

JAN 19 2022

**The Corporation of the Town of Spanish
Council Minutes
Regular Meeting of
Wednesday, January 5, 2022
7:00 p.m., Council Chambers**

Present:	Jocelyne Bishop	Mayor
	Karen Von Pickartz	Deputy Mayor
	Debra Joncas	Councillor
	Sandra Trudel	Councillor
	Mary-Louise Zarichney	Councillor
	Pam Lortie	CAO/Clerk-Treasurer
	Debbie Brasch	Receptionist/Accounting Clerk

Members of the Public in Attendance:

In-Person:	Leonard Joncas	Via Zoom:	Marlene Travers
	Rick Smith		Karol Grant
	Paul Travers		Gareth Nixon
	Gary Fournier		Ruth Ann Bacon
	Rick Johnston		Mark Smith
			Chad Fisher (did not stay on)
			Glenn Tunnock, Planner

The Mayor called the meeting to order at 7:08 p.m. and asked for the disclosure of any pecuniary interest and the general nature thereof. Mayor Bishop declared a conflict of interest on item 4. Public Meeting and Item 10(c) By-Law #2022-03, Being a By-Law to Enact a Temporary Use By-Law, re: Temporary Storage of Modular Homes – 35 John Street and provided the declaration in writing, which is appended to these minutes.

ADOPTION OF AGENDA:

RESOLUTION #22-01-01

Moved BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT the agenda for the regular meeting of January 5, 2022 be adopted as presented.

Carried

PUBLIC MEETING:

Deputy Mayor Von Pickartz took over the Chair for the Public Meeting as Mayor Bishop declared a conflict of interest on this item. Mayor Bishop refrained from participating in any discussion during the Public Meeting.

A public meeting was held under the authority of the *Planning Act*, to consider an amendment to Zoning By-Law #2018-62 to permit temporary storage of 13 modular housing units on the former Spanish Public School property at 35 John Street.

The Clerk provided information on the purpose of the meeting, as well as the format of tonight's meeting. Glenn Tunnock, Municipal Planner made a presentation on the application, which included a question period.

- Mr. Tunnock advised that a temporary use by-law layered on top of the existing by-law.
- The temporary by-law has a sunset clause, whereby after 3 years the by-law becomes annulled and the use is no longer permitted.
- The applicant has indicated that they plan to repurpose the portable units to create housing units.
- There are existing mature trees around most of the perimeter of the property.
- Predominant use in the area is low density residential (single family homes)
- Long term plan is to develop and convert site to a small residential sub-division.
- No application for a sub-division has been received. This is a lengthy process with a number of studies required, including a storm management study.
- Each unit would be required to hook up to municipal water and sewer.
- It has been suggested to the applicant that they endeavor to have a Plan of Subdivision application filed within the 3-year period.
- Extension may be required.
- Mr. Tunnock advised that as the municipal Planner he is recommending to Council that they adopt a temporary by-law for a 3-year time period and that the portables respect the setbacks of the zoning by-law.

Several questions were asked about the future use of the buildings and their proposed use as residences.

Following Mr. Tunnock's presentation, those in support of the application were given an opportunity to make oral or written submissions. The CAO advised that Mr. Kip Reid indicated at the office that he is in favour of the proposal.

Those opposed to the application were then given the opportunity to make oral or written submissions. The following expressed that they are opposed to the proposal:

Leonard Joncas
Rick Johnston
Paul Travers
Rick Smith
Gary Fournier
Gareth Nixon
Mark Smith

All indicated that they didn't feel there was enough information on the proposal or on the current condition of the buildings.

The communication between the room and the Zoom participants became very difficult.

Members of Council were given an opportunity to make comment/ask questions on the application. Deputy Mayor Von Pickartz, Councillor Trudel and Councillor Zarichney spoke.

The public meeting ended at approximately 8:30 p.m.

Mayor Bishop resumed the Chair.

DELEGATIONS: None

TENDERS – None

MINUTES OF PREVIOUS MEETING(S):

RESOLUTION #22-01-02

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT the minutes of the regular meeting of December 15, 2021 be adopted as presented.

Carried

INFORMATION AND ACTION ITEMS:

RESOLUTION #22-01-03

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT council authorizes interim expenditures of 2022 municipal budget line items at 50% of 2021 amounts pending the approval of the 2022 final budget.

Carried

RESOLUTION #22-01-04

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT Whereas the Province is implementing temporary measures to curb the increase in COVID-19 cases and hospitalizations in Ontario;

Therefore Council supports the municipal office being open by appointment only, as well as all Council and Committee meetings be moved to virtual format until further notice;

And further that this be posted on the Town web-site.

Carried

RESOLUTION #22-01-05

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT a single cross conveyor assembly be purchased for the Mack truck at a cost of \$2,932.48, plus applicable taxes;

And further that this expense form part of the 2022 operating budget.

Carried

RESOLUTION #22-01-06

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT the CAO's report of January 5, 2022 be accepted as being presented.

Carried

COUNCIL REPORTS:

Councillors provided information on the following meetings they attended since the last Council meeting.

Karen Von Pickartz – n/a

Debra Joncas – n/a

Sandra Trudel – n/a

Mary-Louise Zarichney – n/a

Jocelyne Bishop – n/a

CORRESPONDENCE/INFORMATION – no action required

RESOLUTION #22-01-07

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT the following correspondence be noted as being presented:

- a. Spanish Public Library Minutes of December 14, 2021
- b. Municipal Property Assessment Corporation (MPAC) – 2022 Municipal Levy
- c. Ministry of the Environment, Conservation and Parks – Renewed Licence for the Spanish Drinking Water System
- d. Ministry of the Environment, Conservation and Parks – 2021/2022 Spanish Drinking Water System Inspection Report

Carried

BY-LAWS –

RESOLUTION #22-01-08

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT a by-law being a By-Law to Authorize Borrowing From Time to Time to Meet Current Expenditures During the Fiscal Year Ending December 31, 2022 be read a first time, be considered read a second and third time, be passed, signed by the Mayor and CAO/Clerk-Treasurer, numbered by-law #2022-01 and be engrossed in the by-law book.

Carried

RESOLUTION #22-01-09

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT a by-law Being a By-Law to Provide for an Interim Tax Levy and Provide for the Payment of Taxes and to Provide for Penalty and Interest of 1.25 percent per month be read a first time, be considered second and third time, be passed, signed by the Mayor and CAO/Clerk-Treasurer, numbered by-law #2022-02 and be engrossed in the by-law book.

Carried

Deputy Mayor Von Pickartz took over the Chair for Item 10(c) By-Law #2022-03, Being a By-Law to Enact a Temporary Use By-Law, re: Temporary Storage of Modular Homes – 35 John Street as Mayor Bishop declared a conflict of interest on this item. Mayor Bishop refrained from participating in any discussion on Item 10(c).

RESOLUTION #22-01-10

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT a by-law Being a By-Law to Enact a Temporary Use By-Law, re: Temporary Storage of Modular Homes – 35 John Street be deferred and more information, i.e. pictures be requested from the applicant.

Carried

Mayor Bishop resumed the Chair.

RESOLUTION #22-01-11

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT a by-law Being a By-Law to Adopt an Agreement Between the Minister of Natural Resources and the Town of Spanish, re: fire management with respect to the prevention and control of grass, brush and forest fires be read a first time, be considered read a second and third time, be passed, signed by the Mayor and CAO/Clerk-Treasurer, numbered by-law #2022-04 and be engrossed in the by-law book.

Carried

RESOLUTION #22-01-12

MOVED BY: Sandra Trudel

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT a by-law Being a by-law to adopt a Memorandum of Understanding between the Town of Spanish and the Spanish River Snowmobile Club, re: Prescribed Snowmobile Trail Land Use Permission be read a first time, be considered read a second and third time, be passed, signed by the Mayor and CAO/Clerk-Treasurer, numbered by-law #2022-05 and be engrossed in the by-law book.

Carried

NEW BUSINESS – None

QUESTION PERIOD – None

MOTIONS/NOTICE OF MOTIONS – None

CONFIRMATION BY-LAW

RESOLUTION #22-01-13

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT a by-law being a confirmation by-law regarding a regular meeting of council held on the 5th day of January, 2022 be read a first time, be considered read a second and third time, be passed, signed by the Mayor and CAO/Clerk-Treasurer, numbered by-law #2022-06 and be engrossed in the by-law book.

Carried

RESOLUTION #22-01-14

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT we do now adjourn to meet again on Wednesday, January 19, 2022 at 7:00 p.m., via: Zoom for Regular Meeting of Council or at the call of the Mayor.

Carried

The meeting adjourned at 9:03 p.m.



Jocelyne Bishop, Mayor



Pam Lortie, CAO/Clerk-Treasurer

Declaration of Interest – Municipal Conflict of Interest Act

Meeting Date: Jan. Dec 5, 2022

I, (Councillor or Mayor) Jocelyne Bishop (last name)

declare a potential (deemed / direct / indirect) pecuniary interest on:

Council Agenda No. 4 & 10c

Item Title: Public Meeting & By-Law #2022-03

for the following reason: _____

May have an interest thru my spouse.

Jocelyne Bishop
Councillor/Mayor Signature

Jocelyne Bishop
Councillor/Mayor Name

As a resource, we have excerpted the relevant provision of the *Municipal Conflict of Interest Act* herein:

Municipal Conflict of Interest Act
Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,
(a) the member or his or her nominee,
 (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 (iii) is a member of a body,
that has a pecuniary interest in the matter; or
(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).