



The Council for the Corporation of the Town of Milton met in regular session at 1:00 p.m. Electronically via Live Streaming Video with Mayor G. A. Krantz in the Chair. All members were present.

I. MOMENT OF SILENT REFLECTION / O' CANADA

II. AGENDA ANNOUNCEMENTS / AMENDMENTS

The Deputy Town Clerk noted that written submissions were received from Kim Bradshaw (Sustainable Milton), Wendy Roberts, Amy Gyger and Eleanor Hayward (Green Party of Ontario) with regard to the Notice of Motion with respect to a Second Legal Opinion on Interim Control By-law and these submissions were circulated to Council members in advance of the meeting.

III. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Councillor Tesser Derksen disclosed a pecuniary interest on Item # 1 under Section V - Items for Consideration, because one of her children attends Jean Vanier Catholic Secondary School.

IV. CONSENT ITEMS

Res. 049-20: THAT Consent Items numbered 1 to 10 be approved. CARRIED

- 1 Minutes of the Council Meeting held on April 27, 2020.
- 2 Minutes of the confidential session of Council held on April 27, 2020.
- 3 Minutes of the Council Meeting held on May 11, 2020.
- 4 Staff Report CORS-023-20

Subject: Tax Write-off under Section 354 of the *Municipal Act, 2001*

That the tax write-offs, under Section 354 of the Municipal Act, in the amount of \$8,280.04 be approved.

- 5 Staff Report CORS-024-20

Subject: Purchasing Various - May

THAT Council approve the budget amendments and related funding sources as outlined on Schedule A;

THAT Council approve the tender award for the 2020 Expanded Asphalt Program to Graham Bros. Construction Limited in the total amount of \$1,618,326.38 (exclusive of HST), as outlined on Schedule B;

AND THAT tax supported debenture financing in the amount of \$600,000 approved for project C35012820 Expanded Asphalt Program - Construction) be replaced with funding from the Infrastructure Renewal Reserve;

AND THAT funding from the Infrastructure Renewal Reserve in the amount of \$600,000 approved for project C33900020 Asphalt Overlay Program - Construction be replaced with tax supported debenture financing;

AND THAT \$600,000 of the savings on the tender award for project C35012820 - Expanded Asphalt Program be transferred from the Infrastructure Renewal Reserve to the Operating Fund in order to mitigate the financial impacts of COVID-19;

AND THAT Council approve the proposal award for Supply and Delivery of Structural Fire Fighting Protective Clothing (Bunker Gear) to Starfield LION Company in the total amount of \$244,400 (exclusive of HST), as outlined on Schedule C;

AND THAT Council approve the contract increase to Antec Appraisal Group for Property Appraisal Services in the total amount of \$3,000 (exclusive of HST) as outlined on Schedule D;

AND THAT Council approve the single source award to Info-Tech Research Group to commence activities associated with terms of reference development as identified within the Town's Workforce Management System strategy in the total amount of \$72,360 (exclusive of HST), as outlined in Schedule E;

AND THAT Council approve the single source award to Capital Paving Inc. and Halton Asphalt Supply for the supply of Hot Mix Asphalt in the total amount of \$342,894 (exclusive of HST), as outlined in Schedule F;

AND THAT the Manager, Purchasing and Risk Management be authorized to execute the contract(s), as outlined by the purchasing by-law, and the Mayor and the Town Clerk be authorized to sign any other required paperwork.

6 Staff Report CORS-026-20

Subject: Capital and Operating Financial Statements - March 2020

THAT report CORS-026-20 covering the capital and operating financial statements as at March 31, 2020, be received for information.

7 Staff Report CORS-029-20

Subject: Amendment to the Terms of Reference for the Milton Public Library Board

THAT Council approve the amended Terms of Reference for the Milton Public Library Board.

8 Staff Report CORS-031-20

Subject: 2019 Property Assessment Appeals and Assessment Base Management Activity Update

THAT report CORS-031-20, 2019 Property Assessment Appeals and Assessment Base Management Activity Update, be received for information.

9 Staff Report DS-011-20

Subject: Britannia Secondary Plan - Funding Agreement

THAT the Mayor and Town Clerk be authorized to execute a funding agreement between the Town and the Milton Phase 4 (West) Landowners Group Inc. to advance the completion of the required background studies to support the development of a secondary plan for Britannia Secondary Plan area, as described in this Report;

AND THAT the Commissioner of Development Services be given delegated authority to negotiate and make changes to the draft agreement detailing terms and conditions of this endeavor prior to execution; subject to the satisfaction of the Chief Financial Officer/Treasurer and the Town's Solicitor.

10 Staff Report DS-012-20

Subject: Housekeeping Consolidation and Update to By-laws -080-2019 Road Occupancy and Entrance Permits and 115-2005 Road Fouling By-law

THAT the necessary by-law, included on the May 25, 2020 Council Meeting Agenda, be approved.

V. ITEMS FOR CONSIDERATION

1 Staff Report DS-010-20

Subject: Public Information Report: Temporary Use Zoning By-law for Jean Vanier Catholic Secondary School at 1145 Bronte Street South (File: Z-04/20); Temporary Use Zoning By-law for Milton Community Park at 805 Santa Maria Boulevard and Bristol Park at 920 Kennedy Circle (File: Z-08/20).

Frederick Thibeault and Jeff Kenny representing the HCDSB addressed Council with respect to Staff Report DS-010-20.

Councillor Tesser Derksen disclosed a pecuniary interest and refrained from discussion and voting on item # 1 below:

Res. 050-20: THAT Development Services Report DS-010-20, BE RECEIVED FOR INFORMATION. CARRIED

2 Notice of Motion - Councillor Tesser Derksen

Subject: Waive Rules of Procedure to Permit NOM Consideration at Council Meeting

Res. 051-20: WHEREAS Procedure By-law 007-2019, provides that Notices of Motion shall not be discussed or debated upon introduction, but shall be included on the next regular Council meeting agenda for consideration;

AND WHEREAS Section 7.9.3 of the Town of Milton Procedure By-Law 007-2019, as amended, permits a Notice of Motion to be considered upon its introduction by an affirmative vote of two-thirds of the Members present;

AND WHEREAS it is deemed impractical or not in the best interests of the Town of Milton to delay consideration;

THEREFORE BE IT RESOLVED THAT the pertinent rules contained in Section 7.9 of Procedure By-law 007-2019, be waived to permit the introduction and consideration by Council of the Notice of Motion on the Council agenda pertaining to obtaining a second legal opinion on the efficacy and risk of pursuing an Interim Control Bylaw. CARRIED

3 Notice of Motion - Councillor Tesser Derksen

Subject: Second Legal Opinion on Interim Control Bylaw

Res. 052-20: THAT the pertinent rules contained in Procedure By-law 007-2019 be waived to permit a presentation by the Kim Bradshaw (Sustainable Milton) at the May 25, 2020 Council meeting. CARRIED

David Donnelly (ACTION Milton) and Kim Bradshaw (Sustainable Milton) addressed Council with respect to Councillor Tesser Derksen’s Notice of Motion.

Res. 053-20: WHEREAS on March 30, 2020, Milton Council convened into confidential session to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose with respect to a legal opinion received from a citizen group regarding Reid Road Quarry;

AND WHEREAS Milton Council wishes to seek additional advice with respect to that matter;

THEREFORE BE IT RESOLVED THAT Council direct staff to obtain a second legal opinion on the efficacy and relative risk of adopting an Interim Control Bylaw to allow for appropriate studies to be undertaken relative to the regulation of aggregate extraction operations from a second law firm with expertise in land use planning, specific to aggregate extraction;

AND BE IT FURTHER RESOLVED THAT staff direct the selected lawyer to provide the opinion at a cost of no more than \$20,000.00 (twenty thousand dollars), inclusive of HST, with such opinion to be provided no later than 5:59 p.m. on Friday, June 12th, 2020.

AND BE IT FURTHER RESOLVED THAT staff include, in their instructions to the selected solicitor, a complete file on this matter including all correspondence from third parties.

A recorded vote was requested.

Name of Councillor	In Favour	Opposed
Councillor M. Cluett		X
Councillor S. Ali		X
Councillor C. Best	X	
Councillor J. Challinor II		X
Councillor R. Di Lorenzo	X	
Councillor R. Malboeuf		X
Councillor K. Tesser Derksen	X	
Councillor Z. Hamid		X
Mayor G. Krantz		X
Total	3	6

Motion was **LOST**

4 Staff Report CORS-033-20

Subject: Procedure By-law Review

Res. 054-20: THAT the draft Procedure By-Law attached as Appendix A be considered at the June Council meeting for approval;

AND THAT the proposed by-law includes amendments to the order of the agenda to allow delegations to speak near the beginning of Council meetings;

AND THAT the delegation speaking time be amended to 5 minutes maximum;

AND THAT 'Member Statements' be added to the order of the agenda for Council meetings, near the end of the meeting, and that staff be directed to include associated provisions for a two minute speaking limit for members, and for members to speak only once during member statements;

AND FURTHER THAT staff be authorized to make any minor modifications as deemed necessary prior to Council consideration of the by-law. **CARRIED**

**This recommendation varies from the recommendation contained in Staff Report CORS-033-20.*

5 Staff Report CORS-027-20

Subject: Regulation of Donation Bins and Housekeeping Amendments to Clean Yards By-law (Community Standards By-law)

Res. 055-20: THAT the draft Community Standards By-Law recommended as option three and attached as Appendix A be considered at the June Council meeting for approval;

AND FURTHER THAT, prior to Council consideration of the draft by-law attached as Appendix A, staff be authorized to make any amendments necessary as recommended by legal counsel. **CARRIED**

6 Staff Report CORS-025-20

Subject: Milton Hydro Borrowing Limit

Res. 056-20: 1. THAT the borrowing limit for Milton Hydro Distribution Inc. (MHDI) be increased to \$80,000,000, subject to the following conditions being maintained by MHDI:

- a. The debt to capital ratio remaining at or below 60%
 - b. The current ratio remaining above 1.1:1
 - c. The debt service coverage ratio remaining above 1.15:1
2. THAT MHDl annually provide to the Town's Treasurer an annual compliance letter or waiver with respect to the covenants.
 3. THAT the future borrowing of Milton Energy and Generation Solutions Inc. (MEGS) remain contingent on the approval of Town Council following the presentation of a business case related to each initiative.
CARRIED

7 Staff Report CORS-032-20

Subject: 2020 Final Tax Levy By-law and Tax Policy update

- Res. 057-20:
1. THAT the 2020 final tax rates for the Town of Milton that are identified in Appendix D, including a general tax rate for the Town that is based on a levy requirement of \$68,886,916 and assessment growth of 2.49%, be approved;
 2. THAT the final due dates for 2020 tax payments that are identified in Appendix D be approved, including the deferral of the third installment of the regular billing and due date installment programs to August 31st and the fourth installment to October 30th;
 3. THAT staff be authorized to administer the COVID-19 Tax Deferral (by application) Program as outlined in Appendix A;
 4. THAT the Overdue Tax Notice Fee as presented on Schedule H of By-law 071-2019 (User Fee By-law) be waived for the months of July and September 2020;
 5. THAT the final tax rate by-law on today's agenda be considered for approval.
CARRIED

8 Notice of Motion - Councillor Hamid

Subject: Reporting to Council

- Res. 058-20: WHEREAS Milton Council has a legislated responsibility under Section 224 of the Ontario Municipal Act:
- (a) to represent the public and to consider the well-being and interests of the municipality;
 - (b) to develop and evaluate the policies and programs of the municipality;

- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act;

AND WHEREAS it is important and necessary for Council members to receive regular information on a broad range of topics under the jurisdiction of the Town of Milton and with varying frequency in order to meet Council's responsibilities under the Act;

AND WHEREAS staff provide information to Council through various means however most are through staff reports to Council;

AND WHEREAS it is appropriate for a review to be undertaken of the frequency and types of information Council currently receives through staff reporting to ensure appropriate and timely information is being received by Council;

AND WHEREAS Appendix A to this notice of motion contains examples of reporting that staff could consider during its review and report to Council;

THEREFORE BE IT RESOLVED THAT staff be directed to complete an inventory of regular reports to Council including the frequency of each and report back to Council no later than October on any amendments recommended in order to provide the information Council needs to fulfill its mandate under the Act;

AND FURTHER THAT the report consider the impacts to staff time on such reporting.

Appendix A

Quarterly:

1. Milton Transit Report, including all key performance indicators that were provided quarterly to the Milton Transit Advisory Committee before it was disbanded;
2. Milton Fire Department Report, including response times, staffing levels and other key performance indicators to help Council evaluate the effectiveness of the service; and

3. Milton Bylaw Enforcement Report, including response times, a summary of long-standing matters, and other key performance indicators to help Council evaluate the effectiveness of the service.

Monthly:

4. Number of building permits issued (both commercial and residential) versus current operating budget forecast, and financial impact variance may have on current and following year's operating budget;
5. Monthly operating budget statement that compares actual to forecast for that year as well as actual to prior year actual;
6. Quarterly balance sheet statement that compares actual to forecast for that year as well as actual to prior year actual;
7. Updated Leadership Management Team/Strategic Management Team organization chart;
8. Any Leadership Management Team/Strategic Management Team changes;
9. Any lawsuits and/or legal matters currently being dealt with by the Town of Milton;
10. Any Ombudsman/Integrity Commissioner complaints currently under investigation;
11. Compliance with Employment Standards Act;
12. Compliance with Employee Benefit and Pensions payment schedule;
13. Compliance with Income Tax Act, Employment Insurance Act, Canada Pension Plan payment schedule;
14. Compliance with Occupational Health and Safety Act; and
15. Compliance with all Province of Ontario and Government of Canada legislated filings;
16. Compliance with Town of Milton electronic records and data storage back-up policies.

Immediately:

17. Occurrence that materially impacts ability of Town of Milton to function operationally;
18. Safety and/or security breach that impacts ability of Town of Milton to function operationally;



- 19. Matter that materially impacts reputation of Town of Milton, its Council or staff;
- 20. Change in Leadership Management Team/Strategic Management Team member employment status;
- 21. Serious injury and/or death of employee or individual using service\providing service at Town of Milton facility.

CARRIED

9 By-laws

Res. 059-20: THAT By-law Numbers 033-2020, 034-2020, 035-2020, 036-2020, 037-2020, 038-2020, 039-2020 & 040-2020 be READ, PASSED AND NUMBERED;

AND THAT the Mayor and the Town Clerk be authorized to sign the said By-laws, seal them with the seal of the Corporation and that they be engrossed in the By-law Book. **CARRIED**

VI. REGIONAL COUNCIL UPDATE

VII. CONFIDENTIAL SESSION

Council did not convene into confidential session and made the following resolution in open session:

VIII. OPEN SESSION

Res. 060-20: THAT Paul Hubahib be appointed to the Milton Public Library Board for the term commencing immediately and expiring with the current term of Council or until a successor is appointed;

AND THAT Anthony Castelino be appointed if a vacancy occurs. **CARRIED**

IX. ADJOURNMENT

There being no further business to discuss the Mayor adjourned the meeting at 3:53 p.m.

_____ Mayor
Gordon A. Krantz

_____ Deputy Town Clerk
Meaghen Reid