

MINUTES OF THE TWENTIETH REGULAR MEETING OF COUNCIL HELD ON THIRTEENTH DAY OF NOVEMBER 2007 AT THE MUNICIPAL OFFICE, 420 LESLIE AVENUE, THUNDER BAY, ONTARIO AT THE HOUR OF 5:30 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
Don Manahan, Manahan Planning
Three other persons in audience

1) **CALL TO ORDER**

Resolution No.: 342/07	
Moved By:	Alana Bishop
Seconded By:	Donna Blunt
THAT this meeting of Council is hereby called to order at 5:30 pm.	
CARRIED	

2) **DISCLOSURE OF PECUNIARY INTEREST**

The Reeve declared a pecuniary interest under Item 7) F) Finance; monthly expenditures and requested Councillor Bishop to take the Chair when this item is being dealt with. There was no other disclosure of pecuniary interest by any other member of Council on any other item on the agenda.

3) **APPROVAL OF AGENDA**

Resolution No.: 343/07	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
THAT the agenda be accepted as presented with the following addition:	
Item 8) E) ii) Request for Donation to the Northern Ontario Women's Leadership Forum	
CARRIED	

4) **PUBLIC MEETING**

A) To receive input on a proposed Official Plan Amendment and a Zoning By-law Amendment to implement the policies and provisions to set conversion policies for Recreational Dwellings.

The Reeve informed those present that the meeting is held by Council under Section 34 of the Planning Act to consider a proposed Zoning Amendment. She explained that 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 and explained that Council

members would not enter into discussions and/or debate as long as the formal public hearing is in session.

Don Manahan of Manahan Planning described the proposed zoning by-law amendment, which would replace and repeal By-law No. 2129-04, and would implement Official Plan Amendment No. Two, re cottage conversion, as modified by the Ministry of Municipal Affairs and Housing. He reviewed the history of the process beginning with the Official Plan amendment and explained that this proposed by-law affects the lands held under Freehold Tenure and noted that the Municipality would deal with the Association areas at a later date. He explained that the proposed by-law would repeal the previous by-law due to a result of the Ministry's modifications. He then reviewed various sections of the proposed zoning amendment.

Mr. Manahan answered questions of Council throughout his presentation. There was a lengthy discussion on the regulation for the Loon Lake area. He reviewed the history with respect how and why Lambert Island and Cedar Bay area were included. There was a general discussion on the proposed by-law for Association areas and Mr. Manahan explained the need for various studies prior to this step-taking place.

The Clerk confirmed that the notice of the public meeting sent, any comments received to date.

The Clerk read out the comments received to date, being the Lakehead Region Conservation Authority, who have no concerns but would request a copy of applications for conversions prior to Council approving any, and from Canadian National Railway listing its distance requirements. Mr. Manahan did not feel that either of the comments would warrant any amendments to the proposed document.

At this time the Reeve informed those present that any person could express his or her views on the proposed amendments being heard this evening, noting that a record will be kept of all comments, noting that written comments may be submitted to the Clerk. She requested that when addressing the Chair; to please state your name and the location of your property.

The Reeve asked three times if anyone present wished to speak in favour of these proposed Amendments. There was no response.

The Reeve asked three times if anyone present wished to speak against these proposed Amendments. There was no response.

The Reeve closed the Public Input Portion of the Meeting and then returned to Council's regular agenda

5) CLOSED SESSION

A) To discuss Municipal disposition of land

Resolution No.: 344/07

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT we adjourn to meeting in closed session to discuss Municipal disposition of land.

CARRIED

Resolution No.: 345/07

Moved By: Donna Blunt
Seconded By: Ab Covello

THAT we resume meeting in open session.

CARRIED

Persons were requesting to purchase Municipal property to for a future development and further for the Municipality to apply for funding to complete a feasibility study.

As a result of discussions, it was the consensus of Council not to support an application for funding at this time.

6) MINUTES OF PREVIOUS MEETING

A) Minutes of the Nineteenth Regular Meeting held on October 22, 2007

Councillor Blunt requested that the last paragraph on page 6 of the minutes have be amended to add the word “but would support 3-laning with the existing highway”. The Clerk undertook to correct same.

Resolution No.: 346/07

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT the minutes of the Nineteenth Regular Meeting of Council held October 22, 2007 be adopted as circulated.

CARRIED

B) Any Matters arising from the minutes

Councillor Covello inquired if the Reeve met with Michael Gravelle. The Reeve informed Council she did and reviewed her meeting. The Reeve and Councillor Bishop informed Council that they had both attended the presentation held in Nipigon and reviewed same.

Councillor Blunt spoke to the status of setting snap set ticketing in place. There was a lengthy discussion on this matter. The CAO undertook to look further into it.

Councillor Blunt inquired when Council would look at changing the restriction for the use of trailers from 30 to 120 days. The CAO explained this would require a further discussion, as there are property owners who have concerns. There was a discussion on putting a notice in the February newsletter, and on approaching Health Unit with respect to concerns of disposal of sewage from the trailers. The CAO undertook to bring forward a list of properties, which trailers are currently located for discussion and direction on forwarding notice.

7) PETITIONS AND DELEGATIONS

8) REPORTS AND COMMITTEES

A) By-law Enforcement

- B) Building and Planning
i) Appeal filed - Tree Harvesting By-law

Resolution No.: 347/07	
Moved By:	Alana Bishop
Seconded By:	Ron Giardetti
<p>WHEREAS the Municipality of Shuniah has received an appeal to its Tree Harvesting By-law No. 2286-07 from Mr. Ian Bodnar;</p> <p>AND WHEREAS after extensive input from the Public, the Committee of the Whole of Council, the Tree Harvesting Ad Hoc Committee, through consultation with the Ministry of Municipal Affairs and Housing, and consideration of planning reports received from Manahan Planning; it was Council's decision to implement the said regulations on Commercial Timber Harvesting within the jurisdiction of the Municipality of Shuniah, which conform to policies within the Shuniah Official Plan;</p> <p>THEREFORE BE IT RESOLVED THAT the position of Council regarding the merits of the appeal submitted by Mr. Bodnar are frivolous and without planning foundation;</p> <p>AND FURTHER THAT a copy of this resolution be forwarded to the Ontario Municipal Board as part of the required documentation in the Municipal Submission Form (R2).</p> <p style="text-align: center;">CARRIED</p>	

The following resolution was passed.

- ii) Cottage Conversion 2009 Crystal Beach – By-law to be read under Section 10

The CAO reviewed the request. He explained that the request was in response to a letter issued by a previous Clerk and the property owners, in order to meet the lot width requirement, would deed a portion of the land to the Municipality. There was a lengthy discussion on this matter. The Clerk was directed to forward a copy of the said letter.

- iii) Memo- MTO sale of Land- Bylaw to be read under Section 10

The CAO explained that the previous by-law contained a provision to include an easement and MTO have requested it be removed.

- iv) Minutes of the Committee of Adjustment Hearing held Aug 22, 2007

Resolution No.: 348/07	
Moved By:	Donna Blunt
Seconded By:	Ab Covello
<p>THAT the Minutes of the Committee of Adjustment Hearing held August 22, 2007 be received as circulated.</p> <p style="text-align: center;">CARRIED</p>	

- C) Public Works

- i) Letter from Russell Romanick re: Hampton Drive

The Reeve noted that Council has been presented with a copy of letter to Mr. Romanick from the CAO including a report from the Manager of Operations. There was a short discussion held on this.

- D) Fire Department
- E) Administration
 - i) Meeting Investigation re: Legislative Provisions Workshop

Resolution No.: 349/07	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
<p>THAT the following persons are hereby authorized to attend the New Policy Requirements for Closed Meeting Investigation Provisions Workshop at the Victoria Inn on November 21, 2007 and that their expenses be paid according to policy:</p> <p style="text-align: center;">Wendy Hamlin.</p> <p style="text-align: center;">CARRIED</p>	

- ii) Request for Donation Northern Ontario Women's Leadership

The CAO reviewed the request for a contribution to the Northern Ontario Women's Leadership.

Resolution No.: 350/07	
Moved By:	Ron Giardetti
Seconded By:	Donna Blunt
<p>THAT Council approves the request for a \$250.00 donation to the Northern Ontario Women's Leadership Forum that will take place in Thunder Bay on November 14, 2007.</p> <p style="text-align: center;">CARRIED</p>	

The Reeve turned the Chair over to Councillor Bishop at this time.

- F) Finance Department
 - i) Expenditures for the Month of October 2007

The CAO answered questions of Council on various expenditures paid. He undertook to run off another report from the General Ledger to assist on outlining total costs for some specific projects. There was a short discussion held on the budget status.

Resolution No.: 351/07	
Moved By:	Ab Covello
Seconded By:	Ron Giardetti
<p>THAT the Council of the Municipality of Shuniah hereby authorizes payment of the accounts for the month of October 2007 in the amount of \$348,670.87.</p> <p style="text-align: center;">CARRIED</p>	

There was a brief discussion with respect to the Conflict of Interest expenditures.

Resolution No.: 352/07

Moved By: Donna Blunt
Seconded By: Ron Giardetti

THAT the Council of the Municipality of Shuniah hereby authorizes payment of the accounts for the month of October 2007 in the amount of \$3,591.97 "Conflict of Interest" Harding – Fraser.

CARRIED

The Reeve returned to the Chair.

- G) Police Service's Board
 - i) Minutes of the Meeting held September 17, 2007

There was a discussion on how to apply to sit as a Provincial Appointee for the Police Services Board.

There was a brief discussion the response received from the Board on a call to O'Connor Point. Councillor Covello stated he still has concerns with the OPP response times and services, he gave various examples. The Reeve recommended Councillor Covello attend the Police Services Board's meeting on November 19, 2007.

There was a discussion on various items in the Board's meeting.

Resolution No.: 353/07

Moved By: Donna Blunt
Seconded By: Ron Giardetti

THAT the Minutes of the Shuniah Police Services Board held September 17, 2007 be received as circulated.

CARRIED

- ii) Shuniah Police Services Board 2007 –2008 Business Plan

Various aspects to the Police Service Board's Business Plan were reviewed. There was a suggestion to add O'Connor Point to Board's Business plan the areas of concern. The Reeve suggested that Council members put any suggestions in writing to the Board.

- H) Committee of the Whole
 - i) Minutes of the meeting held October 16, 2007

Resolution No.: 354/07

Moved By: Ron Giardetti
Seconded By: Alana Bishop

THAT the Minutes of the meeting of the Committee of the Whole of Council held October 16, 2007 be adopted as circulated.

CARRIED

- I) Boards and Committees

- i) Thunder Bay District Health Unit Minutes of the meeting held September 18, 2007

J) Reports of Reeve and Council

9) CORRESPONDENCE

The following items of Correspondence were noted and the contents reviewed.

- A) General
 - i) Letter to the Honourable Michael Gravelle re: Terry Fox Courage Highway
Councillor Blunt informed Council that Mrs. Makinen called to say the media interviewed her.
 - ii) Congratulatory Letter to Honourable Michael Gravelle
 - iii) FYI - Letter from Sharon Martyn re: Christmas Cheer hampers
- B) Referred
 - i) Canadian Pacific Railway cost analysis for installation and maintenance of railway crossing warning systems

Resolution No.: 355/07

Moved By: Donna Blunt
Seconded By: Ab Covello

THAT the Canadian Pacific Railway cost analysis for installation and maintenance of railway crossing warning systems is received and that same be referred to the Committee of the Whole for further review.

CARRIED

Councillor Bishop presented Council with a cost analysis, which included her viewpoint, and requested Council members bring it with to the Committee of the Whole meeting. At this time the Reeve informed Council she would be late and Councillor Giardetti stated he would not be able to attend.

10) BY-LAWS

- A) A by-law to enter into an agreement with Glen and Marion Edwards

Resolution No.: 356/07

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT a by-law to enter into an agreement with Glen and Marion Edwards be read a First and Second time this Thirteenth Day of November 2007 and that same be referred to the Committee of the Whole.

CARRIED

Councillor Giardetti requested that due to the nature of the matter for Council to consider third and final reading of the by-law.

Resolution No.: 357/07

Moved By: Ron Giardetti
Seconded By: Ab Covello

BE IT RESOLVED THAT a by-law to enter into an agreement with Glen and Marion Edwards be received and deemed to have been read a Third time and numbered 2292-07;

AND THAT the said by-law be engrossed in the by-law book.

CARRIED

- B) A by-law to declare a portion of Concession 5 Section 7 as surplus land for sale to MTO for Highway Improvements and to repeal By-law 2275-07

Resolution No.: 358/07

Moved By: Ab Covello
Seconded By: Donna Blunt

THAT a by-law to declare a portion of Concession 5 Section 7 as surplus land for sale to MTO for Highway Improvements and to repeal By-law 2275-07 be read a First and Second time this Thirteenth Day of November 2007 and that same be referred to the Committee of the Whole.

CARRIED

Councillor Blunt requested that due to the nature of the matter for Council to consider third and final reading of the by-law.

Resolution No.: 359/07

Moved By: Ron Giardetti
Seconded By: Alana Bishop

BE IT RESOLVED THAT a by-law to declare a portion of Concession 5 Section 7 as surplus land for sale to MTO for Highway Improvements and to repeal By-law 2275-07 be read a third time and numbered 2293-07;

AND THAT the said by-law be engrossed in the by-law book.

CARRIED

11) UNFINISHED BUSINESS

12) NEW BUSINESS

- A) Request to the Honourable Michael Gravelle to petition Ministry of Municipal Affairs and Housing to investigate the Thunder Bay District Administration Board's current system of allocated costs

After a short discussion the following resolution was passed.

Resolution No.: 360/07

Moved By: Ron Giardetti
Seconded By: Donna Blunt

WHEREAS the Thunder Bay District Social Services Administration Board (TB DSSAB) was established in 1999 with the City of Thunder Bay the appointed administrator of social services to the City of Thunder Bay and District Municipalities;

AND WHEREAS the funding costs calculated for member municipalities are calculated by weighted assessment, which is based on the ability to pay whether or not the services used;

AND WHEREAS the Municipality of Shuniah is made up of approximately 60% non-residents resulting in less use of the services delivered by the TB DSSAB;

AND WHEREAS the Municipality of Shuniah residents are not afforded many of the TB DSSAB services to be delivered directly within their own community; such as transit; senior and disability services; social housing, etc.

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Shuniah requests the Minister Municipal Affairs & Housing to investigate the current system of shared costs to the District Social Services Administration Boards with respect to the current system of calculating funding by each individual municipality's weighted assessment and further request the Minister, in its review, to consider putting in place a new system of funding and cost sharing calculated on the permanent population being a more equitable manner with respect to services used by each municipality;

AND THAT this resolution be forwarded to the TB DSSAB member municipalities; Thunder Bay District Municipal League (TBDML); Northwestern Ontario Municipalities Association (NOMA) and local members of parliament for their support;

AND FURTHER THAT a copy of this resolution be forwarded to the Minister of Community and Social Services; the Minister of Finance and the Thunder Bay District Social Services Administration Board.

CARRIED

13) OTHER BUSINESS

Councillor Giardetti spoke to the access at the front of the Municipal Office with concerns of it conforming to code. The CAO explained that the City would not authorize the construction of access and therefore the next best thing was to raise the asphalt to meet the door. The CAO undertook to discuss this with the Chief Building Official.

Councillor Blunt spoke to a resident's concerns on the length of time the highways are closed due to accidents. There was a general discussion on same.

Councillor Bishop spoke to the meeting with MTO and 4-laning with respect to the intersecting entrances; West Loon Lake and Birch Beach entrances are not being worked on. She stated that the concern was for safety and that delineators are needed. There was a discussion on this matter.

14) CONFIRMATORY BY-LAW

A) A By-law to Confirm the Proceedings of Council

Resolution No.: 361/07

Moved By: Ab Covello
Seconded By: Alana Bishop

THAT a by-law to confirm the proceedings of Council be read a First, Second and Third time this Thirteenth day of November 2007 and Numbered;

AND THAT the said by-law be engrossed in the by-law book.

CARRIED

15) ADJOURNMENT

Resolution No.: 362/07

Moved By: Ab Covello
Seconded By: Ron Giardetti

THAT the hour of 8:15 having arrived the meeting adjourn.

CARRIED

CONFIRMED AND ADOPTED THIS

DAY OF

2007

Reeve

Clerk