

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 20, 2022

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## **Council Meeting Minutes - December 20, 2022**

7:12 PM, Parry Sound Council Chambers 52 Seguin St. Parry Sound

### **Members Present**

Mayor McGarvey, Councillor Ashford, Councillor Beleskey, Councillor Borneman  
Councillor Keith, Councillor McCann

**Regrets:** Councillor McDonald

### **Staff Present:**

CAO Clayton Harris, Clerk Rebecca Johnson, Director of Public Works Mike Kearns,  
Director of Development & Protective Services Dave Thompson, Director of Finance  
Stephanie Phillips, Manager of Parks & Recreation April McNamara, Manager of  
Operations Vinni Bonazza, Manager of Information Technology Cal Belchamber.

Prior to the Regular Meeting, Council adjourned to a meeting closed to the public per the following resolution.

### **Resolution 2022 - 164**

**Moved by Councillor Beleskey**

**Seconded by Councillor Ashford**

That pursuant to Section 239(2) of the Municipal Act, R.S.O. 2001, Chapter 25, as amended, the Council of the Corporation of the Town of Parry Sound move to a meeting closed to the public in order to address a matter(s) pertaining to:

b) personal matters about an identifiable individual, including municipal or local board employees, **(Appeal of Denial of Taxi Driver Licence);**

e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, **(Violation of Freedom of Conscience claim)**;

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, **(Violation of Freedom of Conscience claim)**;

**Carried**

## **Presentation/Announcements**

### **1. Agenda and Minutes Review**

#### **1.1 Land Acknowledgement**

#### **1.2 Additions to Agenda**

#### **1.3 Prioritization of Agenda**

#### **1.4 Adoption of Agenda**

**Moved by Councillor McCann**

**Seconded by Councillor Ashford**

That the Council agenda for December 20, 2022, be approved as circulated.

**Carried**

#### **1.5 Disclosure of Pecuniary Interest and the General Nature Thereof**

**1.5.1** Councillor Keith declared pecuniary interest on item 7.1 as she is employed by the Solicitor General and may be in personal conflict with the appeal of denial of the taxi driver license. Councillor Keith left the room for duration of the item, did not participate in discussion, nor vote on the matter.

#### **1.6 Adoption of Minutes**

**Moved by Councillor Beleskey**

**Seconded by Councillor Ashford**

That the Minutes from the Regular Council meeting held December 6, 2022, and the Special Meeting held December 13th, 2022, be approved as circulated.

**Carried**

**2. Public Meeting - N/A**

**3. Questions of Staff**

**3.1** In response to Councillor McCann's inquiry regarding lights at Pine Drive, Director of Public Works Mike Kearns confirmed that a change of bulbs will enhance the brightness of light there.

**3.2** In response to Councillor McCann's inquiry regarding what to do about tree limbs overhanging and potential fall on power lines, Mr. Kearns noted that Lakeland is responsible and does not need to seek Town approval for tree trimming along its power line corridors. Mr. Kearns encouraged the public to contact the Town office if they see something of concern and the Town will forward that to Lakeland.

**3.3** In response to Councillor McCann's inquiry regarding what response a driver should take when encountering a vehicle which is not a traditional school bus but is identified as a "school purpose vehicle" which has stopped with flashing lights, Director of Development and Protective Services Dave Thompson reported that he will review with the OPP and get back to Councillor McCann.

**4. Correspondence**

**4.1** Chris Pettinger, Trestle Brewing Co Ltd. RE: Patio Extension - covered by item 9.2.2 on the agenda.

**4.2** Chris McDonald, Executive Director Chamber of Commerce RE: Request for 2023 Funding - referred to Director of Finance for consideration in the 2023 Budget.

## **5. Deputations**

### **5.1 Diana Clements RE: Parry Sound Drive Property owned by Town & Carling**

Diana Clements addressed Council from a prepared power point presentation, providing a background on activities of the Parry Sound Forest School which started in 2018 as a summer school and began year-round operations in 2020, growing each year thereafter. Ms. Clements noted that the Forest School at Canadore campus is well located, within walking distance between the high school and the elementary school, and accesses nearby Town and Carling owned bush and wetland property for which she expressed appreciation to the Town.

Ms. Clements requested the opportunity to fundraise to repay Carling the amount they paid for their portion of the lot, transfer the money to the Town of Parry Sound and then have the forest remain as green space for use by mountain bikers, hikers, dog walkers, school groups and the Parry Sound Forest School in perpetuity.

In response to following discussion about how much of the Town-Carling property Ms. Clements was requesting, Mayor McGarvey suggested that the Town have a discussion on this.

### **5.2 Adrian Averhoff RE: Drainage Issues at 36 and 38 Isabella Street**

Adrian Averhoff addressed Council from a prepared power point presentation regarding flooding and water back-up experienced at 36 and 38 Isabella Street residential properties after Isabella Street road and sidewalk installation by the Town in 2018-2019.

Mr. Averhoff provided background with accompanying photos on the following: the 1998 culvert installation undertaken by his father in order to satisfy a closing out of the building permit; the 2005 culvert extension undertaken by his father and permission granted by the Town; and the 2018-2019 Town road and sidewalk installation which buried/removed the culvert.

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 20, 2022

Mr. Averhoff provided a summary of invoices for the repair work undertaken, requesting reimbursement from the Town in the amount of \$19,306.43. Mr. Averhoff reported that he did contact his insurer, but because the water did not come from a burst pipe, but was rather an "act of God", it is not covered by insurance.

Mr. Averhoff posed the following questions:

1. Why was the Town's initial response to tell me to assume the responsibility by sending it through my insurance?
2. Why should I suffer increased premiums because of a mistake made by the Town/engineers hired by the town?

Mr. Averhoff confirmed that flooding only occurred upon major downfalls when there wasn't sufficient capacity for water to drain, and that since he has fixed the problem, there has been no further flooding even in major downfalls.

The following motion was made:

**Moved by Councillor Keith**

**Seconded by Councillor McCann**

That a report be brought back to Council on this issue.

**Carried**

**5.3 Linda West, Rotary Club RE: 2023 Rotary Strikes Against Cancer 3-Pitch**

Linda West addressed Council from a prepared power point presentation on Rotary's programs including the grocery program which is still functioning for shut-ins, settlement for Ukrainians and plans for the 2023 Rotary Strikes Against Cancer Annual 3-Pitch.

Ms. West identified how the funds raised from the Tournament and Bingo are used, including for example, wheelchairs, dentures, eyeglasses, cadets, hockey, The Drop,

cancer, the Library, Christmas presents for resettle Ukrainians in the area, with \$147,571.84 spent in the community since July 1, 2021.

Ms. West noted that the 2023 Rotary Strikes Against Cancer 3-Pitch will be held on the Father's Day weekend June 16-17, with an aim of raising \$20,000 towards cancer, and she asked for the Town's support for this event.

## **6. Mayor & Councillors' Reports**

Mayor and Councillors gave reports on meetings attended and matters arising.

## **7. Ratification of Matters from Closed Agenda**

### **7.1 Resolution 2022 - 165**

**Moved by Councillor Beleskey**

**Seconded by Councillor Ashford**

That Council approve Applicant #2-2022's appeal and grant a temporary one (1) year Probationary Taxi Driver's Licence with the following conditions:

3. That a Level 2 Criminal Record Check be provided at the end of the temporary period (1 year), and annually thereafter as a part of the regular renewal process, without any new convictions; and
4. That subsequent Driver's Abstracts, checked every six (6) months while holding a valid Taxi Driver's Licence, do not contain any new convictions; and
5. That the owner of Parry Sound Taxi sign a responsibility agreement; and
6. That if the Town becomes aware of any violation of the applicant's probation conditions set herein the licence be revoked immediately.

**Carried**

## **8. Consent Agenda - N/A**

## **9. Resolutions and Direction to Staff**

### **9.1 Public Works**

#### **9.1.1 Cascade Street Bridge Rehabilitation Traffic Control Options**

Spokesperson: Vinni Bonazza, Manager of Operations

#### **Resolution 2022 - 166**

**Moved by Councillor Keith**

**Seconded by Councillor Beleskey**

That Council approves the recommended full road closure traffic control option for the duration of the rehabilitation of the Cascade Street Bridge to shorten the duration of the project and provide the safest alternative while providing lowest overall cost of work.

**Carried**

#### **9.1.2 2022 Municipal Assistance Program Allocation**

Spokesperson: April McNamara, Manager of Parks & Recreation

#### **Resolution 2022 - 167**

**Moved by Councillor McCann**

**Seconded by Councillor Ashford**

That Council approve the 2022 Municipal Assistance Program allocations per Attachment #1, Schedule A.

**Carried**

### **9.2 Development and Protective Services**

#### **9.2.1 2023 EMS Vehicle Purchases**

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 20, 2022

Spokesperson: Dave Thompson, Director of Development and Protective Services

**Resolution 2022 - 168**

**Moved by Councillor Beleskey**

**Seconded by Councillor Keith**

That Council approve the purchase of two (2) Ambulances from Crestline in the amount of \$214,444.75 +HST each as a sole source purchase and that the purchases be funded from the EMS Equipment Reserve Account

**Carried**

**9.2.2 Extension of Temporary Patio Permissions for Restaurants**

Spokesperson: Jeremy Rand, Manager of Planning

**Resolution 2022 - 169**

**Moved by Councillor Ashford**

**Seconded by Councillor McCann**

Whereas on June 8, 2020 the Alcohol and Gaming Commission of Ontario (AGCO) permitted new patios or temporary additions to patios to provide more opportunities to local businesses while protecting health and safety, subject to municipal requirements; and

Whereas the Council for the Town of Parry Sound passed Resolution 2020-067 to permit temporary restaurant patios and opted not to enforce Zoning or Site Plan Agreements as it related to parking infractions because of these patios until January 1, 2021;

Whereas the Council for the Town of Parry Sound passed Resolution 2022-020 which extended the timelines of Resolution 2020-067 to January 2022;

And Whereas in December 2022 the Alcohol and Gaming Commission of Ontario (AGCO) amended the provincial framework for temporary patios which comes into



effect on January 1, 2023 and requires that municipal approval be obtained for licensees prior to selling or serving liquor on a temporary patio for up to eight months per calendar year;

Now therefore be it resolved that the Council for the Town of Parry Sound supports the approval for a temporary patio at Trestle Brewing located at 9 Great North Road for a period of up to 8 months expiring on January 1, 2024, to the terms noted in Resolution 2020-067; with the condition that this approving Resolution only applies to food consumption, and does not apply to liquor licenses, which are the jurisdiction of the AGCO.

**Carried**

## **10. By-laws**

### **10.1 Public Works**

#### **10.1.1 Call2Recycle Amending Agreement**

Spokesperson: Mike Kearns, Director of Public Works

#### **By-law 2022 - 7300**

Being a By-Law to authorize the execution of an Amending Agreement with Call2Recycle Canada Inc. for the continued collection of single use and rechargeable batteries at the new compensation rate.

**Read a First, Second and Third time, Passed, Signed and Sealed**

#### **10.1.2 Contract extension - Waste Connections Canada Curbside Waste & Recycling**

Spokesperson: Mike Kearns, Director of Public Works

#### **By-law 2022 - 7301**

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 20, 2022

Being a by-law to authorize the execution of a one-year extension to the current service agreement with Waste Connections Canada for curbside waste and recycling collection.

**Read a First, Second and Third time, Passed, Signed and Sealed**

### **10.1.3 BOCC Snack Bar Agreement**

Spokesperson: Mike Kearns, Director of Public Works

#### **By-Law 2022 - 7305**

Being a by-law to authorize the execution of an agreement with Orr Enterprises for the remainder of the 2022-2023 ice in season ending no later than March 31, 2023, for the provision of snack bar services at the Bobby Orr Community Centre.

**Read a First, Second and Third time, Passed, Signed and Sealed**

## **10.2 Development and Protective Services**

### **10.3 CAO Office/Administration**

#### **10.3.1 Parrysound.ca Website Redesign**

Spokesperson: Callin Belchamber, Manager of Information Technology

#### **By-law 2022 - 7302**

Being a By-law to authorize the execution of an agreement with GHD Digital to redesign the Town of Parry Sound's main website in the Govstack CMS (Content Management System).

**Read a First, Second and Third time, Passed, Signed and Sealed**

### **10.3.2 Dell Canada OEM Agreement**

Spokesperson: Callin Belchamber, Manager of Information Technology

#### **By-law 2022 - 7303**

Being a By-law to authorize the execution of an agreement with Dell Canada to provision end-user computing devices on an as-and-when-required basis.

**Read a First, Second and Third time, Passed, Signed and Sealed**

### **10.4 Finance and POA Court Services**

#### **10.5 Other Business**

##### **10.5.1 Confirming By-law**

#### **By-law 2022 - 7304**

Being a By-law to confirm the proceedings of Council.

**Read a First, Second and Third time, Passed, Signed and Sealed**

## **11. Adjournment**

Mayor McGarvey adjourned the meeting at 8:59 PM

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Mayor Jamie McGarvey

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Clerk Rebecca Johnson