

**MINUTES
OF THE THIRD REGULAR MEETING OF THE ONE HUNDRED
AND TWENTY NINTH COUNCIL OF THE TOWN OF CARLETON PLACE**

The Third Regular Meeting of the One Hundred and Twenty Ninth Council of the Town of Carleton Place was held in the Town Hall Council Chambers on Tuesday, January 30, 2018 at 7:00 p.m.

PRESENT: Mayor Antonakos Councillor Black
 Councillor Redmond Councillor Fritz
 Councillor Trimble

STAFF: D. Rogers, Clerk S. Blair, Deputy-Clerk

I OPENING PRAYER

Mayor Antonakos asked members of Council and the public present to stand for a moment of silence.

II DISCLOSURE OF PECUNIARY INTEREST

None

III MINUTES OF PREVIOUS MEETING

Motion No. 3-129-01

Moved Councillor Black, seconded by Councillor Redmond

THAT the Minutes of the Second Regular Meeting of the 129th Council held on January 16, 2018 be adopted as printed.

CARRIED

IV DELEGATIONS

None

V COMMUNICATIONS

129050 – 129062

VI READING OF BY-LAWS

None

VII STANDING COMMITTEES

Policy Review Committee – January 16, 2018

Motion No. 3-129-02

Moved by Councillor Fritz, seconded by Councillor Black

Communication: 129048 129049

THAT Council hereby accepts the Policy Review Committee's decisions related to the consent items of January 16, 2018 and approves the Council Actions.

CARRIED

Motion No. 3-129-03

Moved by Councillor Redmond, seconded by Councillor Trimble

Communication: 129050

THAT Council authorize the Mayor and Clerk to enter into a 7-year contract with OCWA for the operation of the Town's water and sewer treatment facilities.

CARRIED

Corporate Services Committee – January 23, 2018

Motion No. 3-129-04

Moved by Councillor Trimble, seconded by Councillor Redmond

Communication: 129054 129055 129056

THAT Council hereby accepts the Corporate Services Committee’s decisions related to the consent items of January 23, 2018 and approves the Council Actions.

CARRIED

Motion No. 3-129-05

Moved by Councillor Fritz, seconded by Councillor Redmond

Communication: 129058

THAT Council hereby approves a 1.9% levy change for the Business Improvement Area budget for 2018 as approved by the BIA membership at their budget meeting held on January 15th, 2018.

CARRIED

Motion No. 3-129-06

Moved by Councillor Black, seconded by Councillor Trimble

Communication: 129059

THAT Council hereby authorizes the Mayor and the CAO to execute the Grant Agreement for the Municipalities for Climate Innovation Program (MCIP) project to prepare a Water and Wastewater Plant Resiliency Plan that will provide the Town with funding of \$168,000.

CARRIED

Community Issues Committee – January 23, 2018

Motion No. 3-129-07

Moved by Councillor Fritz, seconded by Councillor Trimble

Communication: 129050 129051 129052

THAT Council hereby accepts the Community Issues Committee’s decisions related to the consent items of January 23, 2018 and approves the Council Actions.

CARRIED

Planning and Protection Committee – January 23, 2018

Motion No. 3-129-08

Moved by Councillor Redmond, seconded by Councillor Black

Communication: 129061 129062

THAT Council hereby accepts the Planning and Protection Committee’s decisions related to the consent items of January 23, 2018 and approves the Council Actions.

CARRIED

VIII OTHER BUSINESS

Motion No. 3-129-09

Moved by Councillor Fritz, seconded by Councillor Redmond

Communication:

THAT as per Section 18 of By-law No. 09-2015 that members of the public be permitted to speak to council regarding the Integrity Commissioner’s Report of January 22, 2018.

CARRIED

Motion No. 3-129-10

Moved by Councillor Trimble, seconded by Councillor Black

Communication:

THAT Council accepts the Integrity Commissioner Report, dated January 22nd 2018 as information;

AND FURTHERMORE that action on this items be addressed at the Policy Review Committee meeting February 13, 2018.

CARRIED

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

None

X BY-LAW CONFIRMING COUNCIL PROCEEDINGS

By-law No. 03-2018

Motion No. 3-129-11

Moved by Councillor Trimble, seconded by Councillor Black

THAT By-law No. 03-2018 (**Confirm Council Proceedings**) be read a first time, second time and third time and finally passed.

CARRIED

XI SINGING OF O CANADA

Members of Council, Staff and the public present stood for the singing of O Canada.

XII ADJOURNMENT – 7:30 p.m.

Motion No. 3-129-12

Moved by Councillor Black, seconded by Councillor Redmond

THAT the Third Regular Meeting of the One Hundred and Twenty Ninth Council be hereby adjourned.

CARRIED

Louis Antonakos, Mayor

D.H. Rogers, Clerk



AGENDA

THIRD REGULAR MEETING OF THE ONE HUNDRED AND
TWENTY NINTH COUNCIL OF THE TOWN OF CARLETON PLACE
Tuesday, January 30, 2018 Council Chambers at 7:00 p.m.

I OPENING PRAYER

II DISCLOSURE OF PECUNIARY INTEREST

III MINUTES OF PREVIOUS MEETING

Minutes of the Second Regular Meeting of the 129th Council of January 16, 2018

IV DELEGATIONS

None

V COMMUNICATIONS

129050 – 129062 (*copies of communications are available to view in the Clerk's Dept.*)

VI READING OF BY-LAWS

None

VII STANDING COMMITTEES

Policy Review Committee – January 16, 2018
129048 129049 129050

Corporate Services Committee – January 23, 2017
129054 129055 129056 129058 129059

Community Issues Committee – January 23, 2018
129050 129051 129052

Planning and Protection Committee – January 23, 2018
129061 129062

VIII OTHER BUSINESS

Integrity Commissioner's Report dated January 22, 2018

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 03-2018 CONFIRMING COUNCIL PROCEEDING

XI SINGING OF O'CANADA

XII ADJOURNMENT



**Policy Review Committee
Council Report
January 16th, 2018**

COMMUNICATION 129048

Received from: Paul Knowles, CAO
Date Received: January 3, 2018
Addressed to: Policy Review Committee
Topic: O. Reg 588/2017 - Asset Management Plan requirements

SUMMARY

On December 13, 2017, the Province approved O. Reg 588/2017 sets out new requirements for undertaking asset management planning. The regulation includes the following timelines for compliance;

- a) July 1, 2019 – all municipal governments to have a finalized initial strategic asset management policy. Section 3 of the regulation sets out 12 matters that this policy must include and the policy must be reviewed every 5 years.
- b) July 1, 2021: all municipal governments to have an adopted asset management plan for core assets (roads, bridges and culverts, water, wastewater and stormwater management) that discusses current levels of service and the cost of maintaining those services. The regulation sets out both qualitative descriptions and technical metrics for each of the core assets.
- c) July 1, 2023: Municipal governments to an adopted asset management plan for all of its other municipal infrastructure assets, which also discusses current levels of service and the cost of maintaining those services. The municipality is to set the technical metrics and qualitative descriptions for its other assets (e.g., culture and recreation facilities).

For both b) and c) above, there are some different requirements for municipal governments above and below 25,000 population as well as those within the Greater Golden Horseshoe growth plan area.

129048 Continued

d) July 1, 2024: The asset management plans shall include a discussion of proposed levels of service, the assumptions related to the proposed levels of service, what activities will be required to meet proposed levels of service, and a strategy to fund the activities. (AMO believes that this funding strategy will further identify the gap between municipal own source revenues and the need. AMO's current fiscal analysis for 2016 – 2025 shows a \$4.9 billion gap in municipal operating costs and capital needs.)

The proposed requirement for a licensed engineering practitioner to endorse completed asset management plans was dropped and the level of detail reduced under the financial planning aspects of the regulation.

STAFF RECOMMENDATION

THAT staff monitor how other municipalities are complying with this regulation and plan to update the Town's Asset Management Plan as appropriate.

COMMITTEE DECISION

THAT staff monitor how other municipalities are complying with this regulation and plan to update the Town's Asset Management Plan as appropriate.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129049

Received from: Paul Knowles, CAO
Date Received: January 11, 2018
Addressed to: Policy Review Committee
Topic: Meeting Cancellation (February 27th)

SUMMARY

The OGRA Conference will be held February 25 - 28, 2018 and meetings during this time have usually been cancelled as it is difficult to maintain a quorum.

STAFF RECOMMENDATION

THAT the meetings regularly scheduled for Tuesday February 27th, 2018 be cancelled.

COMMITTEE DECISION

THAT the meetings regularly scheduled for Tuesday February 27th, 2018 be cancelled.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129050

Received from Clerk's Department
Addressed to Policy Review Committee
Date December 4, 2017
Topic Closed Meetings

SUMMARY

As authorized by the Municipal Act, Council should review selected items in closed session.

STAFF RECOMMENDATION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda.

AGENDA

- 2018-01-16-1 Personal matters about an identifiable individual, including municipal or local board employees – General Nature – CAO and Treasurer positions

- 2016-07-06-2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: General Nature – OCWA Contract

COMMITTEE DECISION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda.

AGENDA

- 2018-01-16-1 Personal matters about an identifiable individual, including municipal or local board employees – General Nature – CAO and Treasurer positions

- 2016-07-06-2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: General Nature – OCWA Contract

REPORT TO COUNCIL

- 2018-01-16-1 THAT Trisa McConkey has been hired for the position of Treasurer. Receive and record.

129050 Continued

2016-07-06-2 THAT Council authorize the Mayor and Clerk to enter into a 7-year contract with OCWA for the operation of the Town's water and sewer treatment facilities.

COUNCIL ACTION

THAT Council authorize the Mayor and Clerk to enter into a 7-year contract with OCWA for the operation of the Town's water and sewer treatment facilities.



Corporate Services Committee
Council Report
January 23, 2018

COMMUNICATION 129054

Received from Mississippi Valley Conservation Authority
Addressed to Clerk
Date Dec 28, 2017
Topic Budget 2018

SUMMARY

MVCA has provided their draft budget for 2018. The overall levy will increase from \$2,708,152 to \$2,798,554. The Carleton Place portion will increase from \$63,754 to \$65,875, an increase of 3.3%.

COMMENT

For information only.

STAFF RECOMMENDATION

Receive and record.

COMMITTEE DECISION

Receive and record.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129055

Received from MVCA
Addressed to Clerk
Date January 5, 2018
Topic Statement of Remuneration and Expenses

SUMMARY

Members received the following as remuneration and expenses from MVCA in 2017:

Councillor Doucett	\$ 67.96
Councillor Black	\$3,442.92
Deputy Mayor Flynn	\$1,891.65

COMMENT

For information only.

STAFF RECOMMENDATION

Receive and record.

COMMITTEE DECISION

Receive and record.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129056

Received from Ministry of Finance
Addressed to Treasurer
Date December 22, 2017
Topic Various Tax Rate Information

SUMMARY

Items include:

Vacancy Rebate Program – We currently fall under a program approved by the County for all municipalities. We currently provide 30% rebate on Commercial and 35% rebate on Industrial properties vacant greater than 90 days.

Multi Residential Property Tax – The current ratio for this class across the County is 2.28, municipalities that have a ratio greater than 2.0 will have a full levy restriction.

129056 Continued

Education Tax Rates are to be the following in 2018:

	2017	2018
Residential	0.179%	0.170%
Commercial	1.285667%	1.273846%
Industrial	1.390000%	1.340000%
Commercial New	1.140000%	1.090000%
Industrial New	1.140000%	1.090000%

COMMENT

For information only.

STAFF RECOMMENDATION

Receive and record.

COMMITTEE DECISION

Receive and record.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129058

Received from BIA
Addressed to Treasurer
Date January 16, 2018
Topic BIA Budget for 2018

SUMMARY

The BIA Board and Membership met on Monday January 15th where they approved a 1.9% increase to their annual levy. The levy for 2018 is to be \$158,100.

STAFF RECOMMENDATION

THAT Council hereby approves a 1.9% levy change for the Business Improvement Area budget for 2018 as approved by the BIA membership at their budget meeting held on January 15th, 2018.

COMMITTEE DECISION

THAT Council hereby approves a 1.9% levy change for the Business Improvement Area budget for 2018 as approved by the BIA membership at their budget meeting held on January 15th, 2018.

129058 Continued

COUNCIL ACTION

THAT Council hereby approves a 1.9% levy change for the Business Improvement Area budget for 2018 as approved by the BIA membership at their budget meeting held on January 15th, 2018.

COMMUNICATION 129059

Received from Paul Knowles, CAO
Addressed to Corporate Services Committee
Date January 18, 2018
Topic MCIP Grant Agreement

SUMMARY

FCM has now finalized a Grant Agreement for the Municipalities for Climate Innovation Program (MCIP) project to prepare a Water and Wastewater Plant Resiliency Plan that will provide the Town with funding of \$168,000. (80% of the total cost).

STAFF RECOMMENDATION

THAT Council hereby authorizes the Mayor and the CAO to execute the Grant Agreement for the Municipalities for Climate Innovation Program (MCIP) project to prepare a Water and Wastewater Plant Resiliency Plan that will provide the Town with funding of \$168,000.

COMMITTEE DECISION

THAT Council hereby authorizes the Mayor and the CAO to execute the Grant Agreement for the Municipalities for Climate Innovation Program (MCIP) project to prepare a Water and Wastewater Plant Resiliency Plan that will provide the Town with funding of \$168,000.

COUNCIL ACTION

THAT Council hereby authorizes the Mayor and the CAO to execute the Grant Agreement for the Municipalities for Climate Innovation Program (MCIP) project to prepare a Water and Wastewater Plant Resiliency Plan that will provide the Town with funding of \$168,000.



Community Issues Committee
Council Report
January 23, 2018

COMMUNICATION 129050

Received from Parks and Recreation Committee
Addressed to Community Issues Committee
Date January 8, 2018
Topic Action Report

SUMMARY

The Action report for the January 8, 2018 meeting of the **Parks and Recreation Committee** is attached. Noteworthy items include:

- 128448 Updated Ice Allocation Policy
- 129047 Replacement of Museum Front Door
- 129022 Comments on OVRT Management Plan (previously dispensed with at Council)

STAFF RECOMMENDATION

THAT Council approves Committee's decisions.

COMMITTEE DECISION

THAT Council approves Committee's decisions.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129051

Received from Deputy Mayor Flynn
Addressed to Community Issues Committee
Date January 17, 2018
Topic Bowl for Kids' Sake

SUMMARY

The annual Tim Hortons Bowl for Kids' Sake is to be held on Sat. Feb 24th. Each year, Council puts in a team and contributes a donation of \$500.00 to the charity.

STAFF RECOMMENDATION

THAT Council make a donation of \$500.00 to Tim Hortons Bowl for Kids' Sake;
AND THAT Council enter a team in the event.

COMMITTEE DECISION

THAT Council make a donation of \$500.00 to Tim Hortons Bowl for Kids' Sake;
AND THAT Council enter a team in the event.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129052

Received From: Communications Coordinator
Date Received: January 17, 2018
Addressed To: Community Issues Committee
Topic: 2018 Communications Delivery

SUMMARY:

Below is a brief summary of some of the communications initiatives that are planned for 2018 in conjunction with the attached 2018 Communications Delivery document.

General Communications

1. Bright Ideas

Bright Ideas is a short list of important projects that are planned for 2018. The introductory document (included as an attachment to the 2018 Communications Delivery document) gives a summary of the project, estimated timeline for delivery and bullet points that identify the impact of the project on the community. This document can be used by Council and/or Staff to bring attention to and highlight some of the monumental projects being undertaken this year and to build some interest and excitement about these projects in the community. It will be used as a guide for media releases, social media posts and Youtube videos when releasing content relevant to each project. A logo has been designed for the bright ideas campaign (top right corner on first page of the Bright Ideas attachment) and standard images with the logo incorporated will be designed for each project and used consistently when releasing messaging.

129052 Continued

2. Annual Review

At the end of January, the Corporation of the Town of Carleton Place will publish the 2017 Annual Review. It will be a digital release that will be advertised as available for anyone who wants to read it via the website, municipal matters, social media and the community slideshow. It will be a traditional and accountable piece that gives each department a page to highlight projects that were undertaken in 2017, give a brief glimpse into planned projects for 2018 and will give a general budget breakdown per department.

3. Website Search Highlights Documents

The Communications Coordinator will be going through the immense amount of data collected via the website search bar in 2017 and will assemble it in a report. This document will make it easier to identify the 'popular' content being sought out on our website. This document also gives a great overview of terms that the public are using so we can ensure those words are incorporated into the webpage content and that the wording we use isn't overly bureaucratic. This info will also be helpful when we undertake the website redesign this year.

4. Website Redesign

A considerable amount of hard work has gone into the organization and content on the back end of the Town's municipal website. We are now well positioned to focus on how it looks and functions. Mobile viewing compatibility will be an important consideration in this redesign as will the ease of users obtaining information.

5. Weekly Council Meeting Summary

The Communications Coordinator and Deputy Clerk would like to start releasing a document on Wednesday mornings after Council/Committee meetings providing a brief summary of what happened at the Tuesday night meetings. An email subscription service will be set up on the Town's website where people can sign up to receive the update via email. We can also make this document available in the form of an archive on the Town's website.

6. 2018 Election

A great deal of time will be spent this year ensuring that all information pertaining to the upcoming election is well communicated. The Communications Coordinator and Deputy Clerk have been working together to coordinate a plan and timeline for delivery of key information. In person opportunities to talk to people and ensure that they are on the voters list will also be a priority.

7. Quarterly Communications Reports

The Communications Coordinator will prepare and release a quarterly information report to you this year that will give an overview of website analytics, waste collection app data and social media engagement.

129052 Continued

STAFF RECOMMENDATION

THAT the Communications Coordinator proceed with actions outlined in the proposed 2018 Communications Delivery Plan;

AND THAT the Committee endorse the proposed Digital Communications Policy as a means of regulating online content.

COMMITTEE DECISION

THAT the Communications Coordinator proceed with actions outlined in the proposed 2018 Communications Delivery Plan;

AND THAT the Committee endorse the proposed Digital Communications Policy as a means of regulating online content.

COUNCIL ACTION

Receive and record.



Planning and Protection Committee
Council Report
January 23, 2018

COMMUNICATION 129061

Received from: Paul Knowles, CAO
Addressed to: Planning and Protection Committee
Date: January 16, 2018
Topic: Water and Wastewater Resiliency Plan

SUMMARY

The first step in preparing the resiliency plan for the Water and Wastewater Treatment Plants is to examine the historical flows at both plants and in the river. Staff have recently analyzed flow data provided by OCWA and MVCA. At the Water Treatment Plant mean flows were 1.04 m³/d/household and maximum flows were 1.43 - 1.84 m³/d/household. At the Wastewater Treatment Plant mean flows were 1.24 m³/d/household and maximum flows were 22,000 - 25,000 m³/d. Maximum flows in the Mississippi River were 220 - 280 m³/s and minimum flows were 1.6 m³/s (2016).

STAFF RECOMMENDATION

THAT this flow information be analyzed and used to help predict the future flows that should be expected at both plants.

COMMITTEE DECISION

THAT this flow information be analyzed and used to help predict the future flows that should be expected at both plants.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129062

Received from: Paul Knowles, CAO
 Addressed To: Planning and Protection Committee
 Date: January 16, 2018
 Topic: Growth Rate

SUMMARY

Since the 1980s, the Town of Carleton Place has experienced strong growth and this growth can be tracked several ways. The Municipal Property Assessment Corporation (MPAC) produces the tax roll for the Town annually which identifies the number of households within the Town. The MPAC data shows that the number of households in 1990 was 2,833 and that this increased an average of 63 households each year to total 4,462 households in 2016. The Town’s growth can also be tracked by building permits. The building permit records show that the permits issued for new households each year varied from 23 in 1991 to 142 in 2008 with an average of 76 households per year.

Building permits are recorded when the permit is issued prior to construction. There is then a considerable delay while the house is constructed and occupied before the household is included on the tax roll prepared by MPAC, often 12 – 24 months. Although MPAC’s tax role states there are 4462 households in 2016 this number more realistically represents the number of households that were occupied and using municipal services including the water/wastewater system in 2015 instead of 2016.

In 2016, the census confirmed the population of Carleton Place to be 10,640. With 4462 households occupied and counted in 2015 plus the number of households not yet included by MPAC (133 units) equals 4595 households at census time and an average of 2.3 people per household in Carleton Place.

Lanark County has been studying growth within the County and produced draft population projections for Carleton Place.

	Population	Population	Households	Households
Year	Low Growth	High Growth	Low Growth	High Growth
2016	10,640	10,640	4,595	4,595
2041	18,400	21,000	8,000	9,130
2071	22,300	35,400	9,696	15,391

Growth in the Community

For the next 25 years, the County’s study predicts the Town will grow by 310 people (135 households) per year with a low growth scenario and 414 people (180 households) per year with a high growth scenario.

129062 Continued

Taking another approach to examine growth, for the short term, staff expect the following residential growth.

Projected New Units										
Applicant/Owner	File #	Location	Total Units	2018	2019	2020	2021	2022	2023	2024
Carlgate	SUB-01-2010	High Street/Townline Road	110	20						
Pegasus - Olympia	SUB-01-2012	Coleman Street to Highway #7	442	50	50	50	50	50	50	50
Jackson Ridge	SUB-01-2013	Morris Street/Boyd Street	134	20	20	20	20	20	20	14
Steeple Hill		Peter Street - South	9	4	5					
Thorbjornsson Holdings	SUB-01-2015	Taber Street	19			10	9			
Cardel Homes	SUB-04-2014	Millers Crossing (South of Hwy 7)	282	40	40	40	40	40	40	42
Cavanagh	SUB-01-2017	Bodner Lands	582			40	40	40	40	40
Brigil	SUB-02-2017	Munro Street	42		24	18				
Market Square Apt.	DP3-01-2017	11 Beckwith Street	51		51					
Inverness Homes	DP3-02-2017	351 Bridge Street	40	40						
Johanne's Court	DP3-03-2017	Miguel/Coleman/McGregor	148	50		50			48	
McArthur Square	DP3-04-2017	150 Mill Street	116	58						58
Jackson Homes	DP3-05-2017	17 Moore Street	6	6						
R. & J. Hans	DP3-06-2017	17 Albert Street	9	9						
John Gibson	DP2-02-2011	400 Frank Street	26			26				
2575536 Ontario Inc.	DP2-05-2017	175 Townline Road	9	9						
Total Units			2025	306	190	254	159	150	198	204
Future Plans										
		Laing	250							
		Allan Street	36		36					
		DRS Property	275							
		Lanark / Carleton Street	190							
		RSSR	250							
		Pegasus South	275							
		NuGlobe	280							
		Devcore	110							
Total Units			1666		36					

COMMENT

During the first part of 2018, the Town will be reviewing the Development Charges Bylaw and planning for growth. To complete this planning, a conservative growth rate of 150 households per year will be assumed. Based on current applications, these 150 households will, on average each year, be comprised of 50 single/semi units, townhomes, 37 apartments, 0.6 bachelor units and 0.4 seniors' units (no kitchens). Assuming 3000 sq m of commercial development the Development Charge projects would be funded 90% by residential and 10% by commercial. At the current DC charges, with this assumed growth, the Town would collect about \$600,000 in DC fees annually. It is important to note that the timing for the growth projects should really be triggered by actual growth and rather than a calendar year. If growth occurs faster or slower than the anticipated 150 households per year then the timing for the growth-related projects must be adjusted accordingly.

129062 Continued

STAFF RECOMMENDATION

THAT an assumed average growth rate of 150 households per year be used while planning for growth projects and preparing the Development Charges Bylaw;

AND THAT, if growth occurs faster or slower than the anticipated 150 households per year then the timing for the growth-related projects must be adjusted accordingly.

COMMITTEE DECISION

THAT an assumed average growth rate of 150 households per year be used while planning for growth projects and preparing the Development Charges Bylaw;

AND THAT, if growth occurs faster or slower than the anticipated 150 households per year then the timing for the growth-related projects must be adjusted accordingly.

COUNCIL ACTION

Receive and record.

ROBERT J. SWAYZE

BARRISTER & SOLICITOR

CERTIFIED BY THE LAW SOCIETY OF UPPER CANADA AS A SPECIALIST IN
MUNICIPAL LAW - LOCAL GOVERNMENT/LAND USE PLANNING AND DEVELOPMENT

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20736 Mississauga Road
CALEDON, ONTARIO
L7K 1M7

REPORT TO THE COUNCIL OF THE TOWN OF CARLETON PLACE

FROM: Robert J. Swayze, Integrity Commissioner

DATE OF REPORT: January 22, 2018

DATE OF MEETING: January 30, 2018

BACKGROUND

I received three complaints alleging that Mayor Antonakos contravened the Council Code of Conduct (the "Code") as follows:

1. From former Mayor, Paul Dulmage on October 10, 2017 complaining about a Facebook post made by the Mayor referring to Mr. Dulmage as "having been dishonoured". Subsequently, it was confirmed to the complainant through the Clerk that the Mayor refused to take down the post. My appointment as Integrity Commissioner had expired at this time and I was reappointed by Council on October 24, 2017. After my appointment, Mr. Dulmage confirmed by E-mail that he wished to pursue his complaint with me.
2. From Councillor Brian Doucett on November 15, 2017, complaining about an E-mail sent to me on October 25, 2017 by the Mayor and copied to all members of Council, attaching two confidential reports about Mr. Dulmage, which were prepared by Quintet Consulting in 2010, when Mr. Dulmage was Mayor. These reports were considered by Council in closed session in 2010 and disclosing them constituted a breach of the *Freedom of Information and Protection of Privacy Act* ("MFIPPA"). The list of current Council members who received the reports included Councillors who were not members in 2010.
3. From Kory Earle, a resident of Carleton Place who is a disability rights activist and president of the Lanark County chapter of People First of Ontario. His complaint is that the Mayor has bullied him on several occasions, calling him a liar and arguing with him over who should bring greetings from the Town at fund raising events organized by Mr. Earle and his not-for-profit organization.

The relevant Code provisions are in sections 3 and 4, as follows:

- Members of Council shall abide by the provisions of the Human Rights Code and, in doing so, shall treat every person, including other Members of Council, corporate employees, individuals providing services on a contract for service, students or placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.”
- “Council members shall keep confidential any information disclosed or discussed at a meeting of Council, Committee of the Whole or Standing Committee, or part of a meeting of Council, Committee of the Whole or Standing Committee, that was closed to the public. . . .
- No member shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council to do so.
- Nor shall members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation. As one example, no member should directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of Municipal property or assets.

For the purpose of this investigation, I served the three complaints on the Respondent and received responses as follows:

1. & 2. I was requested by the Mayor to extend the time for response and did so for several weeks until I received an E-mail on December 4, 2017 stating that no further extension is required and asking me to accept two attached “audio recordings (in their entirety) of the evening in question as his official response to Doucett v. Mayor and Dulmage v. Mayor.” I listened to the tapes and found them not to be an adequate response.

3. By E-mail on December 8, 2017 attaching many photographs with the complainant at fund raising functions and advising me that “it is no secret that Korey has a close relationship with Deputy Mayor Flynn.” The response did not deny any of the incidents recounted in the complaint except to say “It is not my nature to bully anyone, especially someone like Korey who represents the vulnerable of my community.”

FINDINGS

Regarding complaint 1, the Mayor's obligation to treat members of the public with dignity, understanding and respect certainly militates against posting a comment that someone is dishonoured, regardless of the fact that the former Mayor may be a political competitor of the respondent. On Complaint 3, I have interviewed the complainant by telephone and believe that the Mayor did attempt to intimidate him in the conduct of his fund raising activities. This may also have been politically inspired because of Mr. Earle's relationship with the Deputy Mayor, but still contrary to the Code. I find that the Code was violated by the Mayor with his discreditable conduct towards both Mr. Dulmage and Mr. Earle.

Complaint 2 identifies a serious contravention of the MFIPPA, as well as the Code. The Mayor's intention was to discredit Mr. Dulmage as part of his response to me on the complaint filed with me on the Mayor's Facebook post. Since the E-mail came to me with open copies displayed to members of Council, I did not need to investigate further. If it had been sent to me only, I might have accepted an argument that it is not public disclosure since I am bound to preserve secrecy under the *Municipal Act*. However, copying persons who were not on Council when the reports were considered in camera, is clearly a serious violation of the Code as well as MFIPPA.

CONCLUSION

In a previous report on a contravention of the Code, Council accepted my recommendation to suspend 90 days salary from the Mayor and I am not sure that recommending a further suspension would cause the Mayor to suddenly change his ways. However, I recommend that 30 additional days of his salary be suspended. I leave to Council's discretion the decision whether to suspend additional salary which cannot exceed a total of 90 days in accordance with the *Municipal Act* as the sanction for the findings contained in this report, that he contravened the Code.

RECOMMENDATION

That Council direct the Treasurer to suspend thirty (30) days of the compensation paid to the Mayor for his services as Mayor commencing with the next pay period following the passing of this resolution.



Robert J. Swayze
Integrity Commissioner
Town of Carleton Place

BY-LAW NO. 03-2018

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ONE HUNDRED AND TWENTY NINTH COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE AT THE THIRD REGULAR MEETING OF COUNCIL OF JANUARY 30, 2018

AND WHEREAS Section 5 of the Municipal Act, S.O. 2001, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS it is deemed expedient that the proceeding of the Council of the Corporation of the Town of Carleton Place at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. **THAT** the action of the 129TH Council of the Corporation of the Town of Carleton Place at the THIRD Regular Meeting of Council held on JANUARY 30, 2018, in respect of each motion and resolution passed, and other action taken by the Council of the Corporation of the Town of Carleton Place at its meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. **THAT** the Mayor and proper officials of the Corporation of the Town of Carleton Place are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Town of Carleton Place referred to in the preceding section thereof.
3. **THAT** the Mayor and Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of the Town of Carleton Place.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 30TH DAY OF JANUARY 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk