

TOWN OF FORT FRANCES

MINUTES

SESSION NO. 80

December 13, 2021

The meeting of Council of the Town of Fort Frances was held in the Council Chambers , Civic Centre on December 13, 2021

PRESENT: Mayor J. Caul, Chairperson; Councillors M. Behan, W. Brunetta, A. Hallikas, D. Judson, J. McTaggart and R. Wiedenhoeft.

ALSO PRESENT: F. Anwar, CAO, G. Lecuyer Clerk, K. Haney, Deputy Clerk. D. Galusha, Treasurer, J. Holliday, Deputy Treasurer, C. Vangel, Chief Building Inspector/Municipal Planner, T. Rob, Manager of Operations & Facilities, A. Bisson, Recreation & Culture Manager, T. Moffit, Fire Chief, Alyssa Hansma, HR Manager

1. COUNCIL MEETING

(Session No.80) to immediately follow the Committee of the Whole

1.1 Call to Order/Roll Call

Mayor Caul called the meeting to order at 7:05 p.m.

1.2 Territorial Acknowledgement

1.3 Moment of Meditation

1.4 Disclosure of pecuniary interest and the general nature thereof.

Councillor Judson declared a conflict on item 10.1 of the Committee of the Whole relating to the Integrity Commissioner report. The General Nature: he is presently engaged in litigation with the member of council who is the subject of the Integrity Commissioner's report.

Mayor Caul advised that she will defer to Deputy-Mayor Hallikas for the motion being presented for Council consideration relating to the Integrity Commissioner report as it pertains to her.

2. Consent Agenda:

2.1 Items Referred from Committee of the Whole

837 McTaggart - Hallikas THAT the following Consent items be approved:

1. Committee of the Whole Consent items # ~~5.1~~, ~~5.2~~, 5.3, 5.4, ~~5.5~~, 5.6, 5.7, 5.8, ~~5.9~~

CARRIED

3. Approval of Council Minutes: *

3.1 Session No. 78 November 22, 2021

838 Judson - Behan THAT the minutes of the Council meeting being Session Nos. 078 respectively dated November 22, 2021, having been typed and distributed be approved **as amended**.

CARRIED

4. Approval of Committee of the Whole Minutes: *

- 839 Wiedenhoeft - McTaggart THAT the reports of the Committee of the Whole of Council meetings being Session No. 086 dated November 22, 2021, having been typed and distributed be approved.

CARRIED

5. Resolutions from tonight's Committee of the Whole meeting

- 5.1 **Mayor Caul vacated her seat relating to resolution 849 and Deputy Mayor Hallikas assumed the Chair**

Resolutions from the Committee of the Whole are as follows:

- 840 Brunetta - Hallikas THAT the report dated December 6, 2021 from By-law Enforcement Officer re Best for Kitty be referred back to the Planning and Development Executive Committee.

As amended.

CARRIED

- 841 Behan-Wiedenhoeft: THAT the report received December 6, 2021 from By-law Enforcement Officer re Single Use Plastics Postponement be approved to agree with the recommendation of the Planning and Development Executive Committee to accept the report as presented and have an amending By-Law prepared for signing by the Mayor & Clerk.

Recorded vote called by Councillor Judson

	Yea	Nay	Disclosure of Interest
M. Behan	X		
W. Brunetta	X		
J. Caul	X		
A. Hallikas	X		
D. Judson		X	
J. McTaggart	X		
R. Wiedenhoeft	X		

CARRIED

- 842 Hallikas-Wiedenhoeft: THAT the report dated December 8, 2021 from the Manager of Operations and Facilities re: Development of a Splash pad be approved to agree with the recommendation of the Operations and Facilities Executive Committee that 1. Council selects a final location for the development of a splash pad to allow planning to begin for the future construction. 2. Administration use 2022 to plan for the construction of a splash pad development in Fort Frances. 3. That funds be considered in the 2022 capital budget for the design of related infrastructure to support a future splash pad at the desired location. 4. That Administration watch for grant opportunities in 2022 to offset the costs related to the development of a splash pad and apply for funding as it comes available. 5. That council put out a public call for a group to spearhead the development of a splash pad in Fort Frances with the assistance of Town Administration. 6. That the Traffic Safety Committee review the proposed development at the Legion Park and make recommendation on measures to improve safe pedestrian and vehicular access.

CARRIED

- 843 Behan-McTaggart THAT on the recommendation of the Economic Development Executive Committee, that Council endorses the submission for Fort Frances Power Corporation to the IESO, Northwest 2021 Integrated Regional Resource Plan and that Council directs the Clerk to send it to the Minister of Energy and our MPP, with

a covering letter acknowledging Council's full support of the FFPC and summarizing the importance of the FFPC to the economy of Fort Frances.

As amended.

CARRIED

- 844 Behan-Hallikas: THAT the report dated November 24, 2021 from Fire Chief/CEMC re: Amendment to 2022 Emergency Services User Fees & Charges be approved to agree with the recommendation of the Administration & Finance Executive Committee to receive the report as presented and to bring forward the By-Law to approve the amendments to 2022 user fees and charges for the Emergency Services.

CARRIED

- 845 McTaggart-Wiedenhoeft: THAT the report dated December 8, 2021 from Municipal Clerk re: Invoices submission for Legal / Service from Integrity Commissioner be approved to agree with payment of Invoices from the Integrity Commissioner number FF026 and FF027 for services in the amount of \$36,250.50.

As amended.

CARRIED

- 846 Judson-Behan: THAT the report dated December 13, 2021 from the Manager of Recreation and Culture be approved to agree with the recommendation of the Recreation and Culture Manager to find an operator for the canteen at the Memorial Sports Centre and enter into an agreement based on the criteria in option 2 or 3, whichever allows the greatest benefit to the public and facility.

CARRIED

- 847 Judson-Wiedenhoeft: THAT the report dated December 8, 2021 from the Manager of Operations and Facilities re: Approval of Minutes of Settlement between the Town of Fort Frances and Ontario be approved to agree with the recommendation of administration that the attached Minutes of Settlement be approved by Council and further that an authorizing By-Law be prepared to authorize the Mayor and Clerk to sign the minutes of settlement on behalf of the organization.

CARRIED

- 848 Behan-McTaggart: THAT the report dated September 2, 2021 re Opportunity for Tax Incentives be approved to agree with the recommendation of the Economic Development Executive Committee to develop a model for a proposed tax/economic development incentive zone for Fort Frances to be presented to council at a future meeting.

CARRIED

- 849 Behan-Hallikas: THAT Council agree with the recommendation from the Integrity Commissioner and receive the report as information.

As amended.

CARRIED

6. By-Laws:

6.1 Mayor Caul assumed the chair.

THAT the following by-laws be introduced and read, and finally passed, signed by the Mayor and Clerk, sealed with the Corporate Seal and become law forthwith:

- 850 McTaggart-Hallikas: •64/21 Being a by law to approve a funding agreement with Northern Ontario Heritage Fund Corporation (NOHFC) under the Community Enhancement Program (Rural Enhancement Stream) Project Number: 7510005 – Airport

- 65/21 Being a by-law to authorize the execution of an Agreement between The Corporation of The County of Wellington and the Corporation of the Town of Fort Frances re: My Story, My Tattoo
- 66/21 Being a by-law to impose certain user fees for the Corporation of the Town of Fort Frances
- 67/21 Being a by-law to authorize a Letter of Understanding (Extension) with the Township of Alberton regarding Dog By-law Enforcement Service
- 68/21 Being a by law to approve a funding agreement with Northern Ontario Heritage Fund Corporation (NOHFC) under the Community Enhancement Program (Rural Enhancement Stream) Project Number: 7510009 – FF Senior's Centre Expansion
- 69/21 Being a by law to authorize the execution of an Agreement between The Honeywell Process Solutions- Smart Energy- Elster Solutions, LLC and the Corporation of the Town of Fort Frances
- 70/21 Being a by law to authorize the Mayor and Clerk to sign the minutes of settlements with the Ministry of Environment, Conservation and Parks re: Appeal of conditions on a municipal drinking water license for the Town of Fort Frances drinking water system

CARRIED

7. New Items:

- 7.1 Motion for consideration re: Submission to Rainy River District Municipal Association - Fort Frances International Falls Bridge

851 Behan-Hallikas: WHEREAS Council of the Town of Fort Frances ("Town") adopted a resolution on June 14, 2021 voicing its concerns about the future of the International Bridge connecting Fort Frances, Ontario and International Falls, Minnesota, a copy of which is attached as Schedule "A";

AND WHEREAS Transport Canada has provided an opportunity for the Town to provide comments on the proposed sale of the International Bridge, which the Town did, by letter dated December 9, 2021, a copy of which is attached as Schedule "B" to this resolution;

AND WHEREAS Council continues to have serious concerns and reservations that the sale of the International Bridge may not appropriately respect the critical economic, social, and community role of the International Bridge for the Town, the Rainy River District and Northwestern Ontario;

AND WHEREAS the Town is concerned that Transport Canada's consultation on the sale of the bridge has not sufficiently canvassed input from other regional communities and stakeholders;

NOW THEREFORE, Council resolves that:

1. The Town calls on Transport Canada to require the new owner of the bridge to accept conditions on the license or approval of the new ownership of the International Bridge, such as codified terms which:
 - a. guarantee its continued long-term and safe use;
 - b. fix a ceiling on the price structure of tolls, require favorable tolls for local residents and Indigenous communities, and require a plan to lower tolls over the long-term;
 - c. require that the new owner develop and maintain an asset management plan and fund for the bridge, with such fund changing hands with the bridge in the future if it is sold; and
 - d. give the federal and provincial government a first right of refusal to acquire the bridge, should it be sold or offered for sale in the future, and that the federal and provincial governments prioritize making the bridge a public, toll-free asset in the future;
2. A copy of this resolution, together with its schedules, be forwarded to the Rainy River District Municipal Association and the Kenora District Municipal Association requesting that their association adopt a similar resolution of support for these concerns; and

3. A copy of this resolution, together with its schedules, be forwarded to all other recipients identified in Schedule "A".
As amended.

CARRIED

8. Information Correspondence:

- 8.1 The following items were received.
CORR: Support FONOM Request Re: Municipal Land Transfer Tax as Revenue Tool
- 8.2 CORR: Northern Community Development Services re: Single Use Plastic By-Law
- 8.3 CORR: Township of Amaranth re: MPAC Assessment
- 8.4 CORR: NOMA November 24, 2021 Board Meeting Report to Membership

9. Minutes of Local Boards / Committees:

- 9.1 The following items were received.
Planning & Development Executive Committee - November 15, 2021
- 9.2 Community Services Executive Committee - November 15, 2021
- 9.3 Administration & Finance Executive Committee - November 16, 2021
- 9.4 Operations & Facilities Executive Committee - November 17, 2021
- 9.5 Economic Development Executive Committee - November 3, 2021

10. In-Camera:

- 10.1 Council proceeds in closed session at 7:35 p.m.

852 Judson-Wiedenhoeft: THAT Council now meet in-camera to address a matter pertaining to: litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; The Corporation of the Town of Fort Frances v. Lloyd's Underwriters

CARRIED

- 10.2 The following Staff members were present, CAO F. Anwar, Clerk Gabrielle Lecuyer, Deputy Clerk Karyn Haney. Presenting Marcus Snowden, Brian Lau (Legal Counsel) and Doug Brown. A confidential report was received by Doug Brown. Council was provided an opportunity for clarification and questions. Legal Counsel was provided direction to proceed as discussed. A motion for Council consideration will follow the closed session.

11. Public Session Resumes: 8:06 p.m.

12. Resolutions Required as a result of In-Camera discussions:

- 12.1 Motion following the closed session

854 Behan-McTaggart: THAT Council provides direction to Legal Counsel per the recommendation in the closed session

CARRIED

13. ADJOURNMENT:

13.1 The meeting adjourned at 8:07 p.m.

855 Brunetta-Behan: THAT this meeting of the Council of the Town of Fort Frances be now closed.

CARRIED

14. * Previously distributed to Council

15. ** Items can be viewed by contacting the Clerk

J. Caul, Mayor

_____, Chairperson

G. Lecuyer, Clerk