

**MINUTES OF REGULAR MEETING OF
TOWN COUNCIL**

**Held Tuesday, January 26, 2016
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	Chief Administrative Officer
H. Bryce	Town Clerk
P. Archdekin	Deputy Clerk
A. McNeill	Director of Economic Development and Tourism
J. Legget	Communications Officer
M. Quinlan	Treasurer
M. McWilliam	Fire Chief
W. Higgins	Deputy Fire Chief
D. Henry	Human Resources

1. CALL TO ORDER

Mayor Smith called the meeting to order at 7:00 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Bray declared a Pecuniary Interest with respect to Coordinated Committee Jan. 14, 2016 Parks & Recreation register item dated 2015-12-31 in the amount of \$50.85 a purchase from her business, but will vote on all other items.

Councillor Bifulchi declared a Pecuniary Interest with PW section chq 19042 D.S. Section Item 2d ZBLA Z11/15 and Council Agenda item 10k as they pertain to a family member, but will be voting on all other matters.

3. ADOPTION OF MINUTES

a) Regular Minutes of Council – December 22, 2015

MOVED BY B. SMITH
SECONDED BY S. BRAY

RESOLUTION NO. 2016-01-01

RESOLVED THAT the Minutes of the Council Meeting held December 22, 2015 are hereby adopted as circulated.

CARRIED

4. DEPUTATIONS, PRESENTATIONS, PETITIONS & PUBLIC MEETINGS

a) Special presentation of Fire Service Exemplary Service Medals; Fire Service Long Service Medal and Lightning Bolt Pins to:

Mayor Smith welcomed the Firefighters to the meeting and stated how pleased he was to present the service medals to the Firefighters.

In communities all over Canada Firefighters stand-by ready to come to our aid should we need it, including Wasaga Beach.. In Wasaga Beach we have 14 Full-time Firefighters and 20 volunteer Firefighters that support of our community when emergencies arise.

Firefighters commit to making every effort within their scope of training and ability to assist fellow residents in our most vulnerable time of need.

Tonight we are pleased to recognize a number of our Fire Department personnel with service medals issued by both the Federal and Provincial Governments.

The following members of the Wasaga Beach Fire Department are awarded with “The Fire Services Exemplary Service Medal” in recognition of 20 years of loyalty and exemplary service to the Canadian public. This award is presented on behalf of the Federal Government.

The Fire Service Exemplary Service Medal – 20 years

Volunteer Firefighter – Ed Bieniek
Volunteer Firefighter – Jim Cook
Volunteer Firefighter – Gary McLaughlin
Volunteer Firefighter – Ray Murley
Recently Retired Volunteer Firefighter – Wally Harvie

The following members of the Wasaga Beach Fire Department are awarded with “The Fire Services Long Service Medal” in appreciation of 25 years of courageous and faithful service to the citizen of Ontario protecting their lives and property from fire. This award is presented on behalf of the Provincial Government.

The Fire Service Long Service Medal – 25 years

Volunteer Firefighter – Shawn McGuire
Fire Captain – Kelly McGuire
Deputy Fire Chief – Wes Higgins
Fire Chief – Michael McWilliam

Volunteer Firefighter Jeff McGuire is awarded “The Fire Services Long Service Bar” in appreciation of 30 years of courageous and faithful service to the citizens of Ontario and Wasaga Beach protecting their lives and property from fire. This award is presented on behalf of the Provincial Government.

The Fire Service Long Service Bar – 30 years

Volunteer Firefighter Jeff McGuire

The Fire Department responds to a variety of emergencies within our community including medical emergencies which make up the largest percentage of the Department's call volume. The Town attends medical calls through a Tiered Response Agreement with the County of Simcoe Paramedic Services that was entered into in 2007 to ensure that our residents receive medical aid as soon as possible.

The Fire Department is equipped with Automatic External Defibrillators which are used on a cardiac patient when it is discovered that the patient is vital signs absent (VSA).

When an automated external defibrillator and CPR are used, a person's likelihood of survival is increased by 75 percent or more, according to the Heart and Stroke Foundation of Canada.

For every minute delayed in utilizing the defibrillator, the survival rate decreased by 7 to 10 percent per minute. After more than 12 minutes of ventricular fibrillation, the survival rate is less than 5 percent. A rapid Fire Department response, a quick assessment and early defibrillation has saved lives.

The following firefighters have been successful in saving a life with defibrillation and are being presented with the "Lightning Bolt Pin" to recognize this success. The lightning bolt pin is worn as a tribute to those lives that have been saved by Automatic Defibrillation. Thank you for learning how to use this equipment and saving folks lives.

Lightning Bolt Pin – successful lifesaving with automatic defibrillation

Fire Captain - Kelly McGuire

Firefighter – Jamie Murphy

Firefighter – Gilbert Kuiper

Firefighter – Jeremy Bell

Ms. Linda Williams stepped forward and thanked the Firefighters for saving her life. Without them she would not be here to enjoy her children, grandchildren and great grandchildren. She expressed how really, really thankful she is for everything they did for her.

Mayor Smith asked those in the Council Chambers to recognize the Wasaga Beach Firefighters at the back of the room. The Firefighters received a round of applause.

b) Mr. Guy Chartrand and Mr. David Finbow of the General & Marine Hospital will be in attendance with respect to the Hospital Redevelopment

Mr. Chartrand and Mr. Finbow were welcomed to the podium. Mr. Finbow and Mr. Guy Chartrand and vice chair of Board of Trustees Tom Patterson was also in attendance. They complemented the work of Council's representative on the Board Councillor Ron Anderson and the rest of the trustees.

Through a Powerpoint presentation Mr. Finbow spoke to the Hospital Redevelopment. He spoke to how they have progressed since 2013 following the Hospital Strategic Plan.. Mr. Finbow then spoke to the Capital Planning Process, noting it is a long process. They are at Stage 1 and the options are to rework the existing facility to serve the needs; looking at expanding the facility with or without additional lands, and looking at moving the operation to a generic greenfield site. All three options will be looked at the same time so the Ministry will be given every option possible to increase the chances of approval. The evaluation team will look at the options and make a submission to the Ministry in the spring with a preferred option endorsed by the Board of Trustees.

Mr. Chartrand continued to speak to the three options. The Board needs to be very objective and maximise viability of each option for the Ministry. They will go through every detail and provide a brief overview to the Ministry to try and increase the probability of success. The Government funds 90% of the construction design and consulting fees; the communities have to provide the 10% of equipment costs and 100% of the equipment. The process does take a long time and it will be at least seven years before construction begins. He expressed his thanks for the tremendous support for a new hospital which has been communicated by the LHIN and the Ministry.

Mayor Smith thanked the gentleman for the great presentation. Wasaga Beach has supported the hospital for many years and will continue to do so for many years to come. He noted that the Board has quite a task in front of them and wished them luck moving forward.

5. UNFINISHED BUSINESS – None

6. CORRESPONDENCE – Received for Information - None

CORRESPONDENCE – Requiring Action - None

CORRESPONDENCE – Referred - None

7. COMMITTEE, BOARDS & STAFF REPORTS

a) Coordinated Committee Report – January 14, 2016

The Clerk spoke to the new Coordinated Committee being held the 2nd Thursday beginning 8:30 a.m. Through a Consent Agenda format all items listed are approved by one resolution as opposed by separate resolution. If discussion is requested by a Council Member, the item is pulled. All members attend and have the ability to vote. The chairs change with each section.

Deputy Mayor Bifulchi requested that Resolution 2016-01-02 and 2016-01-03 be separated dealing with the Code of Conduct.

The Clerk read out the particular motion.

Councillor Stockwell spoke to the highlights of the Public Works Section of Coordinated Committee.

Councillor Anderson spoke to the highlights of the General Government Section of Coordinated Committee.

Deputy Mayor Bifulchi noted her previously declared Pecuniary Interest and will be voting on all other items. She then spoke to the highlights of the Development Services Committee Section of Coordinated Committee.

Councillor Ego spoke to the highlights of the Community Services Committee Section of Coordinated Committee.

Code of Conduct – Deputy Mayor Bifulchi advised that she supports the changes recommended by the Integrity Commissioner but did not support the amendments proposed by Councillor Smith. The Deputy Mayor noted that she has a website to share her thoughts and if there are any inaccuracies she asked that members of Council let her know. She supports a Corporate Policy, but can't support it if it is only in the Code of Conduct. It is unnecessary extra words in her opinion.

Councillor Bray also could not support the amendment as she believed it added unnecessary verbiage to 23.6b). In addition, Section 7.6 could have sweeping repercussions to all members of Council, local boards and Council Committee including those citizens or staff appointed by Council. Councillor Bray noted that the Town just paid the Integrity Commissioner to review the Code of Conduct and to make a last minute change without legal advice is irresponsible.

The Mayor inquired if the Integrity Commissioner was consulted. The Clerk advised that it was reviewed and it he did not have any issues with the amendments.

The Mayor did not feel anyone was being irresponsible. This Council has never acted irresponsible now or will in the future. Everyone understands their responsibility and all answer to a higher power; the tax payers. He doesn't see any issue with the proposed revisions. The Code of Conduct is here for every member of Council and Committee and those who serve on committees should be held to a higher standard. For members of Council or committee, because we have the privilege to sit, it does not give us any additional rights. If you sit on Council or committee you should be extremely conscious of the By-Laws of the community. People are going to act responsibility and it is not about minor infractions, it is about being held accountable for rules and regulations and how to deal with violations.

The two motions were read separately and a recorded vote was requested for each.

Code of Conduct Resolution No. 2016-01-02

MOVED BY B. SMITH

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2016-01-02

RESOLVED THAT Council does hereby receive the General Government Committee report pertaining to the review of the Council Code of Conduct, By-Law 2015-47; and,

THAT the following additional revisions are hereby recommended to Council:

- Section 7.6 – revise the provision to state, “It shall be the duty of all Members to abide by all applicable By-Laws legislation, policies and procedures applicable to the Town and pertaining to the position of a Member.”
- Section 22.4 – revise the provision to state, “Inquiries, issues or concerns about or to staff from Members should be directed to the Chief Administrative Officer or the appropriate Department Head.”

- Section 23.6b) – Addition of “via any communication means, including but not limited to social media, print material, websites or verbally”.

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

CARRIED

2015-01-03

MOVED BY B. SMITH

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2016-01-03

RESOLVED THAT Council does hereby receive the General Government Committee report pertaining to the review of the Council Code of Conduct, By-Law 2015-47; and,

THAT the following revisions are hereby recommended to Council:

- Section 4.3 – New provision added to include the Town’s Corporate Policies and Procedures, including Human Resource Policies as policies that govern the conduct of Council.
- Section 6g) and 6o) – Clarification in the definitions of a “Council Member” and “Member”.
- Section 8.5c) – Removal of “must not undertake site meetings”.
- Section 23.7 – Investigations under the Town’s Workplace Harassment Policy related to the performance of official duties by Members will be investigated by the Integrity Commissioner
- Section 28.3 – The addition of a provision to reference complaints pertaining to closed meetings as the Town has a separate Closed Meeting Investigator.
- Section 28.4 – Updated provision to reflect the new role of the Office of the Ontario Ombudsman.
- Section 34.1 – The requirement for Members to seek advice from the Integrity Commissioner via a form has been removed.

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

CARRIED

It was then;

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-04

RESOLVED THAT Council does hereby adopt the Coordinated Committee Report of January 14, 2016 as circulated, and approves all actions contained herein, as amended.

CARRIED

b) Committee of the Whole Report – January 19, 2016

Mayor Smith spoke to the highlights of the meeting. Councillor Bray requested that Resolution No. 2016-01-02, 2016-01-03 and 2016-01-04 be separated.

Councillor Bray spoke to the kiosks resolution 2016-01-02. She advised that she has been asked by many businesses and residents why we are adding retail capacity when we haven't rented out the buildings we bought last year. She felt Council was putting the cart before the horse to negotiate a lease without confirmation of metered hydro, water and water disposal, the location or layout of the market. She did not believe the budget was accurate and therefore cannot support the motion.

Deputy Mayor Bifulchi noted she has asked the same questions which remain unanswered. She is not comfortable with the budget and or the process which is not the same process that we put other businesses through. The suggested that the steps are important to work out kinks and cannot support the motion.

Councillor Smith requested a recorded vote noting she has heard lots of positive comments.

Councillor Bray added that people have reached out to the MP and MPP that they are uncomfortable with what Council is proposing and they have reached out to her to her. It was then;

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-05

RESOLVED THAT Council does hereby direct Staff to proceed to negotiate kiosk leases with prospective vendors, subject to Council approval, within the following lease framework;

- a. Lease term is to be three (3) years with an option to renew for an additional two (2) years;
- b. Lease rate is to be \$6,000 per year exclusive of taxes and utilities.

Councillor Anderson	Yea	
Deputy Mayor Bifulchi		Nay
Councillor Bray		Nay
Councillor Ego	Yea	
Councillor Smith	Yea	
Mayor Smith	Yea	
Councillor Stockswell	Yea	

CARRIED

Councillor Bray spoke to Resolution No. 2016-01-03 pertaining to the beer garden. She believed the residents are not in favour and have reached to the MP about the proposed beer garden. Councillor Bray requested the Director of Economic Development to clarify a number of items within the report and Mr. McNeill provided a response.

The Mayor noted that everything has to come back to Council for approval.

Mr. McNeill indicated that the intention is to adhere to all procurement policies of the Town. Councillor Bray stated that in her opinion the existing motion is contradictory to the Procurement Policy. Councillor Stockwell noted he does not believe it is.

Mayor Smith asked if the original motion is in contravention of Town policy and asked the Clerk for clarification. The Clerk responded that the wording does appear to indicate that an architect will be retained and not come back for Committee approval. For clarification she can add that it come back to Committee for approval.

Councillor Anderson spoke in opposition to having a beer garden, when a bar is not rented out yet. He has concerns with the process and this should have been considered before we got this far.

Councillor Smith spoke in favour of the beer garden as people with accessibility cannot access any of the beachfront bars right now. To be fair to all residents, we need something that addresses that group of people.

Deputy Mayor Bifulchi would support the amendment, but will not support the main motion. She has no issues with Wasaga Brewery and has known the gentlemen for years. She cannot support a percentage of sales rent model, when there are empty town owned buildings. The Brewery is not located in Wasaga Beach; they are looking for a venue to sell the product. The owners did not want to take the risk of renting the Dard. It should be a fair process and she sees this as favouring one individual business. She also questioned the budget for the project.

The CAO noted that Resolution 2016-01-04 speaks to the purchasing process and the Town is required to obtain three written quotes for all capital construction and will follow the Town's purchasing Policy. He understands that Council will want to see the detailed design. Staff are following the Purchasing Policy.

Councillor Bray stated that spending more than \$50,000.00 requires RFPs and tenders that have to come back to Committee. The CAO noted that there are certain thresholds for expenditures in the Purchasing Policy. Once the budget is passed it is incumbent on staff to follow the purchasing policy.

Councillor Bray stated that to her the motion wasn't clear and she just wanted to add clarity to the motion. It was then;

MOVED BY S. BRAY
 SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-06

RESOLVED THAT resolution 2016-01-03 from the January 19, 2016 Committee of the Whole pertaining to the Main Street Market beer garden be hereby amended to state:

Proceed to retain an Architect to prepare building permit drawings for the beer garden and secure a building permit to construct the beer garden `subject to final approval by Committee of the Whole.`

Councillor Anderson	Yea
Deputy Mayor Bifolchi	Yea
Councillor Bray	Yea
Councillor Ego	Nay
Councillor Smith	Yea
Mayor Smith	Yea
Councillor Stockwell	Yea

CARRIED

MOVED BY B. STOCKWELL
 SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-01-08

RESOLVED THAT Council does hereby direct Staff to proceed to negotiate lease terms with Wasaga Beach Brewing Company, subject to Council approval, to operate the Main Street Market beer garden as follows:

- a. Lease term is to be three (3) years with an option to renew for an additional two (2) years;
- b. Lease rate is to be 8% of gross sales with a minimum guarantee of \$10,000 per year exclusive of taxes and utilities; and,

Proceed to retain an Architect to prepare building permit drawings for the beer garden and secure a building permit to construct the beer garden, as amended.

Councillor Anderson	Yea
Deputy Mayor Bifolchi	Nay
Councillor Bray	Nay
Councillor Ego	Yea
Councillor Smith	Yea
Mayor Smith	Yea
Councillor Stockwell	Yea

CARRIED

Councillor Bray spoke to Committee of the Whole Resolution 2016-01-04 as she believes it is contradictory to the Procurement Policy. The motion reads that you are to seek three written quotes as per the Town’s Procurement Policy. The total value for the kiosks is \$90,000 therefore it has to be done by Tender/RFP. Mr. McNeill advised that he will proceed in the most transparent way and as the lump exceeds the level for quotes, will put on an RFP.

Councillor Bray requested that the motion be amended “subject to final approval by Committee of the Whole”.

Mr. McNeill noted that as he doesn't know the number of required kiosks and won't know that until he has signed leases, it is hard to provide solid numbers. No construction will begin until there is a signed lease.

Mayor Smith was confident that Mr. McNeill would be adhering to the Town's Procurement By-Laws. It was then;

MOVED BY S. BRAY

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-09

RESOLVED THAT resolution 2016-01-05 from the January 19, Committee of the Whole pertaining to the Main Street Market kiosks be hereby amended to state:

``Council does hereby direct Staff to proceed to seek `Costs Estimates`` for all capital purchases and capital construction items ``in accordance with the provisions of the Towns` Procurement Policy ``based on the value of the items; and,

Proceed according to the best value bid for the town, and proceed to begin through a competitive bid process construction of market infrastructure once a contractor is retain ``subject to final approval by Committee of the Whole.``

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

CARRIED

MOVED BY R. ANDERSON

SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-10

RESOLVED THAT Council does hereby direct Staff to proceed to seek three written quotes for all capital purchases and capital construction items and, as per the Town`s Procurement Policy, and

Proceed according to the best value bid for the town, and proceed to begin construction of market infrastructure one a contractor is retained, as amended.

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

CARRIED

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2016-01-11

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report of January 19, 2016 as circulated, and approves all actions contained therein, as amended.

CARRIED

c) Award of RFP for Bananas Beachfront Licensed Establishment

Councillor Stockwell advised that he would like to refer the awarding of Banana's and Copa back to staff for a second review. He needs to be sure all the ducks are in a row before going forward with 2016. He suggested a letter of understanding and negotiations can take place once satisfied the answers are all in order.

Deputy Mayor Bifulchi would not support motion. During review of the RFP any outstanding issues would have been looked at. We have a motion to award and staff still have to work on a final agreement. She felt it was mudding the waters for no reason.

Councillor Anderson also questioned why Council is wasting time with this. The same person operated in 2015, and committee would have looked at it; this is just stalling for time and can't support the request. Council wants the bar open in 2.5 months and he does not want to be put in the same position as last year.

Councillor Ego noted he has asked on several occasions and Deputy Mayor Bifulchi has asked for an update on what happened in 2015. That report has never been received and to him there are and too many questions outstanding. He would like answers pertaining to the premises and supports Councillor Stockwell's resolution.

Deputy Mayor Bifulchi noted she has asked for a report on all events and the how season went, not just specifically to the bars. We are looking at leasing other spaces and to hold up one is not fair.

The CAO advised that in 2015, quarterly reports were provided to Council. The Treasurer will be preparing a detailed report on the 4th quarter.

Councillor Anderson noted the scores were a huge difference with the results being the same. Why Council is holding this up is beyond him and wants to just get on with it.

Councillor Stockwell noted the CAO has just confirmed that Council has been waiting for a report and was not comfortable to receive and award the tender for 2016 without reviewing the year-end report first. He felt to award and then get the report is putting cart before the horse. He suggested we wait until we do things in proper order.

Deputy Mayor Bifulchi asked the CAO if through the process there were any outstanding issues that may have occurred. The CAO advised that Phoenix met all obligations under the lease. He can appreciate that Council would like an overall report on 28 units and the 3 bars. Staff is working on that report and it will be part of the 4th Quarter.

Councillor Stockwell disagreed with the CAO that everything is in order and requested that Committee move In Camera.

It was verbally moved by Councillor Stockwell and seconded by Councillor Ego that the next portion of the January 26, 2016 Council meeting be closed to the public to discuss possible litigation. Carried

Open Session resumed at 9:12 p.m.

MOVED BY B. STOCKWELL
 SECONDED BY R. EGO

RESOLUTION NO. 2016-01-14

THAT Council direct the Director of Economic Development & Tourism to meet with Phoenix Hospitality Inc. to review the 2015 operations of the Beach One Licensed Establishments to ensure all prior lease obligations were met and there are no outstanding issues and concerns prior to entering into a new lease for the 2016 season and beyond; and,

THAT a letter of understanding be drafted with Phoenix Hospitality Inc. to cover a multi-year agreement between Phoenix Hospitality Inc. and the Town regarding the operation of Bananas Beachfront Licensed Establishment, including, but not limited to term of lease, hours of operation and any capital improvements or works to the building and/or equipment contained therein; and,

FURTHER THAT the Director of Economic Development & Tourism report back to Committee of the Whole for recommendation of final approval to Council of the terms of the lease agreement.

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

DEFEATED

MOVED BY S. BRAY
 SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-15

RESOLVED THAT Council does hereby approve Phoenix Hospitality Inc., as the operator for the Bananas beachfront licensed establishment subject to the negotiation of acceptable lease terms by staff, to be approved by Committee of the Whole.

CARRIED

d) Award of RFP for Copa Cabana Beachfront Licensed Establishment

Deputy Mayor Bifulchi spoke to the Copa and had asked staff how the \$600,000 would be spent and determined. She was told it was just a figure and there would be further work to negotiate. The Deputy Mayor noted she reviewed the RFP's and the RFPs stated what the improvements would be. The staff report used \$600,000 for leasehold improvements however; there was a low number in the RFP that staff did not consider. The RFP goes against the requested criteria; where we asked for 5 year with option on five and this one is 10 year with option on ten. Deputy Mayor Bifulchi would like to see this one referred back to COWOC for further information.

Councillor Anderson questioned Council if they are saying they want separate operators for each bar as nowhere in the RFP does it indicate a person can only operate one bar. For him the issue is a staff member deciding we have to have another operator. Ten years is not what we asked for or \$600,000 which is too large. It is up to Council to decide who should operate. Last year one person operated due to the situation Council was in.

The CAO noted that in the RFP there is clear language indicating that the highest bid is not necessary accepted by Council. The proponents were put on notice that Council has full discretion who they want to award the RFP to.

Councillor Smith suggested that Council preferred individual owners and last year due to a short time frame Council awarded the RFPs to a single operator. Going forward the wish is to try and get as many operators as possible.

Councillor Bray stated the staff report goes against RFP recommendation.

Deputy Mayor Bifulchi felt staff did not share information with her when asked, and in her opinion staff withheld information in the staff reports. The reports did not accurately reflect the contents of the RFP submissions. It was then;

MOVED BY N. BIFOLCHI

SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-01-16

RESOLVED THAT Council refer the report on the award of the RFP for Copa Cabana Licensed Establishment back to Committee of the Whole for further discussion.

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

CARRIED

e) Accounts – December 2015

MOVED BY B. SMITH

SECONDED BY R. EGO

RESOLUTION NO. 2016-01-17

RESOLVED THAT Council approves the December 2015 Accounts in the amount of \$9,797,360.70.

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 the Borrowing of Funds to meet the Current Expenditures for the Town of Wasaga Beach for 2016

MOVED BY N. BIFOLCHI
SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-18

RESOLVED THAT a By-Law to Authorize the Borrowing of Funds to meet the Current Expenditures for the Town of Wasaga Beach for 2016, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-01.

CARRIED

b) A By-Law to Authorize an Interim Tax Levy for 2016

MOVED BY R. EGO
SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-19

RESOLVED THAT a By-Law to Authorize an Interim Tax Levy for 2016, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-02.

CARRIED

c) A By-Law to Adopt a Special Events Policy and Guidelines for the Town of Wasaga Beach

MOVED BY B. SMITH
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-20

RESOLVED THAT a By-Law to Adopt a Special Events Policy and Guidelines for the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-03.

CARRIED

d) A By-Law to Authorize the Execution of an Agreement Between the Town of Wasaga Beach and the Ontario Clean Water Agency

MOVED BY R. ANDERSON
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-21

RESOLVED THAT a By-Law to Authorize the Execution of an Agreement between the Town of Wasaga Beach and the Ontario Clean Water Agency, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-04.

CARRIED

e) A By-Law to Authorize the Execution of an Agreement Between the Town of Wasaga Beach and Fire Marque Inc.

MOVED BY R. EGO
SECONDED BY S. BRAY

RESOLUTION NO. 2016-01-22

RESOLVED THAT a By-Law to Authorize the Execution of an Agreement between the Town of Wasaga Beach and Fire Marque Inc., be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-05

CARRIED

- f) A By-Law to Authorize Execution of a Lease Agreement between the Town of Wasaga Beach and Beavertails Commercial Inc. and 1606820 Ontario Inc.**

MOVED BY B. SMITH
SECONDED BY S. BRAY

RESOLUTION NO. 2016-01-23

RESOLVED THAT a By-Law to Authorize Execution of a Lease Agreement between the Town of Wasaga Beach and Beavertails Commercial Inc. and 1606820 Ontario Inc., be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-06.

CARRIED

- g) A By-Law to Adopt a Code of Conduct for the Council of the Town of Wasaga Beach and to Repeal By-Law 2015-47**

A recorded vote was requested and it was then;

MOVED BY B. SMITH
SECONDED BY B. STOCKWELL

RESOLUTION NO. 2016-01-24

RESOLVED THAT a By-Law to adopt a Code of Conduct for the Council of the Town of Wasaga Beach and to Repeal By-Law 2015-47, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-07.

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

CARRIED

- h) A By-Law to Exempt Block 2 Registered Plan 51M-1021 in the Town of Wasaga Beach, County of Simcoe from Part Lot Control (J. Donato Const. Puccini Dr. & 45th St. N)**

MOVED BY R. EGO
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-25

RESOLVED THAT a By-Law to Exempt Block 2 Registered Plan 51M-1021 in the Town of Wasaga Beach, County of Simcoe from Part Lot Control, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-08.

CARRIED

- i) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (Donato Golf Course Rd. Subdivision)**

MOVED BY S. BRAY
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-26

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (Donato), be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-09.

CARRIED

- j) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (Town initiative – Robinson Rd.)**

MOVED BY R. EGO
 SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-27

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (Robinson Rd), be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-10.

CARRIED

- k) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (200 Golf Course Road)**

Deputy Mayor Bifolchi's previously declared Pecuniary Interest was noted and she withdrew from the table.

MOVED BY S. BRAY
 SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-01-28

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (200 Golf Course Rd), be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-11.

CARRIED

Deputy Mayor Bifolchi resumed her place at the table.

- l) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (Eastdale Dr.)**

MOVED BY N. BIFOLCHI
 SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-01-29

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. 2015-12.

CARRIED

- m) A By-Law to Authorize the Construction of Water and Sewer Servicing on Certain Streets, and to Authorize Financing of the Costs of the said Capital Works (Golf Course – from Longdale to Bells Park)**

MOVED BY B. SMITH
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-01-30

RESOLVED THAT a By-Law to Authorize the Construction of Water and Sewer Servicing on Certain Streets, and to Authorize Financing of the Costs of the said Capital Works, as Amended, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-13.

CARRIED

n) A By-Law to Authorize Execution of an Agreement with Georgian Triangle Humane Society for the Provision of Pound Services

MOVED BY S. BRAY
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-31

RESOLVED THAT a By-Law to Authorize Execution of an Agreement with Georgian Triangle Humane Society for the Provision of Pound Services, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-14.

CARRIED

o) A By-Law to Authorize Execution of an Agreement with Eric Bronee O/A Redneck Wildlife Control for the Provision of Animal Control Services

MOVED BY R. EGO
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-01-32

RESOLVED THAT a By-Law to Authorize Execution of an Agreement with Eric Bronee O/A Redneck Wildlife Control for the Provision of Animal Control Services, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-15.

CARRIED

p) A By-Law to Appoint an Animal Control Officer for the Town of Wasaga Beach (Eric Bronee)

MOVED BY N. BIFOLCHI
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-33

RESOLVED THAT a By-Law to Appoint an Animal Control Officer for the Town of Wasaga Beach (Eric Bronee), be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-16.

CARRIED

q) A By-Law to Amend By-Law No. 2013-25, as Amended, Being a By-Law to Establish a Wage Grid for Non-Union Employees

The CAO was asked for the status of the wage review for Members of Council. He advised that staff will be embarking on a wage review for Members of Council, possibly move forward next month. Councillor Anderson requested that Council be taken out of the wage grid until there is a review. It was then;

MOVED BY R. ANDERSON
 SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-34

RESOLVED THAT Council here amend By-Law 2016-17 being by-law to amend bylaw no. 2013-25, as amended being a bylaw to establish a wage grid for non-union employees by amending said by-law by excluding point #3 of said bylaw.

CARRIED

MOVED BY N. BIFOLCHI
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-35

RESOLVED THAT a By-Law to Amend By-Law No. 2013-25, as Amended, Being a By-Law to Establish a Wage Grid for Non-Union Employees, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-17, as amended.

CARRIED

- r) **A By-Law to Amend By-Law No. 2000-65, as Amended, being a Shareholder Direction By-Law as it relates to Geosands Inc. and to Repeal By-Law No. 2005-39**

MOVED BY R. EGO
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-01-36

RESOLVED THAT a By-Law to Amend By-Law No. 2000-65, as Amended, Being a Shareholder Direction By-Law as it relates to Geosands Inc. and to Repeal By-Law No. 2005-39, be received and be deemed to have been read a first, second and third time, passed and numbered 2016-18.

CARRIED

- s) **A By-Law to Appoint the Board of Directors of Geosands Inc. and its Subsidiaries, Wasaga Distribution Inc. and Wasaga Resource Services Inc.**

MOVED BY R. ANDERSON
 SECONDED BY R. EGO

RESOLUTION NO. 2016-01-37

RESOLVED THAT a By-Law to Appoint the Board of Directors of Geosands Inc. and its Subsidiaries, Wasaga Distribution Inc. and Wasaga Resource Services Inc., be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-19.

CARRIED

- t) **A By-Law to Regulate Traffic on Highways Within the Town of Wasaga Beach (No Driving or Passing on Paved Shoulders)**

A lengthy discussion ensued with respect to this By-Law, who will enforce it, fines, costs for legal and staff at court, the purpose of the By-Law with it being referred to Community Services Committee where the OPP and Law Enforcement staff are in attendance to clarify. It was then;

MOVED BY N. BIFOLCHI
SECONDED BY BF. SMITH

RESOLUTION NO. 2016-01-38

RESOLVED THAT Council refer bylaw 2016-20 back to the Community Services Section of the Coordinated Committee for further discussion.

CARRIED

RESOLVED THAT a By-Law to Regulate Traffic on Highways Within the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-20.

REFERRED

Councillor Anderson noted a point of order to pass as resolution to continue the meeting past the hour of ten o'clock. It was then;

MOVED BY N. BIFOLCHI
SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-01-39

RESOLVED THAT Council does hereby extend the hour of 10:00 p.m. to continue with the items contained within the January 26, 2015 agenda.

CARRIED

u) A By-Law to Adopt a Policy Pertaining to the Terms of Reference for a Council Public Open House

MOVED BY R. EGO
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-40

RESOLVED THAT a By-Law to Adopt a Policy Pertaining to the Terms of Reference for a Council Public Open House, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-21.

CARRIED

v) Confirmatory By-Law

MOVED BY B. STOCKWELL
SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-01-41

RESOLVED THAT a By-Law to Confirm the Proceedings of the Council of the Town of Wasaga Beach at its Regular Meeting held Tuesday, January 26, 2016 be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-22.

CARRIED

11. CALLING OF COMMITTEE MEETINGS

Coordinated Committee	February 4 at 8:30 a.m.
Committee of the Whole - Education	February 1 at 8:00 a.m.
Committee of the Whole	February 9 at 4:00 p.m.
Council	February 16 at 7:00 p.m.

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.”

Ms. Sandra Boland questioned the Code of Conduct Resolution 7.6 amendment to social media and how to implement discretion. Mayor Smith provided a response and in his opinion Members of Council and committee members should be held to a higher standard or the same as everyone else in Town.

13. CLOSED SESSION

- a) **Closed Session Minutes** – December 22, 2015
 - General Government January 14, 2016
 - Committee of the Whole January 19, 2016
- b) **Solicitor Client Privilege - Wasaga Distribution**
- c) **Acquisition or Disposition of land – Business Park**
- d) **Personnel Matter – CAO Performance Review**

MOVED BY R. EGO

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-01-42

RESOLVED THAT pursuant to Section 239 of *The Municipal Act, 2001*, as amended, the next portion of the Council meeting be closed to the public to adopt Closed Session Council Minutes of December, 22, 2015, General Government Report of January 14, 2016 and Committee of the Whole Report of January 19, 2016; legal advice that is solicitor client privilege; acquisition or disposition of land and personal matters about an identifiable individual.

CARRIED

Wasaga Distribution

MOVED BY B. SMITH

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2016-01-47

RESOLVED THAT Council does hereby confirm the direction given to the Chief Administrative Officer, in Closed Session as it relates to Wasaga Distribution.

CARRIED

Acquisition of Land – Business Park

MOVED BY B. STOCKWELL
SECONDED BY B. SMITH

RESOLUTION NO. 2016-01-48

RESOLVED THAT Council does hereby confirm the direction given to the Chief Administrative Officer, in Closed Session as it relates to the Business Park lands.

CARRIED

MOVED BY B. SMITH
SECONDED BY B. STOCKWELL

RESOLUTION NO. 2016-01-49

RESOLVED that Council of January 26, 2016 does hereby confirm the direction give to the Mayor, in Closed Session.

CARRIED

14. ADJOURNMENT

Mayor Smith adjourned the meeting at 11:05 p.m.

The Minutes of this meeting were adopted the 16th day of February 2016.

Brian Smith, Mayor

Holly Bryce, Clerk