



## Municipality of French River

### MINUTES OF THE REGULAR MEETING OF COUNCIL

held in the Council Chambers  
Wednesday, June 22, 2016 at 6pm

#### **Members Present:**

Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Ronald Garbutt, Malcolm Lamothe, Denny Sharp, Dean Wenborne

#### **Members Excused:**

Councillor Gisèle Pageau

#### **Officials Present:**

John Regan, Chief Administrative Officer  
Mélanie Bouffard, Clerk  
Tom Ng, Treasurer/Tax Collector  
Robert Martin, Parks, Recreation & Facilities Manager  
Carlie Zwiers, Executive Assistant

#### **Guests:**

9 Members of public

#### **1. Call to order, roll call and adoption of the agenda**

The Chair called the meeting to order at 6:00 p.m.

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Moved By Ron Garbutt and Seconded By Malcolm Lamothe

Resol. 2016- 188

**BE IT RESOLVED THAT** the agenda be approved as distributed.

Carried

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#### **2. Moment of reflection**

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#### **3. Disclosure of Pecuniary Interest**

None declared.

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#### **4. Delegations**

##### **4.1 French River Snowmobile Association, Improvements to Boisvenue Rd (part of 'C' Trail)**

Cathy Kazimer, the new President and John Kazimer, Vice President of the French River Snowmobile Association are seeking the Municipality's interest and permission to do repairs to Boisvenue Road to mitigate the continuous water problem in order to improve the snowmobile trail.

The 'C' snowmobile trail is located on Boisvenue Road which was closed in 2010 since it required significant repairs and was not an essential road.

As a portion of the road is an important link to the snowmobile trail as well as the multi-use trail, the group would like to partner with the Municipality to improve a section of the road to reduce hazard for users and trail

maintenance. A funding opportunity exists and the application deadline is September 1<sup>st</sup>.

A meeting will be scheduled with Municipal Staff and the French River Snowmobile Association in order to gather additional information and consider options for repair and partnership to produce a report to be presented at the Public Works & Environmental Committee for consideration.

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## **5. Management, Committee and Board Reports**

### **5.1 Mayor's Report**

The Mayor gave a verbal report.

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### **5.2 Chief Administrative Officer**

The CAO informed that the Planner has accepted a new position and has resigned from the Sudbury East Planning Board, the study on the West Nipissing boundary realignment is still ongoing, a meeting is scheduled with MP Marc Serré related to the fibre optic project with partnering municipalities and Dokis First Nation and that the MNR has advised of changes to the access to 18 Mile Island.

The CAO reported that the matter with MTO related to Golf Course Rd has been resolved. The matter was ongoing since April 2013 when damage was caused by a detour during a half load period. The discussions related to the negotiations and potential litigation were held in closed session; the Ministry have agreed to repair the damages to the road and the work will be performed this summer.

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### **5.3 Finance Department**

#### **5.3.1 Monthly Disbursements Report**

The Treasurer reported that the total disbursements for the months of April 2016 were in the amount of \$492,097.04.

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#### **5.3.2 Information Report - Reserves Funds to pay off Municipal Debt**

The Treasurer presented the report, based on the analysis and information gathered from consultants, it was recommended that the Municipality should not apply its reserve balances to existing debts.

Moved By Denny Sharp and Seconded By Dean Wenborne

Resol. 2016- 189

**BE IT RESOLVED THAT** Council receives the Treasurer's Report - Reserves Funds to pay off Municipal Debt and agrees to revisit the options and information after the Operations and Financial Review Report by KPMG.

Carried

## **5.4 Public Works & Environmental Department**

### **5.4.1 Action Report - Resolution to Award Engineering Services Contract**

Moved By Dean Wenborne and Seconded By Ron Garbutt

Resol. 2016- 190

**BE IT RESOLVED THAT** Council awards the Engineering Services Contract to Stantec for a period of three (3) years with options for two renewals.

Carried

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### **5.4.2 Verbal Report - Committee Advising on Recycling Ecologically (CARE)**

Councillor Malcolm Lamothe, Chair of the CARE committee reported on their first meeting on June 9<sup>th</sup>. The committee agreed that the key to improve the current system is education. The next meeting was scheduled for June 23<sup>rd</sup>. The minutes of the meetings will be shared with Council at the July meeting.

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## **6. Consent Agenda**

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2016- 191

**BE IT RESOLVED THAT** Council approves the Items of the Consent Agenda under Sections 6.1, 6.3 and 6.5 and receives the Items under Sections 6.2 and 6.4.

Carried

**Items 6.5.1, 6.5.2, 6.5.3 were taken out of the Consent Agenda to allow debate.**

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## **6.1 Adoption of Minutes by Resolution**

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2016- 192

**BE IT RESOLVED THAT** Council adopts the following minutes as presented:

Regular Council Meeting held June 8, 2016

Carried

## **6.2 Minutes Received by Resolution**

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2016- 193

**BE IT RESOLVED THAT** Council receives the following minutes as presented:

Sudbury East Planning Board held May 19, 2016

Carried

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## **6.3 Award of Tenders and Request for Proposals by Resolution**

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## **6.4 Correspondence for Council's Information Received by Resolution**

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## **6.5 Adoption of By-laws by Resolution**

**The following By-laws were read and adopted:**

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**6.5.1 Item was separated from the Consent Agenda to allow debate.**

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**6.5.2 Item was separated from the Consent Agenda to allow debate.**

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**6.5.3 Item was separated from the Consent Agenda to allow debate.**

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## **6.5.4 Confirmation By-law**

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2016- 194

**BE IT RESOLVED THAT** By-law 2016-28, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on June 22, 2016 be read a first, second and third time and finally passed.

Carried

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## **Items separated from the Consent Agenda to allow debate**

### **6.5.1 Tax Ratios By-law**

Moved By Michel Bigras and Seconded By Ron Garbutt

Resol. 2016- 195

**BE IT RESOLVED THAT** By-law 2016-25, being a by-law to establish the tax ratios for the year 2016 be read a first, second and third time and finally passed.

Carried

### **6.5.2 Final Tax Levy By-law**

Moved By Michel Bigras and Seconded By Ron Garbutt

Resol. 2016- 196

**BE IT RESOLVED THAT** By-law 2016-26, being a by-law to provide for the adoption of the current estimates and tax rates, and to further provide for penalty and interest in default of payment thereof for the year 2016 be read a first, second and third time and finally passed.

Carried

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### **6.5.3 Zoning By-law Amendment (Lukasz Piotrowski)**

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2016- 197

**BE IT RESOLVED THAT** By-law 2016-27, being a by-law to amend zoning by-law 2014-23, as amended (Lukasz Piotrowski) be read a first, second and third time and finally passed.

Defeated

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## **7. Correspondence for Council's Consideration**

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### **7.1 French River Cultural Industries Council / RubberBoot Festival, August 13, 2016, Request to close portions of streets**

Moved By Ron Garbutt and Seconded By Malcolm Lamothe

Resol. 2016- 198

**BE IT RESOLVED THAT** Council authorizes a road closure at the corner of St. Antoine and Champlain Streets to the corner of St. Antoine and St. Christophe Streets during the RubberBoot Festival event of August 13, 2016.

Carried

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### **7.2 Town of Aurora, Request for support relating to the OMB Reform**

Moved By Michel Bigras and Seconded By Dean Wenborne

Resol. 2016- 199

**WHEREAS** the Municipalities spend an incredible amount of resources and taxpayer money developing an Official Plan; and

**WHEREAS** the Official Plan is ultimately approved by the Province; and

**WHEREAS** it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the Municipality's Official Plan; and

**WHEREAS** it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Municipality’s Official Plan; and

**WHEREAS** planning decisions may be appealed to the Ontario Municipal Board (“OMB”), an unelected, appointed body that is not accountable to the residents of the Municipality; and

**WHEREAS** appeals of OMB decisions are limited to questions of law, not the findings of facts in a case; and

**WHEREAS** all decisions—save planning decisions—made by Municipal Council are similarly only subject to appeal by judicial review and such appeals are limited to questions of law;

**NOW THEREFORE BE IT HEREBY RESOLVED THAT** the Council of the Municipality of French River supports the Town of Aurora’s resolution requesting the Government of Ontario to limit the jurisdiction of the OMB to questions of law or process; and

**BE IT FURTHER RESOLVED THAT** that the Government of Ontario be requested to require the OMB to uphold any planning decisions of Municipal Councils unless they are contrary to the processes and rules set out in legislation; and

**BE IT FURTHER RESOLVED THAT** a copy of this Motion be sent to the Town of Aurora.

Councillor Michel Bigras requested a Recorded Vote.

	FOR	AGAINST
COUNCILLOR Michel Bigras	x	
COUNCILLOR Ron Garbutt		x
COUNCILLOR Malcolm Lamothe		x
COUNCILLOR Denny Sharp	x	
COUNCILLOR Dean Wenborne		x
MAYOR Claude Bouffard	x	

Defeated

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### **7.3 Information on the Division of the ROMA and OGRA Conference**

Moved By Dean Wenborne and Seconded By Malcolm Lamothe

Resol. 2016- 200

**BE IT RESOLVED THAT** Council directs staff to write a letter to ROMA indicating the Municipality of French River’s concerns of the division of the ROMA/OGRA Conference.

Councillor Michel Bigras requested a Recorded Vote.

	FOR	AGAINST
COUNCILLOR Michel Bigras		x
COUNCILLOR Ron Garbutt	x	
COUNCILLOR Malcolm Lamothe	x	
COUNCILLOR Denny Sharp	x	
COUNCILLOR Dean Wenborne	x	
MAYOR Claude Bouffard	x	

Carried

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### **8. Addendums**

None.

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### **9. Notices of Motion**

None.

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### **10. Announcement and Inquiries**

The Members of Council and staff who attended the Opening of Museum and Unveiling Ceremony in Dokis shared their experience.

Sylvia Tomlinson, of Noëlville, commented on the Fire Ban and shared that it can be posted on the website of the MNR 'Outdoor fire restrictions' and questioned if the application of calcium was completed, the liquid calcium is complete, the application of calcium flakes will be done on those roads that could not be accessed by the large truck.

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### **11. Closed Session**

Moved By Dean Wenborne and Seconded By Michel Bigras Resol. 2016- 201

**BE IT RESOLVED THAT** the meeting be closed as authorized in Section 239 of the *Municipal Act*, to discuss the following:

(b) personal matters that would identify municipal employees

Carried

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Moved By Ron Garbutt and Seconded By Denny Sharp Resol. 2016- 203

**BE IT RESOLVED THAT** the open session reconvenes at 8:24 p.m.

Carried

**12. Adjournment**

Moved By Dean Wenborne and Seconded By Malcolm Lamothe

Resol. 2016- 204

**BE IT RESOLVED THAT** the meeting be adjourned at 8:25 p.m.

Carried

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**MAYOR**

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**CLERK**