

**Minutes of the Regular Meeting of Council held on Monday, September 28, 2009, at 7:00 p.m. in the Council Chambers of the Municipal Building.**

**Present:** Deputy Mayor R. Hackney, Councillors J. Charlebois, P. File, B. Jeffery, S. Kramp, G. McKay and Z. Pendlebury

**Regrets:** Mayor J. M. Downer and Councillor J. Contin

**Staff Present:** Chief Administrative Officer, T. Walker  
Clerk, A. Fay  
Treasurer, S. Gignac  
Director of Planning and Development, W. Crown  
Town Engineer, D. Baker  
Director of Parks and Recreation, B. Peter  
Deputy Fire Chief, T. Toole  
Police Chief (Acting), M. Osborne

**1. CALL TO ORDER**

Deputy Mayor called the meeting to order at 7:00 pm.

**2. DECLARATIONS OF PECUNIARY INTEREST**

No declarations were made.

**3. MINUTES**

**a) Regular Meeting of Council**

Moved by P. File

Seconded by Z. Pendlebury

**THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL HELD AUGUST 24, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.**

**CARRIED.**

**b) Special Meeting of Council**

Moved by P. File

Seconded by Z. Pendlebury

**THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD AUGUST 31, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.**

**CARRIED.**

4. **CONSENT AGENDA**

Moved by P. File  
Seconded by Z. Pendlebury

**THAT COUNCIL ADOPT THE RECOMMENDATIONS AS SET OUT ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF COUNCIL HELD SEPTEMBER 28, 2009, WITH THE EXCEPTION OF ITEM 8.C) NEW SOLAR PHOTOVOLTAIC (PV) PROGRAM NOW AVAILABLE TO ALL ONTARIO MUNICIPALITIES WHICH WAS PULLED FOR DISCUSSION.**

**CARRIED.**

5. **PRESENTATIONS**

Mr. K. Sherman, Executive Director of the Severn Sound Environmental Association (SSEA) presented Council with an original signed endorsement page of the SSEA Sustainability Plan. Mr. Sherman also advised that they are in the process of gathering information on 83 strategic directions related to sustainability.

6. **DEPUTATIONS**

a) **Telecare**

Mr. Ron Walker, Treasurer, Board of Directors for Telecare, addressed Council requesting financial support for the local crisis distress/support telephone line that provides a free confidential listening service and referrals for people who require counselling. Mr. Walker noted that the funds would be used to pay for advertising, telephone and insurance expenses, as well as office help.

Deputy Mayor Hackney thanked Mr. Walker for his deputation and advised that this matter will be referred to budget deliberations.

b) **Everton Road Construction**

Mr. Craig Hawkins addressed Council regarding the Everton Road Construction project. He advised that he was speaking on behalf of more than 60 home owners. Mr. Hawkins stated that the new drainage ditches have steeply sloping sides, which will have a negative impact on their neighbourhood.

Deputy Mayor Hackney thanked Mr. Craig for his deputation and advised that his concerns will be addressed during an upcoming meeting with the Mayor and the Chair and Vice-Chair of Public Works.

c) **Eighth Street Extension into Little Lake Park**

Ms. Patty Thoms, Gina from of The Arch Steak House and Mr. Greg Gemmell addressed Council regarding the extension of Eighth Street into Little Lake Park. They requested that Council choose option 'A' which would signalize a formal entrance. Deputy Mayor Hackney advised that no decisions have yet to be made as the matter will be discussed further during the budget process.

d) **Farmers Market**

Ms. Adrianna Strimaitis addressed Council regarding a Farmers Market within a municipal parking lot in the downtown core.

Following discussion, Council agreed to deal with a resolution later in the meeting.

7. **PETITIONS**

A petition was presented to Council, which contained 90 signatures from residents concerned with safety along Everton Road due to the construction.

8. **CORRESPONDENCE**

1) **Count Me In Challenge**

Letter dated August 24, 2009, from Mr. M. Harding, Mayor, City of Woodstock, advising that consideration is being given to expanding the Count Me In Challenge Program and encouraging the Town to forward a letter of support to the Ontario Power Authority.

Following discussion Council directed staff to forward a letter of support.

2) **Waste Management By-law**

Letter dated September 14, 2009, from Mr. G. Knox, Clerk, County of Simcoe, providing a copy of the Waste Management By-law together with set fines for review and comment by October 9, 2009.

Council noted their concerns related to various set fines. Staff was directed to forward a letter to the County of Simcoe regarding same.

3) **Extension of 8<sup>th</sup> Avenue into Little Lake Park**

Council received for information a letter dated September 19, 2009, from Mr. B. Stevenson, questioning the proposed extension of Eighth Street into Little Lake Park.

9. **ACCOUNTS**

a) **North Simcoe Sports and Recreation Centre**

Moved by P. File

Seconded by Z. Pendlebury

**THAT THE ACCOUNTS FOR THE NORTH SIMCOE SPORTS AND RECREATION CENTRE IN THE AMOUNT OF \$53,650.06, BE CONFIRMED AS PAID.**

**CARRIED.**

b) General Accounts

Moved by P. File  
Seconded by Z. Pendlebury

THAT THE ACCOUNTS FOR THE MONTH OF AUGUST 2009, TOTALLING \$1,997,194.75 BE APPROVED AND CONFIRMED AS PAID DELETING THE ACCOUNTS FOR THE NORTH SIMCOE SPORTS AND RECREATION CENTRE, AS WERE DEALT WITH IN A PREVIOUS MOTION.

CARRIED.

10. REPORTS

1) Pre-General Committee Meeting held September 14, 2009

Moved by P. File  
Seconded by Z. Pendlebury

THAT THE MINUTES OF THE PRE-GENERAL COMMITTEE MEETING HELD SEPTEMBER 14, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.

CARRIED.

2) General Committee Report 2009-7 of its meeting held September 14, 2009

Deputy Mayor R. Hackney called upon the Section Chairpersons to present their motions from the Report, and the following items of business were recorded.

a) Promissory Note  
(Reference Item #1a), of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

THAT COUNCIL SUPPORTS THE PAYOUT BY MIDLAND POWER UTILITY CORPORATION OF THE TOWN'S PROMISSORY NOTE IN THE AMOUNT OF \$1,122,519 PLUS ACCRUED INTEREST TO THE DATE OF PAYOUT; AND, THAT THE PRINCIPLE AMOUNT BE TRANSFERRED TO THE FACILITY REPLACEMENT RESERVE AND THE INTEREST TO DATE BE APPLIED TO THE 2009 CAPITAL PROGRAM AS BUDGETED.

CARRIED.

b) St. Theresa's High School Cross Country Race  
(Reference Section A, Item #4, of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

THAT COUNCIL HEREIN GRANTS FORMAL APPROVAL TO ST. THERESA'S HIGH SCHOOL TO USE LITTLE LAKE PARK, CLOSING LITTLE LAKE PARK ROAD FROM YONGE STREET

TO THE YMCA, ON THURSDAY, OCTOBER 1, 2009, FROM 2:00 P.M. TO 6:00 P.M. TO CONDUCT A HIGH SCHOOL CROSS-COUNTY RACE WITH APPROXIMATELY 200 RUNNERS PARTICIPATING FROM ACROSS SIMCOE COUNTY, PROVIDING THAT LIABILITY INSURANCE IN THE MINIMUM AMOUNT OF \$2 MILLION, NAMING THE MUNICIPALITY AS AN ADDITIONAL-NAMED INSURED, IS OBTAINED AND THAT ALL REQUIREMENTS OF MUNICIPAL DEPARTMENTS ARE MET.

**CARRIED.**

- c) Appointment to Midland Trails Advisory Committee  
(Reference Section A, Item #5, of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

THAT COUNCIL APPOINT MICHELE HUDOLIN AS THE SEVERN SOUND ENVIRONMENTAL ASSOCIATION STAFF REPRESENTATIVE TO THE MIDLAND TRAILS ADVISORY COMMITTEE.

**CARRIED.**

- d) Accessible Customer Service Policy  
(Reference Section B, Item #3, of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

THAT POLICY – 3.0 ACCESSIBLE CUSTOMER SERVICE BE ADOPTED.

**CARRIED.**

- e) Farmers Market on Town Owned Lands  
(Reference Section B, Item #5, of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

THAT COUNCIL AGREES TO WAIVE CONDITIONS 4.6 AND 5.1 OF BY-LAW 2005-95 BEING THE BY-LAW TO ESTABLISH BUSINESS LICENSING REGULATIONS TO PERMIT A FARMERS MARKET LOCATED ON TOWN LAND KNOWN MUNICIPALLY AS 526 BAY STREET;

AND FURTHER THAT THE MARKET BE HELD ON OCTOBER 4<sup>TH</sup> AND OCTOBER 11<sup>TH</sup> 2009, FROM 8AM TO 1PM PROVIDED THAT THE NECESSARY HAWKER PEDDLER AND REFRESHMENT VEHICLE APPLICATION FORMS ARE COMPLETED, INSURANCE PROVIDED AND LICENCE FEE PAID TO THE TOWN.

**FOR THIS YEAR ONLY, THE LICENCE FEE WILL BE NIL FOR THE FARMER'S MARKET.**

A recorded vote was requested.

	<u>AYE</u>	<u>NAY</u>
Deputy Mayor R. Hackney	X	
Councillor P. File	X	
Councillor S. Kramp	X	
Councillor Z. Pendlebury	X	
Councillor J. Charlebois	X	
Councillor B. Jeffery	X	
Councillor G. McKay	X	

**CARRIED.**

Councillor S. Kramp vacated his Council seat.

- f) **Harmonization of Taxes**  
(Reference Section B, Item # 15, of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

**THAT COUNCIL HEREIN SUPPORTS THE TOWN OF NEW TECUMSETH IN THEIR PETITION TO THE PROVINCE OF ONTARIO TO UNDERTAKE EFFORTS TO MINIMIZE THE FINANCIAL IMPACT AND ADDITIONAL TAX ON TAXPAYERS AND BUSINESSES, AND REQUESTING THAT THE GST AND PST HARMONIZATION OF ANY ITEMS, GOODS OR SERVICES CURRENTLY SUBJECT TO ONLY ONE OF THE TAXES NOT BE SUBJECT TO THE OTHER, SO THAT NEW TAXATION IS CREATED.**

**CARRIED.**

- g) **BR+E Program – Economic Development Sub-Committee**  
(Reference Section B, Item #20, of the above Report)

Moved by P. File  
Seconded by Z. Pendlebury

**THAT THE TOWN OF MIDLAND HEREBY RECOMMENDS TO THE NORTH SIMCOE FUTURES DEVELOPMENT CORPORATION THAT THE PROPOSED REGIONAL (MIDLAND, PENETANGUIHENE, TAY AND TINY) ECONOMIC STRATEGY AND ACTION PLAN PROCESS RESULTING FROM THE BUSINESS RETENTION AND EXPANSION STUDY AND THAT MATTERS THAT ARE PROBLEMATIC IN NATURE BE HELD IN ABEYANCE PENDING A DECISION FROM THE PROVINCE ON THE JOINT SUBMISSION BY THE TOWNS OF MIDLAND AND PENETANGUIHENE FOR DESIGNATION AS AN URBAN NODE IN THE PROVINCE'S "SIMCOE AREA: STRATEGIC VISION FOR GROWTH" PAPER;**

**AND FURTHER THAT THIS RECOMMENDATION BE FORWARDED TO THE TOWN OF PENETANGUISHENE AND THE TOWNSHIPS OF TAY AND TINY FOR SUPPORT.**

**CARRIED.**

Councillor Kramp then returned to his Council seat.

**h) Support of Closure and Future Development of Landfill Site 41  
Reference Section C, Item #5, of the above Report)**

**Moved by P. File  
Seconded by Z. Pendlebury**

**THAT COUNCIL HEREIN SUPPORTS THE TOWNSHIP OF TINY IN THEIR PETITION TO ALL SIMCOE COUNTY MUNICIPALITIES TO SUPPORT THE CLOSING AND FUTURE DEVELOPMENT OF SITE 41.**

**CARRIED, unanimously.**

Following a review of the remainder of the report, it was then,

**Moved by P. File  
Seconded by Z. Pendlebury**

**THAT THE MINUTES OF THE GENERAL COMMITTEE MEETING HELD SEPTEMBER 14, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.**

**CARRIED.**

**4) SOS Program**

CAO Walker provided an update of the SOS Program and reported that the Town of Midland is continuing to try and secure additional funding for the Simcoe Outreach Services Program.

**5) Proposed Street Name for Existing Harbourview Drive west of Sunnyside**

D. Baker reported that following notice of the proposed street name change for the west side of Harbourview Drive, abutting property owners suggested alternate names.

Following discussion Council directed staff to prepare a further report for the October General Committee meeting.

**6) Bay Street Reconstruction (Between 4<sup>th</sup> and 5<sup>th</sup> Streets)**

Report dated September 28, 2009, from D. Baker, Town Engineer, recommending the offer from Maacon Construction Corporation to undertake the underground works for the Bay Street reconstruction project.

Following discussion Council dealt with by-law 2009-71 (By-laws Item 9) which authorized an amendment to the Procurement By-law.

**Moved by B. Jeffery**  
**Seconded by J. Charlebois**

**THAT WHEREAS COUNCIL WISHES TO PROCEED WITH THE BAY STREET RECONSTRUCTION PROJECT IN 2009;**

**AND WHEREAS THE CURRENT CONSTRUCTION SEASON IS DRAWING TO A CLOSE;**

**AND WHEREAS MAACON CONSTRUCTION CORPORATION HAS AGREED TO UNDERTAKE THE UNDERGROUND WORKS FOR THE SAME UNIT PRICES AS TENDERED FOR IN THE GLOUCESTER STREET RECONSTRUCTION CONTRACT L04-29474;**

**NOW THEREFORE COUNCIL AGREES TO INVOKE SECTION 12.3 OF BY-LAW 2004-96;**

**AND FURTHER THEREFORE COUNCIL APPROVES THAT MAACON CONSTRUCTION CORPORATION COMPLETE THE NECESSARY UNDERGROUND WORKS FOR THE BAY STREET RECONSTRUCTION PROJECT FOR AN ESTIMATED PRICE OF \$131,700.**

**CARRIED.**

**7) Chief Building Official Report– August 2009**

Council received for information the Chief Building Official Report.

**8) Midland Emergency Management Program Committee Minutes**

**a) Meeting held June 16, 2009**

Councillor B. Jeffery vacated his Council seat.

Councillor J. Charlebois presented and reviewed the above Report, following which it was then,

**Moved by J. Charlebois**  
**Seconded by B. Jeffery**

**THAT MINUTES OF THE MIDLAND EMERGENCY MANAGEMENT PROGRAM COMMITTEE MEETING HELD JUNE 16, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.**

**CARRIED.**

b) **Meeting held September 15, 2009**

Councillor J. Charlebois presented and reviewed the above Report, following which it was then,

Moved by J. Charlebois

Seconded by B. Jeffery

**THAT MINUTES OF THE MIDLAND EMERGENCY MANAGEMENT PROGRAM COMMITTEE MEETING HELD SEPTEMBER 15, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.**

**CARRIED.**

Councillor Jeffery then returned to his Council seat.

9) **OMB Appeal of Council Refusal of Zoning By-law Amendment – Application ZBA-06-09 – 281 Cranston Crescent**

Report dated September 22, 2009, from W. Crown, Director of Planning and Development, recommending that the Town advise the OMB that it confirms its position with respect to 281 Cranston Crescent.

Moved by S. Kramp

Seconded by P. File

1. **THAT THE TOWN OF MIDLAND ADVISE THE OMB THAT IT CONFIRMS IT'S POSITION THAT APPLICATION NO. ZBA-06-09 RESPECTING 281 CRANSTON CRESCENT DOES NOT CONFORM TO THE TOWN OF MIDLAND OFFICIAL PLAN AND THAT IT OPPOSES THE BASIS OF THE APPEAL AS SET OUT IN THE LETTER DATED SEPTEMBER 14, 2009 FROM AIRD & BERLIS LLP.**
2. **THAT THE TOWN OF MIDLAND INDICATE TO THE OMB THAT IT SEES NO MERIT IN MEDIATION AND THE TOWN WILL NOT PARTICIPATE IN MEDIATION REGARDING THE APPEAL OF APPLICATION NO. ZBA-06-09.**
3. **THAT MR. DENNIS A. TRINAISTICH BE RETAINED BY THE TOWN IN RESPECT OF THE APPEAL OF COUNCIL'S REFUSAL OF APPLICATION NO. ZBA-06-09 AND BE REQUESTED TO PROVIDE THE TOWN WITH A CONFIDENTIAL PRELIMINARY ASSESSMENT AND FEE ESTIMATE.**

**CARRIED.**

10) **Planning Advisory Committee Report 2009-10**

Councillor S. Kramp presented and reviewed the above Report, and the following items of business were recorded,

- a) **Draft Plan of Subdivision – Bay Port Village Inc. – MD-T-0602**  
**Request for extension of Draft Plan of Subdivision**  
**(Reference Section 2C, of the above Report)**

Moved by S. Kramp  
Seconded by P. File

THAT THE TOWN OF MIDLAND GRANT AN EXTENSION OF DRAFT PLAN OF SUBDIVISION APPROVAL TO SECTION 51 OF THE *PLANNING ACT* FOR BAY PORT VILLAGE INC. SUBDIVISION, FILE NO. MD-T-0602, FOR A PERIOD OF THREE (3) YEARS TO FEBRUARY 28, 2013.

CARRIED.

- b) **Request for an exception to Sign By-law 2007-70**  
**Keenan – 356 First Street**  
(Reference Section 2D, of the above Report)

Moved by S. Kramp  
Seconded by P. File

THAT THE REQUEST FOR AN EXCEPTION TO THE SIGN BY-LAW 2007-70 AS AMENDED, BE DENIED FOR KEENAN'S BOOKKEEPING LOCATED AT 356 FIRST STREET.

CARRIED.

Following a review of the remainder of the report, it was then,

Moved by S. Kramp  
Seconded by P. File

THAT REPORT 2009-10 OF THE PLANNING ADVISORY COMMITTEE MEETING DATED WEDNESDAY, SEPTEMBER 2, 2009, BE ADOPTED AS PRINTED AND CIRCULATED.

CARRIED.

11) **Drummond Estate Wall Designation Under The Ontario Heritage Act**

Report dated September 23, 2009, from W. Crown, Director of Planning and Development, recommending that the Drummond Estate Wall be considered for designation under Section 29 of the Ontario Heritage Act.

Moved by B. Jeffery  
Seconded by J. Charlebois

THAT COUNCIL ACCEPTS THE RECOMMENDATION OF THE MIDLAND HERITAGE COMMITTEE THAT THE DRUMMOND ESTATE WALL BE CONSIDERED FOR DESIGNATION UNDER SECTION 29 OF THE ONTARIO HERITAGE ACT; AND THAT STAFF BE DIRECTED TO FINALIZE THE DRAFT DESIGNATION BY-LAW AND COMMENCE THE "NOTIFICATION OF INTENT TO DESIGNATE" PROCESS AS PROVIDED UNDER THE ONTARIO HERITAGE ACT.

CARRIED.

12) **Midland Public Library – Report to Council**

Council received for information a Report from B. Molesworth, CEO/Chief Librarian, for September 2009.

13) **Midland Police Service**

Council received for information the Acting Chief's Report dated September 16, 2009.

14) **Southern Georgian Bay Chamber of Commerce**

Council received for information the Board of Director's Minutes dated September 3, 2009.

11. **BY-LAWS**

- 1) **By-law 2009-63**      **A by-law to authorize the entering into of a Contribution Agreement under the Infrastructure Stimulus Fund (Municipal Office Expansion/Retrofit).**

**Moved by      Z. Pendlebury**

**Seconded by    J. Charlebois**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO AUTHORIZE THE ENTERING INTO OF A CONTRIBUTION AGREEMENT UNDER THE INFRASTRUCTURE STIMULUS FUND – BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, AS REPRESENTED BY THE MINISTER OF ENERGY AND INFRASTRUCTURE AND THE MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 2) **By-law 2009-64**      **A by-law to provide for an Accessibility Plan for the Town of Midland and Midland Transit.**

**Moved by      S. Kramp**

**Seconded by    Z. Pendlebury**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO PROVIDE FOR AN ACCESSIBILITY PLAN FOR THE TOWN OF MIDLAND AND MIDLAND TRANSIT.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 3) **By-law 2009-65**      **A by-law to authorize the borrowing of funds by the Midland Power Utility Corporation (“MPUC”) from Ontario Infrastructure Projects Corporation (“OIPC”).**

**Moved by      S. Kramp**

**Seconded by   J. Charlebois**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO AUTHORIZE THE BORROWING OF FUNDS BY THE MIDLAND POWER UTILITY CORPORATION (“MPUC”) FROM ONTARIO INFRASTRUCTURE PROJECTS CORPORATION (“OIPC”).**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 4) **By-law 2009-66**      **A by-law to provide for the entering into of an Agreement for the Haulage and Stockpiling of Sand for Winter Sanding.**

**Moved by      S. Kramp**

**Seconded by   Z. Pendlebury**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO PROVIDE FOR THE ENTERING INTO OF AN AGREEMENT WITH G. PRIEST CONSTRUCTION LIMITED FOR THE HAULAGE AND STOCKPILING OF SAND FOR WINTER SANDING FOR 2009.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 5) **By-law 2009-67**      **A by-law to authorize the entering into of an Agreement for the construction of the Sundowner Road Well.**

**Moved by      Z. Pendlebury**

**Seconded by   S. Kramp**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO PROVIDE FOR THE ENTERING INTO OF AN AGREEMENT WITH DAVIDSON DRILLING LIMITED FOR THE CONSTRUCTION OF THE SUNDOWNER ROAD WELL.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 6) **By-law 2009-68**      **A by-law to prohibit smoking with 10 metres of municipally owned playgrounds and sports fields.**

Moved by      **S. Kramp**  
Seconded by      **J. Charlebois**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO PROHIBIT SMOKING WITHIN 10 METRES OF MUNICIPALLY OWNED PLAYGROUNDS AND SPORTS FIELDS.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 7) **By-law 2009-69**      **A by-law to regulate the removal and piling of snow within the Municipality.**

Moved by      **Z. Pendlebury**  
Seconded by      **S. Kramp**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO REGULATE THE REMOVAL AND PILING OF SNOW WITHIN THE MUNICIPALITY AND TO REPEAL BY-LAWS 77-13 AND 99-6.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 8) **By-law 2009-70**      **A by-law to regulate the winter maintenance of downtown sidewalks.**

Moved by      **S. Kramp**  
Seconded by      **Z. Pendlebury**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO REGULATE THE WINTER MAINTENANCE OF DOWNTOWN SIDEWALKS AND TO REPEAL BY-LAWS 96-59 AND 99-5.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 9) **By-law 2009-71**      **A by-law to amend by-law 2004-96 being the Procurement By-law.**

Moved by      **S. Kramp**  
Seconded by      **Z. Pendlebury**

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO AMEND BY-LAW 2004-96 BEING THE PROCUREMENT BY-LAW.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

- 10) **By-law 2009-72**      A by-law to provide for the entering into of an Agreement for the reconstruction of underground works on the Bay Street Reconstruction Project.

Moved by      S. Kramp  
Seconded by    Z. Pendlebury

**THAT LEAVE BE GRANTED TO INTRODUCE A BY-LAW TO PROVIDE FOR THE ENTERING INTO OF AN AGREEMENT WITH MAACON CONSTRUCTION CORPORATION, FOR THE RECONSTRUCTION OF UNDERGROUND WORKS ON THE BAY STREET RECONSTRUCTION PROJECT.**

**CARRIED.**

It was then moved, seconded and carried that the By-law be given its second, third and final readings, be passed, and executed by the Mayor and Clerk.

12. **GENERAL BUSINESS**

1) **Resolutions and Other Business Introduced by Members of Council**

a) **General Information**

Councillor Z. Pendlebury advised that the Simcoe Muskoka District Health Unit will be hosting an Idling Reduction Symposium on October 21, 2009.

13. **ADJOURNMENT**

It was then,

Moved by      P. File  
Seconded by    Z. Pendlebury

**THAT THE MEETING BE ADJOURNED AT 11:40 P.M.  
CARRIED.**

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A. Fay, Clerk