

APRIL 20, 2022.

<p>The Corporation of the Town of Spanish Council Minutes Regular Meeting of Wednesday, April 6, 2022 7:00 p.m., In Council Chambers</p>

Present:	Jocelyne Bishop Karen Von Pickartz Debra Joncas Sandra Trudel Mary-Louise Zarichney Pam Lortie	Mayor Deputy Mayor Councillor Councillor Councillor CAO/Clerk-Treasurer
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The Mayor called the meeting to order at 7:00 p.m. and asked for the disclosure of any pecuniary interest and the general nature thereof. None were disclosed.

ADOPTION OF AGENDA:

RESOLUTION #22-04-01

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT the agenda for the regular meeting of April 6, 2022 be adopted as presented.

Carried

DELEGATIONS:

- 1) Jeff Edwards, Phoenix Emergency Management Logic (PEML) attended in person to present a proposal for contract extension for 2023 – 2015 for Emergency Management services and Community Emergency Management Co-ordinator services for the Town of Spanish. Jeff reviewed some of the activities performed over the past 3 years, as well as proposed activities for the next three years.

RESOLUTION #22-04-02

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT Mr. Jeff Edwards be thanked for his presentation; And further that the CAO prepare a by-law to enter into an agreement with Phoenix Emergency Management Logic (PEML) to provide Community Emergency Management Coordinator (CEMC) services, be available for emergency response, and advance the municipality’s emergency management program for review at the next regular Council meeting; And further that the expense for this service be funded through the Funded Community Well-Being Reserve;

Carried

2) Imad Alvi, Asset Management Consultant, PSD Citywide Inc. attended via Zoom to present the Final Asset Management Plan which was recently completed under the Federation of Canadian Municipalities' (FCM) Municipal Asset Management Program (MAMP). Imad reviewed the context and need for Asset Management and how the Town faces the same issues as other municipalities across the country when it comes to aging infrastructure, limited funding and climate change. The steps that the Town has taken regarding Asset Management and Ontario Regulation 588/17 requirements were reviewed. Recommendations and next steps were discussed:

1. Continue to review and refine asset inventory in consultation with internal departments/ stakeholders.
2. Prepare for O. Reg 588/17 2024 and 2025 requirements.
3. Continuous improvement and regular review.

RESOLUTION #22-04-03

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT Mr. Imad Alvi be thanked for his presentation;
 And further that Council accept the 2021 Asset Management Plan as prepared by PSD Citywide;
 And further that the document be posted on the Town's web-site.

Carried

TENDERS – Algoma Street/Colonization Road Rehabilitation Phase 11

Results:

Leroy Construction	\$901,471.60
Denis Gratton Construction	\$715,178.13
Beamish Construction	\$959,889.80
Belanger Construction	\$864,277.39
J.I. Enterprises	\$889,816.81

RESOLUTION #22-04-04

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT Chris Kirby, Project Manager be invited to the April 20, 2022 Council meeting to discuss the tender results for the Algoma Street/Colonization Road Rehabilitation Phase 11 project.

Carried

MINUTES OF PREVIOUS MEETING(S):

RESOLUTION #22-04-05

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT the minutes of the regular meeting of March 16, 2022 be adopted as presented.

Carried

INFORMATION AND ACTION ITEMS:

RESOLUTION #22-04-06

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT the following proceeds from the recent surplus sale be transferred to the following reserves:

Roads Funded Reserve	\$3,504.42	trackless, skid steer, air compressor, steam roller, sander for pickup
Marina Funded Reserve	\$ 177.00	golf cart
Fire Funded Reserve	\$4,287.61	2 fire vehicles

Carried

RESOLUTION #22-04-07

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT Spring Clean Up Day be held on Friday, May 27th, 2022 conditional upon the availability of GFL

Carried

RESOLUTION #22-04-08

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT the fee for initial pool fill ups using a fire hydrant be set at \$200.00, with the following conditions:

1. Town forces or their agents must be on site to open the hydrant,
2. the homeowner must pay in advance, and
3. The homeowner must sign a waiver that they accept the quality of the water.

Carried

RESOLUTION #22-04-09

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT that the Treasurer be authorize to commence the Tax Registration process for all property improved and vacant that are in arrears of taxes two years or more as of January 1, 2022, except those that would not be in the municipality's financial interest to proceed with registration or where payment arrangements have been made

Carried

RESOLUTION #22-04-10

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT a public meeting be held on Monday, May 9, 2022 at 7 p.m. at the Spanish Four Seasons Waterfront Complex to receive input from the Public regarding the renaming of Colonization Road.

Carried

RESOLUTION #22-04-11

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT the CAO's report of April 6, 2022 be accepted as being presented.

Carried

RESOLUTION #22-04-12

MOVED BY: Sandra Trudel

SECONDED BY: Mary-Louise Zarichney

BE IT RESOLVED THAT the Public Works – March 2022 Workplan 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 – March 24 – E4M Workshop, March 28 – Public Works

Debra Joncas - n/a

Sandra Trudel – March 22 – ELNOS Board

Mary-Louise Zarichney – March 21 – Recreation Advisory Committee, March 24 – E4M Workshop, March 28 – Public Works

Jocelyne Bishop – March 24 – E4M Workshop, April 5 – East Algoma CFDC, April 5 – Ste-Anne

INFORMATION AND ACTION ITEMS

RESOLUTION #22-04-13

MOVED BY: Mary-Louise Zarichney

SECONDED BY: Sandra Trudel

BE IT RESOLVED THAT the correspondence and registration for the 2022 FONOM Conference being held in North Bay May 9-11, 2022 be noted as being presented.

Carried

RESOLUTION #22-04-14

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT Mayor Bishop be authorized to attend the AMO 2022 Annual General Meeting and Conference being held in Ottawa August 14 – 17, 2022; And further the expenses be reimbursed as per the remuneration by-law.

Carried

RESOLUTION #22-04-15

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT as per the recommendation of the Planning & Economic Development Committee that the following Administrative Amendment to Zoning By-Law #2018-62 be approved as follows:

Page 88 – 4.9 Frontage on a Street #2 – Through a covenant on “title”

Carried

RESOLUTION #22-04-16

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT the Public Works Committee minutes of March 28, 2022 be accepted as presented and that the comments regarding 35 John Street be forwarded to the Planner.

Carried

RESOLUTION #22-04-17

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT correspondence received from Huron North Community Economic Alliance be noted as being presented.

Carried

RESOLUTION #22-04-18

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT Limestone Partners Canada Inc be thanked for their offer to create a Community Profile for the Town of Spanish at a discounted price; And further that they be advised that Council is not interested at this time.

Carried

CORRESPONDENCE/INFORMATION – no action required

RESOLUTION #22-04-19

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

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

- a. Ontario Clean Water Agency – Spanish Lagoon 2021 Annual Report
- b. Ministry of the Solicitor General – 2021 Compliance – Emergency Management and Civil Protection Act

- c. Spanish Recreation Advisory Committee – Minutes of March 21, 2022
- d. Algoma District Municipal Association – Special Spring Meeting Minutes – Feb. 26, 2022
- e. Ministry of Municipal Affairs and Housing – 2022 Annual Repayment Limit (ARL)

Carried

BY-LAWS –

RESOLUTION #22-04-20

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT a By-Law to Adopt the Terms and Conditions of a Tax Extension Agreement – Dugas Street 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 #2022-16 and be engrossed in the by-law book.

Carried

RESOLUTION #22-04-21

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT a By-Law to Adopt the Terms and Conditions of a Tax Extension Agreement – Hamilton Street 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 #2022-17 and be engrossed in the by-law book.

Carried

NEW BUSINESS – None

QUESTION PERIOD – None

MOTIONS/NOTICE OF MOTIONS – None

CLOSED SESSION:

RESOLUTION #22-04-22

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT we do now go into closed session for the following purposes:

- A proposed or pending acquisition or disposal of land by the municipality or local board under Section 239 (2)(c) of the *Municipal Act*,
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Carried

CLOSED SESSION – TIME IN: 8:40 p.m.

CLOSED SESSION – TIME OUT: 9:46 p.m.

RESOLUTION #22-04-23

MOVED BY:

SECONDED BY:

BE IT RESOLVED THAT we return to open session.

Carried

Mayor Bishop declared a conflict of interest on an item in Closed Session regarding a Zoning By-Law Amendment – 35 John Street under Section 239(2)(f) for the purpose of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. Material related to this item was not distributed to Mayor Bishop and she left the room during discussion of the item. Mayor Bishop provided her declaration in writing, which is appended to these minutes, as well as the minutes of the closed session.

RESOLUTION #22-04-24

MOVED BY:

SECONDED BY:

BE IT RESOLVED THAT the CAO be authorized to get a legal opinion regarding adding a condition to the sale of surplus land requiring development or building with a specified time limit.

Carried

CONFIRMATION BY-LAW

RESOLUTION #22-04-25

MOVED BY: Debra Joncas

SECONDED BY: Karen Von Pickartz

BE IT RESOLVED THAT a by-law being a confirmation by-law regarding a regular meeting of council held on the 6th day of April, 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 #2022-18 and be engrossed in the by-law book.

Carried

RESOLUTION #22-04-26

MOVED BY: Karen Von Pickartz

SECONDED BY: Debra Joncas

BE IT RESOLVED THAT we do now adjourn to meet again on Wednesday, April 20, 2022 at 7:00 p.m., in the Council Chambers for Regular Meeting of Council or at the call of the Mayor.

Carried

The meeting adjourned at 9:52 p.m.



Jocelyne Bishop, Mayor



Pam Lortie, CAO/Clerk-Treasurer

Declaration of Interest – Municipal Conflict of Interest Act

Meeting Date: April 6, 2022

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

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

Council Agenda No. 13

Item Title: Go into closed Session (Section 239(2)(f))
Zoning By-Law Amendment - 35 John Street

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).