

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

PRESENT: Mayor Perkins

Mayor Perkins in the Chair

Councillor Coe
Councillor Drumm
Councillor Emm
Councillor Hanson
Councillor Mitchell
Councillor Montague
Councillor Roy

STAFF PRESENT: R. Petrie, Chief Administrative Officer
S. Beale, Commissioner of Public Works
P. LeBel, Commissioner of Community & Marketing Services
S. Pohjola, Town Solicitor
R. Short, Commissioner of Planning
N. Tellis, Manager of Treasury Services
D. Wilcox, Town Clerk
S. Cassel, Licencing Clerk

1. DISCLOSURES OF INTEREST

There were no disclosures noted.

2.a) DELEGATIONS

2.1 Bob Broadstock representing the Horsemen at Ajax Downs
Re: Community & Marketing Services Report, Item CMS 54-12

Mr. Broadstock, President of the Quarter Racing Owners of Ontario, Inc. (QROOI), appeared before Council and provided a brief overview on the horse-racing industry, noting that the Ajax Downs' feature racetrack had been rated as one of the top five tracks in North America. Mr. Broadstock stated that the cancellation of financial support from the Province for the horse-racing industry may result in its demise. He further stated that through the new model for gaming set out by the Province, he would like to see contracts in place that would outline the sharing of revenues from gaming facilities amongst municipalities in the gaming zones and that some of the money be given to the horse-racing industry.

A question and answer period ensued on the matter.

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

2.2 Phil Nicols
Re: Community & Marketing Services Report, Item CMS 54-12

Mr. Nicols appeared before Council and stated that his family has owned property at Lakeridge Road and Highway 2 for 50 years. With the new Highway 407 coming through the area, Mr. Nicols stated that his family property would be an ideal location for a casino. Mr. Nicols asked Council to consider this property for the location of the new casino should Whitby be the host community.

2.3 Linda Gasser
Re: Community & Marketing Services Report, Item CMS 54-12

Ms. Gasser appeared before Council and requested that Council defer the decision until early September to allow more time to look at the aspects of being a host community. Ms. Gasser outlined in detail the negative impacts of gaming to a community. In summary, Ms. Gasser requested Council to direct staff to provide a more detailed report to show what the actual impacts will be on Whitby and Ajax, so that these factors can be considered and further requested the deferral of the decision until all of these matters have been considered.

A question and answer period ensued.

2.4 Stacey Leadbetter
Re: Community & Marketing Services Report, Item CMS 54-12

Ms. Leadbetter appeared before Council and outlined in detail her concerns related to community infrastructure support of social services, health care and overall community well being, if a gambling facility is located in Whitby. She provided a handout of information on the affects of gambling to the Mayor and Members of Council.

Discussion ensued with respect to the matter.

2.5 Lori Rundle
Re: Community & Marketing Services Report, Item CMS 54-12

Ms. Rundle, a quarter race-horse owner, requested Whitby Council to say no to hosting a casino so that Ajax can continue to be the host municipality and the horse race track can remain open so she and her family can continue in their business.

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

2.6 Summary of Gaming Comments received after the production of the
agenda.

It was noted that comments received from the Virtual Town Hall and emails/correspondence received by staff on the matter were included as part of Report CMS 54-12.

Comments received after the publication of the agenda were included as part of the addendum hand outs for consideration as part of Report CMS 54-12. Council received the summary of correspondence for their information.

2.b) CORRESPONDENCE

2.7 CORR 23-12

Letter received from the Whitby Chamber of Commerce dated July 13, 2012 regarding Town of Whitby hosting a Gaming Facility

RESOLUTION NO. 202-12

MOVED by Councillor Drumm
Seconded by Councillor Emm

That CORR 23-12, from the Whitby Chamber of Commerce be received as information and referred to consideration of Community and Marketing Services Report, Item CMS 54-12.

CARRIED

RESOLUTION NO. 203-12

MOVED by Councillor Coe
Seconded by Councillor Drumm

That a motion to hear Linda Lafrance, resident of Whitby, with respect to Community & Marketing Services Report, Item CMS 54-12, be approved.

CARRIED

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

2.a) DELEGATIONS (cont'd)

- 2.8 Linda Lafrance
Re: Community & Marketing Services Report, Item CMS 54-12

Linda Lafrance, 101 Kathleen Street, Whitby appeared before Council and expressed concern for a casino in Whitby; the negative impacts on the community and local businesses; the effect of gambling addictions on Whitby's family oriented community and the short time frame to respond to the Province.

RESOLUTION NO. 204-12

MOVED by Councillor Coe
Seconded by Councillor Drumm

That a motion to hear Gail Woodward, resident of Columbus, with respect to Community & Marketing Services Report, Item CMS 54-12, be approved.

CARRIED

- 2.9 Gail Woodward
Re: Community & Marketing Services Report, Item CMS 54-12

Gail Woodward, a quarter race-horse owner, appeared before Council and expressed concern with the cancellation of the provincial contributions to the horse-racing industry and the affect on many local businesses and the rural communities.

3. ITEM FOR CONSIDERATION

- 3.1 Community & Marketing Services Report, Item CMS 54-12
Re: Ontario Lottery and Gaming Corporation – Gaming Facility within the Town of Whitby
-

Detailed discussion and a question and answer period ensued.

RESOLUTION NO. 205-12

MOVED by Councillor Montague
Seconded by Councillor Emm

1. That Community and Marketing Services Department Report CMS 54-12 regarding the Ontario Lottery and Gaming Corporation's request of municipalities to confirm their interest in hosting a gaming facility be received as information;

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

2. That Council adopt the following:

WHEREAS the Province of Ontario and the Ontario Lottery and Gaming Corporation (OLG) have declared that a private sector gaming facility (casino) will be built and operated in the Pickering-Ajax-Whitby C3 gaming zone;

WHEREAS municipalities that are located in current and future gaming zones are being asked by OLG to provide a clear expression of interest, either way, about hosting a gaming facility in their community;

WHEREAS OLG is requesting municipalities to provide their expression of interest to be a host community or not prior to OLG's issue of the Request For Proposal in the early fall of 2012;

WHEREAS the Municipality will receive revenue from the proceeds earned by the private sector gaming operator, as well as the economic benefits that accrue to the municipality from property taxes, jobs, and other economic spinoffs that would occur in the community;

WHEREAS the revenues realized from a gaming facility can be directed to support the Town of Whitby's future capital funding needs for the waterfront, downtowns, recreation facilities, culture, infrastructure such as roads and bridges, administrative building, trails and bike lanes, sustainability projects, economic development and much more;

WHEREAS the revenues realized from a gaming facility can also support Regional programs, such as social services, police and EMS, and to support the community's investment required in the future for the building of a new hospital in the Town of Whitby;

WHEREAS the Town of Whitby undertook public consultation through a Virtual Town Hall Meeting and Survey on the Town's website on whether the Municipality should or should not be a host municipality for a future gaming facility;

NOW THEREFORE BE IT RESOLVED that the Town of Whitby confirms its intention to be a host municipality as required by the Province and the OLG as stated in the Ontario Lottery and Gaming Corporation Act 1999, Ontario Regulation 81/12 Requirements For Establishing A Gaming Site; and,

FURTHER THAT a copy of this resolution be circulated to the Ontario Lottery and Gaming Corporation, the Honourable Premier of Ontario Dalton McGuinty, the Honourable Minister of Finance Dwight Duncan,

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

Christine Elliott MPP Whitby-Oshawa and the Regional Municipality of
Durham; and,

3. That Council authorize staff to receive enquiries from private sector gaming facility operators, to review with proponents possible sites and the municipal planning process associated with those sites.

MOTION LOST ON A
RECORDED VOTE AS FOLLOWS

YES

Councillor Coe
Councillor Emm
Councillor Montague
Mayor Perkins

NO

Councillor Drumm
Councillor Hanson
Councillor Mitchell
Councillor Roy

4. BY-LAW

6641-12 By-law to appoint Shelley Pohjola and Robert Petrie as temporary acting Deputy Clerk to serve in the absence of the Clerk and the Deputy Clerk

RESOLUTION NO. 206-12

MOVED by Councillor Roy seconded by Councillor Coe that leave be granted to introduce by-law 6641-12 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

5. CONFIRMATORY BY-LAW NO. 6642-12

RESOLUTION NO. 207-12

MOVED by Councillor Mitchell, seconded by Councillor Emm, that leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on July 13th, 2012 at 3:00 p.m. and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

By-law No. 6642-12 considered read a first, second and third time and finally passed.

RESOLUTION NO. 208-12

MOVED by Councillor Mitchell
Seconded by Councillor Montague

That the motion to pass the Confirming By-Law No. 6642-12 be rescinded.

CARRIED ON A 2/3RDS
MAJORITY VOTE

3. ITEM FOR CONSIDERATION

3.1 Ontario Lottery and Gaming Corporation – Gaming Facility within the Town of Whitby

Discussion ensued on the matter. In response to delegations from the horse racing industry, it was determined that additional information with respect to a possible financial arrangement/partnership with the Town of Ajax should be explored so that Council would be in a better position to determine the suitability of the Town of Whitby as a gaming host municipality.

RESOLUTION NO. 209-12

MOVED by Councillor Mitchell
Seconded by Councillor Roy

1. That the Mayor and the Chief Administrative Officer meet with the Mayor and Chief Administrative Officer of the Town of Ajax to determine if the Town of Ajax is prepared to pass a Council Resolution agreeing to share revenue with the City of Pickering and the Town of Whitby should a gaming facility be hosted by the Town of Ajax; and
2. That the Mayor and the Chief Administrative Officer report back to Council with the additional information as soon as possible at a Special Meeting of Council to be called by the Mayor.

CARRIED

It was noted that the intent of the subsequent meeting on the matter, would be to further consider additional information and have regard to the response from the Town of Ajax.

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON FRIDAY, JULY 13, 2012 AT THE HOUR OF
3:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

6. CONFIRMATORY BY-LAW NO. 6642-12

RESOLUTION NO. 210-12

MOVED by Councillor Mitchell, seconded by Councillor Emm, that leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on July 13th, 2012 at 3:00 p.m. and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

7. ADJOURNMENT

RESOLUTION NO. 211-12

MOVED by Councillor Coe
Seconded by Councillor Emm

That the meeting be adjourned.

CARRIED

The meeting adjourned at 5:59 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor