



## REGULAR MEETING OF COUNCIL

### MINUTES OF REGULAR MEETING OF TOWN COUNCIL

Held Tuesday, February 16, 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
M. Quinlan	Treasurer

**1. CALL TO ORDER**

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

**2. DISCLOSURE OF PECUNIARY INTEREST**

Councillor Smith declared a Pecuniary Interest with respect to General Government Committee minutes of Feb. 4, 2016- Wasaga Beach Blues as she is a member (ex officio) of the organizing committee. She will be voting on all other matters.

Councillor Bray declared a Pecuniary Interest with respect to Parks & Recreation cheque register item dated Dec. 31, 2015 in the amount of \$50.85 being a purchase from her business. She will be voting on all other matters.

Councillor Anderson declared a Pecuniary Interest with General Government Resolution 2016-03-06 due to a business relationship. He will be voting on all other matters.

**3. ADOPTION OF MINUTES**

Prior to reading the motion Mayor Smith spoke to the fantastic job that Josh Pallas and the rest of the team did on Snowman Mania. He did an amazing job and extended his thanks and congratulations.

**a) Regular Minutes of Council – January 26, 2016**

MOVED BY R. EGO  
SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-01

RESOLVED THAT the Regular Minutes of Council held January 26, 2016 are hereby adopted as circulated.

CARRIED

#### 4. DEPUTATIONS, PRESENTATIONS, PETITIONS & PUBLIC MEETINGS

##### a) **Representatives from the Wasaga Film Festival were in attendance to make a financial request of Council**

Mayor Smith welcomed Mr. Gary Cerantola to the table. Mr. Cerantola thanked Council for the opportunity to speak tonight and thanked Wasaga Beach Administration staff for giving direction going forward.

He advised that he is Chair of Wasaga Film Festival, a Wasaga Society for the Arts organization and provided the name of those on the Arts Board. Mr. Cerantola advised that the Wasaga Film Festival is asking for a \$4,000 platinum sponsorship from the Town; that April be declared Film Festival Month; and that the rental fees at the Arena and RecPlex for the month of April be forgiven, and finally that a cultural centre be considered as part of the Town's development planning.

Through a PowerPoint presentation he advised that Bobby Curtola has confirmed his attendance to sing and present awards; he spoke to applying for charitable status; the purpose and role of the Wasaga Society for the Arts; developing a strategic plan; yearly business plan fundraising platform and creating cultural centre organization to develop a long term plan in conjunction with the Town. He also spoke to working with service clubs, arts and culture groups and the business community. Mr. Cerantola advised that the Wasaga Film Festival continues to grow with 57 film entry's last year from across Canada as well as International entries and they expect more than that this year.

Councillor Smith thanked Mr. Cerantola for the presentation noting they have done a wonderful job and is looking forward to seeing the films. This is great for the community and your request is reasonable.

##### b) **Sandra Boland – Comments pertaining to Bill 131 – Shared Economy Act**

Mayor Smith welcomed Ms. Boland to the table. She advised that in December 2015 she sent a letter to all Council members concerning "Opportunity in the Sharing Economy Act" Bill 131. At the last Committee of the Whole meeting there was additional information and she was pleased that Council voted not to oppose Bill 131. She felt it is a progressive step in recognizing the growing practice of people sharing their assets. Home sharing is one of the many on-line platforms that bring people together to exchange housing for monetary or non-monetary compensation. Bill 131 defines space as being within a primary residence. This Bill does not cover secondary dwellings. Bill 131 would allow homeowners the opportunity to share their property for 120 days a year, consecutively or not, without having a business license or commercial zoning.

Ms. Boland then spoke to the health and safety of a residence. She believes it was reasonable to assume that private residences maintain adequate standards. She did not believe that a business license is necessary to ensure health, fire and safety standards. Ms. Boland suggested that when a place is listed the safety features would be listed and the ratings are posted on line for consumer input.

Ms. Boland spoke to zoning requirements and while B&B's are permitted in R-1 zones, home sharing is not. She spoke to the ways that the Town does not make it easy to legally home share. Noise seems to be of great concern to the Town and bad behavior from renters is one of the biggest issues. She felt that it was wrong for the Town to use licensing and zoning

by-laws to control behavioral or noise problems.

Ms. Boland advised that she hosted travelling families in her home last summer. Those visitors ate, shopped and enjoyed area tourist attractions which added money into the local economy. Those people went home with good things to say about Wasaga Beach and with the money she earned put it back into the local economy to enhance her property and upgrade the neighbourhood.

In conclusion, she noted that rather than punish the residents who want to share their places by-laws should target the issues that arise from those few who rent irresponsibly. She hoped that Council would be proactive to make it work for all in the community.

Mayor Smith thanked Ms. Boland and inquired of safety in shared accommodations without inspections. Ms. Boland responded that the assumption is that people who live in a residence keep their homes safe and inspections don't ensure that things are always safe.

Mayor Smith noted that being licensed put measures in place and he has a concern with ensuring these measures are maintained. Ms. Boland noted that with reviews on line they self-govern and people would spot safety infractions. There are no guarantees anyway.

Mayor Smith questioned, if a residence is not licensed, who the Town would hold responsible when noise is out of control and residents are not able to enjoy their right to their property. Ms. Boland suggested that the by-laws need to be reviewed and changed. There are questions to be answered, but home owners should not be limited because there are problems with noise.

Councillor Smith had concerns with long weekends and people renting out their homes. They take a huge damage deposit and furniture ends up outside. There is a need to find the right definition and there is a fine line between being a tourist destination and areas where we have incidents that happen in residential areas. Ms. Boland suggested the Town needs to distinguish between the issues; renting of homes or noise and put measures in to eliminate that. She did not feel the overall licensing and zoning should be used to regulate the By-Law.

**5. UNFINISHED BUSINESS – None**

**6. CORRESPONDENCE – Received for Information - None**

**CORRESPONDENCE – Requiring Action**

**a) Ontario Heritage Week - February 15 -21, 2016**

MOVED BY R. EGO

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-02-02

RESOLVED THAT Council does hereby proclaim the week of February 15-21, 2016 as "Ontario Heritage Week" in the Town of Wasaga Beach.

CARRIED

**b) Film Festival Month – April 2016**

MOVED BY S. BRAY  
 SECONDED BY R. EGO

RESOLUTION NO. 2016-02-03

RESOLVED THAT Council does hereby proclaim the month of April 2016 as “Film Festival Month” in the Town of Wasaga Beach.

CARRIED

**CORRESPONDENCE – Referred - None****7. COMMITTEE, BOARDS & STAFF REPORTS****a) Coordinated Committee Report – February 4, 2016**

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

Councillor Anderson spoke to the highlights of the General Government Committee section.

Deputy Mayor Bifulchi spoke to the highlights of the Development Services section of Coordinated Committee.

Councillor Ego spoke to the highlights of the Community Services Committee section. It was then;

MOVED BY R. EGO  
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-04

RESOLVED THAT Council does hereby adopt the Coordinated Committee Report of February 4, 2016 as circulated, and approves all actions contained therein.

CARRIED

**b) Committee of the Whole Report – February 9, 2016**

Mayor Smith spoke to the Committee of the Whole Report.

Deputy Mayor Bifulchi requested that Resolution No. 2016-03-26 be pulled from the Report and voted on separately.

The Clerk read the resolution.

Deputy Mayor Bifulchi noted there are a number of By-Laws following the report and could not support the award. The Town has received letters from Phoenix and a legal opinion that she did not believe all of council has had the opportunity to fully review. She requested a recorded vote.

Councillor Anderson also spoke to the Copa noting after two reviews the highest score went to Phoenix yet it is not being awarded to them. That just does not make any sense to him and clearly there needs to be a better way to evaluate. He felt this should be put off

until after the closed session.

The Clerk re-read the Copa Resolution No. 2016-03-26 from the Committee of the Whole Report and it was then;

RESOLUTION NO. 2016-02-05

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

CARRIED

Councillor Stockwell spoke to the Closed Session that was held at the Committee of the Whole meeting where Council members discussed the Fire Firefighters. He advised that he is unable to make comment on all the options Council discussed in Closed Session, but he felt that one of the options had merit and should be reviewed in further detail before moving ahead with hiring the new staff.

The Clerk read the Fire Fighter Resolution No. 2016-03-21 from the Committee of the Whole Report and it was then;

RESOLUTION NO. 2016-02-06

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

CARRIED

MOVED BY R. EGO  
SECONDED BY B. SMITH

RESOLUTION NO. 2016-02-07

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report of February 9, 2016 as circulated, and approves all actions contained therein, as amended.

CARRIED

**c) Report from CAO – Potential Hiring of Six New Full-time Fire Fighters**

The CAO spoke to his report and invited the Treasurer to the table. He noted the report is self-explanatory but understands that Councillor Stockwell has some questions.

Councillor Stockwell stated that he was the only one opposed to the hiring of six new Fire Fighters and wanted to provide as explanation to his position; however the matter was discussed in closed session and is not able to explain.

Councillor Stockwell then spoke to report of the CAO. He supports the CAO's comments there were a number of options that were discussed. He found one option to be very creative and thought it was a good enough to explore, but Council did not get the opportunity to vote on it.

Mayor Smith corrected the Councillor in that the motion was withdrawn.

The Clerk advised that the motion was withdrawn in closed session and did not move forward to a vote. Councillor Stockwell moved the motion, but the motion did not receive a seconder to it, therefore it was withdrawn.

Councillor Stockwell spoke to the Treasurer's figures in the report pertaining to the financial impact in future years suggesting that the number being recommended doesn't really show the tax payers what they will be paying in 2017 and beyond.

The Treasurer provided an explanation noting it takes a first class fire fighter five years to reach \$90,000, inclusive of benefits and how the wage rate affects the 2016 and 2017 budget. The Treasurer advised that Council had already budgeted for two fire fighters to begin July 1<sup>st</sup> in the 2016 budget. The financial impact is with the additional four fire fighters moving forward.

Mayor Smith advised that at this point we do not have a figure for 2017. Right now the impact is \$30.68 per household. The future impact will be determined by MPAC through assessment growth and contract negotiations. Right now, the numbers are based on the 2014 contract rate that is in effect. It could increase to about \$40.00 per tax payer or .11 cents per day.

It was then;

MOVED BY B. SMITH  
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-02-08

RESOLVED THAT Council does hereby receive the Chief Administrator Officer's Report on the potential hiring of six new Full-time Fire Fighters, for information.

CARRIED

**d) Report from the Clerk – 13 First Street Roof Repair Tender Award - Dard**

The Clerk spoke to the report noting the first Tender was put out in late 2015 with the results being too high and re-issued in early 2016 for more reasonable costs. Originally the tender was for both the Dard and Bananas and was re-issued as two separate tenders. The Dard tender has come within budget. It was then;

MOVED BY B. SMITH  
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-09

RESOLVED THAT Council does hereby receive the report pertaining to the Tender Results for Roof Repairs – 13 First Street (Dard); and,

THAT Council award the roof repairs for 13 First Street (Dard) to Midhurst Roofing in the amount of \$82,888 plus HST.

CARRIED

**e) Report from the Clerk – 41 Beach Drive Roof Repair Tender Award - Bananas**

The Clerk spoke to her report noting the report is not as positive as only one tender was submitted and it is over budget. The submission was reviewed by RJ Burnside and they feel the scope of the work can be reduced to secure the building from any further water damage. Before Council is a recommendation that Council proceed with the reduced scope of work and that the contract be awarded to Audia Roofing Systems.

Mayor Smith inquired of the CAO as to discussions with the previous owners and the commitment with respect to the roof.

The CAO advised that he has been in conversation with the representative of the previous owner and has a meeting with him on February 24 where they will review the engineer's drawings and the construction estimates provided to the Town for the additional repairs. The intent is to get a contribution from the previous owner to pay for those repairs.

Mayor Smith stated that we should not look for a contribution; the previous deal is that they would repair the roof and he wants to see the previous owner cover the bill in its entirety. It was then;

MOVED BY B. SMITH  
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-10

RESOLVED THAT Council does hereby receive the report pertaining to the Tender Results for Roof Repairs – 41 Beach Dr. (Bananas) and;

THAT Council award the reduced scope of work for the roof repairs for 41 Beach Dr. (Bananas) to Audia Roofing Systems Limited in the amount of \$139,700 plus HST.

CARRIED

**f) Accounts - None**

**8. NOTICES OF MOTION**

Mayor Smith advised that he would give notice of two motions for next Council.

1. THAT, in an effort to encourage and enhance public participation in the decisions of Council, that Council discuss amending the Procedural By-law to allow for a question and answer period at the beginning of each Council agenda pertaining to items outlined on the meeting agenda.

2. THAT, in an effort to increase accountability and transparency, Council discuss amending the Procedural By-law pertaining to the method in which votes are taken for matters on the Coordinated Committee, Committee of the Whole and Council agendas to state that all votes on all matters shall be done by recorded vote.

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

**10. BY-LAWS AND CONFIRMATORY BY-LAW**

- a) 2016-23 A By-Law to Appoint a Municipal Law Enforcement Officer and Property Standards Officer for the Town of Wasaga Beach (Lauren Dykstra)**

MOVED BY N. BIFOLCHI  
SECONDED BY B. SMITH

RESOLUTION NO. 2016-02-11

RESOLVED THAT a By-Law to Appoint a Municipal Law Enforcement Officer and Property Standards Officer 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. 2016-23.

CARRIED

- b) 2016-24 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 (Wildwood Dr., Manor Cresc., Caralyn Place, Rodrium Rd. Dowlwood Dr., Ramblewood Dr. – (Dowlwood Dr. to 58<sup>th</sup> St. S.)**

MOVED BY B. SMITH  
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-02-12

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, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-24.

CARRIED

- c) 2016-25 A By-Law to Adopt a Municipally Significant Public Special Events Policy and Guidelines for the Town of Wasaga Beach**

MOVED BY B. SMITH  
SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-13

RESOLVED THAT a By-Law to Adopt a Municipal Significant Public 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. 2016-25.

CARRIED



**d) 2016-26 A By-Law to Adopt a Closed Meeting Investigation Policy for the Town of Wasaga Beach**

MOVED BY B. SMITH  
SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-14

RESOLVED THAT a By-Law to Adopt a Closed Meeting Investigation Policy 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. 2016-26.

CARRIED

**e) 2016-27 A By-Law to Adopt a Corporate Communication Policy for the Town of Wasaga Beach**

MOVED BY B. SMITH  
SECONDED BY R. ANDERSON

RESOLUTION NO. 2016-02-15

RESOLVED THAT a By-Law to Adopt a Corporate Communication Policy 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. 2016-27.

CARRIED

**f) 2016-28 A By-Law to Adopt a Corporate Complaint Policy for the Town of Wasaga Beach**

MOVED BY B. SMITH  
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-02-16

RESOLVED THAT a By-Law to Adopt a Corporate Complaint Policy 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. 2016-28.

CARRIED

**g) 2016-29 A By-Law to Adopt a Handling Unreasonable Customer Behaviour Policy for the Town of Wasaga Beach**

MOVED BY B. SMITH  
SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-17

RESOLVED THAT A By-Law to Adopt a Handling Unreasonable Customer Behaviour Policy 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. 2016-29.

CARRIED

**h) 2016-30 A By-Law to Exempt Lots 17, 18, 19 and 20 Registered Plan 51M-923 in the Town of Wasaga Beach, County of Simcoe, from Part Lot Control (Hamount Investments – Sandy Coast Cresc.)**

MOVED BY N. BIFOLCHI  
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-02-18

RESOLVED THAT a By-Law to Exempt Lots 17, 18, 19 and 20, Registered Plan 51M-923 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. 2016-30.

CARRIED

- i) **2016-31 A By-Law to Authorize Certain New Capital Works for the Corporation of the Town of Wasaga Beach (the “Municipality”); to Authorize the Submission of an Application to Ontario Infrastructure and Lands Corporation (“OILC”) for Financing such Capital works; to Authorize Temporary Borrowing from OILC to meet Expenditures in Connection with such works; and to Authorize Long Term Borrowing for such Works through the Issue of Debentures to OILC (LED Streetlight Retrofit)**

MOVED BY S. BRAY  
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-02-19

RESOLVED THAT a By-Law to Authorize Certain New Capital Works for the Corporation of the Town of Wasaga Beach (the “Municipality”); to Authorize the Submission of an Application to Ontario Infrastructure and Lands Corporation (“OILC”) for Financing such Capital Works; to Authorize Temporary Borrowing from OILC to meet Expenditures in connection with such works; and to Authorize Long Term Borrowing for such Works through the Issue of Debentures to OILC, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-31.

CARRIED

- j) **2016-32 A By-Law to Authorize the Execution of a Lease Agreement between the Town of Wasaga Beach and JJBG Holdings Inc. and Janet Trude (Tim Hortons)**

MOVED BY R. ANDERSON  
 SECONDED BY B. SMITH

RESOLUTION NO. 2016-02-20

RESOLVED THAT a By-Law to Authorize the Execution of a Lease Agreement between the Town of Wasaga Beach and JJBG Holdings Inc. and Janet Trude, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-32.

CARRIED

- k) **2016-33 A By-Law to Amend By-Law 2013-25, as Amended, Being a By-Law to Establish a Ladder Chart for Non-Union Employees**

MOVED BY B. SMITH  
 SECONDED BY S. BRAY

RESOLUTION NO. 2016-02-21

RESOLVED THAT a By-Law to Amend By-Law 2013-25, as Amended, Being a By-Law to Establish a Ladder Chart for Non-Union Employees, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-33.

CARRIED

**I) 2016-34 Confirmatory By-Law**

MOVED BY S. BRAY  
 SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-02-22

RESOLVED THAT a By-Law to Confirm the Proceedings of the Council of the Town of Wasaga Beach at its Regular Meeting held February 16, 2016 be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-34.

CARRIED

**11. CALLING OF COMMITTEE MEETINGS**

Coordinated Committee	March 10 at 8:30 a.m.
COWOC	March 15 at 4:00 p.m.
Council	March 27 at 7:00 p.m.

The CAO advised that staff are in the process of negotiating a number of leases for beachfront properties. There are three prospective tenants to sign leases and they would like to get in by March 1<sup>st</sup> to undertake leasehold improvements. The CAO requested an opportunity to convene a Special Council to consider these leases. He asked that Council look at their calendars for the afternoon of February 25<sup>th</sup> for these three leases only. He will be asking the Clerk to canvas members of Council.

**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.”*

Kurt Lehmann, Princess Point Drive – spoke to the hiring of six new fire fighters and as it was discussed in closed session will the public be notified of what the discussion was and how Council came to the conclusion.

Mayor Smith responded that it was discussed in closed session for specific reasons and the finite details will not be made public. Committee voted 6-1 in favour of the six new fire fighters to secure the safety of the fire fighters and our community.

Mayor Smith thanked Mr. Lehmann for his comments.

**13. CLOSED SESSION**

- a) Closed Session Minutes –** Council January 26, 2016
- Committee of the Whole Education Session February 1, 2016
  - Committee of the Whole February 9, 2016

Members of Council agreed there was no need to go into Closed Session to adopt the Closed Session report so in open Council it was then;

MOVED BY R. EGO

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2016-02-23

RESOLVED THAT Council does hereby adopt the following Closed Session Minutes and Reports as circulated:

- Council Minutes January 26, 2016
- Committee of the Whole Education Session Report February 1, 2016
- Committee of the Whole Report February 9, 2016

CARRIED

**14. ADJOURNMENT**

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

The Minutes of this Meeting were adopted the 22<sup>nd</sup> day of March, 2016.

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Brian Smith, Mayor

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Holly Bryce, Clerk