

THE CORPORATION OF THE TOWN OF WASAGA BEACH

**MINUTES OF THE REGULAR MEETING OF
TOWN COUNCIL**

**Held Tuesday, October 27, 2015 at 7:00 p.m.
In the Council Chambers**

PRESENT:

B. Smith	Mayor
N. Bifulchi	Deputy Mayor
R. Anderson	Councillor
S. Bray	Councillor
R. Ego	Councillor
B. Smith	Councillor
B. Stockwell	Councillor
G. Vadeboncoeur	CAO
P. Archdekin	Deputy Clerk
H. Bryce	Manager of Corporate/Strategic Initiatives

1. CALL TO ORDER

Mayor Smith called the meeting to order at 7:04 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Bifulchi declared a Pecuniary Interest with respect to Public Works Accounts cheque #18516 and Development Committee Consent Agenda items B18/15 and B19/15 as they pertain to a family member, but will be voting on all other matters.

Councillor Anderson declared a Pecuniary Interest with respect to Development Services Committee resolution 2015-10-03 due to a business relationship.

3. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council held Tuesday, September 22, 2015

Referred to the next Council meeting for consideration.

4. DEPUTATIONS, PRESENTATIONS, PETITIONS & PUBLIC MEETINGS

a) Ms. Alice Rodd and Ms. Sylvia McGowan were in attendance to request Council's support to Stop the Great Lakes Radioactive Nuclear Waste Dump Repository in the Great Lakes Basin

Ms. Rodd and Ms. McGowan were welcomed to the table. The ladies then informed Council of their concerns with plans by the Ontario Power Generation to build a Nuclear Waste Repository at the Bruce Nuclear Power Plant Site in Kincardine approximately one mile from Lake Huron.

Council was advised that this has been in the works for ten years, however it only recently came to their attention and they are very concerned. Forty million people in two countries rely on the Great Lakes for Clear Drinking Water. There is no guarantee this repository will not leak as every deep repository in the world, and there has only been three, has leaked.

To date 176 resolutions in Canada and the United States have been past against this repository. The Ontario Power Generation failed to inform or seek input from citizens or elected officials living in the many Great Lake communities in Canada and the United States. One of the world's most eminent Geochemists and International Expert on Nuclear Waste, the late William Fyfe stated that "you do not put nuclear waste near things like the Great Lakes or the Great Rivers in case there's a leakage that you haven't expected." Council was advised that since 1909 Canada and the United State have had a Boundary Waters Treaty which requires Countries on each side of the international border to review the risks of storing radioactive waste so close to the Great Lakes. There is a great concern by the Americans how this may affect the 1909 Treaty and Senator Mark Kirk of Illinois sent letters to politicians and commissions on May 22, 2015 urging the Canadian government to rethink this threatening proposal by the Ontario Power Generation. It was also noted that at one time the Canadian government objected to plans by the Americans on a Nuclear Waste Dump Site and it was moved away from the Great Lakes.

In conclusion it was noted that most people are unaware this is happening and requested that Council consider passing a motion opposing this site as a Nuclear Waste Repository.

Councillor Smith thanked the ladies for the presentation noting she appreciates the fact that they brought this forward.

Mayor Smith also expressed his thanks noting the presentation was very much an eye opener for him. It was then;

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2015-11-01

WHEREAS Ontario Power Generation (OPG) is proposing to construct a deep geologic repository (DGR), which is an underground long-term burial facility at the Bruce Nuclear Generating Station site in Kincardine Ontario Canada, and bury and abandon in the DGR all of Ontario's' low and intermediate level radioactive nuclear waste, some of which remains highly radioactive and toxic for over 100,000 years. The proposed site is approximately (1) one kilometre inland from the shore of Lake Huron and about 400 metres below the lake level; and,

WHEREAS Ontario Power Generation did not consider or evaluate any other actual sites for the location of the proposed DGR; and,

WHEREAS fresh water is the nation's and Canada's most important resource and should be protected and managed prudently; and,

WHEREAS the Great Lakes are an irreplaceable natural resource, containing twenty one (21%) percent of the worlds, and ninety five (95%) of North America's fresh water, vital to human and environmental health and economic and agricultural well-being of both Canada and United States of America; and,

WHEREAS Lake Huron and connecting waters including Lake St. Clair, are a source of drinking water for millions of people downstream in Canada, the United States of America and First Nations; and,

WHEREAS individuals, citizen and environmental groups and municipalities and countries in both Canada and the United States have expressed concern and opposition to the proposed nuclear waste repository; and,

WHEREAS as of September 22, 2015, one hundred seventy three (173) resolutions have been passed by communities in the Province of Ontario and States of Illinois, Michigan, Minnesota, Wisconsin, Pennsylvania, New York, Ohio representing over 22 million citizens opposing the proposed nuclear waste repository, with the vast majority of the resolutions opposing any permanent underground nuclear waste repository anywhere in the Great Lakes Basin; and,

WHEREAS UNDER THE *2012 Protocol Amending the Agreement Between Canada and the United State of America on Great Lakes Water Quality*, the governments of Canada and the United States acknowledge the importance of anticipating, preventing and responding to threats to the waters of the Great Lakes; and,

WHEREAS the Governments of Canada and of the United States share a responsibility and an obligation to protect the Great Lakes from contamination from various sources of pollution, including the leakage of nuclear waste from an underground nuclear waste repository; and,

WHEREAS in April 2015 resolutions HR 194 and SR 134 were introduced respectively in the US House of Representative and US Senate expressing the sense that 1) the Canadian Government should not allow a permanent nuclear waste repository to be built within the Great Lake Basin; 2) the President and the Secretary of State should work together with their Canadian Government counterparts on a safe and responsible solution for the long-term storage of nuclear waste; and,

WHEREAS in the mid 1980's the US Department of Energy was considering potential sites for a US nuclear waste repository, including some site locations in the Great Lakes Basin and as a result of significant Canadian opposition, Joe Clark, then Secretary of State of External Affairs, intervened and the US government honoured Canada's request to exclude any sites within 40 kilometers of the Canadian border; and,

WHEREAS placing a permanent nuclear waste burial facility so close to the Great Lakes is ill-advised. The potential damage to the Great Lakes from any leak or breach of radioactivity far outweighs any suggested economic benefit that might be derived from burying radioactive nuclear waste at this time. The ecology of the Great Lakes, valuable beyond measure to the health and economic well-being of the entire region, should not be placed at risk by storing radioactive nuclear waste underground so close to the shoreline;

THEREFORE BE IT RESOLVED THAT;

- 1) In order to protect the Great Lakes and its tributaries, the Town of Wasaga Beach urges that neither this proposed nuclear waste repository at the Bruce Nuclear Generating Station site nor any other underground nuclear waste repository be constructed in the Great Lakes Basin, in Canada, the United States, or any First Nation property.
- 2) The Town of Wasaga Beach urges the Government of Canada and the Government of Ontario to reject (and seek alternatives to) Ontario Power Generation's proposed to bury and abandon radioactive nuclear waste in the Great Lakes Basin.
- 3) A copy of this resolution be forwarded to Kathleen Wynne, Premier of Ontario, Justin Trudeau, Prime Minister of Canada, Canada's Minister of the Environment, Canada's Minister of Foreign Affairs, Leader of the New Democratic Party of Canada, Leader of the Green Party of Canada, Leader Progressive Conservative Party of Ontario, Jim Wilson, MPP Simcoe-Grey and Kellie Leitch, MP Simcoe-Grey.

CARRIED

5. **UNFINISHED BUSINESS – None**
6. **CORRESPONDENCE – Received for Information - None**

CORRESPONDENCE – Requiring Action

a) Breaking Down Barriers – Giving Tuesday – December 1, 2015

MOVED BY N. BIFOLCHI
 SECONDED BY R. EGO

RESOLUTION NO. 2015-11-02

RESOLVED THAT Council does hereby declare Tuesday, December 1st, 2015 as Breaking Down Barriers “Giving Tuesday” in the Town of Wasaga Beach.

CARRIED

CORRESPONDENCE – Referred - None

7. COMMITTEE, BOARDS & STAFF REPORTS

a) Committee of the Whole – September 29, 2015

Mayor Smith spoke to the highlights.

Deputy Mayor Bifulchi noted that as Council will be voting on reports from ten Committee of the Whole meetings, and at those meetings there were a number of items she did not support, reflected in recorded votes on those matters, it is her intent, in the interest of time, to vote on each Report and not pull out each item for separate vote, as her opposition is noted in the Committee of the Whole reports. She noted her position has not changed. It was then;

MOVED BY B. SMITH
 SECONDED BY R. EGO

RESOLUTION NO. 2015-11-03

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated September 29, 2015 as circulated, and approves all actions contained therein.

CARRIED

b) Committee of the Whole – October 6, 2015

Mayor Smith spoke to the highlights and it was then;

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO. 2015-11-04

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated October 6, 2015 as circulated, and approves all actions contained therein.

CARRIED

c) Committee of the Whole – October 13, 2015

Mayor Smith spoke to the highlights and it was then;

MOVED BY R. EGO
SECONDED BY S. BRAY

RESOLUTION NO. 2015-11-05

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated October 13, 2015 as circulated, and approves all actions contained therein.

CARRIED

d) Public Works Committee – October 14, 2015

Councillor Stockwell spoke to the highlights and it was then;

MOVED BY S. BRAY
SECONDED BY B. SMITH

RESOLUTION NO. 2015-11-06

RESOLVED THAT Council does hereby adopt the Public Works Committee Report dated October 14, 2015 as circulated, and approves all actions contained therein.

CARRIED

e) General Government Committee – October 14, 2015

Councillor Anderson spoke to the highlights and it was then;

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2015-11-07

RESOLVED THAT Council does hereby adopt the General Government Committee Report dated October 14, 2015 as circulated, and approves all actions contained therein.

CARRIED

f) Community Services Committee – October 15, 2015

Councillor Ego spoke to the highlights and it was then;

MOVED BY B. SMITH
SECONDED BY S. BRAY

RESOLUTION NO. 2015-11-08

RESOLVED THAT Council does hereby adopt the Community Services Committee Report dated October 15, 2015 as circulated, and approves all actions contained therein.

CARRIED

g) Development Services Committee – October 15, 2015

Deputy Mayor Bifulchi spoke to the highlights. Councillor Ego asked that Resolution No. 2015-10-03 being the rezoning at 60 19th Street be pulled and considered by Council separately, with a recorded vote. Committee agreed and voted on the report, with the exception of that Resolution It was then;

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO. 2015-11-09

RESOLVED THAT Council does hereby adopt the Development Services Committee Report dated October 15, 2015 as circulated, and approves all actions contained therein.

CARRIED

Councillor Anderson’s Pecuniary Interest was noted and he withdrew from the table.

Discussion ensued with respect to 60-19th St. N. The CAO advised Council that the motion to approve the re-zoning was defeated at Development Services Committee. This means that Development Services Committee is recommending that the application for rezoning not be approved. This is the recommendation that Council is considering. He noted that it is one of those double negative votes, where a vote in opposition means support for the re-zoning

The CAO noted that if the rezoning is approved through the double negative vote a separate motion can be presented to Council that will actually approve the rezoning as there is a chance that the re-zoning could be appealed to the OMB.

Mayor Smith clarified for Council that if the vote is yes you are actually saying no, and if the vote is no you are saying yes and approving the re-zoning.

Deputy Mayor Bifulchi spoke against the re-zoning as the site is deficient in what is normally required for parking spots and as other property owners in the area will not be able to provide the required amount, she hopes they will receive the same consideration. She would prefer it go back to staff to look for alternatives.

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO. 2015-11-10

RESOLVED THAT Development Services Committee recommend to Council that the application for Zoning By-Law Amendment submitted by Albert Veseau for lands located at 60-19th Street North not be approved and the necessary zoning by-law amendment be passed conditional upon the applicant entering into a cash in lieu of parking agreement for two parking spaces.

Councillor Anderson	Conflict	
Deputy Mayor Bifulchi		Yea
Councillor Bray		Yea
Coucillor Ego	Nay	
Councillor Smith	Nay	
Mayor Smith	Nay	
Councillor Stockwell	Nay	

CARRIED

The meeting carried on while the CAO prepared a second motion.

h) Committee of the Whole – Education Session – October 19, 2015

Mayor Smith spoke to the highlights and it was then;

MOVED BY B. STOCKWELL
SECONDED BY R. EGO

RESOLUTION NO. 2015-11-11

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated October 19, 2015 as circulated, and approves all actions contained therein.

CARRIED

i) Committee of the Whole – October 20, 2015

Mayor Smith spoke to the highlights and it was then;

MOVED BY B. STOCKWELL
SECONDED BY R. EGO

RESOLUTION NO. 2015-11-12

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated October 20, 2015 as circulated, and approves all actions contained therein.

CARRIED

j) Committee of the Whole – October 22, 2015

Mayor Smith spoke to the highlights. Councillor Stockwell asked that Item 5b) the Report on the Dardanella be voted on separately with a recorded vote. It was then;

MOVED BY B. STOCKWELL
SECONDED BY B. SMITH

RESOLUTION NO. 2015-11-13

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated October 22, 2015 as circulated, and approves all actions contained therein with the exception of Item 5b).

CARRIED

Councillor Stockwell stated that the Dardanella building is close to the hearts of the people and they deserve to know what we are really doing here and be asked for their opinion should this resolution carry. He asked the CAO for clarification.

The CAO noted that if the recommendation carries, an RFP will be prepared to go out publically for those interested in operating the Dard requesting that they submit a proposal to restore the back dance hall up to current building code standards. As part of their proposal they would indicate the length of lease required and the lease rate they are prepared to pay to recoup some of their investment. A staff committee consisting of Mr. McNeill, the Chief Building Official and perhaps others will evaluate the proposals and bring forward a recommendation to COWOC. Members of Council will then know the next steps. It is all dependent on the responses to the RFP.

Councillor Smith inquired of the dollar estimate to rebuild the Dardanella. The CAO responded that \$9m was the estimate.

Deputy Mayor Bifulchi asked for confirmation that the intent is not to have tax payers pay towards this renovation other than perhaps legal costs to prepare agreements. The CAO confirmed that is the intent. Two options were presented, with the one moving forward that is of little or no cost to the municipality. It was then;

MOVED BY B. SMITH

SECONDED BY R. ANDERSON

RESOLUTION NO. 2015-11-14

RESOLVED THAT Council approve Item 5b) the Report on the Dardanella as circulated.

Councillor Anderson	Yea
Deputy Mayor Bifulchi	Yea
Councillor Bray	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Mayor Smith	Yea
Councillor Stockwell	Yea

CARRIED

k) Accounts – September 2015

MOVED BY B. STOCKWELL

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-11-15

RESOLVED THAT Council does hereby approve the September 2015 Accounts in the amount of \$14,626,233.66.

CARRIED

8. NOTICES OF MOTION

9. MOTIONS – WHERE NOTICE HAS BEEN PREVIOUSLY GIVEN - None

10. BY-LAWS AND CONFIRMATORY BY-LAW

a) A By-Law to Authorize a Tax Extension Agreement – 14 Langevin Drive - Haggarty

MOVED BY N. BIFOLCHI

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2015-11-16

RESOLVED THAT a By-Law to Authorize a Tax Extension Agreement, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-75.

CARRIED

b) A By-Law to Authorize a Tax Extension Agreement – 52 48th St. S. – Foster

MOVED BY S. BRAY

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2015-11-17

RESOLVED THAT a By-Law to Authorize a Tax Extension Agreement, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-76.

CARRIED

c) A By-Law to Provide for the Protection and Conservation of the Watercourses within the Municipality

MOVED BY B. SMITH

SECONDED BY R. ANDERSON

RESOLUTION NO. 2015-11-18

RESOLVED THAT a By-Law to Provide for the Protection and Conservation of the Watercourses within the Municipality, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-77.

CARRIED

d) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended – Bremont Homes – 878 Mosley

MOVED BY B. SMITH

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-11-19

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-78.

CARRIED

e) Confirmatory By-Law

MOVED BY S. BRAY

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2015-11-20

RESOLVED THAT a By-Law to Confirm the Proceedings of the Council of the Town of Wasaga Beach at its Regular Meeting held Tuesday, September 22, 2015, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-79.

CARRIED

The Mayor then tabled the motion for 60-19th and asked if there were any questions or comments.

Councillor Bray spoke to the parking requirements and felt that as out of the 26 parking spots on the street, 14 belong to other businesses and we are creating a bigger problem down the road. Councillor Smith suggested that as we grow into a downtown, on street parking may have to become a reality. It was noted that on street parking has to be paid by somebody. Councillor Smith requested a recorded vote. It was then;

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO. 2015-11-21

RESOLVED THAT Council approve the application for a Zoning By-Law Amendment submitted by Albert Veseau for lands located at 60-19th Street North be approved and the necessary Zoning By-Law amendment be passed, conditional upon the applicant entering into a cash-in-lieu of parking agreement for two spaces.

Councillor Anderson	Conflict	
Deputy Mayor Bifulchi		Nay
Councillor Bray		Nay
Councillor Ego	Yea	
Councillor Smith	Yea	
Mayor Smith	Yea	
Councillor Stockwell	Yea	

CARRIED

11. CALLING OF COMMITTEE MEETINGS

Community Services	November 12, 2015 at 8:30 a.m.
Development Services	November 12, 2015 at 10:30 a.m.
Public Works	November 18, 2015 at 8:30 a.m. (changed from original date)
General Government	November 18, 2015 at 10:30 a.m. (changed from original date)
Special Council	November 17, 2015 at 4:00 p.m. followed by Committee of the Whole

It was further noted that there will be a number of Committee of the Whole meetings scheduled and the Clerk’s office will circulate dates for availability.

12. QUESTION PERIOD

“A fifteen (15) minute session wherein persons in attendance at the Regular Meeting of Council have an opportunity to raise questions pertaining to items that were dealt with by Council on the evening’s Agenda.”

Mr. Shawn Wilson stepped forward and asked when the Dard will be completed. The Mayor advised that is unknown at this time as Council just recently voted to proceed with an RFP for repairs to the Dard at the expense of another person; not the Town. This party will not only lease but do the repairs. Mr. Wilson then asked about someone else doing the repairs and possible construction liens being placed. The Mayor advised that he does not have an answer and can get Mr. Wilson one, but it will be a very detailed contract as to what is required and needs to be done. He is confident any contracts will cover all aspects. The Mayor advised Council does not want the cost of any of the repairs on the taxpayers. The RFP is very specific in time lines and deadlines and anyone who wishes to respond to the RFP has to meet them. After the deadline the RFP’s will come before Council for consideration.

Mr. Wilson inquired of the \$9M figure. The Mayor responded that it was referred to in a Report from the Director of Economic Development and Tourism on what it would approximately cost to rebuild the Dard from scratch.

13. CLOSED SESSION

- a) Procedural Matters – Adoption of Closed Session Report**
 - COWOC – September 29, 2015
 - COWOC – October 6, 2015
 - COWOC – October 13, 2015
 - General Government – October 14, 2015
 - Development Committee – October 15, 2015

The Chief Administrative Officer noted that Council has introduced a process to consider closed session minutes, whereby the Mayor asks if there are any questions with respect to the Closed Session Reports and if there are none, then the vote is taken in open session. The Mayor asked if there were any questions. There being no questions on the Closed Session Reports the Reports were considered adopted.

14. ADJOURNMENT

Mayor Smith adjourned the meeting at 8:30 p.m.

The Minutes of this Meeting were adopted the 24th day of November 2015.

Brian Smith, Mayor

Pam Archdekin, Deputy Clerk