THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

COUNCIL MEETING

MINUTES

DATE: November 28, 2016

TIME: 6:30 PM

PLACE: Council Chambers
Oliver Paipoonge Municipal Complex

CHAIR: Mayor L. Kloosterhuis

PRESENT: Councillor A. Bishop
Councillor J. Byers
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICERS: Margaret (Peggy) Dupuis, CAO/Clerk
Judy Jacobson, Deputy Clerk
Chris Bowles, Public Works Superintendent
Sharron Martyn, Manager of Planning
1. **CALL TO ORDER**

2. **DISCLOSURES OF INTEREST**

3. **ADOPTION OF AGENDA**

   (a) **Adoption of the Agenda**

   **Resolution No. 406-2016**

   MOVED BY Councillor A. Bishop
   SECONDED BY Councillor A. Vis

   THAT with respect to the November 28, 2016, Council Agenda, we recommend that the agenda as printed including any additional information and new business be confirmed.

   CARRIED

4. **DEPUTATIONS**

   (a) **Hacquoil Pit/Old PD Railway - Proposed Land(s) Exchange**

   Email from Jiska Westbroek dated November 14, 2016, requesting to make a deputation with respect to the above noted.

   Email attaching a letter from Oscar Mattas dated November 21, 2016, requesting to make a deputation with respect to the above noted.

   Letters from the following were received:

   1. Susan Bryan
   2. Ladislav Malek, PhD, Professor Emeritus, Department of Biology, Lakehead University
   3. Rod and Maggie Anness
   4. Anita Glavish
   5. David Smyth
   6. Marilyn Grudniski
   7. Brian and Dallis Campbell

   Email from Wendy O’Connor dated November 27, 2016, expressing concerns with respect to the above noted was distributed to Members of Council at the meeting.
Letter from Dr. Scott Hamilton, Department of Anthropology, Lakehead University dated November 25, 2016, expressing concern with respect to the above noted and attaching two drawings of the area was distributed to Members of Council at the meeting.

Letter from Diane Buchan dated November 25, 2016, requesting the Municipality reconsider their decision with respect to the above noted was distributed to Members of Council at the meeting.

Letters were also received from David A. Legge M.D. President, Thunder Bay Field Naturalists dated November 21, 2016; Brian Marrion dated November 24, 2016, and Derek Kochan dated November 21, 2016, expressing their concerns and copies were provided to Council at the meeting.

Information from the Ministry of Natural Resources relative to the Stanley Bur Oak Stand, Area of Natural and Scientific Interest (ANSI).

Email from Colin Hovi, Regional Aggregate Specialist, Ministry of Natural Resources and Forestry dated November 15, 2016, in response to a request from Council at the November 14, 2016, meeting.

Mayor L. Kloosterhuis provided a chronology of events that had taken place with respect to this matter to those in attendance.

Jiska Westbroek appeared and made a presentation to Council expressing concerns with the above noted.

Oscar Mattas appeared and made a presentation to Council expressing concerns with the above noted and provided the history of the Stanley area.

Following a discussion, Council advised this matter was on the Council agenda later in the meeting and a decision would be made at that time.

(b) Request to Set up a Temporary Office - Old Municipal Office

Letter from Josh Valley, MDiv, HBA dated November 21, 2016, requesting to appear before Council for permission to set up a temporary office location in the old municipal offices for six months or until a new tenant is found by the municipality.

Josh Valley appeared and made a presentation to Council with respect to the above noted.
Following a discussion, Josh Valley was advised Council would consider his request and contact him in January with their decision.

5. MINUTES OF PREVIOUS MEETINGS

(a) Council Meeting

Minutes of the Council Meeting held on November 14, 2016, for approval.

Discussion on the above noted minutes.

**Resolution No. 407-2016**

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT the Minutes of the Council Meeting held on November 14, 2016, BE APPROVED.

CARRIED

(b) Closed Session Meeting

Minutes of the Closed Session held on November 14, 2016, for approval

**Resolution No. 408-2016**

MOVED BY Councillor A. Bishop
SECONDED BY Councillor J. Byers

THAT the Minutes of the Closed Session Meeting held on November 14, 2016, BE APPROVED.

CARRIED

6. REPORTS OF MUNICIPAL OFFICERS

(a) Hacquoil Pit/Old PD Railway - Proposed Land(s) Exchange

Council further discussed the above noted and it was the consensus of Council that the CAO/Clerk forward a letter to Jim Hacquoil advising that cutting of trees on municipal property was strictly prohibited.
Resolution No. 408A-2016

MOVED BY         Councillor A. Vis
SECONDED BY      Councillor J. Byers

THAT Resolution No. 195-2016 relative to Report No. 2016.38 - Hacquoil Pit/Old PD Railway - Proposed Land(s) Exchange passed at the Council Meeting held on May 25, 2016, be rescinded.

CARRIED

(b) Committee of Adjustment - Application No. 1B/64/16 on behalf of Sophie Mendyk on property known as Part of Lot 18, Concession 2, N.K.R., MR776, Geographic Municipality of Paipoonge, now the Municipality of Oliver Paipoonge, for comment.

Resolution No. 408B-2016

MOVED BY         Councillor J. Byers
SECONDED BY      Councillor A. Bishop

THAT with respect to Application No. 1B/64/16 on behalf of Sophie Mendyk, Council's comments are as follows:

No concerns.

CARRIED

(c) Committee of Adjustment - Application No. 1B/65/16 on behalf of Alojzija Rebernik on property known as Part of Lot 5, Concession 1, Parts 1, 4 & on Plan 55R-10633, Geographic Township of Oliver, now the Municipality of Oliver Paipoonge, for comment.

Resolution No. 408C-2016

MOVED BY         Councillor J. Byers
SECONDED BY      Councillor A. Bishop

THAT with respect to Application No. 1B/65/16 on behalf of Alojzija Rebernik, Council's comments are as follows:

No concerns.

CARRIED
(d) **Preconsultation - Application for Allan, Margaret, Henry, Jenny, Rob, Kristen and Clark Mol on property know as Lot 24, Concession 2, MR562 in the Geographic Municipality of Paipoonge, now the Municipality of Oliver Paipoonge for a proposed new lot.**

Following a discussion, it was the consensus of Council they were not if favour of the lots.

(e) **Preconsultation - Application No. 1B/01/17 on behalf of John W. Ulakovich, 54 Barrie Drive. At the November 14, 2016, Council directed the Manager of Planning to provide information on the current uses of the surrounding properties.**

Following a discussion, Council noted the lot did not have the required frontage and an application for a minor variance would have to presented to the Committee of Adjustment.

(f) **Appointment of Chair and Senior Municipal Official**

**Emergency Management Program Committee - Terms of Reference**

Report No. 2016.93 to obtain Council approval of the Terms of Reference for the Emergency Management Program Committee (EMPC) and appoint the CEMC as Chair and the CAO as the senior municipal official on the Committee.

**Resolution No. 409-2016**

**MOVED BY** Councillor J. Byers  
**SECONDED BY** Councillor A. Bishop

THAT with respect to Report No. 2016.93 we recommend the Terms of Reference for the Emergency Management Program Committee (EMPC) as attached to Report No. 2016.93 and as required by the Emergency Management and Civil Protection Act RSO 1990 and Ontario Regulation 380/04, BE APPROVED;

AND THAT the Community Emergency Management Coordinator (CEMC) be appointed as Chair of the Committee and the CAO be appointed as the senior municipal official on the Committee as required by the Regulation.

CARRIED
(g) **Hazardous Tree Removal**

Report No. 2016.95 to obtain Council approval to remove trees at 40 Highway 130 and 6386 Townline Road and to prepare a policy for Council's review and approval.

**Resolution No. 410-2016**

MOVED BY Councillor J. Byers  
SECONDED BY Councillor A. Bishop

THAT with respect to Report No. 2016.95 we recommend the trees be removed at 40 Highway 130 and 6386 Townline Road as noted in the Report;  
AND THAT Administration prepare a Policy relative to the removal of hazardous trees for presentation to Council for approval.

CARRIED

(h) **Rosslyn Village Water System**

Memorandum relative to the Rosslyn Village Water summary reports from ALS Canada Ltd. advising they do not show any adverse reports for the above noted for November 2016.

(i) **Waste Transfer and Recycling Facility**  
Recycle West Inc., Twin City Crossroad

Letter from Dayna Groom, H.B.E.S., Practice Lead Planning Services, True Grit Engineering dated November 18, 2016, providing notification of the above noted application filed with the Ontario Ministry of the Environment and Climate Change (MOECC).

(j) **October 11, 2016 Road Inspection Report**

Report of the road inspection that was held on October 11, 2016, for information.
(k) Cabinet Placement Permission

Tbaytel Whitewater Subdivision Fibre Project

**Resolution No. 411-2016**

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

WHEREAS an email was received from Tara Small, C.E.T., Outside Plant Engineering Associate, Tbaytel requesting the Municipality of Oliver Paipoonge grant permission to Tbaytel to install a pad mount cabinet in the Whitewater Golf Course Subdivision on King George's Park Drive in 2016;

THEREFORE BE IT RESOLVED THAT the Municipality of Oliver Paipoonge grants the permission as requested.

CARRIED

(l) Council Appointments

**Resolution No. 412-2016**

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

NOTWITHSTANDING Resolution No. 385-2014 passed at the Council Inaugural Meeting held on December 1, 2014, relative to Council Appointments we recommend Councillor Jim Byers be appointed to continue on the Lakehead Region Conservation Authority for the 2017 - 2018 term.

CARRIED

(m) Water Supply in Rosslyn

Chris Bowles, Public Works Superintendent provided a verbal report with respect to supplying water to the proposed subdivision at the old brick yard in Rosslyn and displayed a visual map of the area. Following a discussion, it was the consensus of Council that an agreement be drafted for the solicitors approval.

(n) Economic Development Committee

Letter from Jenn Johnson, EDC Chair, dated November 22, 2016, providing an update and advising it was the consensus of Committee that the membership remain the same at this time.
7. MAYOR’S REPORT

8. BY-LAWS

(a) Municipality Surplus Property

Resolution No. 413-2016

MOVED BY Councillor A. Bishop
SECONDED BY Councillor J. Byers

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

A By-law to declare certain lands to be surplus and to authorize the sale of said lands, BE APPROVED;

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.

BY-LAW NO. 963-2016

CARRIED

(b) Appointment - Chief Administrative Officer, Clerk and Deputy Treasurer

This item was withdrawn at this time and will be represented at the December 12, 2016, meeting.

Resolution No. 414-2016

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

A By-law to appoint a Chief Administrative Officer, Clerk and Deputy Treasurer for the Corporation of the Municipality of Oliver Paipoonge, BE APPROVED;

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.

WITHDRAWN
9. PETITIONS AND COMMUNICATIONS

9.1 ACTION ITEMS

(a) Railway Crossing on Poleline Road

Letter from Shari Pinner expressing a concern with the railway crossing on Poleline Road and requesting reimbursement for the damage to her vehicle resulting from the crossing.

Chris Bowles, Public Works Superintendent responded to questions with respect to the above noted. Margaret Dupuis, CAO/Clerk advised Shari Pinner had been contacted to proceed to contact her insurance company to claim for the damages.

(b) Gillies Community Centre

Request for a Donation for Penny Auction Table

Letter from Wendy Wright, Vice President, Gillies Community Centre with respect to the above noted.

It was noted that it is not the policy of the Municipality to provide donations of this nature.

(c) Improving Ontario’s Intensive Therapy

Funding/Service for Children with Autism

Letter from Nancy J. Bozzato, Town Clerk, Pelham Niagara dated November 18, 2016, containing a resolution with respect to the above noted and attaching a letter from the Township of the Archipelago.

(d) Bill 7

Promoting Affordable Housing Act, 2016

Resolution for the Township of Madawaska Valley dated November 7, 2016, relative to the above noted.

Following a discussion, it was noted that Administration would prepare a report on the roles and responsibilities of the Property Standards Committee and the current Property Standards By-law as it relates to Bill 7 for the January 2017 meeting.
(e) Hydro Costs for Rural Areas

Resolution from the Township of Georgian Bay dated November 14, 2016, requesting the Province re-evaluate the structure of hydro in terms of access and delivery and implement structural changes to address the unfair practice of charging more for delivery for rural residents.

Resolution No. 414A-2015

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT the Municipality of Oliver Paipoonge supports the resolution from the Township of Georgian Bay requesting the Province to re-evaluate the structure of hydro in terms of access and delivery and implement structural changes to address the unfair practice of charging more for delivery for rural residents;

AND THAT this resolution be forwarded to NOMA, Thunder Bay District Municipal League, AMO and the local MPP's.

CARRIED

(f) Accommodation Review Process

Letter from Amber McDonald, Deputy Clerk (A), Township of Georgian Bay dated November 16, 2016, containing a resolution with respect to the above noted.

(g) 2015 Pan Am and Parapan AM Games

Resolution from Canton - Bonfield - Township dated November 8, 2016, supporting the Town of Lakeshore's resolution that the debt incurred from the above noted games should be funded by the City of Toronto.

9.2 FOR INFORMATION ONLY

(a) Federal Gas Fund

2015 Annual Expenditure Report - Part 1

Letter from Lynn Dollin, President, AMO dated October 25, 2016, with respect to the above noted. A copy of the Report is circulated in the yellow folder at the meeting.
64th Annual Ontario Small Urban Municipalities Conference

Letter from Mayor John McKean, Town of The Blue Mountains extending an invitation to join the above noted conference to be held on May 3 to 5, 2017, at the Blue Mountain Resort in the Town of The Blue Mountains.

Ontario Municipal Partnership Fund (OMPF)

Letter from The Honourable Charles Sousa, Minister of Finance and The Honourable Bill Mauro, Minister of Municipal Affairs dated November 10, 2016, providing information with respect to the above noted.

AMO Communications

New Legislative Changes

AMO Communications dated November 16, 2916 relative to new legislative changes introduced that have direct impact for municipal governments.

Annual Report - Ombudsman of Ontario

Letter from Paul Dube, Ombudsman of Ontario attached the 2015-2016 Annual Report. A copy of the Report is in the yellow folder circulated at the meeting.

10. PENDING ITEMS

List of Pending Items

Council reviewed the List of Pending Items.
11. NEW BUSINESS

(a) Rubin Subdivision Phase II
Agreement of Purchase and Sale

Resolution No. 415-2016

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

A By-law to authorize the execution of an Agreement of Purchase and Sale between the Corporation of the Municipality of Oliver Paipoonge and 1468025 Ontario Ltd. carrying on business as Menei Bros., BE APPROVED;

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.
BY-LAW NO. 964-2016

CARRIED

(b) Museum Board

Following a discussion with respect to the above noted, it was the consensus of Council that a resolution be presented at the December 12, 2016, Council meeting appointing Councillor A. Vis as Council representative to the Museum Board for 2017 and Councillor B. Kamphof to the Library Board for 2017.

It was noted that a meeting between the Municipality and the Museum Board would be established at a future date.

(c) Items Brought Forward at the Meeting

- Advertisement in the January Newsletter for a Livestock Evaluator.
- Councillor B. Kamphof attending Thunder Bay City Council on behalf of Food Strategy to request funding.
12. CLOSED SESSION

(a) Resolve to Closed Session

Resolution No. 416-2016

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT we resolve to Closed Session to discuss a matter pertaining to the disposition of lands.

CARRIED

(b) Revert Back to Council Meeting

Resolution No. 417-2016

MOVED BY Councillor A. Bishop
SECONDED BY Councillor J. Byers

THAT we revert back to the Council Meeting to continue with the business at hand, the hour being 9:56 p.m.

CARRIED

(c) Old Murillo Library Building

Resolution No. 417A-2016

MOVED BY Councillor A. Vis
SECONDED BY Councillor B. Kamphof

THAT the Mayor and Clerk be authorized to sign the Agreement of Purchase and Sale for property known as PCL 1-1 Sec D95 Lot 1 PL D95, 1 Baxendale Drive, Murillo dated November 24, 2016, in the amount of $149,900.00;

AND THAT the necessary By-law be presented to Council for ratification.

CARRIED
Resolution No. 417B-2016

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT the Mayor and Clerk be authorized to sign the Agreement of Purchase and Sale for property known as 1stly: PIN No. 62301-0232 being Pcl 3280, Sec DFWF, Lot 38, Plan WM58; 2ndly: PIN No. 62301-0233 being Pcl 3880, Sec DFWF, Lot 38 Plan WM58, 30 Clerque Street, Kakabeka Falls dated November 28, 2016, in the amount of $79,000.00;

AND THAT the necessary By-law be presented to Council for ratification.

CARRIED

13. CONFIRMING BY-LAW

(a) Confirming By-law

Resolution No. 418-2016

MOVED BY Councillor J. Byers
SECONDED BY Councillor A. Bishop

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

A By-law to confirm the proceedings of a meeting of Council held on the 28th day of November, 2016, BE APPROVED;

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.

BY-LAW NO. 965-2016

CARRIED

14. ADJOURNMENT
(a) **Adjournment of Meeting**

**Resolution No. 419-2016**

MOVED BY Councillor A. Bishop
SECONDED BY Councillor J. Byers

THAT the Council Meeting held on November 28, 2016, be adjourned, the hour being 9:59 p.m.

CARRIED

______________________________
Mayor Lucy Kloosterhuis

______________________________
Margaret Dupuis, CAO/Clerk