

TOWN OF NEWMARKET COUNCIL - EXTRACT - MONDAY, May 7, 2012

| | REF'D TO | COPY TO | | REF'D TO | COPY TO |
|---------------------------------------|----------|---------|---|----------|---------|
| Mayor Tony Van Bynen | | | Community Services, Commissioner of | | |
| Reg. Councillor Taylor | | | • Chief Building Official | | |
| Councillor Vegh | | | • Engineering Services, Director of | | |
| Councillor Kerwin | | | • Planning & Building Services, Director of | | |
| Councillor Twinney | | | • Public Works Services, Director of | | |
| Councillor Hemen | | | • Recreation & Culture, Director of | | |
| Councillor Sponga | | | • Customer Services, Manager of | | |
| Councillor Di Mucclo | | | Corporate Services, Commissioner of | | |
| Councillor Emanuel | | | • Financial Service/Treasurer, Director of | | |
| | | | • Information Technology, Director of | | |
| CAO | | | • Legal Services/Municipal Solicitor, Director of | | |
| Corporate Communications, Director of | | | • Legislative Services/Town Clerk, Director of | | |
| Human Resources, Director of | | | • Procurement Services, Manager of | | |
| Strategic Initiatives, Director of | | | OTHER: | | |
| PENDING AGENDAS: COW | | | | | |
| COUNCIL | | | ORIGINAL REPORT IN DEPARTMENT BINDER | √ | |
| JCC | | | | | |
| | | | Letter: File: | | |

REPORTS OF COMMITTEES AND STAFF (Continued)

35. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES

Committee of the Whole (Closed Session) Minutes of April 30, 2012.

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

THAT the Committee of the Whole (Closed Session) Minutes of April 30, 2012 be received.



Town of Newmarket MINUTES

COMMITTEE OF THE WHOLE (CLOSED SESSION)

Monday, April 30, 2012 at +/- 3:00 p.m.
Council Chambers, 395 Mulock Drive

For consideration by Council at its meeting of May 7, 2012

The meeting of the Committee of the Whole (Closed Session) was held on Monday, April 30, 2012 at +/- 3:00 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Di Muccio
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Sponga
Councillor Twinney
Councillor Vegh

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

The meeting was called to order at 3:08 p.m.

Mayor Van Bynen in the Chair.

Mayor Van Bynen advised that Item 3 of the agenda would be dealt with at this time.

- 1. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – APRIL 30, 2012
ITEM 1 – JOINT REPORT – COMMUNITY SERVICES (PLANNING AND BUILDING SERVICES) AND CORPORATE SERVICES (LEGAL) (CLOSED SESSION) 2012-06
CLOCK TOWER INN AND PROPOSED LAND EXCHANGE
(PROPERTY MATTER – WARD 5)**

Presentation:

Mr. Chris Bobyk of The Forrest Group addressed the Committee with a PowerPoint Presentation regarding the Clock Tower Inn.

**Moved by Councillor Sponga
Seconded by Councillor Di Muccio**

THAT the PowerPoint presentation by Mr. Chris Bobyk of The Forrest Group regarding the Clock Tower Inn be received.

CARRIED

Report:

Joint Report – Community Services (Planning and Building Services) and Corporate Services (Legal) (Closed Session) 2012-06 dated April 24, 2012 regarding the Clock Tower Inn and Proposed [REDACTED]

Discussion on the matter ensued and Committee separated the land [REDACTED] matter from the development proposal component of the staff report citing the fact that the development proposal was subject to a future public process. Committee therefore dealt with only the land [REDACTED] matter.

Amendments were made to the recommendations by deleting Recommendations 1, 2 and 4 and replacing the first paragraph of Recommendation 3 with the following:

“THAT staff advise The Forrest Group that Council does not take a position on the proposed development at this time and directs staff if and as necessary to rectify ownership in the Market Square parking lot, and authorize staff to take all steps necessary to implement the following actions”.

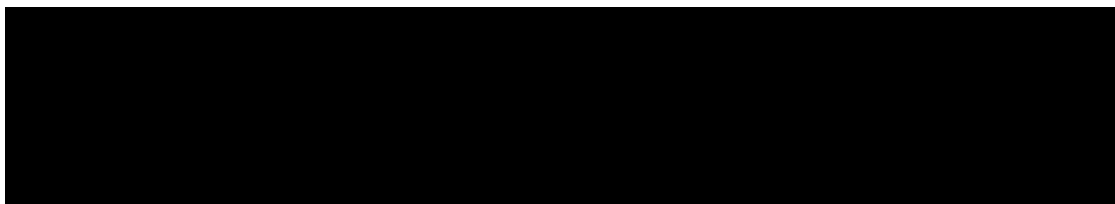
The recommendation numbers are therefore changed.

**Moved by Councillor Sponga
Seconded by Councillor Hempen**

THAT Joint Report – Community Services (Planning and Building Services) and Corporate Services (Legal) (Closed Session) 2012-06 dated April 24, 2012 regarding the Clock Tower Inn and Proposed [REDACTED] be received and the following recommendations, as amended, be adopted:

1. **THAT staff advise The Forrest Group that Council does not take a position on the proposed development at this time and directs staff if and as necessary to [REDACTED] parking lot, and authorize staff to take all steps necessary to implement the following actions, including but not limited to:**

a)



b) provide public notice of the foregoing in accordance with By-laws 1995-43;

c)

d)

e) execute all agreements and documents necessary to give effect to the foregoing by the Chief Administrative Officer and the authorization for the Associate Solicitor to electronically sign and register all transfer deeds of land and any easements required for municipal services or utilities;

CARRIED

The Committee recessed at 4:25 p.m.

The Committee reconvened at 4:35 p.m.

**2. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – APRIL 30, 2012
ITEM 2 – CLOSED SESSION OFFICE OF THE CAO AND COMMUNITY SERVICES
(PLANNING AND BUILDING SERVICES) REPORT 2012-19
415 DAVIS DRIVE (PROPERTY MATTER – WARD 4)**

It was noted that the Committee of the Whole (Closed Session) Agenda – April 30, 2012 had misidentified the subject report as Community Services Report 2012-35. The subject report is Closed Session Office of the CAO and Community Services (Planning and Building Services) Report 2012-19.

**Moved by Councillor Kerwin
Seconded by Councillor Vegh**

THAT Closed Session Office of the CAO and Community Services (Planning and Building Services) Report 2012-19 dated April 30, 2012 regarding a Davis Drive property matter be received and the following recommendations be adopted:

1. THAT staff be authorized to submit a conditional offer to purchase the property consisting of a combination of cash to a maximum of \$1,000,000 and other considerations with the offer being subject to a satisfactory due diligence review and the final approval of Council;

2. **AND THAT** the other considerations of the Town's offer include such items as a tax receipt for the portion of the flood plain lands intended to be used for future public open space purposes and the Town's intention to recognize the property and family name (Denne) through a plaque appropriately placed on the property;
3. **AND THAT** staff report back to Council with respect to staff's success on the offer including financing options.

CARRIED

3. **COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – APRIL 30, 2012
ITEM 3 – CORPORATE SERVICES (CLOSED SESSION) REPORT – LEGAL SERVICES 2012-07 – REQUEST TO PURCHASE TOWN-OWNED LAND AT BOGARTTOWN CURVE AND LESLIE STREET (PROPERTY MATTER – WARD 2)**

Corporate Services (Closed Session) Report – Legal Services 2012-07 dated April 25, 2012 regarding a Request to Purchase Town Owned Land at Bogarttown Curve and Leslie Street.

**Moved by Councillor Kerwin
Seconded by Councillor Vegh**

THAT Corporate Services (Closed Session) Report – Legal Services 2012-07 dated April 25, 2012 regarding the status of the negotiations with the owners of land at the intersection of the Bogarttown Curve and Leslie Street for the purchase of a portion of Town-owned land adjacent to 415 Bogarttown Curve be received and the following recommendation be adopted:

THAT Council authorize the Chief Administrative Officer and/or the Municipal Solicitor to negotiate a purchase price of not less than \$200,000 and conclude and execute an Agreement of Purchase and Sale on terms acceptable to the CAO and the Municipal Solicitor to transfer and convey the lands to the owners of the adjacent land, and authorize the Associate Solicitor or her designate to electronically sign and register all transfer deeds of land and any easements for municipal services and public utilities.

CARRIED

4. **COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES – APRIL 30, 2012
ITEM 4 – COMMUNITY SERVICES CONFIDENTIAL REPORT – COMMISSIONER 2012-31 – OLD FIRE HALL – 140 MAIN STREET SOUTH
(PROPERTY MATTER – WARD 5)**

Community Services Confidential Report – Commissioner 2012-31 dated April 26, 2012 regarding the Old Fire Hall – 140 Main Street South.

Moved by Councillor Emanuel
Seconded by Councillor Hempen

THAT Community Services Confidential Report – Commissioner 2012-31 dated April 26, 2012 regarding the Old Fire Hall building at 140 Main Street South be received and the following recommendations be adopted:

1. THAT Community Services Confidential Report – Commissioner 2012-31 dated April 26, 2012 regarding the Old Fire Hall – 140 Main Street South be referred to the next Committee of the Whole scheduled for May 22, 2012 with a further report outlining the options and opportunities for an RFP to lease/sell the property known as 140 Main Street South together with information regarding the economic development impact of those options on the downtown.
2. AND THAT prior to any further actions to dispose of the property, that staff be directed to meet with the user groups and outline the proposed actions going forward and alternative arrangements for their programs pending the completion of the Old Town Hall.

CARRIED

Moved by Councillor Sponga
Seconded by Councillor Emanuel

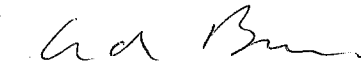
THAT the Committee resume into public session.

CARRIED

The Committee resumed into public session at 6:06 p.m.



Mayor Van Bynen, Chair



Andrew Brouwer, Town Clerk