

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held at the Municipal Office
On Wednesday, September 6, 2017

PRESENT: Mayor Ziggy Polkowski
Councillor Mike McCooeye
Councillor Roger Shott
Councillor Bill Lankinen
Councillor Erwin Butikofer
Councillor Brian Wright

REGRETS: Councillor Curtis Coulson

Rosalie A. Evans, Solicitor-Clerk

1. PRELIMINARY MATTERS:

- (a) **Call to Order:** Mayor Polkowski called the meeting to order at 6:30 p.m.
- (b) **Attendance:** Attendance was recorded.
- (c) **Accept/Amend the Agenda:**

Res. No. 2017-09-196

Moved by: Councillor McCooeye

Seconded by: Councillor Wright

BE IT RESOLVED THAT the agenda for this evening's meeting be amended to:

- (a) Add, as Item 4.16, a request from Confederation College to use the Municipal Office for training purposes;
- (b) Add, as Item 7.7, a request to purchase a shoreline road allowance property; and
- (c) Add, as Item 7.8, discussion about a fence encroachment to a road allowance.

CARRIED ✓

- (d) **Declarations of Interest:**

Councillor Shott declared an interest in Item 4.16 on this evening's amended agenda on the basis that it could impact his spouse's employment contract with the Municipality.

2. HEAR DEPUTATIONS FROM AUDIENCE MEMBERS:

- 2.1 **Members of the Belluz Family will Attend to Respond to Council's Questions, if any, relating to Improvements on Valley Road as outlined in the report**

The Solicitor-Clerk overviewed the information in the report and responded to questions. The Committee of Adjustment has tabled this application to October 30th, 2017. Mrs. Belluz was asked whether the family would contribute to road work in this regard. Mrs. Belluz indicated that it would depend on the cost.

The Working Roads Foreman will advise which streets need to be looked at. There will be insufficient time to view all of them.

Mayor Polkowski suggested that Council pursue control and/or purchase of two properties currently owned by the Ministry of Natural Resources and Forestry. The first is the boat launch on Sturgeon Lake Road. This boat launch is preferable to the one on Margaret Street North, because it is naturally sheltered. Winds at the Margaret Street location can cause launching difficulties, and a breakwall would be expensive. Further, the launch needs some work, and having control of the site would allow the work to be undertaken in-house efficiently.

The second property of interest is approximately across the road from Fire Hall Number 4 on East Oliver Lake Road. It is a remainder of land left over when the roadway was straightened. This property could be used for parking.

Councillor Shott expressed interest in being registered for a biomass conference coming up in October, to be held at the Norwester Hotel. Mayor Polkowski is also interested. Administration was directed to enroll them.

Councillor Butikofer raised the issue of the Strategic Plan for the Lakehead Region Conservation Authority. Council directed Administration to invite the LRCA to address Council on the plan at an upcoming meeting. It was noted that consultation is scheduled for September 28th, and all members of Council are welcome to attend.

Councillor Shott raised some repair concerns for Sturgeon Bay Road. Councillor Lankinen indicated he would speak to the Working Roads Foreman about the locations.

Councillor McCooeye advised he had been approached by a resident of Boy Scout Road who had been told that brush would be cleared from the ditch. The resident feels that he was lied to, in that the work had not been undertaken. Members discussed the need for clearing brush in the area. The resident's concerns are not shared by members of Council, who feel that there is no visibility issue.

Members asked for progress on the 50km/hr speed limit signage. The Solicitor-Clerk advised that the signs had been ordered.

Councillor Lankinen advised that the Working Roads Foreman was to advise him by week's end whether the crew would be able to complete all of the grading work this season. If the work cannot be completed in-house, an independent grading contractor will be retained.

The Solicitor Clerk advised that the Medical Bursary recipient will be available to attend the November 22nd Council meeting for presentation of her certificate.

The Solicitor Clerk requested permission to attend the joint conference of the International Municipal Lawyers Association and the Municipal Law Departments of Ontario Association, scheduled for October 19 through 21 in Niagara Falls. Permission was granted.

A brief recess was called at 8:07 p.m. to allow the gallery to clear prior to the closed session meeting. Session resumed at 8:20 p.m.

7. CLOSED SESSION:

Res. No. 2017-09-209

Moved by: Councillor Butikofer

Seconded by: Councillor McCooeye

BE IT RESOLVED THAT, the time being 8:20 p.m., Council enter closed session under those paragraphs of Subsection 239(2) of the Municipal Act, 2001 for which the meeting was closed, to consider item 7.1 (minutes of the Closed session of the prior Council meeting);

Under paragraph 239(2)(b) to consider items 7.2 and 7.5, involving personal matters about identifiable individuals;

Under paragraph 239(2)(c) to consider items 7.3 and 7.6 and 7.7, involving a proposed or pending acquisition or disposition of land by the municipality;

Under paragraph 239(2)(d) to consider item 7.5, involving labour relations or employee negotiations;

Under paragraph 239(2)(e) to consider items 7.2 and 7.4, involving litigation or potential litigation affecting the municipality; and

Under paragraph 239(2)(f) to consider items 7.2 and 7.4 and 7.8, involving advice that is subject to solicitor-client privilege.

CARRIED ✓

Members reviewed the item scheduled for closed session. During closed session, the following procedural resolution was passed:

Res. No. 2017-09-210

Moved by: Councillor McCooeye

Seconded by: Councillor Shott

BE IT RESOLVED THAT, the time being 8:50 p.m., Council rise from closed session and report in open session.

CARRIED ✓

7.1 Minutes of the Closed Session portion of the Regular Meeting of Council held on August 9, 2017

The minutes had been approved through the consent agenda resolution.

Matters 7.2 through 7.8 were dealt with in a single resolution.

7.2 Report from Solicitor-Clerk Regarding By-law Enforcement Activity

7.3 Correspondence Seeking to Purchase Municipal Property

7.4 Report from Solicitor-Clerk Regarding Property at 56 Cottage Drive East

7.5 Personnel matter

Res. No. 2017-09-206

Moved by: Councillor Lankinen
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT By-law 2017-028, to prohibit boat launching at East Oliver Lake, be passed as presented.

CARRIED ✓

5.2 By-law 2017-029 to Approve the 2017 Official Plan

Res. No. 2017-09-207

Moved by: Councillor Shott
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT By-law 2017-029, to approve a new Official Plan for the Municipality, be passed as presented, and that Administration provide the notices of passage as required under the Planning Act, and forward the Official Plan to the Ministry of Municipal Affairs for approval.

CARRIED ✓

5.3 By-law 2017-030 to Approve the 2017 Comprehensive Zoning By-law

Res. No. 2017-09-208

Moved by: Councillor Lankinen
Seconded by: Councillor Shott

BE IT RESOLVED THAT By-law 2017-030, to approve a new comprehensive Zoning By-law for the Municipality, be approved as presented, and that Administration provide the notices of passage as required under the Planning Act.

CARRIED ✓

6. NEW BUSINESS - ANNOUNCEMENTS

At this time, a member of the audience requested that his matter be heard. Mr. Joseph Valente was present for closed session Item 7.4. Mr. Valente was advised by the Chair that the matter would be heard in closed session. Council entertained some questions from Mr. Valente and provided answers. Mr. Valente left the Chambers at 7:50 p.m., having been advised that the Solicitor-Clerk would inform him of Council's decision.

Councillor Lankinen indicated that there were vehicles parking on Belanger Road near its intersection with Highway 595. The property owner has been previously spoken to about this issue. Administration was directed to send a letter to the property owner.

Towing was discussed. The Solicitor-Clerk advised that a by-law prohibiting the parking in question would be required prior to any lawful towing.

Mayor Polkowski suggested that council schedule the fall roads tour. Prospective dates were discussed. October 12th and 13th were chosen. Administration was directed to rent the van.

Council indicated a wish to speak with the Chief Administrative Officer of the Conservation Authority to confirm some of the details relating to the work requested to be undertaken.

The Belluz family representatives left the Chambers at 6:43 p.m.

3. CONSENT AGENDA: MINUTES, REPORTS AND CORRESPONDENCE

- 3.1 Minutes of the Open Session portion of the Regular Meeting of Council held on August 9, 2017
Administration recommended approval of the minutes for both the open session (Item 3.1) and the Closed Session (Item 7.1), with any error corrections, as required.
- 3.2 Minutes of the meeting of the Cemetery Board meeting held on August 22, 2017
Administration recommended that the minutes be received.
- 3.3 Report from Fire Chief Regarding Departmental Activity in July
Administration recommended that the report be received.
- 3.4 Report from Solicitor-Clerk Regarding Administrative Activity
Administration recommended that the report be received.
- 3.5 Report from Solicitor-Clerk Regarding By-law for East Oliver Lake
Administration recommended that the report be received.
- 3.6 Report from Treasurer/Deputy Clerk Regarding status of Taxes Receivable (per policy)
Administration recommended that the report be received.
- 3.7 Report from Solicitor-Clerk Regarding Delegation Policy
Administration recommended that the policy appended to the report be approved.
- 3.8 Report from Treasurer/Deputy Clerk Regarding the 2017 AMO Conference
Administration recommended that the report be received.
- 3.9 Correspondence from the Township of Georgian Bay, received August 17, Regarding Invasive Species
Administration recommended that Council pass a supporting resolution.
- 3.10 Correspondence from the Township of Oro-Medonte, received August 29th, Regarding the Ontario Wildlife Damage Compensation Program
Administration recommended that Council pass a supporting resolution.
- 3.11 Correspondence from the Municipality of Bluewater, received August 10th, requesting the Federal Government to re-instate the 1/3 tax-exempt portion of Council remuneration
Administration recommended that Council pass a supporting resolution.
- 3.12 Information Correspondence List (Distributed at the Meeting)
Administration recommended that the correspondence be received.

Res. No. 2017-09-197

Moved by: Councillor Lankinen
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT Council approve the recommendations from Administration with respect to all of the items on the consent agenda portion of this evening's meeting, being Items 3.1 through 3.12, as well as Item 7.1 in the Closed Session portion of the agenda.

CARRIED ✓

No matters were raised relating to consent agenda items.

4. REPORTS AND CORRESPONDENCE RECEIVED REQUIRING DIRECTION:

4.1 Report from Solicitor-Clerk Regarding Official Plan

The Solicitor-Clerk overviewed the report and responded to questions.

Res. No. 2017-09-198

Moved by: Councillor Shott
Seconded by: Councillor McCooey

BE IT RESOLVED THAT Council has taken into consideration the comments received from public agencies and from members of the general public, received through correspondence or in person at public meetings and open houses held with respect to the proposed revisions to the Official Plan;

AND FURTHER THAT the Official Plan be adopted by By-law 2017-029;

AND FURTHER THAT the Council confirms that the revised plan:

- a) has not materially changed since it was considered at the public meeting held May 9, 2017, and that no further public notice is to be given in respect of the proposed plan;
- b) conforms to, and does not conflict with, any Provincial plans;
- c) has regard to the matters of provincial interest listed in Section 2 of the Planning Act; and
- d) is consistent with the Provincial Policy Statement issued under Subsection 3(1) of the Planning Act.

CARRIED ✓

4.2 Report from Solicitor-Clerk Regarding Zoning By-law

The Solicitor-Clerk overviewed the report and responded to questions.

Res. No. 2017-09-199

Moved by: Councillor Wright
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT Council has taken into consideration the comments received from public agencies and from members of the general public, received through correspondence or in person at public meetings and open houses held with respect to the proposed revisions to the Zoning By-law;

AND FURTHER THAT the Zoning By-law be adopted by By-law 2017-030;

AND FURTHER THAT the Council confirms that the revised by-law:

- a) has not changed materially since the public meeting was held on May 10, 2017, and that no further public notice is to be given in respect of the proposed by-law;
- b) conforms with both the current and the revised Official Plans of the Municipality

CARRIED ✓

4.3 Report from Solicitor-Clerk Regarding Landfill Studies

The Solicitor-Clerk overviewed the report and responded to questions.

Res. No. 2017-09-200

Moved by: Councillor Lankinen

Seconded by: Councillor Butikofer

BE IT RESOLVED THAT the additional work recommended by the engineering firm be approved.

CARRIED ✓

4.6 Report from Solicitor-Clerk Regarding November 1st Council Meeting & Contribute to cost of recording the Training Session

The Solicitor-Clerk overviewed the report and responded to questions. Council members discussed scheduling options.

Res. No. 2017-09-201

Moved by: Councillor Butikofer

Seconded by: Councillor Shott

BE IT RESOLVED THAT the regular Council meetings for November, 2017 be rescheduled from November 1st and 14th to November 8th and 22nd, respectively.

CARRIED ✓

Res. No. 2017-09-202

Moved by: Councillor Lankinen

Seconded by: Councillor McCooeye

BE IT RESOLVED THAT Neebing cost share the recording of the joint training exercise with the Municipalities of Shuniah and Oliver Paipoonge.

CARRIED ✓

4.7 Report from Solicitor-Clerk Regarding the Fall NOMA Conference

Members present discussed the programming for the NOMA conference. Councillor Wright will attend the Wednesday and Friday sessions, but is not available on Thursday. Mayor Polkowski and Councillor Shott will attend the Thursday and Friday sessions.

4.8 Report from Treasurer/Deputy Clerk Regarding the 2018 ROMA and OGRA Conferences

Members present discussed the scheduling and available programming information for the two conferences. Mayor Polkowski and the Solicitor-Clerk will attend the ROMA conference. Councillor Lankinen and Working Roads Foreman Livingston will attend the OGRA conference.

4.9 Report from Solicitor-Clerk Regarding the TBDML Conference

Members present discussed the programming information for the Thunder Bay District Municipal League's special 100th anniversary celebratory conference. Administration was directed to enroll all members of Council to attend.

4.10 "Canada/Ontario 150" Celebration Suggestion

Members present discussed the suggestion to have a fireworks display after the harvest dinner.

Res. No. 2017-09-203

Moved by: Councillor Lankinen
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT Administration is authorized to undertake arrangements for a fireworks display in celebration of Canada's and Ontario's 150th anniversary on October 7, 2017.

CARRIED ✓

4.11 Correspondence from the National Airlines Council of Canada, received August 31st, Regarding Privatization of Canada's Airports.

Members present discussed the correspondence. It was noted that privatization of Hydro One resulted in significantly increased costs for consumers.

Res. No. 2017-09-204

Moved by: Councillor Butikofer
Seconded by: Councillor Lankinen

Whereas in a country as vast and sparsely populated as Canada, safe and efficient air transportation is essential to connecting families and communities and to continued economic prosperity;

AND Whereas Canada's airports are vital assets that contribute to the quality of life and economic growth in the cities, communities and regions they serve;

and Whereas media reports indicate that the Government of Canada is actively considering selling Canada's airports to for-profit entities to achieve a one-time financial windfall;

and Whereas the international experience in airport privatization has often resulted in higher fees and reduced services for travellers and airlines as a result of efforts to maximize return on investment;

and Whereas such outcomes would negatively affect communities of all sizes across Canada by making air travel more expensive and reducing service;

and Whereas the last decade has seen a massive increase in the number of Canadians using air travel to connect with loved ones, enjoy well deserved vacations and explore the country, or help create jobs;

and Whereas any increase in fees on air travel resulting from the privatization of airports would constitute an unfair tax on Canada's middle class;

and Whereas divestiture of airports to local not-for-profit authorities in 1994, led to massive user-financed investments in airport infrastructure which have given Canada an enviable network of world class airports;

and Whereas the physical infrastructure of airports has been modernized, the governance system under which they operate has not kept up with the times and is now in urgent need of repair;

and Whereas that situation would only be exacerbated in a privatized for-profit system;

Be it resolved that The Corporation of the Municipality of Neebing calls on the Government of Canada to renounce its push for the for-profit privatization of Canada's airports and clear the way for needed improvements to the current airport governance and financing system; and

and further, that the Council for The Corporation of the Municipality of Neebing urges the Federation of Canadian Municipalities (FCM) to bring this matter forward for debate at the next meeting of its National Board of Directors.

CARRIED ✓

4.12 Correspondence from the City of Kawartha Lakes, received August 30th, opposing a resolution passed by the Township of Lakeshore Regarding Farm Dwelling Severances

Members present discussed the information in the original resolution from the Township of Lakeshore, and the opposing resolution from the City of Kawartha Lakes. Councillors had insufficient information to take a corporate position on this matter.

4.13 Correspondence from Superior Country with Invitation to Annual General Meeting and Request for Sponsorship Consideration

Members present reviewed the request. No resolution was put forward.

4.14 Correspondence from Ms. Dodd-Smith received August 31st regarding improvements at West Oliver Lake & Regarding the Orion Project

Members present reviewed the correspondence. No resolution was put forward.

4.15 Report from Solicitor-Clerk regarding Correspondence Received September 1st on the Multi-Modal Transportation Strategy for Northern Ontario

Members present reviewed the correspondence. No resolution was put forward.

4.16 Report from Solicitor-Clerk regarding Request to Use Municipal Facilities for Training (October 24-November 10)

Res. No. 2017-09-205

Moved by: Councillor Wright

Seconded by: Councillor McCooeye

BE IT RESOLVED THAT the request to use the Municipal office is approved, and that the fee be \$30.00 per day of use;
AND FURTHER that Administration arrange for extra janitorial service during the period of use, as required.

CARRIED ✓

5. TABLE BY-LAWS

5.1 By-law 2017-028 to Prohibit Boat Launching at East Oliver Lake

Councillor Wright advised that he has been discussing with the Ministry of Transportation, signage to direct motorists to boat launches. The Ministry will not approve signage for launches that do not meet certain criteria, including parking. Accordingly, no signage will be posted for the launch at West Oliver Lake.

Councillor Wright has requested that a report be provided on the criteria required. He is awaiting word on whether or not the report will be available.

- 7.6 Report from Solicitor-Clerk Regarding Property Purchase
- 7.7 Correspondence from Constituent Seeking to purchase Shoreline Road Allowance
- 7.8 Encroachment on Road Allowance - Legal Issue (at the Request of Mayor Polkowski)

Res. No. 2017-09-211

Moved by: Councillor Lankinen

Seconded by: Councillor Wright

BE IT RESOLVED THAT, with respect to Items 7.2 through 7.8 on the agenda, Administration is authorized to proceed as directed in closed session.

CARRIED ✓


7. ADJOURN THE MEETING:

There being no further business to attend to, Mayor Polkowski adjourned the meeting at 8:53 p.m.

REGULAR MEETING OF COUNCIL



Ziggy Polkowski
MAYOR



Rosalfe A. Evans
SOLICITOR-CLERK

