

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL MINUTES

Wednesday, February 5, 2014
9:07 AM

Staff:

Winanne Grant, Chief Administrative Officer
Rebecca Mathewson, Director of Administrative Services and Treasurer
Robin McDougall, Director of Recreation and Culture
Dan Pisani, Director of Operations and Engineering
Harold Lenters, Director of Planning and Building
Steve Richardson, Director of Emergency Services and Fire Chief
Marcus Cooper, Communications Manager
Jacqueline Roy, Licensing Coordinator
Tricia Quinlan, Human Resources Manager
Phil Rose-Donahoe, Manager of Culture
Tamika Royes, Community Hub Project Coordinator
Shawn Conde, Information Technology Manager
Yvonne Aubichon, Town Clerk
Carolyn Lance, Council Services Coordinator

Others:

Cortney Cassidy, Southlake Regional Health Centre Foundation
Karen Wolfe, The Pepperlaw Post
Rogers TV

1. CALL TO ORDER - MOMENT OF MEDITATION

A moment of meditation was observed.

2. ROLL CALL

The following Council Members were present:

Mayor Grossi	Regional Councillor Wheeler
Councillor Craig	Councillor Davison
Councillor Hackenbrook	Councillor Smockum
Councillor Szollosy	

3. COMMUNITY ANNOUNCEMENTS

Council Members were advised of a number of community events taking place.

3. COMMUNITY ANNOUNCEMENTS cont'd

Council requested that Mr. Pisani commend the Roads Department staff for the extra effort expended in keeping the roads cleared this winter.

4. INTRODUCTION OF ADDENDUM ITEM(S)

Item No. 12.2.4.2	Report No. DAS-2014-0009 entitled 'Fireworks Licencing By-law'
Item No. 18.1	Motion concerning maintaining the current system of door-to-door postal delivery by Canada Post
Item No. 18.2	Verbal update on the latest Upper York Sewage Solution meeting

The Director of Operations and Engineering provided a verbal update on the Pepperlaw Walking Bridge repairs.

5. APPROVAL OF AGENDA

Moved by Councillor Smockum, Seconded by Councillor Szollosy

RESOLUTION NO. C-2014-0057

That the agenda, with the following addendum items, be approved

Item No. 12.2.4.2	Report No. DAS-2014-0009 entitled 'Fireworks Licencing By-law'
Item No. 18.1	Motion concerning maintaining the current system of door-to-door postal delivery by Canada Post
Item No. 18.2	Verbal update on the latest Upper York Sewage Solution meeting

Carried.

6. DECLARATIONS OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF *None.*

7. ADOPTION OF MINUTES

Moved by Regional Councillor Wheeler, Seconded by Councillor Craig

RESOLUTION NO. C-2014-0058

That the following minutes be adopted as presented:

- Minutes of the Council Meeting held on January 15, 2014.

Carried.

8. DETERMINATION OF REPORTS ON THE CONSENT AGENDA REQUIRING SEPARATE DISCUSSION

- | | |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 12.2.1.1 | Report No. RC-2014-0007 entitled 'Sutton Community/ Creative Hub Phase One Deadline Extension |
| Item No. 12.2.2.1 | Report No. PB-2014-0008 entitled 'Request for Extension of Draft Plan Approval Draft Plan of Subdivision 19T-95084, Christina Homes Ltd. (2151028 Ontario Ltd.) |
| Item No. 12.2.3.1 | Report No. CAO-2014-0003 entitled 'Compensation Review Award of Contract' |
| Item No. 12.2.4.2 | Report No. DAS-2014-0008 entitled '2014-0008 Joint Compliance Audit Committee (for Election Campaign Financial Reporting Purposes) |

9. PUBLIC MEETING(S) UNDER THE PLANNING ACT OR OTHER LEGISLATION

- a. STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS *None.*
- b. NON-STATUTORY MEETING(S) UNDER OTHER LEGISLATION *None.*
- c. OTHER PUBLIC MEETINGS *None.*

10. DELEGATIONS/SPEAKERS/PETITIONS *None.*

11. PRESENTATIONS

- 11.1 Steve Hinder and Cortney Cassidy of the Southlake Regional Health Center Foundation to launch the Mayor's Challenge in support of the '2014 Run or Walk for Southlake' event scheduled for April 27, 2014 and encourage participation.

11. PRESENTATIONS cont'd

Cortney Cassidy of the Southlake Regional Health Centre Foundation expressed regrets on behalf of Steve Hinder. Ms. Cassidy then addressed Council respecting the 2014 Run or Walk for Southlake event scheduled for April 27, 2014; requesting the Town raise awareness of the event.

Moved by Councillor Craig, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0059

That the delegation by Cortney Cassidy of the Southlake Regional Health Centre Foundation respecting the 2014 Run or Walk for Southlake event scheduled for April 27, 2014 and request of the Town to raise awareness of the event be received.

Carried.

12. RESOLUTION TO MOVE INTO COUNCIL IN COMMITTEE

Moved by Councillor Smockum, Seconded by Councillor Szollosy

That Council move into Council in Committee at 9:31 a.m.

Carried.

12.1 ADOPTION OF REPORTS ON CONSENT AGENDA NOT REQUIRING SEPARATE DISCUSSION

Moved by Councillor Craig, Seconded by Councillor Smockum

12.2.4 Report from the Administrative Services Department:

12.2.4.1 2014-2008 Joint Compliance Audit Committee (For Election Campaign Financial Reporting Purposes)

Report No. DAS-2014-0008

RESOLUTION NO. C-2014-0060

1. That Council receive Report No. DAS-2014-0008 prepared by the Administrative Services Department dated February 5, 2014 respecting a Joint Compliance Audit Committee (for election campaign financial reporting purposes).

- 12.1 ADOPTION OF REPORTS ON CONSENT AGENDA NOT REQUIRING SEPARATE DISCUSSION cont'd
2. That Council approve the establishment of a Joint Compliance Audit Committee (for election campaign financial reporting purposes) with the Town of Georgina being a participating member.
 3. That Council authorize staff to work with the other interested municipalities within York Region to recruit applicants for a Joint Compliance Audit Committee (for election campaign financial reporting purposes).
 4. That the Joint Compliance Audit Committee (for election campaign financial reporting purposes) Terms of Reference for the 2010-2014 term be adopted for the 2014-2018 Term.

Carried.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA REQUIRING SEPARATE DISCUSSION

12.2.1 Report from the Recreation and Culture Department:

12.2.1.1 Sutton Community/Creative Hub Phase One Deadline Extension

Report No. RC-2014-0007

Moved by Councillor Craig, Seconded by Councillor Szollosy

RESOLUTION NO. C-2014-0061

1. That Council receive Report No. RC-2014-0007 prepared by the Recreation and Culture Department dated February 5, 2014 respecting a deadline extension for the completion of Phase One of the Sutton Community/Creative Hub.
2. That Council endorse the revised Phase One construction completion date and that the Clerk's Division notify the Honourable MP Peter Van Loan and the Infrastructure Operations Division of the Federal Economic Development Agency for Southern Ontario regarding Council's support.

Carried.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA
REQUIRING SEPARATE DISCUSSION cont'd

12.2.2 Report from the Planning and Building Department:

12.2.2.1 Request for Extension of Draft Plan Approval – Draft Plan of
Subdivision 19T-95084
CHRISTINA HOMES LTD. (2151028 Ontario Ltd.)
Part of Lots 18 & 19, Concession 9 (NG)
AGENT: Michael Smith Planning Consultants

Report No. PB -2014-0008

Moved by Councillor Szollosy, Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2014-0062

1. That Council receive Report PB-2014-0008 prepared by the Planning Division dated February 5, 2014 respecting a request for Extension of Draft Plan Approval and amendment to the Conditions of Draft Plan Approval for consolidated Draft Plans of Subdivision 19T-95082 & 19T-95084.
2. That pursuant to Section 51(33) of the Planning Act, R.S.O., 1990, as amended, an extension to the approval of consolidated Draft Plan of Subdivision 19T-095082 & 19T-095084 be granted to February 22, 2016.
3. That pursuant to Section 51(44) of the Planning Act, R.S.O., 1990, as amended, Condition 104, being the “lapsing provision”, contained in the conditions of draft plan approval for consolidated Draft Plan of Subdivision 19T-095082 & 19T-095084 be amended to read “where final approval for registration has not been given by February 22, 2016, the Town of Georgina, in its discretion and pursuant to the Planning Act, R.S.O., 1990, as amended, may withdraw its approval to this proposed plan of subdivision, unless approval has been sooner withdrawn, but the Town of Georgina may from time to time extend the duration of the approval.”
4. That Council refuse the applicant’s request to delete Condition 22 from the conditions of draft plan approval for consolidated Draft Plans of Subdivision 19T-95082 & 19T-95084.
5. That pursuant to Section 51(47) of the Planning Act, R.S.O., 1990, as amended, written notice shall not be given as the change to Condition 104, the “lapsing provision”, of draft plan approval is considered to be minor.

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA
REQUIRING SEPARATE DISCUSSION cont'd

6. That planning staff forward the revised conditions of draft plan approval to the applicant, their agent, the York Region Director of the Community Planning Branch of the Transportation and Community Planning Department, and to all other agencies which have imposed their respective conditions of approval.

Carried.

12.2.3 Report from the Office of the Chief Administrative Officer:

12.2.3.1 Compensation Review Award of Contract

Report No. CAO-2014-0003

Moved by Councillor Craig, Seconded by Councillor Szollosy

RESOLUTION NO. C-2014-0063

1. That Council receive Report No. CAO-2014-0003 prepared by the Human Resources Division dated February 5, 2014 respecting Compensation Review - Contract Award.
2. That Council award the contract for "Compensation Review" including election officials to The Mungall Consulting Group and that the Town enter into an agreement with The Mungall Consulting Group to conduct the Compensation Review for services in the amount of \$34,325 excluding applicable taxes.
3. That Staff be authorized to take the necessary actions to give effect to the above-noted recommendations.

Carried.

12.2.4 Report from the Administrative Services Department:

12.2.4.2 Fireworks Licencing By-law

Report No. DAS-2014-0009

12.2 CONSIDERATION OF REPORTS ON THE CONSENT AGENDA
REQUIRING SEPARATE DISCUSSION cont'd

Moved by Councillor Davison, Seconded by Councillor Szollosy

RESOLUTION NO. C-2014-0064

1. That Council receive Report No. DAS-2014-0009 prepared by the Administrative Services Department, Clerks Division dated February 5, 2014 respecting the Fireworks Licencing By-law 2014-0002 and the request from the Kinetite Club of Sutton for an exemption.
2. That Council maintain the provisions of the Fireworks Licencing By-law as adopted with regards to the public safety standards and the Vulnerable Sector Screening requirements.
3. That Council consider implementing a reduced Fireworks By-law licencing fee of \$25 for not-for-profit organizations that are based in Georgina.

Carried.

13. RECONVENE TO COUNCIL FROM COUNCIL IN COMMITTEE

Moved by Councillor Craig, Seconded by Councillor Szollosy

That Council reconvene to Council from Council in Committee at this time.

Carried.

14. COUNCIL CONSIDERATION OF RECOMMENDATIONS FROM COUNCIL IN
COMMITTEE

Moved by Councillor Smockum, Seconded by Councillor Davison

RESOLUTION NO. C-2014-0065

That all reports on the Council in Committee agenda, with the exception of the reports that have been deferred, deleted, tabled or withdrawn be received by Council and the recommendations contained therein, as presented or amended, be adopted.

Carried.

15. COMMUNICATIONS

15.1 General Information Items

- a) Committee of Adjustment Planning Matters
 - i) Under Review *None*.
 - ii) Recommendations *None*.
 - iii) Decisions
- b) All other matters

15.2 Disposition/Proclamations

- 15.2.1 Randy Pettapiece, MPP, Perth-Wellington, requesting Council's support of its position on the rise in insurance premiums for Joint and Several Liability.

Council referred to Item No. 16.1 at this time.

16. MOTIONS/NOTICES OF MOTION

16.1 Joint and Several Liability Insurance Reform

Moved by Councillor Craig, Seconded by Councillor Szollosy

RESOLUTION NO. C-2014-0066

WHEREAS under the current joint and several liability provision, if two or more defendants are responsible for a loss, each is potentially liable for the full amount of the loss. If one defendant is absent or insolvent and cannot pay, the other defendant has to cover their costs. The main alternative to this provision is a system of proportionate liability. Under this provision a defendant would only be liable for a share of the total loss, relative to their responsibility in causing the loss;

AND WHEREAS the joint and several liability provision frequently allocates risk to municipal governments who are usually considered to be the "deepest pockets" in a dispute. If the defendant has become insolvent, the joint and several liability provision means that the plaintiff may recover all of their costs from the municipal government;

AND WHEREAS for many years, municipalities have petitioned the province to address joint and several liability reform, which is the primary contributor to rising premiums;

AND WHEREAS municipalities may be held responsible for massive damage awards even if they are deemed just one percent responsible;

16. MOTIONS/NOTICES OF MOTION cont'd

AND WHEREAS municipalities cannot afford to wait any longer for insurance reform policies as it is unfair and unrealistic for the provincial government to allow this situation to continue – especially as it affects small and rural municipalities, which can least afford to pay out these judgments;

AND WHEREAS Randy Pettapiece, MPP for Perth Wellington, has circulated correspondence to the Town of Georgina dated January 13, 2014 requesting action of support by the Council for joint and several liability insurance reform;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Georgina supports implementing a comprehensive, long term solution to reform joint and several liability insurance for municipalities by no later than June 2014 by addressing the alarming rise in insurance premiums due to rising litigation and claims costs;

AND FURTHER that copies of this resolution of support be forwarded to the Right Honourable Kathleen Wynne, Premier of Ontario; the Honourable John Gerretsen, Attorney General; Randy Pettapiece, MPP for Perth-Wellington; the Honourable Peter Van Loan, MP; Julia Munroe, MPP for York-Simcoe; the Association of Municipalities of Ontario; the Association of Municipal Managers, Clerks and Treasurers of Ontario; the Regional Municipality of York and all local municipalities within the Region of York.

AND FURTHER that Town staff request the Town Solicitor to provide a legal opinion;

AND FURTHER that the Director of Administrative Services and Treasurer request a representative of the Association of Municipalities of Ontario to make a presentation to Town Council.

Carried.

17. REGIONAL BUSINESS *None.*

18. OTHER BUSINESS

18.1 Canada Post

Moved by Councillor Davison, Seconded by Councillor Szollosy

RESOLUTION NO. C-2014-0067

WHEREAS local governments in Canada have a direct financial interest in the security and stability of Canada's postal system, to ensure reliable communications with ratepayers and certainty in the timely payment of taxes and other fees;

AND WHEREAS Canada Post has announced its intention to eliminate residential door-to-door mail delivery in Canada, calling into question the stability of Canada's postal system, the certainty of communications and payments, and the reliability of business transactions;

AND WHEREAS the proposed change to eliminate residential door-to-door mail delivery would entail the installation of community mail box sites, resulting in the downloading of responsibilities, costs and liabilities to local governments including requirements for municipal land and rights-of-way, infrastructure such as paving and lighting, and policing related to vandalism, graffiti and mail theft;

AND WHEREAS this fundamental change to Canada's communications system has been announced in the absence of any meaningful consultation with local governments or any presentation of a business plan;

THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Georgina requests that the Federal Government direct Canada Post to maintain the current system of postal delivery in Canada, including residential door-to-door postal delivery;

BE IT FURTHER RESOLVED that this motion be forwarded to the Federation of Canadian Municipalities and Association of Municipalities of Ontario (AMO).

Carried unanimously.

18.2 Verbal update following a meeting on the Upper York Sewage Solution (UYSS) project

Mayor Grossi provided a verbal update respecting the recent meeting held by Regional Chair Bill Fisch concerning the Upper York Sewage Solution (UYSS) project.

19. BY-LAWS *None.*

20. CLOSED SESSION

20.1 Motion to move into closed session of Council

Moved by Councillor Smockum, Seconded by Councillor Hackenbrook

That Council move into closed session at 10:40 a.m. pursuant to Section 239 of The Municipal Act, 2001, as amended, to consider:

20.1 Motion to move into closed session of Council cont'd

I) **PERSONAL MATTER ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA**

- Confidential Report No. DAS-2014-0007 regarding Recommendations for Appointments as Livestock Valuers

II) **PERSONAL MATTER ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA**

- Chief Administrative Officer's Performance Evaluation

Carried.

The Council Services Coordinator left the Chambers at 10:40 a.m.

20.2 Motion to reconvene into open session of Council and report on matters discussed in closed session.

Moved by Councillor Szollosy, Seconded by Councillor Smockum

That Council rise from closed session at 12:42 p.m. and report on matters discussed in closed session.

Carried.

I) **PERSONAL MATTER ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA**

- Confidential Report No. DAS-2014-0007 regarding Recommendations for Appointments as Livestock Valuers

- 20.2 Motion to reconvene into open session of Council and report on matters discussed in closed session cont'd

Moved by Councillor Szollosy, Seconded by Councillor Hackenbrook

RESOLUTION NO. C-2014-0068

1. That Council receive Report No. DAS-2014-0007, prepared by the Administrative Services Department dated February 5, 2014, respecting the Selection Committee recommendations for appointments of two persons as Town of Georgina Livestock Valuers.
2. That Council appoint additional Livestock Valuers for the balance of the 2010-2014 Term of Council as follows:

James Williams
Linda Thompson
3. That Council authorize staff to confirm the acceptance of said appointments with each individual outlined in recommendation 2 above and, upon receipt of same, present the corresponding appointment by-law to Council for approval.
4. The Council approve the revised Terms of Reference (Attachment 1) for the Georgina Livestock Valuers.

Carried.

- II) **PERSONAL MATTER ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – SECTION 239 (2) (b), MA**
- Chief Administrative Officer's Performance Evaluation

A report will be coming forth for the February 25th closed session agenda and to a subsequent open meeting at a future date.

21. CONFIRMING BY-LAW

Moved by Councillor Smockum, Seconded by Councillor Craig

By-law No. 2014-0009 (COU-2), a by-law to confirm the proceedings of Council on February 5, 2014.


Carried.

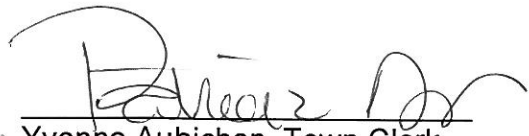
22. MOTION TO ADJOURN

Moved by Councillor Szollosy, Seconded by Councillor Hackenbrook

That the meeting adjourn at 12:45 p.m.

Carried.



Robert Grossi, Mayor

Yvonne Aubichon, Town Clerk