



COMMITTEE OF THE WHOLE MEETING MINUTES

On Tuesday, December 3, 2019

At Town Hall Council Chambers, 2nd Floor, 30 King Street East

COMMITTEE MEMBERS PRESENT		STAFF PRESENT
Chair:	Matt Harper	Shellee Fournier, CAO
Members:	Adrian Haird	Penny Kelly, Clerk/CEMC
	Mike Kench	Brenda Guy, Manager of Planning and Development
	Dennis O'Connor	Melanie Kirkby, Treasurer
	David Osmond	Kari Lambe, Manager of Community Services
		Paul McMunn, Manager of Public Works
		Steve Tiernan, Fire Chief
Regrets:	Ted Lojko	
	Dave Anderson	

1.	Call Meeting to Order Councillor Harper chaired the meeting. The meeting was called to order at 8:02 PM.
2.	Disclosure of Pecuniary Interest & General Nature Thereof
3.	Approval of Minutes – November 19, 2019
	Moved by: Deputy Mayor Osmond BE IT RESOLVED THAT THE COMMITTEE OF THE WHOLE ADOPTS THE MINUTES FROM THE TUESDAY, NOVEMBER 19 TH , 2019 MEETING. <p style="text-align: right;">CARRIED – UNANIMOUS</p>
4.	Public Question / Comment (Only addressing Reports on Agenda)
	<ul style="list-style-type: none"> • Members of the public spoke to items on the Agenda.
	<p>**The Chair called a recess at 8:18 PM.</p> <p>**The meeting resumed at 8:33 PM.</p> <p>**Item 8, Delegations, were dealt with at this point.</p>
5.	Disclosure of Additional Items – None
6.	Public Meeting – None

7.	Unfinished Business
COW-CAO-2019-11 – Municipal Accommodation Tax (MAT) Agreement with the Thousand Islands Accommodation Partners (TIAP)	
	<p>*Councillor Haird moved to amend the recommendation presented in COW Report CAO-2019-11, to include the following “AND FURTHER THAT THE REQUIREMENT FOR A SEGREGATED MUNICIPAL ACCOMMODATION TAX (MAT) ACCOUNT BE REMOVED FROM THE AGREEMENT”.</p> <p style="text-align: right;">Carried – 4 Ayes, 1 Nay</p> <p>Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS A BY-LAW, BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO SIGN AN AGREEMENT WITH THE THOUSAND ISLANDS ACCOMMODATION PARTNERS (TIAP) REGARDING THE MUNICIPAL ACCOMMODATION TAX, AS PRESENTED IN COW REPORT CAO-2019-11,</p> <p>AND FURTHER THAT THE REQUIREMENT FOR A SEGREGATED MUNICIPAL ACCOMMODATION TAX (MAT) ACCOUNT BE REMOVED FROM THE AGREEMENT.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
COW-CD-2019-13 – 50 Birch Street / 58 Birch Street / Vacant Lands – Surplus Lands	
	<p>Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE APPROVES THE PROPERTY KNOWN AS 50 BIRCH STREET, 58 BIRCH STREET AND VACANT LANDS ADJACENT TO BE DEVELOPED AS AFFORDABLE HOUSING;</p> <p>AND FURTHER, THAT STAFF BE DIRECTED TO WORK WITH THE AFFORDABLE HOUSING WORKING GROUP TO ISSUE A REQUEST FOR PROPOSALS SEEKING INTERESTED DEVELOPERS, AS PRESENTED IN COW REPORT CD-2019-13.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
COW-CD-2019-14 – Town-Wide Development Permit Amendment – Short-Term Accommodations – File No. DP2019-10	
	<p>*Councillor Kench moved to amend the recommendation presented in COW Report CD-2019-14, proposed By-law Definition of “Owner/Occupied” to consider the “Traditional Commercial Core” Designation.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p> <p>Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS A BY-LAW, BEING A BY-LAW TO AMEND THE DEVELOPMENT PERMIT BY-LAW NO. 2010-065, TO REGULATE LAND USE AND</p>

	<p>DEVELOPMENT ON LANDS WITHIN THE TOWN OF GANANOQUE, TO INCLUDE REFERENCE(S) TO SHORT-TERM ACCOMMODATIONS, AS PRESENTED IN COW REPORT CD-2019-14,</p> <p>AND FURTHER THAT THE PROPOSED BY-LAW DEFINITION OF “OWNER/OCCUPIED” BE AMENDED TO INCLUDE THE “TRADITIONAL COMMERCIAL CORE” DESIGNATION.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
<p>COW-CD-2019-15 – Short-Term Accommodations Licensing By-law and Amendment to General Fees and Rates By-law No. 2016-047</p>	
	<p>Short-Term Accommodations Licensing By-law</p> <p>Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS A BY-LAW, BEING A BY-LAW TO LICENCE, REGULATE AND GOVERN THE OPERATION OF SHORT-TERM ACCOMMODATIONS, AS PRESENTED IN COW REPORT CD-2019-15.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
<p>COW-CD-2019-15 – Short-Term Accommodations Licensing By-law and Amendment to General Fees and Rates By-law No. 2016-047</p>	
	<p>*Moved by Deputy Mayor Osmond that the Town provides temporary relief to the Development Permit Fees for Short-Term Accommodations.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p> <p>Amend General Fees and Rates By-law No. 2016-047 – Include Short-Term Accommodation Fees</p> <p>Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS A BY-LAW, BEING A BY-LAW TO AMEND THE GENERAL FEES AND RATES BY-LAW NO. 2016-047, SCHEDULE “A” – GENERAL LICENSES, TO ADD SHORT-TERM ACCOMMODATIONS FEES, AS PRESENTED IN COW REPORT CD-2019-15, AS AMENDED.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
8.	Delegations
	<p>1. University Hospitals Kingston Foundation – Stephen McCaffrey, Associate Director, Major Gifts</p> <ul style="list-style-type: none"> • Stephen McCaffrey, Associate Director, Major Gifts for the University Hospitals Kingston Foundation appeared before the Committee of the Whole and presented a PowerPoint presentation entitled “A Bold New Vision for 21st Century Care”.

	<ul style="list-style-type: none"> The University Hospitals Kingston Foundation respectfully requested that the Committee consider a request of \$96,000/year, over five (5) years.
	<p>University Hospitals Kingston Foundation – Refer to Budget Deliberations</p> <p>Moved by: Deputy Mayor Osmond</p> <p>AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE REFER THE UNIVERSITY HOSPITALS KINGSTON FOUNDATION’S REQUEST FOR FUNDING TO THE 2020 BUDGET DELIBERATIONS.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
	<p>2. Municipal Drug Strategy (MDS) – Youth Perspective – Kim Marshall, Leeds, Grenville and Lanark District Health Unit</p> <ul style="list-style-type: none"> Victoria Grace and Matthew Dennison, MDS Youth Representatives presented a PowerPoint presentation entitled “Municipal Drug Strategy – Youth Perspective”.
	<p>3. John Beddows – Integrity Commissioner Report and In-Camera Meetings and their Consequences</p> <ul style="list-style-type: none"> John Beddows appeared before the Committee of the Whole and presented two (2) items regarding “Integrity Commission Report Regarding Conduct of Councillor Kench and In-Camera Meetings and Their Consequences”. A request that the questions presented be responded to and placed in the minutes for the record. The Chair responded as follows:
	<p>Integrity Commissioner’s Report / Conduct of Councillor Kench:</p> <p>Q: <i>“Why does this Council expect the owners of the Corporation of Gananoque to bear any part of the financial cost of investigating a Councillor’s conduct when that Councillor is found to be at fault?”</i></p> <p>A: Section 223.4(5) of the <i>Municipal Act</i> allows Council to impose either a reprimand or suspension of the remuneration paid to the member in respect of his or her services as a member of council...for a period up to 90 days.</p> <p>Q: <i>“What was the immediate reason Councillor Kench was not required to repay the entire cost of the investigation?”</i></p> <p>A: There is no provision that allows Council to require the Councillor to repay the entire cost of the investigation.</p> <p>Q: <i>“Councillor Kench’s conduct raises the potential for a complaint to the Labour Relations Board, and possibly also creates a civil liability for the Town of Gananoque. As of this date, has Town Staff been directed to notify the Corporation of Gananoque’s liability insurance carrier of Councillor Kench’s conduct, and that Councillor Kench has 3 years left on his term? If not, why not?”</i> and; <i>“Has the liability insurance carrier of the Corporation of Gananoque been provided with a copy of the Integrity Report regarding Councillor Kench? If not, why not?”</i></p>

	<p>A: Letters from individuals or their legal counsel citing potential legal action are immediately forwarded to the Town’s insurance provider once received. To date, no such letters have been filed with the Town on this matter.</p> <p>Q: “If the Corporation’s liability insurance carrier has been informed of Councillor Kench’s conduct, what are the implications for the Corporation of Gananoque’s liability insurance costs?”</p> <p>A: The Town’s insurance deductible is \$10,000 per claim.</p>
	<p>In-Camera Meetings / Their Consequences / Conduct of Councillor Kench</p> <p>Q: <i>“How was the decision to hold meetings relating to the Integrity Investigation into the conduct of Councillor Kench in-camera made:</i></p> <p><i>a. Was it made by an individual member of Council: if yes, who?</i></p> <p><i>b. Was it made by a vote of Council: if yes, was the vote recorded?</i></p> <p><i>c. If not, why wasn’t it recorded?”</i></p> <p>A: a. No, all members of Council vote on motions to go In-Camera. b. Yes. No, not recorded. c. No member of Council requested a recorded vote.</p> <p>The Integrity Commissioner report was marked “Privileged and Confidential” and was to remain so until such time as Council received the document.</p> <p>Q: <i>“How was the decision to not publish the Integrity Investigator’s report on the Town website made:</i></p> <p><i>a. Was it made by an individual member of Council: if yes, who?</i></p> <p><i>b. Was it made by a vote of Council: if yes, was the vote recorded?</i></p> <p><i>c. If not, why wasn’t it recorded?”</i></p> <p>A: Section 223.6(3) of the <i>Municipal Act</i> states that the municipality...shall ensure that reports received from the Commissioner by the municipality...are made available to the public. There is no requirement that the report be displayed on the municipality’s website.</p> <p>Q: <i>“What active measures have been taken to assess the impact of the reporting of Councillor Kench’s conduct on the general public perception of the Corporation and potential impact on tourism?”</i></p> <p>A: None.</p> <p>Q: <i>“Has Council directed Staff to develop a strategy to mitigate any negative impacts and their potential to affect perception and tourism in the Corporation of Gananoque?”</i></p> <p>A: No.</p>
<p>9.</p>	<p>Presentations By Staff (Others)</p>
	<p>1. Mayor’s Visit – Linklater Public School – Jessica Tamblyn and Grade 4 Class Students</p>

	<ul style="list-style-type: none"> This item was dealt with during the December 3, 2019, Council Meeting.
10.	Correspondence
	1. Accounts Payable – November 13 to 26, 2019
	2. Chris McDonald – Closed (In-Camera) versus Open Council Meetings <ul style="list-style-type: none"> The Chair stated that this matter was dealt with under Delegations.
	3. Chris McDonald – Setting Budgets and Cost Benefits Analysis
	4. Leeds, Grenville & Lanark District Health Unit – Town of Gananoque Municipal Levy 2020
	5. Municipal Property Assessment Corporation (MPAC) – 2020 Budget / Municipal Levy
	6. United Counties of Leeds and Grenville (UCLG) – Modernization / Shared Services Task Force
	Allotment of Modernization Funding for Regional Initiatives – UCLG Modernization Shared Services Task Force
	Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE DIRECTS THE CLERK TO ADVISE THE MODERNIZATION SHARED SERVICES TASK FORCE THAT THE TOWN HAS PRE-COMMITTED THE MAJORITY OF ITS ALLOTMENT OF MODERNIZATION FUNDING FOR LOCAL INITIATIVES (SPECIFICALLY, UPGRADING TO SMART WATER METERS).
	CARRIED – UNANIMOUS
	7. Eastern Ontario Mayors' Caucus (EOMC) Statement – Rising Water Levels – November 20, 2019
	8. International Lake Ontario-St. Lawrence River Board (ILOSLRB) – Flexibility in Setting Lake Ontario Outflows to Continue
	9. Leeds, Grenville & Lanark District Health Unit – Board of Health Summary – November 21, 2019
	10. Minutes – Police Services Board (PSB) – October 4, 2019
	11. Minutes – Heritage Advisory Panel – November 7, 2019
	**Deputy Mayor Osmond moved to set aside the Procedural By-law No. 2016-094, Section 31.2.1., to extend the time of adjournment from 10:00 PM in order to complete the remaining items listed on the Agenda.
	Carried – 4 Ayes, 1 Nay
11.	Staff Reports
	COW-ED-2019-13 – Amend General Fees and Rates By-law No. 2016-047 – Schedule ‘N’ Visitor Centre
	Moved by: Deputy Mayor Osmond AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS A BY-LAW, BEING A BY-LAW TO AMEND THE GENERAL FEES AND RATES BY-LAW NO. 2016-047, SCHEDULE ‘N’ VISITOR CENTRE, AS PRESENTED IN COW REPORT ED-2019-13.
	CARRIED – UNANIMOUS

COW-RECM-2019-23 – Town Park Working Group Update #1

Moved by: Deputy Mayor Osmond

AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE RECEIVES THE TOWN PARK WORKING GROUP UPDATE #1;

AND FURTHER, THAT THE RECOMMENDED CONCEPT AND COSTING IN THE AMOUNT OF \$125,000 BE FORWARDED TO 2020 BUDGET DELIBERATIONS, AS PRESENTED IN COW REPORT RECM-2019-23.

CARRIED – UNANIMOUS

COW-CD-2019-06 – Amend Multi-Year Accessibility Plan

Moved by: Deputy Mayor Osmond

AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS A BY-LAW, BEING TO AMEND BY-LAW NO. 2017-090, TO REMOVE AND REPLACE THE 2018-2021 MULTI-YEAR ACCESSIBILITY PLAN, SCHEDULE 'A', AS PRESENTED IN COW REPORT CSC-2019-06.

CARRIED – UNANIMOUS

COW-FIRE-2019-06– 2019 Third Quarter Fire Report

Moved by: Deputy Mayor Osmond

AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE RECEIVES THE 2019 THIRD QUARTER FIRE REPORT FOR INFORMATION PURPOSES, AS PRESENTED IN THE COMMITTEE OF THE WHOLE REPORT FIRE-2019-06.

CARRIED – UNANIMOUS

12. Discussion of Additional Items – None

13. Next Meeting – December 17, 2019

14. Questions from the Media – None

15. Adjournment

Moved by: Deputy Mayor Osmond:

Be it resolved that the Committee of the Whole hereby adjourns the December 3rd, 2019, meeting at 10:18 PM.

CARRIED – UNANIMOUS


Matt Harper, Chair


Penny Kelly, Clerk