

MINUTES OF THE FIFTY-FIRST REGULAR MEETING OF COUNCIL HELD ON THE ELEVENTH DAY OF MAY 2009 AT THE MUNICIPAL OFFICE, 420 LESLIE AVENUE, THUNDER BAY, ONTARIO AT THE HOUR OF 5:00 P.M.

THOSE PRESENT: Reeve Maria Harding
Councillor Alana Bishop
Councillor Donna Blunt
Councillor Ab Covello
Councillor Ron Giardetti

ALSO PRESENT: Wendy Hamlin, Clerk
Eric Collingwood, Chief Administrative Officer
Craig Baumann, Manager of Operations
Alan Cooke, Chief Building Official
Blair Arthur, Fire Chief

1. CALL TO ORDER

Resolution No.: 1137/09	
Moved By:	Alana Bishop
Seconded By:	Ron Giardetti
THAT this Meeting of Council is hereby called to order at 5:00 pm.	
CARRIED	

2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest by any member of Council on any item listed on the agenda.

3. APPROVAL OF AGENDA

Resolution No.: 1138/09	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
THAT the agenda be accepted as presented.	
CARRIED	

Resolution to adjourn to Public Meeting

Resolution No.: 1139/09	
Moved By:	Alana Bishop
Seconded By:	Ron Giardetti
THAT at the hour of 5:05 pm we adjourn to a Public Meeting to receive input on a proposed zoning amendment.	
CARRIED	

Public Meeting to Receive Input on a Proposed Zoning Amendment

The Reeve informed those present that the meeting was being held by Council under Section 34 of the Planning Act to consider a proposed Zoning Amendment. She stated the where a public meeting is set out in legislation such as this one is, Council has a legal responsibility to deliver a fair and unbiased hearing to all matters that are brought to its attention. This means that Council members cannot enter into discussion and/or debate as long as the formal public hearing is in session. She explained that a report will be made to Council giving planning evaluation and, in some instances recommendations concerning the issues that have been raised.

The Clerk explained that the purpose and effect of the proposed zoning by-law amendment would be to re-word or clarify certain text with in By-law No. 2038-00, the Zoning By-law for the Municipality of Shuniah, as it relates to Accessory Buildings; Sewage Disposal Systems as approved under the Ontario Building Code; and to adjust certain text with respect to undersized vacant lots of record. She noted that the proposed amendment is general to all zones therefore no key map was provided. She confirmed that the notice of the public meeting sent in accordance with the Planning Act, and then read out comments received to date and Informed of any comments received to date.

The Reeve stated that any person may express his or her views on the proposed amendments being heard, and explained that a record will be kept of all comments. When addressing the Chair, please state your name and the location of your property. Written comments may be submitted to the Clerk

The Reeve then called 3 times for anyone who wished to speak in favour of the proposed Amendment. There was no response.

The Reeve then called 3 times for anyone who wished speak against these proposed Amendments. There was no response.

Resolution No.: 1140/09	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
THAT at the hour of 5:08 pm we close the Public Input Portion of the Meeting and return to Council's Regular Agenda.	
CARRIED	

4. CLOSED SESSION

5. MINUTES OF PREVIOUS MEETING

- a) Minutes of the previous Meeting of Council held April 27, 2009

Resolution No.: 1141/09	
Moved By:	Alana Bishop
Seconded By:	Donna Blunt
THAT the Minutes of the previous meeting of Council held April 27, 2009 be adopted as circulated and filed in the Clerk's Office.	
CARRIED	

- b) Matters Arising from Previous Minutes

Councillor Bishop noted the Clerk was directed to prepare a resolution in support Karen and Robert Powell's proposed development and to obtain a legal option on the liability of removing the crib. The CAO explained the resolution is on the agenda and as it is municipal property the crib is being removed from

the Municipality's current insurance would be sufficient. The CAO informed Council that the legal fees with respect to Grann's land exchange would be 50% paid by each party.

Councillor Blunt noted that the Clerk was to obtain comments from the MMA&H on the road allowances. The Clerk stated that she received a response from the Ministry that a report will be forwarded by the May 19th meeting date.

6. PETITIONS AND DELEGATIONS

7. REPORTS & MINUTES FROM OTHER BOARDS & COMMITTEES

- a) Minutes of the Committee of the Whole of Council meeting held April 27, 2009

Resolution No.: 1142/09	
Moved By:	Alana Bishop
Seconded By:	Ron Giardetti
THAT the Minutes of the Committee of the Whole of Council meeting held April 27, 2009 be adopted as circulated and filed in the Clerk's Office.	
CARRIED	

- b) Minutes of the Tender Opening Compressor Station Road Bridge Replacement Project held May 4, 2009

Resolution No.: 1143/09	
Moved By:	Ron Giardetti
Seconded By:	Alana Bishop
THAT a copy of Minutes of the Tender Opening Compressor Station Road Bridge Replacement Project held May 4, 2009, be received as circulated and filed in the Clerk's Office.	
CARRIED	

- c) Northwestern Ontario Municipal Association 27th Annual Regional Conference being held October 1st and 2nd in Thunder Bay.

Resolution No.: 1144/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
THAT the following persons are hereby authorized to attend the Northwestern Ontario Municipal Association 27 th Annual Regional Conference being held October 1 st and 2 nd in Thunder Bay and that their expenses be paid according to policy: all members of Council.	
CARRIED	

- d) Minutes of the Police Services Board meeting held March 16, 2009

Resolution No.: 1145/09

Moved By: Ron Giardetti
Seconded By: Alana Bishop

THAT a copy of the Minutes of the Police Services Board meeting held March 16, 2009 be received as circulated and filed in the Clerk's Office.

CARRIED

- e) OPP Monthly report for March 2009

Resolution No.: 1146/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT a copy of the OPP Monthly report for March 2009 be received as circulated and filed in the Clerk's Office.

CARRIED

The Clerk was directed to include a closed session at a future meeting to discuss Policing Services.

- f) Notice of the Passing of the By-law to adopt the 2009 Budget

Resolution No.: 1147/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT a copy of the Notice of the Passing of the By-law to adopt the 2009 Budget, be received as circulated and filed in the Clerk's Office.

CARRIED

- g) Copy of the letter from Township of O'Connor to the District Social Services Area 1 Representative regarding quarterly reports

Resolution No.: 1148/09

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT a Copy of the letter from Township of O'Connor to the District Social Services Area 1 Representative regarding quarterly reports be received as circulated and filed in the Clerk's Office.

CARRIED

- h) Lakehead Region Conservation Authority Minutes of the Meeting held March 18, 2009
i)

Resolution No.: 1149/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT a copy of the Lakehead Region Conservation Authority Minutes of the Meeting held March 18, 2009 be received as circulated and filed in the Clerk's Office.

CARRIED

- j) Association of Municipalities of Ontario notice of the CRTC Changes National Do Not Call List

Resolution No.: 1150/09

Moved By: Ron Giardetti
Seconded By: Alana Bishop

THAT a copy of the Notice from the Association of Municipalities of Ontario notice of the CRTC Changes National Do Not Call List, be received as circulated and filed in the Clerk's Office.

CARRIED

- k) Letter from Lakehead Region Conservation Authority re: Lake Superior Stewardship Guide

Resolution No.: 1151/09

Moved By: Donna Blunt
Seconded By: Ron Giardetti

THAT a copy of the Letter from Lakehead Region Conservation Authority re: Lake Superior Stewardship Guide be received as circulated and filed in the Clerk's Office.

CARRIED

8. MOTIONS AND NOTICE OF MOTIONS

- a) By-law Enforcement
- b) Building and Planning
- c) Public Works
 - i) Resolution to accept the tender for Engineering services for the Compressor Station Rd. Project

Resolution No.: 1152/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT the tender submitted by Sostratus Engineering, to supply Engineering and Contract Administration services for the Compressor Station Road Bridge Replacement Project for an amount not to exceed \$48,163.50 incl. GST, BE ACCEPTED.

CARRIED

- d) Fire Department

e) Administration

- i) Resolution to support in principle, Karen and Robert Powell's waterfront development

It was noted the Mr. & Mrs. Powell forwarded a request that the three-year time line be removed. The CAO stated that the draft resolution was reworded to include a statement be extend a further 3 year upon mutual agreement of the parties.

Resolution No.: 1153/09

Moved By: Ab Covello
Seconded By: Ron Giardetti

WHEREAS Council stands by its Resolution No. 1000/09 supporting in principle Robert and Karen Powell's (the Applicants) proposed waterfront project to be developed in front of their property located within a portion of Mining Location 11E White's Survey;

AND WHEREAS the Applicants have since approached the Municipality of Shuniah with an offer to remove a crib, at their effort and expense, from the waterlot owned by the Municipality in exchange for transferring in title to the Applicants, approximately one acre of the said waterlot to be utilized in the development of a proposed waterfront project;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Shuniah hereby agree in principle to the transferring of the said portion of waterlot for the proposed development and that an agreement between the Municipality and the applicants is entered into, containing the following conditions:

1. the crib be removed from the waterlot by the Applicants prior to transferring the waterlot to them;
2. the proposed waterfront development be completed within a three year timeline from the date of the said agreement and may be extended a further 3 years upon mutual agreement of the parties;
3. the Applicants remain responsible to obtain all and any permits required by any other Ministry or agency for the removal of the said crib;
4. all costs such as, but not limited to, legal, surveying, and registration on title be borne by the Applicants;
5. the removal of the crib from the waterlot be considered full compensation for the purchasing of the waterlot; and
6. should the proposed waterfront project not be developed within the said time line that the waterlot be transferred back to the Municipality at no cost.

CARRIED

- ii) Request to commence summer hours of operation

Resolution No.: 1154/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT commencing Friday May 15, 2009 that all Municipal departments and offices close at 4 pm each Friday up to and including Friday August 28, 2009;

AND THAT the normal office hours return with the closing time of 4:30 pm the week of September 1st, 2009.

CARRIED

- f) Finance Department

9. REPORTS OF REEVE AND MEMBERS OF COUNCIL

As directed at the last Council meeting, Councillor Blunt stated she and Councillor Covello met with the Youth Group; she has spoken with the CAO; and asked her next step should be. The CAO will draft a contract as discussed and then schedule a meeting with the Recreation Committee and Councillor Blunt.

The Clerk was directed to schedule an in closed session at the May 25th meeting to discuss personnel matters. The Recreation Committee will be request to comments forwarding the minutes and agendas of their meeting to the Clerk to be included on Council's agenda.

Councillor Blunt informed Council fund with Northern Development and Ministry of Northern Development on May 28th from 11 am to 2 pm with respect to \$5,000. funding per community to be better prepared for inbound investments. The Reeve and CAO will attend the meeting.

10. CORRESPONDENCE

a) General

Resolution No.: 1155/09	
Moved By:	Donna Blunt
Seconded By:	Ron Giardetti
THAT the following items of General Correspondence be received as circulated and filed in the Clerk's Office.	
i) Copy of the letter from Hon. Michael Gravelle to the Minister of Children and Youth Services re: Best Start Program.	
ii) Copy of the Letter from the Hon. Michael Gravelle to Mr. Lacroix re: CBC Radio in Northern Ontario	
iii) Letter to Reeve Harding from the Hon. Jim Bradley re: reflective markers	
iv) Letter to Manager of Operations from Larry Lambert re: reflective markers.	
v) Letter from Nestle Waters Canada re: Environmental and health of bottled water.	
Letter from the Thunder Bay District Social Services Administration Board re: Comprehensive Housing Strategy	
CARRIED	

b) Referred

11. BY-LAWS

a) A by-law to repeal and replace By-law No. 2388-09 and to authorize the direct sale of the lands

The Reeve informed Council that the name of the purchaser was changed on the by-law from 1778585 Ontario Limited to L.T.L. Contracting Ltd.

Resolution No.: 1156/09	
Moved By:	Ron Giardetti
Seconded By:	Alana Bishop
THAT A by-law to repeal and replace By-law No. 2388-09 and to authorize the direct sale of the lands described as a Portion of Mining Location 8, Herrick's Survey, Part 2 of Reference Plan No. 55R-7823 be read a First and Second time this Eleventh day of May 2009;	
AND THAT same be referred to the Committee of the Whole of Council.	
CARRIED	

Councillor Giardetti requested that due to the nature of the by-law Council complete third and final readings.

