1.2 2014 Municipal Assistance Program Allocations

Spokesperson: April McNamara, Leisure Services Co-ordinator

Resolution 2014 - 133

Moved By Councillor Saulnier

Seconded By Councillor Keith

That Council approve the 2014 Municipal Assistance Program allocations per the attached Schedule "A".

Carried

9.2 Emergency and Protective Services

9.3 Administration

9.4 Finance and POA Court Services

9.4.1 Mutual Court Rental Arrangement with Parry Sound Provincial Courthouse

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

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Resolution 2014 - 134

Moved By Councillor McCauley

Seconded By Councillor Williams

Whereas the Provincial Court located in Parry Sound has proposed a mutual arrangement where it will provide access to their court facilities, when not in use by the Province, at no charge to the Town; and

Whereas it is proposed that in exchange the Town will provide access to its POA court facilities, when not in use by the Town or the POA Court, at no charge to the Province;

Therefore be it resolved that the Town of Parry Sound authorizes the Director of Finance to enter into such mutual arrangement with the Parry Sound Provincial court; and

Further, Council hereby rescinds resolution 2014-052.

Postponed

The following motion to postpone was proposed:

Moved by Councillor Keith

Seconded by Councillor Borneman

That the resolution be postponed until the next Council meeting on July 2/14 to provide the POA partners an opportunity to comment on the proposal.

Carried

9.4.2 Government Finance Officers Association (GFOA) - Best Practices

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

Direction Approved (For Direct Staff Follow-Up):

Further to Council direction dated March 24, 2014 requiring staff to review existing Town financial policies and compare to industry best practices;

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Staff are directed to revise and update the following existing Town policies and present proposed amended policies to Council by December 31, 2014:

1. Investment Policy
2. Tangible Capital Asset Policy
3. Procurement Policy

Further, that staff be directed to draft, in 2015, the following new financial policies:

1. Reserve and Reserve Fund Policy (previously directed by Council, expected to be presented to Council in July 2014);
2. Revenue Control and Management Policy;
3. Debt Management Policy;
4. Revenue Diversification Policy;
5. Use of One-time or Unpredictable Revenue Policy; and
6. Operating / Capital Expenditure Accountability Policy

Carried

9.5 Public Works

9.5.1 Columbarium Installation - Hillcrest Cemetery

Spokesperson: Peter Brown, Director of Public Works

Direction Approved (For Direct Staff Follow-Up):

That Council direct staff to proceed with the finalization of a detailed plan for development of a columbarium section at Hillcrest Cemetery.

Carried

The following resolution was proposed:

Resolution 2014 - 135

Moved By Councillor Keith

Seconded By Councillor McCauley

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That Staff be directed to purchase one more columbarium to be incorporated into the columbarium plan at Hillcrest Cemetery.

Carried

9.6 Other Business

10. By-laws

10.1 Development and Leisure Services

10.1.1 Rezoning Application - Z14-04 - Virge Chandrasekara - 105 Isabella Street

Spokesperson: Taylor Elgie, Planner

By-law 2014 - 6446

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law) as amended for 105 Isabella Street (Chandrasekara).

Read a First, Second and Third time, Passed, Signed and Sealed, this 17th day of June, 2014.

10.1.2 Site Plan Approval Application - Crombie Property Holdings Limited - Robert

Blacklock - 25 Pine Drive

Spokesperson: Taylor Elgie, Planner

By-law 2014 - 6447

Being a By-law to grant Site Plan Approval and authorize the execution and registration of a development agreement with Crombie Property Holdings Limited - Robert Blacklock (25 Pine Drive).

Read a First, Second and Third time, Passed, Signed and Sealed, this 17th day of June, 2014.

10.2 Emergency and Protective Services

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10.3 Administration

10.3.1 Indemnification Insurance

Spokesperson: Rob Mens, CAO/Clerk

By-law 2014 - 6448

Being a By-Law Respecting the Protection of Municipal Employees, Former Employees, Members of Council, Former Members of Council, Board/ Committee Members and Former Board/ Committee Members Against Liability Incurred While Acting On Behalf of The Town of Parry Sound.

Read a First, Second and Third time, Passed, Signed and Sealed, this 17th day of June, 2014.

10.4 Finance and POA Court Services

10.4.1 Municipal Funding Agreement - Transfer of Federal Gas Tax Funds

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

By-law 2014 - 6449

Being a By-Law to authorize the execution of a Municipal Funding Agreement between the Association of Municipalities of Ontario ("AMO") and the Town of Parry Sound for the transfer of Federal Gas Tax Funds and to repeal By-law 2014-6435.

Read a First, Second and Third time, Passed, Signed and Sealed, this 17th day of June, 2014.

10.4.2 By-law to specify claw back percentages for 2014 property taxes

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

By-law 2014 - 6450

Being a By-Law to approve the "Claw-back percentages" in respect of property in the commercial classes, industrial classes and multi-residential classes for 2014.

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Read a First, Second and Third time, Passed, Signed and Sealed, this 17th day of June, 2014.

10.5 Public Works

10.5.1 Cemetery By-law

Spokesperson: Peter Brown, Director of Public Works

By-law 2014 - 6451

Being a By-law to establish the maintenance, management, regulation and control of the Hillcrest Cemetery and Sylvan Acres Cemetery and to repeal By-laws 2012-6119 and 2013-6193.

Read a First, Second and Third time, Passed, Signed and Sealed, this 17th day of June, 2014.

Direction Approved (For Direct Staff Follow-Up):

That staff be directed to include specifications for engraving on the niche door as the preferred method of memorialization and;

That staff be directed to charge the rates listed in the draft by-law for columbarium units.

Carried

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 17th day of June, 2014.

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11. Adjournment

The Mayor adjourned the Open meeting at 9:15 p.m. and reconvened the Closed meeting at 9:25 p.m. The Mayor adjourned the Open meeting at 9:58 p.m.

Mayor Jamie McGarvey

Rob Mens, CAO/Clerk

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