



SPECIAL MEETING OF COUNCIL

MINUTES

Tuesday July 10, 2018
10:00 a.m. in the Classroom

PRESENT:

| | |
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| B. Smith | Mayor |
| N. Bifulchi | Deputy Mayor |
| S. Bray | Councillor |
| R. Ego | Councillor |
| B. Smith | Councillor |
| B. Stockwell | Councillor |
| G. Vadeboncoeur | Chief Administrative Officer |
| L. Borland | Deputy Clerk |
| A. McNeill | Director, Economic Dev. & Tourism |
| J. Lee | Director, Finance and Treasurer |
| N. Wukash | Senior Planner |

ABSENT:

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| J. Belanger | Councillor |
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1. CALL TO ORDER

Mayor Smith called the meeting to order at 10:00 a.m.

2. DISCLOSURE OF PECUNIARY INTEREST - None

3. ADOPTION OF MINUTES – NONE

4. DEPUTATIONS, PRESENTATIONS, PETITIONS & PUBLIC MEETINGS - NONE

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.”

Dave Morrison - 1187 Mosley Street

- Thanked members of Council he contacted who filled him on the background of the proposed LOI.
- Has respect for the work that has been done to date.
- Doesn't fully understand the Letter of Intent (LOI) – the only important date is July 27 and it's interesting that there are probably project agreements ready to go for tomorrow. If anything changes after the election, then taxpayers are responsible for the expenditures.
- July 27 is a date that has huge significance. Council shouldn't be distracted by the LOI and agreements signed before this date.

- Council wasn't elected on this particular project or the concepts being implemented
- There should be an opportunity to ensure developers are responsible as well.

Heather C. - 30 Rodrium Road

- Representing Wasaga Beach Figure Skating and the Minor Hockley Clubs; met yesterday and reviewed this LOI. The Clubs are concerned that in the LOI there was no reference to the recreation features that pertain to the twin pad arena and our arena is falling down. There is no mention of a Library either.
- The intent was for the community hub to have an arena and library and they are not in this LOI.
- The kids are our future and it is important that Council plan for their needs
- Mr. McNeill clarified that the LOI describes an agreement on town owned lands and could include a library subject to Council direction. FRAM is not involved in the Community Hub, this is a town driven project. This LOI does not pertain to community hub

Rita P. – WB Resident

- In regards to Mr. Morrison's comment, contrary to his opinions she is happy there is a deadline because she doesn't want any more delay. In the last 5-10 years this town has gone down and we need to make it better and have something to work towards.

Mayor Smith asked if there were any further comments; there were none.

6. UNFINISHED BUSINESS – to be reviewed at the next Regular Council Meeting

7. CORRESPONDENCE - NONE

8. COMMITTEE, BOARDS & STAFF REPORTS

a) Special Committee of the Whole – July 6, 2018

Mayor Smith spoke to the highlights of the meeting. Mayor Smith asked Mr. McNeill to clarify for the public the LOI and its goals and intentions. Mr. McNeill spoke to a high level review of the LOI being proposed. Mr. McNeill noted the Town and FRAM are not designing outside of town owned lands at this time and wants to make this very clear. The LOI outlines a development strategy to develop the Town Square lands and the Beach Area 2 lands. The lands at the beachfront will be unlocked the lands in timely manner, based on FRAM meeting the Town's requirements. Mr. McNeill advised that there will be no shovels in the ground until the land is 100% purchased by FRAM. Mr. McNeill further clarified items in the LOI.

Mayor Smith finished speaking to the highlights of the meeting and asked if there were any comments or concerns from Council. Deputy Mayor Bifulchi advised that she would like Resolution 2018-06-06 pulled from the minutes for separate discussion and vote. Deputy Mayor Bifulchi also noted a correction to these meeting minutes in regards to her asking Mr. Giannone to remain in Closed Session to clarify which schedules were part of the agreement that he signed only and not to anything else. The Deputy Clerk acknowledged this and will make the changes accordingly.

Members of Council spoke to their questions and concerns of this item with Mr. McNeill.

It was then;

MOVED BY B. STOCKWELL
 SECONDED BY R. EGO

RESOLUTION NO. 2018-08-01A

RESOLVED THAT Council receive the Special Committee of the Whole Report of July 6, 2018 as circulated and approves all actions contained therein, apart from resolution 2018-06-06 which will be dealt with as a separate matter.

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

CARRIED

Deputy Mayor Bifulchi made a statement to Council and the public in regards to the LOI, speaking against it as she believes the Town is losing control of the development of these properties and is not satisfied with the process to get the downtown development to this point. She made reference to sharing concerns with the OPP Anti-Rackets Branch. Mr. McNeill noted he would like to clarify this statement and provided his comments looking for clarity from the Deputy Mayor. The CAO addressed the issue of control, noting that the Town, under various pieces of legislation, has to control over the sale and development of these lands through Council's approval powers. The CAO clarified that in regards to control of land, the town does retain control as FRAM would need to follow the various approval processes just like any other developer.

Members of Council spoke to their questions and concerns pertaining to this item. Councillor Bray provided a statement to Council and the public in regards to this matter.

Mr. McNeill noted he would like to clarify the process involved and highlighted the steps Council and staff have taken to date to get to where they are today. Mr. McNeill noted he would like it to be clear that what staff have done is proper and was outlined in RFEOI Council approved. Councillor Bray clarified her position on this matter with Council.

Mayor Smith noted that the Town is not giving anything away, and approving the sale of land in a phased manner so as to control the type of development that will occur on town owned lands. Mayor Smith advised that anybody who wants to look into this process can do so.

Council entered into a break at 10:49 a.m.

Council reconvened the meeting at 10:55 a.m.

Mayor Smith noted that it has been requested that the Deputy Mayor provide clarification on her earlier statement pertaining to concerns shared with the OPP. The Mayor requested that a full disclosure be submitted to the CAO for review and interpretation with possible interpretation from legal counsel.

Deputy Mayor Bifulchi advised that as a member of Council and a resident she has the right to go to any higher level body to share her concerns and the OPP Anti-Rackets Branch was

one of them. The Deputy Mayor noted she took concerns to them because she felt a need to share them.

It was then;

MOVED BY B. STOCKWELL
 SECONDED BY R. EGO

RESOLUTION NO. 2018-08-01B

RESOLVED that Committee of the Whole recommends that Council authorize the Mayor and Clerk to execute the proposed non-binding LOI submitted by FRAM;

Further that Committee directs Staff and Legal Counsel to prepare a binding Letter of Intent for consideration at a future Special Committee of the Whole or Coordinated Committee meeting that maintains the substantive components of the proposed LOI, taking into account the comments made in Closed Session;

Further that Committee directs Legal Counsel to consider the authority that Council may wish to delegate to staff to implement the LOI over the period that Council may be in a lame duck situation.

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| Deputy Mayor Bifulchi | | Nay |
| Councillor Bray | | Nay |
| 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 – to be reviewed at the next Regular Council Meeting

11. BY-LAWS AND CONFIRMATORY BY-LAW

- a) 2018-60 A By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Special Council meeting held Tuesday July 10, 2018.

MOVED BY R. EGO
 SECONDED BY B. STOCKWELL

RESOLUTION NO. 2018-08-02

RESOLVED THAT a By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Special Council meeting held Tuesday July 10, 2018, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2018-60.

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| Deputy Mayor Bifulchi | Yea |
| Councillor Bray | Yea |
| Councillor Ego | Yea |

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| Councillor Smith | Yea |
| Councillor Stockwell | Yea |
| Mayor Smith | Yea |

CARRIED

12. CALLING OF COMMITTEE MEETINGS - NONE

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.”

Heather C. – 30 Rodrium Road

- Representing WB Minor Hockey and Skate Canada
- It seems like the Town Square lands were originally proposed to be a Library, multicultural center and arena, and this is supposedly no longer in the plan. If it is not part of the Town square, where will these facilities be located. Are there still funds available for the arena?
- Mr. McNeill clarified the lands that the Town and Fram will be developing Mr. McNeill further clarified where the arena and other facilities will be located. He noted the resident’s questions; however, these components have not been forgotten, some are coming at different times.
- Mayor Smith further provided clarification on these questions.
- The CAO commented that there is money in the reserve fund for the Arena. Some money is being spent this year on design and there are still funds available for construction.

William Kingston - 27 Foxwood

- Looking at the LOI it only appears to be dealing with FRAM and there is no Slokker. Why are they not part of the agreement?
- Mr. McNeill advised that FRAM + Slokker are partners on this project and it only shows the Fram name because they will be bonding the development; this is standard and what they typically do. It is just legal terminology.
- Mr. Kingston noted the Collingwood project with FRAM ran out of money.
- Mayor Smith advised that this Council and staff can’t speak to what happened in Collingwood, but there is more that went on than this.
- Mr. Kingston asked if the Town has a provision from this not happening here?
- Mayor Smith advised that the legal team has reviewed and confirmed we are on solid ground.
- Mr. Kingston again asked why is Slokker is not signing?
- Mr. McNeill explained the situation in Collingwood noting that it was no issue on the part of FRAM or Slokker; the bank they were using went bankrupt and FRAM was locked out of the project. They tried to buy the project from the bank but they would not release it. Once the bank finally agreed to sell, they got control back and started to build immediately.

Glen Smail - 27 Sandy Coast

- He indicated that he thinks Council has done an outstanding job of being upfront and

forthcoming through this process. It is not good when staff, are called into question, it is distasteful and not proper.

14. CLOSED SESSION

- a) Director of Economic Development and Tourism's Confidential Verbal Report Re: Main Street and Spruce Street Properties – Section 239 (2) (c) a proposed or pending acquisition or disposition of land by the Municipality.

MOVED BY R. EGO
SECONDED BY S. BRAY

RESOLUTION NO. 2018-08-03

RESOLVED THAT Pursuant to Section 239 (2) (c) of The *Municipal Act*, 2001, as amended, the next portion of the Special Meeting of Council of July 10, 2018 be closed to the public to discuss a proposed or pending acquisition or disposition of land by the Municipality

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

CARRIED

Council entered into Closed Session at 11:16 a.m.

Council entered back into Open Session at 11:36 a.m.

15. REPORTS FROM CLOSED SESSION

- a) Special Committee of the Whole – July 6, 2018 – Closed Session Minutes

MOVED BY R. EGO
SECONDED BY B. STOCKWELL

RESOLUTION NO. 2018-08-05

RESOLVED THAT Council does hereby adopt the Closed Session Special Meeting of Committee of the Whole Minutes dated July 6, 2018, as circulated.

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

CARRIED

- b) Director of Economic Development and Tourism's Confidential Verbal Report Re: Main Street and Spruce Street Properties – Section 239 (2) (c) a proposed or pending acquisition or disposition of land by the Municipality.

MOVED BY S.BRAY

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2018-08-06

RESOLVED THAT Council does hereby confirm the Direction given to the Director of Economic Development and Tourism pertaining to Main Street and Spruce Street property matters.

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

CARRIED

16. ADJOURNMENT

Mayor Smith adjourned the meeting at 11:38 a.m.

Laura Borland
Deputy Clerk