

Monday, December 9, 2013 at 1:30 PM
Council Chambers

For consideration by Council
on December 16, 2013

The meeting of the Special Committee of the Whole was held on Monday, December 9, 2013 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor (1:30 to 5:42 p.m.)
Councillor Emanuel (1:30 to 5:52 p.m.)
Councillor Hempen
Councillor Kerwin
Councillor Sponga
Councillor Twinney
Councillor Vegh (1:30 to 3:05 p.m.)

Absent: Councillor Di Muccio

Staff Present: R. N. Shelton, Chief Administrative Officer
R. Nethery, Acting Commissioner of Development &
Infrastructure Services
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
E. Armchuk, Director of Legal Services/Municipal Solicitor
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
S. Chase, Director of Information Technology
L. Moor, Council/Committee Coordinator
J. Patel, Project Support Business Analyst

Mayor Van Bynen in the Chair.

The meeting was called to order at 1:30 p.m.

[Declarations of Interest](#)

Mayor Van Bynen declared a pecuniary interest in Item 1 with respect to the Integrity Commissioner's Report as he is a named individual within the report. He advised he would take no part in the discussion or voting of the foregoing matter and vacated the Chair.

Regional Councillor Taylor assumed the Chair.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

a) THAT the Procedural By-law be waived to accommodate additional time requested for the deputations.

Carried

Deputations:

1. Jack Blommesteyn addressed the Committee with a PowerPoint presentation in opposition to the Integrity Commissioner's Report.

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

a) THAT the deputation and PowerPoint presentation by Jack Blommesteyn in opposition to the Integrity Commissioner's Report be received.

Carried

2. Alexander Blommesteyn and Nicholas Blommesteyn addressed the Committee with a PowerPoint presentation in opposition to the Integrity Commissioner's Report.

Moved by: Councillor Sponga
Seconded by: Councillor Emanuel

a) THAT the deputations and PowerPoint presentations by Alexander and Nicholas Blommesteyn in opposition to the Integrity Commissioner's Report be received.

Carried

3. John Blommesteyn addressed the Committee in opposition to the Integrity Commissioner's Report.

Moved by: Councillor Sponga
Seconded by: Councillor Emanuel

a) THAT the deputation by John Blommesteyn in opposition to the Integrity Commissioner's Report be received.

Carried

Presentations

4. [Ms. Suzanne Craig, Integrity Commissioner addressed the Committee and provided details of her report dated December 3, 2013 with respect to a breach of Code of Conduct.](#)

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

a) THAT the presentation by Ms. Suzanne Craig, Integrity Commissioner with respect to the report findings of a breach of Code of Conduct be received.

Carried

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

a) THAT the report of the Integrity Commissioner dated December 3, 2013 be received and the following recommendations be adopted:

i) THAT Council support the report findings;

ii) AND THAT penalties provided for in the report be waived should the Respondent provide a written apology to the Mayor on or before December 13, 2013;

iii) AND THAT the Integrity Commissioner remain seized of this matter and reserve the option to vary her recommendation on or before December 16, 2013;

iv) AND THAT staff bring back options to the December 16, 2013 Council meeting of details associated with the feasibility of an incremental means of suspending remuneration.

Carried

Recommendation v) was voted on separately.

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

v) THAT Council suspends the remuneration paid to the Respondent for a period of thirty days.

Carried

Regional Councillor Taylor vacated the Chair.

Mayor Van Bynen assumed the Chair.

The Committee of the Whole recessed at 3:05 p.m.

The Committee of the Whole reconvened at 3:21 p.m. with Councillor Vegh absent.

5. [The Director of Legislative Services addressed the Committee and introduced the Supervisor of By-law Enforcement and the By-law Enforcement/Property Standards Officer who provided a PowerPoint presentation with respect to the Comprehensive Review of the Sign By-law.](#)

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

- a) THAT the PowerPoint presentation by the Supervisor of By-law Enforcement and the By-law Enforcement/Property Standards Officer with respect to the Comprehensive Review of the Sign By-law be received.

Carried

Mr. Roy Dzucko on behalf of CBS Outdoor addressed the Committee in support of the comprehensive review of the sign by-law through a deputation.

Mr. Sid Catalano on behalf of Pattison Signs addressed the Committee in support of the comprehensive review of the sign by-law through a deputation.

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

- b) THAT the deputations by Mr. Roy Dzucko of CBS Outdoor and Mr. Sid Catalano of Pattison Signs with respect to the Comprehensive Review of the Sign By-law be received.

Carried

Corporate Services - Legislative Services Report 2013-47 dated November 12, 2013 regarding "Comprehensive Review of Sign By-law".

Discussion ensued and points of clarification regarding certain details contained within the draft by-law will be addressed by staff.

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

c) THAT Corporate Services - Legislative Services Report 2013-47 dated November 12, 2013 regarding "Comprehensive Review of Sign By-law" be received and the following recommendations be adopted:

i) THAT Council adopt the Final Draft Sign By-law attached as Appendix "A";

ii) AND THAT the following fees be included in the Fees and Charges By-law for the 2014 Budget:

| Service Provided | Fee (Excludes HST) |
|----------------------------------|--------------------|
| Ground Sign | \$400.00 |
| Fascia Sign | \$400.00 |
| Mural Sign | \$400.00 |
| Projecting Sign | \$400.00 |
| Construction Information Sign | \$400.00 |
| Hoarding Sign | \$400.00 |
| New Home Development Sign | \$100.00 |
| Portable / Mobile Sign | \$100.00 |
| Inflatable Sign | \$400.00 |
| Banner | \$100.00 |
| Election Sign Deposit | \$250.00 |
| Billboard Sign | \$1,500.00 |
| Billboard Sign Renewal | \$500.00 |
| Variance Fee – Staff Review | \$250.00 |
| Variance Fee – Committee | \$500.00 |
| Sign Removal | \$150.00 |
| Election Sign Removal (per sign) | \$25.00 |

iii) AND THAT Council repeal By-law 2009-79.

Carried

6. [The Director of Legislative Services addressed the Committee with a PowerPoint presentation with respect to the 2014 Election.](#)

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

THAT the PowerPoint presentation by the Director of Legislative Services regarding the Voting Method Options, 2014 Municipal Election be received.

a) THAT Corporate Services – Joint Legislative Services & Information Technology Services Report 2013-43 dated November 29, 2013 regarding “Voting Method Options, 2014 Municipal Election” be received and the following recommendations be considered at the January 13, 2014 Committee of the Whole meeting:

i) THAT Council endorse Option 2, “Use of Internet Voting” as outlined in this report for use in the 2014 municipal election;

ii) AND THAT a by-law be brought forward for consideration by Council to authorize the use of alternative voting equipment and an alternative voting method in the 2014 municipal election accordance with Section 42 1 (a) and (b) of the Municipal Elections Act, 1996;

iii) AND THAT the public be invited to comment on Joint Legislative Services & Information Technology Services Report 2013-43 in advance of the January 13, 2014 Committee of the Whole meeting and subsequent Council meeting where the report and authorizing by-law is considered.

Carried

Items

7. Corporate Services Report – Legislative Services 2013-48 dated December 4, 2013 regarding the 2013-2017 Multi-Year Accessibility Plan.

Moved by: Councillor Twinney
Seconded by: Councillor Emanuel

THAT Corporate Services Report - Legislative Services 2013-48 dated December 4, 2013 regarding the 2013-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:

a) THAT Corporate Services Report - Legislative Services 2013-48 dated December 4, 2013 regarding the Town of Newmarket 2013-2017 Multi-Year Accessibility Plan be received and that Council approve the Town of Newmarket 2013-2017 Multi-Year Accessibility Plan.

Carried

Action Items

8. [Correspondence dated October 24, 2013 from Mr. Bruce Macgregor, Chief Administrative Officer, Regional Municipality of York regarding Regional Council Representation.](#)

Memorandum from Director of Legislative Services/Town Clerk regarding current disposition of this matter by York Region municipalities.

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

a) THAT the Correspondence dated October 24, 2013 from Mr. Bruce Macgregor, Chief Administrative Officer, Regional Municipality of York regarding Regional Council Representation and the Memorandum from Director of Legislative Services/Town Clerk regarding current disposition of this matter by York Region municipalities be received.

Carried

Moved by: Councillor Emanuel
Seconded by: Councillor Sponga

b) THAT the Special Committee of the Whole resolve into a closed session for the purpose of discussing litigation before the Ontario Municipal Board (Marianneville Developments Ltd. – Glenway) and a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

The Special Committee of the Whole resolved into Closed Session at 5:11 p.m.

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

Regional Councillor Taylor left the meeting at 5:42 p.m.

Councillor Emanuel left the meeting at 5:52 p.m.

The Special Committee of the Whole resumed into Public Session at 5:55 p.m.

9. [Accessibility Advisory Committee Minutes of December 5, 2013.](#)

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

a) THAT the Accessibility Advisory Committee Minutes of December 5, 2013 be received.

Carried

10. [Excerpt of the Accessibility Advisory Committee Minutes of December 5, 2013 - Town of Newmarket 2013-2017 Multi-Year Accessibility Plan as referenced in Corporate Services Report - Legislative Services 2013-48 dated December 4, 2013.](#)

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

a) THAT the excerpt including the recommendation that the Accessibility Advisory Committee endorses the draft 2013-2017 Multi-Year Accessibility Plan as presented, with the minor terminology modifications suggested and request that it be forwarded to Council for approval be received.

Carried

11. [Appendix "C" to Corporate Services - Legislative Services Report 2013-47 dated November 12, 2013 with respect to "Comprehensive Review of Sign By-law".](#)

Moved by: Councillor Sponga
Seconded by: Councillor Hempen

a) THAT Appendix "C" to Corporate Services – Legislative Services Report 2013-47 dated November 12, 2013 with respect to "Comprehensive Review of Sign By-law" be received.

Carried

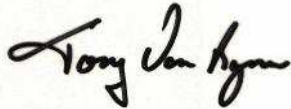
Adjournment

12. Motion to adjourn Special Committee of the Whole on December 9, 2013 at 5:56 p.m.

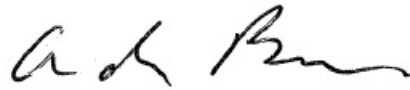
Moved by: Councillor Twinney
Seconded by: Councillor Sponga

a) THAT the meeting adjourn.

Carried



Tony Van Bynen, Mayor



Andrew Brouwer, Town Clerk