



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, December 18, 2018
6:00 P.M.
City Hall Council Chambers – 325 Farr Drive

Minutes

1. Call to Order

The meeting was called to order by Mayor Carman Kidd at 6:00 p.m.

2. Roll Call

Council: Mayor Carman Kidd; Councillors Jesse Foley, Doug Jelly, Patricia Hewitt, Jeff Laferriere, Mike McArthur and Danny Whalen

Present: David B. Treen, Municipal Clerk
Doug Walsh, Director of Public Works
Shelly Zubyck, Director of Corporate Services
Paul Allair, Superintendent of Parks
Jeff Thompson, Superintendent of Programs
Jennifer Pye, Planner
James Franks, Economic Development Officer

Regrets: Christopher W. Oslund, City Manager

Media: Diane Johnston, Temiskaming Speaker
Bill Buchberger, CJTT 104.5 FM

Members of the Public Present: 33

3. Review of Revisions or Deletions to Agenda

None

4. Approval of Agenda

Resolution No. 2019-014

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Be it resolved that City Council approves the agenda as printed.

Carried

5. Disclosure of Pecuniary Interest and General Nature

Councillor Foley disclosed a pecuniary interest in regards to Item 19 f) Under Section 239 (2)(d) of the Municipal Act, 2001 – Labour Relations – Pay Equity Update

6. Review and adoption of Council Minutes

Resolution No. 2019-015

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that City Council approves the following minutes as printed:

- a) Regular meeting of Council – October 9, 2018
- b) Special meeting of Council – October 16, 2018
- c) Special meeting of Council – November 13, 2018
- d) Inaugural meeting of Council – December 3, 2018

Carried

7. Public Meetings pursuant to the Planning Act, Municipal Act and other Statutes

7.1. Land Purchase Request (LM-2018-01) – 115164 Quarry Road

Owner: Mike Fila

Subject Land: Parts 1 and 2 on Plan 54R-6054

Purpose: To acquire lands such that the driveway is located on his property and be in compliance with the zoning by-law from a side yard setback perspective.

Mayor Kidd indicated that the public meeting scheduled tonight is to consider an application to purchase municipally owned property and that the public meeting serves two purposes: first, to present to Council and the public the details and background to the proposed purchase and secondly, to receive comments from the public and agencies before a decision is made by Council.

Mayor Kidd declared the meeting to be open and asked the Clerk, Dave Treen to provide the background to the proposed application.

Municipal Clerk, Dave Treen, utilizing powerpoint, indicated that the application from Mike Fila to purchase a portion of Lakeview Avenue is for lot addition purposes and had been circulated to internal departments for comment. Memo 005-2018-CS was considered at the February 6, 2018 Regular meeting with Council authorizing staff to proceed with the potential land sale.

Mr. Treen illustrated the location of the subject property through an aerial photograph being located 115164 Quarry Road. Subsequent to Council approval to move forward a deposit was attained for the preparation of Reference Plan 54R-6054. Council will be considering a by-law this evening for the Stopping Up and Closing of a portion of Lakeview Avenue and laneway being Parts 1 & 2 on Plan 54R-6054.

It is being recommended that disposition of the land be a direct sale to Mr. Fila and the valuation of the subject property is \$2,281.70 and that Mr. Fila is responsible for all costs (i.e. survey, legal, registration, etc.).

Mr. Treen concluded by indicating that, conditional on any public comments this evening, the Stop Up and Close by-law will be considered and registered at the Land Registry Office and anticipates preparing a By-law for the Purchase and Sale of the subject land at the January 8, 2019 Regular Council meeting.

Mayor Kidd thanked Mr. Treen and inquired if there were any questions or comments from members of the public; with none Mayor Kidd inquired if there were any questions or comments from Council. With none, Mayor Kidd declared the public meeting to be closed.

7.2. Cannabis License Act

Purpose: The Province of Ontario, under the Cannabis License Act, has given municipalities the option of prohibiting cannabis retail stores within their jurisdiction. Municipalities have until January 22, 2019 to notify the Provincial Government if they wish to prohibit cannabis retail stores.

Mayor Kidd indicated that the public meeting scheduled tonight serves two purposes; firstly to present to Council and the public details and background into Provincial regulations surrounding the permitting of retail sale of cannabis within a municipality; and secondly, to receive comments from the public and agencies before a decision is made by Council.

Mayor Kidd declared the meeting to be open and to be a public meeting and ask the Planner, Jennifer Pye to provide the background to the regulations.

Jennifer Pye, utilizing powerpoint, indicated that private storefronts for retail cannabis sales are regulated through the Provincial Government and among other requirements cannot be located within 150 m of a school. The regulations also outline qualifications of owners/operators/ staff as well as the operation and processes for retail stores.

Jennifer stated that the Provincial Government has given municipalities the option of opting out of permitting cannabis retail stores within their boundaries, however the municipality must notify the Alcohol and Gaming Commission of Ontario no later than January 22, 2019 if opting-out of permitting retail stores. If a municipality does opt-out it can reverse the decision after January 22, 2019, but will not be eligible for any additional funding.

Jennifer indicated that retail stores are a permitted use in the C1, C1A, C2 and C3 zones - basically the downtown cores of Haileybury and New Liskeard as well as the Commercial strip in Dymond. Anyone considering opening a Retail Store must first apply to the Province through the Alcohol, Cannabis and Gaming Commission; which includes public notification of the application as well as request for written comments from the municipality and its residents.

It was indicated that \$40 M has been allocated under the Ontario Cannabis Legalization Implementation Fund (OCLIF) with the first payment (\$255 per 100 households - \$12,368 for T. Shores) and a second payment of at least \$5,000, however a municipality that has opted out will receive a maximum of \$5,000. Eligible expenses under the OCLIF program include enforcement, response to public inquiries, paramedic services, fire services, by-law/policy development; but cannot be used for costs funded or reimbursed by another government body or third party or cost related to cannabis legalization.

Jennifer also read five written comments received all of which were in support of retail stores.

Mayor Kidd thanked Jennifer for the presentation and inquired if there were any questions or comments from members of the public.

Carol Stark (New Liskeard)

On behalf of all medical marijuana patients there is no reason for patients to wait 5-10 days to receive their medicine and supports the permitting of retail cannabis stores.

Carol Lonsdale (Haileybury)

Approves of cannabis retail outlets as the product is regulated and will be safe in comparison to the illegal market. Carol outlined that she had a cousin die at the age of 22 years from drugs that were spiked with fentanyl and if her product was purchased at a retail outlet she would still be here today.

Nicole Guertin (Haileybury)

Nicole would like to speak specifically to eatables as a few weeks ago she was offered an eatable (cookie) and tried it for the first time. Subsequent to the cookie she went home and had some really bad effects causing her to attend the emergency room at the hospital. Nicole's concern is with the introduction of eatables would the cause and effect be if a child had eaten the cookie, thus she has initiated a project called "Can Eat Smart" – approximately 17% of the population uses cannabis and 50% are now interested in eatables with most of them having never tried cannabis. The Federal Government has legalized marijuana, however with eatables becoming a part of the equation last September she is concerned that once the Food Industry embarks on the eatables there will likely be many more incidents similar to what she experienced.

Nicole is of the opinion that the Government will not tackle the education of eatables as there are too many other avenues that they are focused on, thus she is proposing a simple on-line educational program that provides information to the consumer. Nicole's campaign is to have the educational program for eatables as part of the legalization initiative and would like Council's support as well as FONOM's support (Danny Whalen) for the "Can Eat Smart" program.

Ray (Haileybury)

Ray had supplied Nicole with the cookie and outlined that if she could acquire her cannabis at a retail store she would be confident knowing the percentage of chemicals going into the eatables that she makes. Ray supports Council permitting cannabis retail stores in Temiskaming Shores.

Stephano (Haileybury)

Stephano understands that this meeting is specific to retail stores, however he would like to bring up the concept of safe spaces for the utilization of cannabis. He is of the opinion that people will consume outside of their own homes and feels that having safe spaces should be considered.

Robert Falardeau (Haileybury)

Mr. Falardeau indicated that he grew up in the Tri-Town, and like many others, started doing drugs as a teenager which almost destroyed his life. It started out as a party thing and it became a crutch, and later an anchor.

Robert believes one of the main factors for him starting to smoke pot was because people of influence and authority over him made it easily accessible. In this community, you (Council) are people of influence and authority, and have to decide how you will exercise that authority and this decision will have an impact.

Robert stated that over the last 25 years or so, he has worked with teenagers in order to encourage them not to do drugs, or to stop doing them and has seen many lives ravaged by recreational drugs – most had started by smoking pot and in some cases, like his it was pot that put them at risk.

Mr. Falardeau would like to encourage Council to take a stand against the sale of cannabis in our community. He indicated that many will say that it's not really up to us. It's legal now and supported at the senior levels of government - if Temiskaming Shores does not sell it, then they'll buy it online or in Latchford or Englehart; some might even argue that we are passing up an opportunity for some property taxes and handouts from Queen's Park – what will be the price for ignoring this issue? Although we can't control what happens in Ottawa or in Toronto, Council has been given the opportunity to decide what happens here and the decision will affect your neighbours and your constituents.

Robert outlined that since they have moved back to Temiskaming Shores they have been saddened by the high number of suicides, often affecting young men who suffered from depression and drug abuse; others are currently in jail because of what drugs forced them to do.

Mr. Falardeau stated that perhaps we can't eliminate drugs from our community, but we can take a stand and acknowledge that this is a real problem, and that we refuse to be a part of it. Next time we hear of somebody who was rushed to the hospital or who dropped out of college, or who requires the support of health care professionals for addiction counselling; will we say it wasn't our fault!

Mr. Falardeau concluded by indicating that all of Council has offered their services to this community because they wanted to lead, serve and help make this community better. Making cannabis more available in our municipality will not make it better. Studies in Colorado (legalized cannabis) show that although the legal age to purchase is 21, the number of teenagers that went to the emergency for marijuana related issues almost tripled since legalization. It would be easy to go with the flow, and take a few extra bucks from the provincial government in order to deal with the fallout of cannabis use. Instead, Mr. Falardeau encourages Council to take a stand, do no permit cannabis retail outlets becoming leaders instead of followers.

Serge Girard (Haileybury)

Serge outlined that he suffers from the repercussions of marijuana, entire life he has been put on medications, dealt with different situations and struggled with the side effects. Now that cannabis is legal, he can smoke cannabis, get peace of mind, feel normal, not feel overwhelmed. Marijuana cannot be classified as a drug it is more of substance like tobacco. Cannabis is a good alternative to prescription drugs; if there is no retail store people are going to get it from the black market or wait weeks after ordering on-line.

Walter Humeniuk (Health Unit)

The greatest risk with Cannabis is with our youth. Substance abuse normally occurs before the age of eighteen (18), but can occur before the age of twenty-four (24). If Cannabis is going to be taken out of the hands of the youth it needs to be regulated and the only way to do that is to make it available locally. If it is not made available locally the black market will continue to thrive and our youth will continue to have easy access to it.

Robert Wadge (Haileybury)

Law enforcement cannot tell if someone is smoking legal or illegal cannabis and has concerns with the discarding of joints (health of animals). Concerned with the side effects such as break-ins.

Ben (Haileybury)

There is still a big misconception around the education of Cannabis and has used cannabis for many years for many reasons. Ordering on-line is nothing but a nightmare. Believes this community has much bigger issues with other drugs than it does with marijuana – prescription drugs into the hands of kids. The best way to control it is to regulate it properly and in a controlled environment. In favour of permitted retail stores.

Yves Paille (New Liskeard)

People that use cannabis for medicinal purposes should be able to access the product through pharmacies. Has seen the negative effects of cannabis and has lived with those effects for the past seven years – concern is when someone uses cannabis to self-medicate and what happens when it stops working and they start looking for something else – start using harder drugs. There is a percentage of people out there that should not be taking anything. Advocating for a Men's shelter as there are many people living on the streets due to these impacts.

Mayor Kidd inquired if there were any questions or comments from Council.

Councillor Hewitt outlined that cannabis is a psychoactive drug as is opium and heroine and as an elected official representing the health and wellbeing of our

citizens express a plea to Council to not support the permitting of Retail outlets of Cannabis, solely for recreational purposes, in Temiskaming Shores. Not against the sale of medicinal marijuana, but keep it in the pharmacies. After ten years as a public health promoter, fully understands that addiction are very complex. As a Councillor given power to make decisions based on the needs of the many and have the health and wellbeing of the constituents at heart. According to Canadian Community Health survey (2009-2012) in Timiskaming 41.3% of residents have used cannabis at least once, also only 6.6% have used cannabis in the last 12 months. World Health Organization indicates that cannabis use, especially at a younger age, has caused challenges in every aspect of their wellbeing and is a gateway drug to stronger drugs which is a crisis in our community.

Councillor Hewitt indicated that a major tobacco company has just bid on a \$2.4 Billion marijuana company. The tobacco industry went through class action suits for the marketing and selling of tobacco. There are lots of products that are legislated that do not make sense; for example: residential schools – that does not make sense. Just because it is legislated does not mean it should be supported. You can be sure it will be marketed to the most vulnerable.

Councillor Whalen outlined that this Council has no say in the medicinal cannabis use – this matter relates to recreational use. The most costly aspect for the municipality will be with edibles and home cultivation and agree that more education is required within that sector.

Councillor Jelly indicated that we are here to discuss whether to allow retail outlets in Temiskaming Shores, not on the legalization of cannabis. Given announcements today (Province limiting outlets to 25 across Ontario) it is unlikely that there will be a retail outlet in this area for some time. Understands, similar to alcohol, some people will be able to handle it, it is legal, it is here and the only control we will have is whether it is sold in a retail store.

Councillor McArthur echoed the comments Councillor Jelly and thanked everyone for coming out tonight and participating.

Mayor Kidd thanked everyone for their participation and asked that Council educate themselves further and this matter will be deliberated at a future meeting.

8. Question and Answer Period

None

9. Presentations / Delegations

None

10. Communications

- a) Carman Kidd, Mayor – City of Temiskaming Shores

Re: Letter of Support – Canadian Agricultural Partnership – Cost-Share Funding Assistance Program

Reference: Received for Information

- b) Anna Pace, Chair – Local Planning Appeal Support Centre

Re: Interim Guide to Services and Eligibility for Local Planning Appeal Support Centre

Reference: Received for Information

- c) Jamie Allan, Clerk – Town of Latchford

Re: Request for Support – Closure of Highway 11 for clearance of roadway

Reference: Received for Information

- d) Amanda Quehe, representative – Haileybury Figure Skating Club

Re: Renaming of the Haileybury Arena

Reference: Referred to Senior Management

- e) Greg Gormick – On Trac Strategies

Re: Update – Revival of the ONTC Passenger Service

Reference: Referred to Economic Development Officer

- f) Realty Circulation Portal – Ontario Infrastructure Ontario

Re: Surplus Land – 0.51 Ac. PCL 4565 NND – Lots 226-230 Plan M-73 N.B.

Reference: Referred to the Economic Development Officer

- g) Jamie Hulan, Director (Equipment Division) – Natural Resources Canada
Re: Amendments to the Energy Efficiency Regulations, 2016
Reference: Referred to the Economic Development Officer

- h) John Vanthof, MPP Timiskaming-Cochrane
Re: Congratulations newly elected Council
Reference: Received for Information

- i) Jessica Trepanier, Minister’s Office – Ministry of the Attorney General
Re: Regulations for the Licensing and Operation of Private Cannabis Stores
Reference: Referred to Senior Staff for a Report

- j) Monica Turner, AMO Director of Policy – Association of Municipalities of Ontario
Re: Ontario Government – Legislation impacting Fire Sector
Reference: Received for Information

- k) Derek Mundle, Reeve – Township of Ewanturel
Re: Request for Support – Maintenance of ONTC Rail Crossings at Municipal roadways
Reference: Motion to be presented under New Business

- l) Bryan Searle, Municipal Advisor – Ministry of Municipal Affairs and Housing
Re: Financial Indicator and Municipal Financial Profile – City of Temiskaming Shores

Reference: Received for Information

- m) Honourable Steve Clark, Minister - Ministry of Municipal Affairs and Housing

Re: Acknowledgement Letter - Delegation meeting at 2018 AMO Conference

Reference: Received for Information

- n) Honourable Vic Fedeli, Minister of Finance – Ministry of Finance

Re: Allocation of Ontario Cannabis Legalization Implementation Fund (OCLIF)

Reference: Referred to Senior Staff

- o) Honourable Steve Clark, Minister of Municipal Affairs and Housing

Re: Congratulations on 2018 Municipal Election

Reference: Received for Information

- p) Jamie McGarvey, President – Association of Municipalities of Ontario (AMO)

Re: Congratulations on 2018 Municipal Election

Reference: Received for Information

- q) Honourable Steve Clark, Minister – Ministry of Municipal Affairs and Housing

Re: Municipal Reporting Burden

Reference: Received for Information

- r) OCWA Training Division

Re: Invitation to Council members – Standard of Care

Reference: Training added to Schedule of meetings

Resolution No. 2019-016

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10.r) according to the Agenda references.

Carried

11. Committees of Council – Community and Regional

Resolution No. 2019-017

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that the following minutes and/or reports be accepted for information:

- a) Minutes of the Timiskaming Health Unit Board of Health meeting held on September 5, 2018;
- b) Minutes of the Temiskaming Shores Public Library meeting held on September 19, 2018;
- c) September 2018 Earlton-Timiskaming Regional Airport Authority Activity Report;
- d) Minutes of the Temiskaming Shores Public Library Board meeting held on October 17, 2018;
- e) Minutes of Temiskaming Municipal Association meeting held on October 4, 2018;
- f) Minutes of the Earlton-Timiskaming Regional Airport Authority meeting held on September 20, 2018;
- g) October 2018 Earlton-Timiskaming Regional Airport Authority Activity Report; and
- h) Minutes of the Temiskaming Municipal Association meeting held on November 29, 2018;

Carried

12. Committees of Council – Internal Departments

Resolution No. 2019-018

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that the following minutes be accepted for information:

- a) Minutes of the Recreation Committee meeting held on November 20, 2018;

Carried

13. Reports by Members of Council

None

14. Notice of Motions

None

15. New Business

- a) **Support - Township of Evanturel – Railway Crossing Maintenance**

Resolution No. 2019-019

Moved by: Councillor Whalen

Seconded by: Councillor Jelly

Whereas the Township of Evanturel has sent correspondence to the Premier's Office of Ontario outlining the Township's dispute with the Ontario Northland Transportation Corporation (ONTC) arising from maintenance work on level crossings in the Township of Evanturel; and

Whereas the ONTC has initiated an Appeal under the provisions of the *Land Planning Appeals Tribunals Act* as the Township of Evanturel has not made payment on invoices rendered by ONTC for maintenance work on level crossings; and

Whereas Evanturel has retained legal counsel that has sent correspondence to the Land Planning Appeals Tribunal setting out the Township's position that it bears no liability to pay the ONTC for repairs or maintenance at level crossings; and

Whereas Evanturel has requested of ONTC a copy of the Order or any Legislative Authority upon which maintenance costs incurred by ONTC can be invoiced to the Township of Evanturel; and

Whereas the City of Temiskaming Shores is in a similar position in that ONTC invoices for repairs and maintenance at level road crossings within Temiskaming Shores;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby supports the position of the Township of Evanturel in regards to the invoicing by ONTC for repairs and maintenance at level crossings; and

Furthermore that a copy of this resolution be sent to the Honourable Douglas Ford, Premier of Ontario, Honourable Greg Rickford Minister of Energy, Northern Development and Mines and the Township of Evanturel.

Carried

b) Support – Highway 11 – Two plus one Pilot Project

Resolution No. 2019-020

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Whereas a resolution was circulated on October 6, 2015 requesting support for the Four (4) Laning of Highway 11 from North Bay to Cochrane, which was supported by 34 municipalities from Northeastern Ontario; and

Whereas after meetings with MTO and OPP officials to review traffic counts and other statistics, and being informed that we did not meet the requirements for MTO to consider four (4) Laning of this portion of Highway 11; and

Whereas OPP findings showed that accidents were spread out over the entire length of the highway and not just in certain high-risk areas, with 15% involving Commercial Motor Vehicles, causing death or injuries; and

Whereas Highway 11 is the preferred truck route connecting Ontario to Manitoba and Western Canada, and almost all goods and services travel by truck through the Timiskaming and Cochrane Districts; and

Whereas the amount of transports and tourist traffic has been steadily increasing over the last few years, raising safety issues for those using this two (2) Lane highway; and

Whereas when major accident investigations occur, the road is closed down for periods of 8 to 10 hours, with no detours being available in many areas, resulting in isolation of our residents; and

Whereas the two plus one roads program has been successful in many European countries, as outlined in our attachments;

Now therefore be it resolved that the council of the City of Temiskaming Shores firmly endorses and petitions the Government of Canada, the Government of Ontario and the Ministry of Transportation to develop a pilot project involving a two plus one roads program, somewhere between North Bay and Cochrane; and

Further, that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario; the Honourable Jeff Yurek, Minister of Transportation; John Vanthof, MP for Timiskaming-Cochrane; Victor Fedeli, MP for Nipissing; the Temiskaming Municipal Association (TMA); the Northeastern Ontario Municipal Association (NEOMA).

Carried

c) Approval to transfer surplus/deficit funds to/from Municipal Transit Reserve

Resolution No. 2019-021

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby directs the Treasurer to transfer any surplus/deficit budget in 2018 for Transit to/from the Municipal Transit Reserve.

Carried

d) Approval to transfer surplus/deficit funds to/from Cemetery Reserve

Resolution No. 2019-022

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Be it resolved that the Council of the City of Temiskaming Shores hereby directs the Treasurer to transfer any surplus/deficit budget in 2018 for Cemetery to/from the Cemetery Reserve.

Carried

e) Approval to transfer current year surplus/deficit funds to/from Working Fund Reserve

Resolution No. 2019-023

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby agrees that any surplus or deficit from the 2018 Municipal Budget General Operations be transferred to or transferred from the Working Fund Reserve account; and

That Council hereby agrees that any surplus or deficit from the 2018 Municipal Budget Environmental Operations be transferred to or transferred from the Environmental Water Working Fund Reserve and/or Environmental Sewer Working Fund Reserve account.

Carried

f) Approval to transfer Gain on Sale of Surplus Fleet Assets to Fleet Replacement Reserve

Resolution No. 2019-024

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby directs the Treasurer to transfer any gain realized from the sale of surplus fleet assets in 2018 to the Fleet Replacement Reserve.

Carried

g) Approval to transfer Land Leases and Net Land Sales to Community Development Reserve

Resolution No. 2019-025

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby directs the Treasurer to transfer any land leases to the Community Development Reserve; and

Further directs the Treasurer to transfer the net proceeds derived from the sale of municipal land to the Community Development Reserve.

Carried

h) Appointment of Acting Fire Chief – Steve Langford

Resolution No. 2019-026

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby confirms the appointment of Steve Langford as Acting Fire Chief effective November 26, 2018.

Carried

i) Approval to transfer Net Fire Marque and Auto Extrication Revenues to the Fire Equipment Reserve

Resolution No. 2019-027

Moved by: Councillor Hewitt

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby directs the Treasurer to transfer the net proceeds derived from the Fire Marque agreement to the Fire Equipment Reserve; and

That Council further directs the Treasurer to transfer any funds derived from Auto Extrication to the Fire Equipment Reserve.

Carried

j) Memo No. 025-2018-PW – Musculoskeletal Disorders Policy & Program

Resolution No. 2019-028

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 025-2018-PW;

That Council approves of the Muscularskeletal Disorders (MSD) Prevention Program and Procedures Policy and the MSD Prevention Program Process for the purposes of finalizing the City's efforts and initiating the awareness and assessment portions of the Program.

Carried

k) Administrative Report No. PW-038-2018 – Equipment Rental – Excavator for Emergency Repairs (Water Breaks)

Resolution No. 2019-029

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. PW-038-2018, more particularly Appendix 01 – Tender Results and Appendix 02 – Draft

Agreement;

That as outlined in By-law No. 2017-015, Procurement Policy, Section 10.2, Request for Quotations and Section 6.0 Approval Authority, Council approves the award of the Equipment Rental – Excavator c/w Operator for Water Breaks and repairs to *Pedersen Construction (2013) Inc.* at the following rental rates:

Float Cost: Regular Work Hours - \$135/hr	All Other Hours - \$175/hr
Breaker Attachment: Regular Work Hours - \$225/hr	All Other Hours - \$265/hr
Excavator Working Time: Regular Work Hours - \$130/hr	All Other Hours - \$170/hr

plus HST as applicable; and

That Council directs Staff to prepare the necessary by-law and agreement for the said contract for consideration at the December 18, 2018 Regular Council meeting.

Carried

l) Administrative Report No. RS-011-2018 – WHO Global Network for Age Friendly Cities and Communities Application

Resolution No. 2019-030

Moved by: Councillor Hewitt

Seconded by: Councillor McArthur

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. RS-011-2018;

That Council acknowledges receipt of an invitation from Public Health Agency of Canada (PHAC) to apply for recognition by the World Health Organization (WHO) Global Network for Age-Friendly Cities and Communities; and

That Council authorizes the submission of a completed application seeking to become a recognized Age Friendly Community by (WHO) and (PHAC) and added to the Global Network.

Carried

m) Memo No. 010-2018-CGP – Deeming By-law for 222 Cobalt Avenue

Resolution No. 2019-031

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Whereas Marcel Germain, owner of 222 Cobalt Avenue would like to merge Lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

Whereas the owner has acknowledged that registration of the pending deeming by-law on title will be at his expense;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem Lots 222, 224, 226, 228, 230, 232, 234 on Plan M-52 NB, Parcel 21919 SST and Lots 221, 223, 225, 227 on Plan M-52 N.B., Parcel 196774 SST to no longer be Lots on a Plan of Subdivision for consideration at the December 18, 2018 Regular Council meeting.

Carried

n) Memo No. 011-2018-CGP – Deeming By-law for 26 Birch Street

Resolution No. 2019-032

Moved by: Councillor Whalen

Seconded by: Councillor Hewitt

Whereas Roy Smith, owner of 26 Birch Street would like to merge Lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

Whereas the owner has acknowledged that registration of the pending deeming by-law on title will be at his expense;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem Lots 26 and 27 on Plan M-27T, Parcel 11934 SST to no longer be Lots on a Plan of Subdivision for consideration at the December 18, 2018 Regular Council meeting.

Carried

o) Memo No. 012-2018-CGP – Deeming By-law for 480 Little Street

Resolution No. 2019-033

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Whereas Michael and Kimberley Abraham, owners of 480 Little Street would like to merge Lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

Whereas the owner has acknowledged that registration of the pending deeming by-law on title will be at his expense;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem Lots 121 and 124

on Plan M-48 N.B., Parcel 9357 SST and 4312 NND to no longer be Lots on a Plan of Subdivision for consideration at the December 18, 2018 Regular Council meeting.

Carried

p) Memo No. 031-2018-CS – Amendment to By-law No. 2012-101 (Traffic By-law) – Bus Staging area Dymond Street

Resolution No. 2019-034

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 031-2018-CS; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2012-101 to extend the *School Bus Parking Only* area on Dymond Street to the entrance to New Lisheard Public School for consideration at the December 18, 2018 Regular Council meeting.

Carried

q) January to December 2018 Year-to-Date – Capital Financial Report

Resolution No. 2019-035

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of the January to December 2018 Year-to-Date Capital Financial Report for information purposes.

Carried

r) Administrative Report No. CS-037-2018 – Rogers Communications Inc. – Lease Agreement

Resolution No. 2019-036

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-037-2018; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2013-127 exercising the option to extend the term of the lease with Rogers Communications Inc. for a period of five (5) years commencing September 1,

2018 to August 31, 2023 as well as to allow for the addition of one (1), five (5) year extension term commencing September 1, 2023 for consideration at the December 18, 2018 Regular Council meeting.

Carried

s) Administrative Report No. CS-044-2018 – Lease Agreement with Timiskaming Home Support for space at the Haileybury Arena

Resolution No. 2019-037

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-044-2018; and

That Council directs staff to prepare the necessary by-law to enter into a lease agreement with the Temiskaming Home Support for the use of the Lions Den located in the Haileybury Arena from January 1, 2019 to December 31, 2019 for consideration at the December 18, 2018 Regular Council meeting.

Carried

t) Administrative Report No. CS-045-2018 – Lease Amendments – Haileybury Family Health Team and Doctor Currie

Resolution No. 2019-038

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-045-2018;

That Council directs staff to amend By-law No. 2016-169 (lease agreement with Dr. Nichole Currie) for the removal of 91 square feet of office space in the Haileybury Medical Centre for consideration at the December 18, 2018 Regular Council meeting; and

That Council directs staff to amend By-law No. 2018-051 (lease agreement with the Haileybury Family Health Team) for the addition of 91 square feet of office space in the Haileybury Medical Centre for consideration at the December 18, 2018 Regular Council meeting.

Carried

u) Administrative Report No. CS-046-2018 – Municipal Property Tax Policy

Resolution No. 2019-039

Moved by: Councillor Foley

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-046-2018;

That Council directs staff to prepare the necessary by-law to repeal By-laws 2007-045 and 2015-138 and adopt a new Municipal Property Tax Policy for consideration at the December 18, 2018 Regular Council meeting; and

That Council directs staff to amend By-law 2012-039, being a by-law to establish departmental user fees and service charges for consideration at the December 18, 2018 Regular Council meeting.

Carried

v) Administrative Report No. CS-047-2018 – Development Agreement with 2373775 Ontario Inc. for the development of Beach Gardens

Resolution No. 2019-040

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-047-2018; and

That Council directs staff to prepare the necessary by-law to authorize the entering into a Development Agreement with 2373775 Ontario Inc. c.o.b. as Rivard Bros. for the development of property locally known as Beach Gardens for consideration at the December 18, 2018 Regular Council meeting.

Carried

w) Administrative Report No. PPP-009-2018 – Amendment to By-law No. 2004-132 – Emergency Response Plan

Resolution No. 2019-041

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. PPP-009-2018, more specifically Appendix 01 – Revised Draft of the City of Temiskaming Shores Emergency Response Plan;

That Council approves the Revised Draft Appendix “01” of the Emergency Response Plan for the City of Temiskaming Shores as presented; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2004-132 to adopt the Revised Draft of the Emergency Response Plan for consideration at the December 18, 2018 Regular Council meeting.

Carried

16. By-laws

Resolution No. 2019-042

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that:

By-law No. 2019-003 Being a by-law to amend By-law No. 2013-127 being a by-law to authorize the Lease of Land to Rogers Communications Inc.

By-law No. 2019-004 Being a by-law to Stop up and Close a Highway – a portion of Lakeview Avenue being Parts 1 and 2 on Plan 54R-6054

By-law No. 2019-005 Being a by-law to amend By-law No. 2004-132, as amended being a by-law to adopt an Emergency Management Program

By-law No. 2019-006 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 222 Cobalt Avenue Roll Nos. 54-18-030-012-013.01 and 54-18-030-012-021.00

By-law No. 2019-007 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 26 Birch Street Roll Nos. 54-18-030-012-009.00

- By-law No. 2019-008 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 480 Little Street Roll No. 54-18-030-012-106.00
- By-law No. 2019-009 Being a by-law to amend By-law No. 2012-101, as amended being a by-law to Regulate Traffic and Parking of vehicles in the City of Temiskaming Shores
- By-law No. 2019-010 Being a by-law to authorize the entering into a Lease Agreement with the Temiskaming Home Support for the use of space at the Haileybury Arena – Lion’s Den
- By-law No. 2019-011 Being a by-law to amend By-law No. 2016-169 being a by-law to authorize the entering into a Lease Agreement with Dr. Nichole Currie for the rental of space at the Haileybury Medical Centre
- By-law No. 2019-012 Being a by-law to amend By-law No. 2018-051 being a by-law to authorize the entering into a Lease Agreement with the Haileybury Family Health Team for the rental of space at the Haileybury Medical Centre
- By-law No. 2019-013 Being a by-law for the adoption of a Municipal Property Tax Policy
- By-law No. 2019-014 Being a by-law to amend By-law No. 2012-039, as amended being a by-law to adopt Schedules of Departmental User Fees and Services for the City of Temiskaming Shores – Municipal Property Tax Policy

By-law No. 2019-015 Being a by-law to authorize the execution of a Development Agreement with 2373775 Ontario Inc. for the development of Beach Gardens

By-law No. 2019-016 Being a by-law to enter into an agreement with Pedersen Construction (2013) Inc. for the rental of an Excavator complete with Operator for Water Break repairs at various locations within the City of Temiskaming Shores

be hereby introduced and given first and second reading.

Carried

Resolution No. 2019-043

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

By-law No. 2019-003;

By-law No. 2019-004;

By-law No. 2019-005;

By-law No. 2019-006;

By-law No. 2019-007;

By-law No. 2019-008;

By-law No. 2019-009;

By-law No. 2019-010;

By-law No. 2019-011;

By-law No. 2019-012;

By-law No. 2019-013;

By-law No. 2019-014;

By-law No. 2019-015; and

By-law No. 2019-016

be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

17. Schedule of Council Meetings

- a) Regular – Tuesday, January 8, 2019 at 6:00 p.m.
- b) Regular – Tuesday, January 15, 2019 at 6:00 p.m. (Budget)
- c) Training – Wednesday, January 23, 2019 at 5:30 p.m. (Standard of Care)

18. Question and Answer Period

None

19. Closed Session

Resolution No. 2019-044

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

Be it resolved that Council agrees to convene in Closed Session at 8:00 p.m. to discuss the following matters:

- a) **Adoption of the October 9, 2018 – Closed Session Minutes**
- b) **Under Section 239 (2) (a) of the Municipal Act, 2001 – the security of the property of the municipality – Confidential Administrative Report No. PPP-010-2018 – Critical Infrastructure Identification**
- c) **Under Section 239 (2) (b) of the Municipal Act, 2001 – personal matters about an identifiable individual, including municipal or local board employees – Committee Appointments**
- d) **Under Section 239 (2) (c) of the Municipal Act, 2001 – proposed or pending disposition of land by the municipality – Confidential Administrative Report CS-048-2018 – Craven Industrial Park;**
- e) **Under Section 239 (2) (c) of the Municipal Act, 2001 – proposed or pending disposition of land by the municipality – Confidential Administrative Report CS-049-2018 – Raymond and Roland;**
- f) **Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Pay Equity Update;**

Carried

Resolution No. 2019-045

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Be it resolved that Council agrees to rise with report from Closed Session at 8:49 p.m.

Carried

Matters from Closed Session:

a) Adoption of the October 9, 2018 – Closed Session Minutes

Resolution No. 2019-046

Moved by: Councillor Jelly

Seconded by: Councillor Hewitt

Be it resolved that Council approves the October 9, 2018 Closed Session Minutes as printed.

Carried

b) Under Section 239 (2) (a) of the Municipal Act, 2001 – the security of the property of the municipality – Confidential Administrative Report No. PPP-010-2018 – Critical Infrastructure Identification

Resolution No. 2019-047

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PPP-010-2018 and more specifically Appendix 01 - Revised Draft Critical Infrastructure Identification for the City of Temiskaming Shores; and

That Council accepts the revised Critical Infrastructure Identification which form part of the annual maintenance requirements of the Emergency Management Program as outlined in the said report.

Carried

- c) **Under Section 239 (2) (b) of the Municipal Act, 2001 – personal matters about an identifiable individual, including municipal or local board employees – Committee Appointments**

Council provided direction to staff in Closed Session.

- d) **Under Section 239 (2) (c) of the Municipal Act, 2001 – proposed or pending disposition of land by the municipality – Confidential Administrative Report CS-048-2018 – Craven Industrial Park;**

Council provided direction to staff in Closed Session.

- e) **Under Section 239 (2) (c) of the Municipal Act, 2001 – proposed or pending disposition of land by the municipality – Confidential Administrative Report CS-049-2018 – Raymond and Roland;**

Council provided direction to staff in Closed Session.

- f) **Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Pay Equity Update;**

Staff provided Council with an update on Pay Equity Update.

20. Confirming By-law

Resolution No. 2019-048

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Be it resolved that By-law No. 2019-017 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular Meeting held on **December 18, 2018** be hereby introduced and given first and second reading.

Carried

Resolution No. 2019-049

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that By-law No. 2019-017 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2019-050

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that City Council adjourns at 8:53 p.m.

Carried

Mayor – Carman Kidd

Clerk – David B. Treen