



Town of Newmarket MINUTES

**SPECIAL
COMMITTEE OF THE WHOLE**
Tuesday, September 3, 2013 at 1:30 p.m.
Council Chambers
395 Mulock Drive

For consideration by Council
on September 9, 2013

The meeting of the Special Committee of the Whole was held on Tuesday, September 3, 2013 at 1:30 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Mayor Van Bynen
Present: Regional Councillor Taylor (1:31 to 6:12 p.m.)
 Councillor Di Muccio
 Councillor Emanuel
 Councillor Hempen
 Councillor Kerwin
 Councillor Sponga
 Councillor Twinney
 Councillor Vegh (1:31 to 4:30 p.m.)

Staff: R.N. Shelton, Chief Administrative Officer
 I. McDougall, Commissioner of Community Services
 A. Moore, Commissioner of Corporate Services
 R. Prentice, Commissioner of Development and Infrastructure Services
 E. Armchuk-Ball, Director of Legal Services/Municipal Solicitor
 C. Kallio, Economic Development Officer
 C. Kalimootoo, Director of Public Works Services
 M. Mayes, Director of Financial Services/Treasurer
 R. Nethery, Director of Planning and Building Services
 C. Service, Director of Recreation and Culture
 J. Unger, Assistant Director of Planning
 A. Brouwer, Director of Legislative Services/Town Clerk
 L. Moor, Council/Committee Coordinator

The meeting was called to order at 1:31 p.m.

Mayor Van Bynen in the Chair.

DECLARATIONS OF INTEREST

None.

**Moved by Councillor Vegh
Seconded by Councillor Twinney**

THAT the Special Committee of the Whole resolve into a closed session for the purpose of discussing a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 1, Ward 3, and Ward 5)(CS – R & C Information Report 2013-34 and CS – R & C (Closed Session) Report 2013-36)

(Note: Items referred from Committee of the Whole (Closed Session) of August 26, 2013)

The Special Committee of the Whole resolved into a Closed Session at 1:32 p.m.

The Special Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

In order to satisfy Notice Requirements the Special Committee of the Whole convened into a public session at 3:08 p.m. to advise that Community Services – Recreation and Culture (Closed Session) Report 2013-36 dated August 28, 2013 will be considered in Closed Session as the report contains information relating to a pending acquisition of property and security of the property of the municipality.

The Special Committee of the Whole resumed into a public session at 3:08 p.m.

**Moved by Regional Councillor Taylor
Seconded by Councillor Sponga**

THAT the Special Committee of the Whole resolve into a Special (Closed Session) for the purpose of discussing a pending acquisition of land by the municipality and security of the property of the municipality. (Community Services – Recreation and Culture (Closed Session) Report 2013-36 dated August 28, 2013)

CARRIED BY 2/3 MAJORITY

The Special Committee of the Whole resolved into a Closed Session at 3:12 p.m.

The Special Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Special Committee of the Whole resumed into public session at 6:05 p.m.

- 1. SPECIAL COMMITTEE OF THE WHOLE MINUTES – SEPTEMBER 3, 2013 – ITEM 1
COMMUNITY SERVICES – RECREATION AND CULTURE CONFIDENTIAL
INFORMATION REPORT 2013-34 AND
COMMUNITY SERVICES – RECREATION AND CULTURE (CLOSED SESSION)
REPORT 2013-36 – SOCCER CLUB MATTER
(PENDING ACQUISITION OF LAND BY THE MUNICIPALITY AND SECURITY OF THE
PROPERTY OF THE MUNICIPALITY) WARD 1**

Soccer Club Matter.

**Moved by Regional Councillor Taylor
Seconded by Councillor Hempen**

THAT Community Services – Recreation and Culture (Closed Session) Report 2013-36 dated August 28, 2013 and Community Services – Recreation and Culture Confidential Information Report 2013-34 dated August 26, 2013 and with respect to Newmarket Soccer Club be received and the following recommendations be adopted:

1. **THAT the Town of Newmarket offer to pay out the existing \$2.5 million dollar loan between the Newmarket Soccer Club and Garront Investments Ltd. and enter into a loan agreement with the Newmarket Soccer Club for \$2.8 million at an interest rate of Prime +2%;**
2. **AND THAT the loan provide that interest payments only be made until the sale of the lands located at 17217 Woodbine Avenue ("Woodbine lands") is complete;**
3. **AND THAT the loan set out in Recommendation 1 be secured by a mortgage representing a first charge on both the Woodbine lands and lands located at 621 Newpark Boulevard ("Newpark lands");**
4. **AND THAT the Newmarket Soccer Club proceed expeditiously with the sale of the Woodbine lands while maximizing value; and that 80% of the proceeds of the sale of the Woodbine lands be directly applied to the loan in Recommendation 1;**
5. **AND THAT the Town of Newmarket negotiate a suitable access agreement for other community recreation users at Newmarket Soccer Club established rental rates;**
6. **AND THAT the Town of Newmarket negotiate a suitable access agreement for Town programming at specific times of day/year for other Town recreation and field users at no cost to the Town;**
7. **AND THAT the loan agreement contain provisions for a periodic review of payment terms in the event the Newmarket Soccer Club can secure a replacement lender once the operation has been in place to reflect actuals versus forecasts;**
8. **AND THAT any remaining issues, terms and conditions be delegated to staff to negotiate and finalize with the Newmarket Soccer Club as contained within Scenario 2 of the Closed Session report.**

CARRIED

The Special Committee of the Whole resolved into a Special Council meeting at 6:06 p.m.

The Special Council Minutes are recorded under separate cover.

The Special Committee of the Whole resumed into public session at 6:13 p.m.

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT the Special Committee of the Whole resolve into a Closed Session for the purpose of discussing a pending disposition of land by the municipality. (Ward 5)

CARRIED

The Special Committee of the Whole resolved into Closed Session at 6:17 p.m.

The Special Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Special Committee of the Whole resumed into public session at 6:32 p.m.

2. DAVIS DRIVE AND PATTERSON STREET PROPERTY MATTER – WARD 3

Davis Drive and Patterson Street Property Matter.

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**

THAT staff be directed to prepare a comprehensive report in response to the Davis Drive and Patterson Street property matter.

CARRIED

**Moved by Councillor Sponga
Seconded by Councillor Emanuel**


THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 6:34 p.m. and reconvened into a Special Council meeting.



Mayor Van Bynen, Chair



Andrew Brouwer, Town Clerk