



## REGULAR MEETING OF COUNCIL

### MINUTES

Tuesday, July 25, 2017 at 7:00 p.m.

#### PRESENT:

B. Smith	Mayor
N. Bifulchi	Deputy Mayor
J. Belanger	Councillor
S. Bray	Councillor
R. Ego	Councillor
B. Smith	Councillor
B. Stockwell	Councillor
G. Vadeboncoeur	Chief Administrative Officer
A. Fay	Director, Legislative Services and Clerk
L. Borland	Deputy Clerk
A. McNeill	Director of Economic Development and Tourism
D. Herron	Manager of Planning

#### REGRETS:

##### 1. CALL TO ORDER

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

##### 2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Bifulchi declared a Pecuniary Interest in regards to Public Works Accounts Cheque Nos. 021204 and 021262 as they pertain to a family member, but will be voting on all other matters.

Councillor Bray declared a Pecuniary Interest related to the Community Services Section of Coordinated Committee Cheque No. 021330 for \$217.80 to Grandma's Beach Treats, a purchase from her business, and to General Government Section of Coordinated Committee EFT 0000000887 to the Town of Collingwood for the Collingwood Regional Airport, of which she has a business relationship, but will be voting on all other matters.

Mayor Smith noted that prior to further business of the meeting he would like to address a breach of conduct by Councillor Bray at the last Special Meeting of Council held Thursday July 6, 2017, he then referenced the related sections of the Procedural By-law. Mayor Smith asked Councillor Bray if she wished to withdraw her comment and apologize to the house. Councillor Bray advised she will speak to this matter when the Minutes from the July 6, 2017 Special Meeting of Council are brought forward. Mayor Smith again asked Councillor Bray if she was prepared to apologize to the house. Councillor Bray advised she was not prepared to apologize for her use of the word "cowardly" and that she is not in breach of the Code. Discussion ensued regarding the role of the Integrity Commissioner and further explanation of the Procedural By-law and the Code of Conduct was provided by the Director of Legislative Services and Clerk. Councillor Stockwell called a point of

order and noted that the matter is not debatable the Councillor must leave or be removed. Further discussion ensued on the matter. Mayor Smith called a recess for 15 minutes to speak with staff.

Council entered into recess at 7:07 p.m.

Council reconvened at 7:35 p.m.

Mayor Smith advised that the Clerk will explain the Procedural By-law and Roberts Rules of Order.

The Director of Legislative Services and Clerk informed Council of the duty of the Chair and referenced the applicable sections of the Procedural By-law. A member may appeal the decision of the Chair to Council as a whole. Mayor Smith apologized and provided clarity that he was not referring to the Code of Conduct but rather the Procedural By-law.

Mayor Smith then asked Councillor Bray if she wished to appeal the decision. Councillor Bray acknowledged she would like the decision appealed. It was then;

MOVED BY S. BRAY  
 SECONDED BY N. BIFOLCHI RESOLUTION NO. 2017-11-01

RESOLVED THAT the decision of the Chair regarding Councillor Bray related to the Procedural By-law be confirmed.

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

CARRIED

Mayor Smith asked Councillor Bray one more time if she would like to apologize to the house or she will need to remove herself from the table. Councillor Bray noted that she disagreed with the process but left the table.

Councillor Bray left the table at 7:41 p.m.

### 3. ADOPTION OF MINUTES

a) Regular Meeting of Council June 27, 2017

MOVED BY J. BELANGER  
 SECONDED BY R. EGO RESOLUTION NO. 2017-11-02

RESOLVED THAT the Minutes of the Regular Meeting of Council held Tuesday June 27, 2017, are hereby adopted as circulated.

Councillor Belanger	Yea
Deputy Mayor Bifolchi	Yea
Councillor Ego	Yea

Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

b) Special Meeting of Council July 6, 2017

Deputy Mayor Bifulchi made comment on the minutes. It was then;

MOVED BY	R. EGO	
SECONDED BY	J. BELANGER	RESOLUTION NO. 2017-11-03

RESOLVED THAT the Minutes of the Special Meeting of Council held Thursday July 6, 2017, are hereby adopted as circulated.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

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

##### Presentation:

##### a) Citizen Recognition – Evan Desroches – Certificate Presentation

A Certificate Presentation was made by Council to Mr. Evan Desroches in recognition of saving the life of his fellow student.

#### 5. COMMENT PERIOD

*“A fifteen (15) minute session wherein persons in attendance at the Regular Meeting of Council have an opportunity to make a comment pertaining to items that are listed on the agenda to be dealt with by Council. Comments will be received for Council consideration but will not be discussed or debated at this time.”*

*Patrice McCammon - 35 Savannah Crescent*

- In Support of downtown and would like to attract business to our industrial park noting the Town should be at least 10% commercial assessment.

*Bill Kingston - 27 Foxwood Crescent*

- You as Mayor have made a point of making everyone well informed about rules of Procedural. Does it apply to anyone else like Councillor Stockwell? I request that you tell him to apologize for speaking poorly to the general public and I would like to see you apply rules on even basis.

*David Seabourn - 267 Old Mosley Street*

- Noted that the earlier adjournment requested 15 minutes lasted for 30 minutes and requests that Council respect the adjournment periods for the benefit of the citizens.
- The Mayor mentioned twice this is not a public meeting then said it was a public meeting; this is a public meeting.
- I purchased in Wasaga for the benefits this community offers. I came from a large city and we do not need another large commercial development here.

*Fred Garvan - 61 Wally Drive*

- In regards to the Fram Group, I have a unique perspective on Port Credit. I lived there for 25 years before Fram got involved and it was a sleepy town. The Fram Group built a project and I am glad you went down to take a look at it. Fram allowed Port Credit to grow and we need Wasaga to grow as well.

*Joanne Kergan - 1211 River Road East*

- I watched the meeting on the hydro decision and I heard Councillor Bray's remarks and I don't believe she needs to apologize. It was Cowardly of this Council to do that.
- Mayor Smith advised the speaker to stop as her comment was offensive to this Council; she was asked to take a seat.

*Sylvia Bray – 73 Frank Street*

- I would like to make my comments regarding the July 6, 2017 meeting.
- Mayor Smith noted he will not be allowing this.

*David Seabourn – 267 Old Mosley Street*

- You instructed anyone who came to the mic who used offensive language to be removed from the meeting, but you didn't do that.
- Mayor Smith reread the section of the Procedural By-law again for clarification.

*Donna M. – Wasaga Beach*

- I voted to keep Wasaga Distribution. I was disappointed in the Special Meeting. I would like to see more community votes than big surprises. It's hard to respect Council with some of the conduct that is happening.

*Rita Premich – 9 Bush Crescent*

- I have lived here for 20 years and came for the memories. We voted for change and the changes coming are so exciting. We are looking forward to Fram coming.

The Mayor asked if there were any further comments and there were none.

**6. UNFINISHED BUSINESS – None****7. CORRESPONDENCE – Received for Information****a) Fram Building Group Ltd & Slokker Canada Corp. – Letter to the Mayor Re: Wasaga Beach Downtown Redevelopment**

Deputy Mayor Bifulchi noted her comments in regards to this item and requested that a copy of her letter to Mr. Giannone be included in the record.

Councillor Smith noted her comments and discussion ensued amongst Council members

in regards to this item. It was then;

MOVED BY J. BELANGER  
SECONDED BY R. EGO

RESOLUTION NO. 2017-11-04

RESOLVED THAT Council receive the letter from Fram Building Group Ltd & Slokker Canada Corp., dated July 12, 2017, for information.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**b) Morley Bercovitch-- Letter Re: Submission of Wasaga Distribution Petition and Surveys for Information**

MOVED BY R. EGO  
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2017-11-05

RESOLVED THAT Council receive the letter from Mr. Morley Bercovitch, dated July 19, 2017, for information.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**CORRESPONDENCE – Requiring Action**

**a) Fierte Simcoe Pride – Letter to the Clerk’s Department Re: Request for Proclamation of Fierte Simcoe Pride, July 31st to August 13th, 2017, with a Flag Raising on August 2, 2017**

MOVED BY N. BIFOLCHI  
SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-06

RESOLVED THAT the Council of the Town of Wasaga Beach does hereby proclaim July 31, 2017 to August 13, 2017 Fierte Simcoe Pride 2017 in the Town of Wasaga Beach.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**CORRESPONDENCE – Referred - None****8. COMMITTEE, BOARDS & STAFF REPORTS****a) Coordinated Committee – July 20, 2017**

MOVED BY R. EGO

SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-07A

RESOLVED THAT Council receive the Coordinated Committee Reports of July 29 2017, as circulated and approves all actions contained therein, with the exception of items 5.4.1 b) iii) which will be dealt with as a separate matter.

Councillor Belanger	Yea
Deputy Mayor Bifolchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**Coordinated Committee Item 5.4.1 b)iii)**

Councillor Belanger spoke to Coordinated Committee Report Item 5.4.1 b) iii) and noted his concerns. Members of Council spoke to their comments and concerns regarding this item. It was then;

MOVED BY R. EGO

SECONDED BY J.BELANGER

RESOLUTION NO. 2017-11-07B

RESOLVED THAT Council lift the Holding (H) symbol for Phase 3 of the Villas of Upper Wasaga Plan of Subdivision for Baycliffe Homes provided an amending Subdivision Agreement has been executed and the required securities have been posted by the developer to the satisfaction of the Town

Councillor Belanger	Nay
Deputy Mayor Bifolchi	Yea
Councillor Ego	Nay
Councillor Smith	Nay
Councillor Stockwell	Nay
Mayor Smith	Yea

DEFEATED

**b) Accounts – June 1, 2017 – June 30, 2017**

MOVED BY B. STOCKWELL

SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-08

RESOLVED THAT Council does hereby approve the June 1, 2017 – June 30, 2017

Accounts in the amount of \$7,784,348.15.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**9. NOTICES OF MOTION - None**

**10. MOTIONS – WHERE NOTICE HAS BEEN PREVIOUSLY GIVEN - None**

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

MOVED BY B. STOCKWELL  
 SECONDED BY J. BELANGER RESOLUTION NO. 2017-11-09

RESOLVED THAT a By-law to establish fees and charges to be collected by the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2017-68.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

MOVED BY J. BELANGER  
 SECONDED BY N. BIFOLCHI RESOLUTION NO. 2017-11-10

RESOLVED THAT a By-law to authorize the execution of an Agreement between the Town of Wasaga Beach and Her Majesty the Queen in Right of Canada (Military Deployment Area October 11 – 15, 2017), be received and be deemed to have been read a first, second and third time, passed and numbered No. 2017-69.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

MOVED BY R. EGO  
 SECONDED BY J. BELANGER RESOLUTION NO. 2017-11-11

RESOLVED THAT a By-law to prescribe and authorize the rates of speed within the Town of Wasaga Beach (River Road East), be received and be deemed to have been read a first, second and third time, passed and numbered No. 2017-70.

Councillor Belanger Yea  
 Deputy Mayor Bifolchi Yea  
 Councillor Ego Yea  
 Councillor Smith Yea  
 Councillor Stockwell Yea  
 Mayor Smith Yea

CARRIED

Councillor Belanger made comment in regards to the some of the wording of this By-law and clarified it for the public. It was then;

MOVED BY B. SMITH  
 SECONDED BY R.EGO

RESOLUTION NO. 2017-11-12

RESOLVED THAT a By-law to prohibit or regulate the injuring or destruction of trees on private property in the Town of Wasaga Beach and to repeal by-law 2004-72 as amended, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2017-71.

Councillor Belanger Yea  
 Deputy Mayor Bifolchi Yea  
 Councillor Ego Yea  
 Councillor Smith Yea  
 Councillor Stockwell Yea  
 Mayor Smith Yea

CARRIED

MOVED BY B. STOCKWELL  
 SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-13

RESOLVED THAT a By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its regular meeting held Tuesday, July 25, 2017, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2017-72.

Councillor Belanger Yea  
 Deputy Mayor Bifolchi Yea  
 Councillor Ego Yea  
 Councillor Smith Yea  
 Councillor Stockwell Yea  
 Mayor Smith Yea

CARRIED

**12. CALLING OF COMMITTEE MEETINGS**

Coordinated Committee	August 17	8:30 a.m.
Council	August 22	7:00 p.m.
COW-B	August 29	4:00 p.m.

**13. 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.”*



*Roger Williams –Shore Lane*

- You are all a great Council and we all appreciate your hard work, thank you.
- Can you give us an update on the Fram meeting you had? Can you give us any indication on developer interest in Wasaga Beach?
- Mayor Smith advised that Council visited the Fram Head Office in Port Credit. Mayor Smith noted there is still a third party audit to be done as well.
- With respect to the second question, Mayor Smith asked that the Manager of Planning comment. The Manager of Planning, Mr. Doug Herron, advised that companies are searching out properties in order to expand and staff are in discussion with many developers on new units.

*David Seabourn – 267 Old Mosley Street*

- There was correspondence brought before Council earlier. Is this made public to the community? How do we receive this information?
- Mayor Smith advised that these items are placed on the Agenda under Correspondence and made available for public viewing unless it is a Closed Session matter. Mayor Smith indicated that he could contact either the Clerk or Deputy Clerk directly.
- Are Notices of Special Meetings found out by contacting the office? How does the public know if a meeting is being held on short notice?
- The Director, Legislative Services and Clerk advised the speaker of the proper wording contained in the Procedural By-law regarding special meetings and noted they are posted on the website.
- Mr. Seabourn referred to the earlier reference of Roberts Rules of Order in regards to use of certain verbage noting his understanding is that you have authority to challenge someone who violates this rule. Earlier a Councillor referred to the Deputy Mayor as a liar and you did not take action at that point. Why would this be allowed?
- Mayor Smith noted that it is was his ruling based on the Deputy Mayor clearly asking the Councillor a question and the Councillor answering yes to her question.

*Peter Gribbin– Shore Lane*

- When I heard about the downtown development I wanted to get involved. I became the Chair of the Downtown Master Plan Steering Committee. The volunteers on this committee are putting in good hours and have good backgrounds. We are listening to the public and following the processes outlined. Will the public still stay engaged throughout the entire process, and when is the next public meeting likely to take place?
- Mayor Smith asked the Director of Economic Development and Tourism to come forward to respond.
- The Director of Economic Development and Tourism, Mr. Andrew McNeill, advised that the town fully intends to keep the public engaged as this is critical throughout implementation. Mr. McNeill advised that the Town is looking at hosting a community meeting sometime in late August to bring the community up to date. Mr. McNeill advised that Fram is willing to work with the community to reflect what they want to see and that we are only just beginning with community engagement.

*Bill Kingston – 27 Foxwood Crescent*

- Regarding the traffic circle, this will be a disruption of traffic. This is a capital improvement on the road. What is the plan for the rest of the roads in the community that flood? Some are half-covered in water and this is a serious issue.
- Mayor Smith advised that he would refer to the Director of Public Works for a full

answer but that Council moves forward in making improvements in a variety of areas of the community and if there is specific areas please reach out to the Public Works Department.

- Mayor Smith noted that the roundabout is a separate issue.
- Mr. Kingston noted there are flooding issues on Blueberry Trail and River Road West, and parts of River Road East.
- Mayor Smith informed Mr. Kingston Council is aware and understands. The CAO advised that Mr. Kingston should contact Public Works and our Director can outline the program for ditching and drainage improvements.

*Rita Premich– 9 Bush Crescent*

- Please move forward with the Master Plan. The last Council tried and it failed and to do nothing is counterproductive. We voted for change. When do you think we can start moving forward with this plan?
- Mayor Smith advised that the Town continues to move forward every day and has met with the developer and staff are preparing reports; it is something that is constantly being worked on.

*Deputy Mayor Bifulchi*

- Would like to ask two questions at this time.
- Mayor Smith referred to the Clerk who advised this question period is for questions from the public not from Council. The Deputy Mayor advised she will forward them to the Clerk and copy the media.

Mayor Smith asked if there were any further questions and there were none.

Council entered into a recess at 9:02 p.m.

Council reconvened at 9:11p.m.

#### **14. CLOSED SESSION**

- a. Solicitor – Update Re: Earth Productions – Section 239 (2) (f) Advice that is subject to solicitor-client privilege and a proposed or pending acquisition or disposition of land Section 239 (2)(c)**
- b. Director of Economic Development & Tourism – Verbal Update Re: Main Street property - Section 239 (2) (c) A proposed or pending acquisition or disposition of land**

MOVED BY R. EGO

SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-14

RESOLVED THAT Pursuant to Section 239 of *The Municipal Act*, 2001, as amended, the next portion of the Regular Meeting of Council of July 25, 2017 be closed to the public to receive advice that is subject to solicitor-client privilege and property matters pertaining to a proposed or pending acquisition or disposition of lands.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea

Mayor Smith

Yea

CARRIED

Council entered into Closed Session at 9:12 p.m.

Council reported back to Open Session at 11:01 p.m.

It was noted in Closed Session that the meeting would be proceeding past 10:00 p.m.

## 15. REPORTS FROM CLOSED SESSION

### a. Regular Meeting of Council – June 27, 2017 – Closed Session Minutes

MOVED BY R. EGO

SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-17

RESOLVED THAT Council does hereby adopt the Closed Session Regular Meeting of Council Minutes dated June 27, 2017, as circulated.

Councillor Belanger Yea

Deputy Mayor Bifulchi Yea

Councillor Ego Yea

Councillor Smith Yea

Councillor Stockwell Yea

Mayor Smith Yea

CARRIED

### b. Solicitor – Update Re: Earth Productions – Section 239 (2) (f) Advice that is subject to solicitor-client privilege and a proposed or pending acquisition or disposition of land Section 239 (2)(c)

MOVED BY R. EGO

SECONDED BY J. BELANGER

RESOLUTION NO. 2017-11-18

WHEREAS notwithstanding (i) Council's interest in exploring the Earth Productions' proposal to bring three special events to the Town for a five year term, and (ii) Council's willingness to consider an application for a temporary use by-law for the Wasaga Sports Park Lands (and any ancillary lands as identified by Earth Productions), the lands are not currently designated or zoned to permit the proposed uses. Therefore it is premature for Council to support the Earth Productions' proposal or to make any commitment to Earth Productions with respect to its proposed use of the lands for special events, including but not limited to parking and camping. Before any special event permit application is considered, the threshold land use issues must be addressed;

THEREFORE BE IT RESOLVED THAT Town Staff continue to work with Earth Productions to explore and understand its proposal and to confirm temporary use zoning by-law application requirements; and also that staff bring forward a report for the information of Council that outlines an efficient application process for a temporary use by-law application pursuant to the Planning Act that would consider the potential to rezone all or part of the Sports Park Lands to permit special events, parking and camping, for a maximum of three years as permitted by the Planning Act;

AND THEREFORE BE IT FURTHER RESOLVED THAT Town Staff and the Town’s Solicitor begin the process of reviewing large scale special event best practices; the Town’s Special Events by-laws, application and management process, as well as other licensing and by-law requirements and consider what changes may be recommended or required in order to accommodate large-scale events in the Town.

AND THEREFORE BE IT FURTHER RESOLVED that staff examine other potential venues in the Town for concert/large scale events and report back to Council with the town Solicitor, on all of the foregoing.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**c. Director of Economic Development & Tourism – Verbal Update Re: Main Street property - Section 239 (2) (c) A proposed or pending acquisition or disposition of land**

MOVED BY J. BELANGER  
 SECONDED BY R. EGO

RESOLUTION NO. 2017-11-19

RESOLVED THAT Council does hereby confirm the direction provided to the Director of Economic Development and Tourism in Closed Session regarding the potential acquisition of land.

Councillor Belanger	Yea
Deputy Mayor Bifulchi	Yea
Councillor Ego	Yea
Councillor Smith	Yea
Councillor Stockwell	Yea
Mayor Smith	Yea

CARRIED

**16. ADJOURNMENT**

Mayor Smith adjourned the meeting at 11:06 p.m.

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Andrea Fay  
 Director, Legislative Services and Clerk