

## TOWN OF FORT FRANCES

### MINUTES

SESSION NO. 073

August 9, 2021

The meeting of Council of the Town of Fort Frances was held virtually on August 9, 2021 from 7:06 p.m. to 8:49 p.m.

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

ALSO PRESENT: D. Brown, CAO, E. Slomke, Clerk, T. Rob, Manager of Operations & Facilities (7:06-7:31), A. Bisson, Recreation & Culture Manager (7:06-7:31), J. Holliday, Deputy Treasurer (7:06-7:31), C. Vangel, CBO / Municipal Planner (7:06-7:34), J. Hughes, IT Manager (7:06-7:31) and J. Forbes, Human Resources Manager (7:06-7:31 and 7:37-7:47)

### **1. COUNCIL MEETING**

(Session No. 073) to immediately follow the Committee of the Whole

- 1.1 Call to Order at 7:06 p.m.
- 1.2 Territorial Acknowledgement
- 1.3 Moment of Meditation
- 1.4 Disclosure of pecuniary interest and the general nature thereof - None.

### **2. Consent Agenda:**

- 2.1 Items Referred from Committee of the Whole

748 Behan - Brunetta: 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, 5.10, 5.11, 5.12 and 5.13.
- 2. Council Consent item # 2.2.

CARRIED

- 2.2 Letter from R. & B. Williams, First Street West residents re: Request Sidewalk Extension  
- will be referred to the Operations & Facilities Executive Committee for recommendation.

### **3. Approval of Council Minutes: \***

- 3.1 Session Nos. 070, 071 and 072 respectively dated July 6, 2021, July 12, 2021 and July 14, 2021

- Councillor Judson requested that the July 14 meeting minutes be considered separately and called for a recorded vote, with the following results:

Behan - YEA Brunetta - YEA Caul - YEA Hallikas - YEA  
Judson - NAY McTaggart - YEA Wiedenhoeft - YEA

749 Hallikas - Judson: THAT the minutes of the Council meeting being Session Nos. 070 and 071 respectively dated July 6, 2021 and July 12, 2021, having been typed and distributed be approved.

CARRIED

750 Brunetta - Behan: THAT the minutes of Session No 072 dated July 14, 2021 having been typed and distributed be approved.

CARRIED

**4. Approval of Committee of the Whole Minutes: \***

4.1 Session No. 079 dated July 12, 2021

751 Judson - McTaggart: THAT the reports of the Committee of the Whole of Council meetings being Session No. 079 dated July 12, 2021, having been typed and distributed be approved.

CARRIED

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

5.1 Council considered the following resolutions:

-Councillor McTaggart requested a recorded vote on resolution 761 with the following results:

Behan - YEA Brunetta - NAY Caul - NAY

Hallikas - YEA Judson - NAY McTaggart - NAY

Wiedenhoeft - YEA

752 Wiedenhoeft - McTaggart: THAT the presentation of the Draft 2020 Audited Financial Statements by Jon Evans, C.A. from BDO Canada LLP be received.

CARRIED

753 McTaggart - Judson: THAT the Corporation of the Town of Fort Frances Draft Consolidated Financial Statements for the year ended December 31, 2020 as prepared by BDO Canada LLP be hereby approved.

CARRIED

754 Judson - Hallikas: THAT the verbal update on the mill demolition from J. Norton, President, Canadian National Demolition be received with thanks.

CARRIED

755 Hallikas - Brunetta: THAT the Tree and Garden Project presentation from J. MacLean, CEO, Fort Frances Public Library and Technology Centre be received with thanks and further referred to the Operations & Facilities Executive Committee for recommendation.

CARRIED

756 Brunetta - Behan: THAT the report dated August 9, 2021 from D. Galusha, Treasurer re: 357/358 Application for Tax Adjustment (110 First St. E.) be approved to agree with the recommendation of the Administration & Finance Executive Committee to process the adjustment for 2021 taxes under Section 357/358 of the Municipal Act for property located at 110 First St. E. resulting from the partial demolition from the west side of the building.

CARRIED

757 Behan - Wiedenhoeft: THAT the report dated August 9, 2021 from D. Galusha, Treasurer re: 357/358 Application for Tax Adjustment (202 Second St. E.) be approved to agree with the recommendation of the Administration & Finance Executive Committee to process the adjustment for 2021 taxes under Section 357/358 of the Municipal Act for property located at 202 Second St. E. resulting from the partial demolition from the sale of the property and thus a reallocation from commercial to residential.

CARRIED

758 Wiedenhoeft - Judson: THAT the report dated August 9, 2021 from D. Galusha, Treasurer re: 357/358 Application for Tax Adjustment (814 Scott St.) be approved to agree with the recommendation of the Administration & Finance Executive Committee to process the adjustment for 2021 taxes under Section 357/358 of the Municipal Act for property located at 814 Scott St. resulting from the demolition of all structures.

CARRIED

759 McTaggart - Hallikas: THAT the report dated August 9, 2021 from D. Galusha, Treasurer re: 357/358 Application for Tax Adjustment (319 First St. E.) be approved to agree with the recommendation of the Administration & Finance Executive Committee to process the adjustment for 2021 taxes under Section 357/358 of the Municipal Act for property located at 319 First St. E. resulting from the demolition of the residence with a small garage remaining.

CARRIED

760 Judson - Brunetta: THAT the report dated August 9, 2021 from D. Galusha, Treasurer re: 357/358 Application for Tax Adjustment (515 Second St. W.) be approved to agree with the recommendation of Administration to process the adjustment for 2021 taxes under Section 357/358 of the Municipal Act for property located at 515 Second St. W. resulting from a fire.

CARRIED

761 Behan - Hallikas: THAT the report dated August 3, 2021 from A. Bisson, Recreation & Culture Manager re: Fort Frances Senior Centre Name Change be approved to agree with the recommendation of the Community Services Executive Committee to move forward with the name change recommendations.

DEFEATED

762 Behan - Wiedenhoeft: THAT the letter dated July 22, 2021 on behalf of the Fort Frances Police Services Board be received with thanks, and further Council hereby supports the submission to the 2021-2022 Ontario CCTV Grant Program as recommended by the Fort Frances Police Services Board acknowledging that the Town's portion of the contribution could be up to a maximum of \$200,000.00.

CARRIED

## **6. By-Laws:**

6.1 By-law 38/21 being a by-law to authorize the execution of a site plan control agreement as a condition of development with Ryan Lundy (8th Street East).

763 McTaggart - Wiedenhoeft: THAT the following by-laws be introduced and read a first, second and third time, be finally passed, signed by the Mayor and Clerk, sealed with the Corporate Seal and become law forthwith:

- 38/21 being a by-law to authorize the execution of a site plan control agreement as a condition of development with Ryan Lundy
- 39/21 being a by-law to repeal by-law 37/20, being a by-law to authorize execution of a site plan control agreement as a condition of development with Friesen Five Inc.
- 40/21 being a by-law to approve an agreement with Stantec Consulting Ltd. for an Ice Plan Feasibility Study at Memorial Sports Centre
- 41/21 being a by-law to authorize the execution of an agreement with FerPal Construction for Trenchless Watermain Relining within the Town of Fort Frances awarded through the public tender process
- 42/21 being a by-law to approve an agreement with Tom Jones Corporation awarded through the tender process
- 43/21 being a by-law to approve an agreement with Miller Environmental Corporation awarded through the tender process

- 44/21 being a by-law to approve an employment agreement with Faisal Anwar and for his appointment as Chief Administrative Officer for the Town of Fort Frances

CARRIED

- 6.2 By-law 39/21 being a by-law to repeal by-law 37/20, being a by-law to authorize execution of a site plan control agreement as a condition of development with Friesen Five Inc. (814 Scott Street)
- 6.3 By-law 40/21 being a by-law to approve an agreement with Stantec Consulting Ltd. for an Ice Plan Feasibility Study at Memorial Sports Centre (RFP 21-OF-03).
- 6.4 By-law 41/21 being a by-law to authorize the execution of an agreement with FerPal Construction for Trenchless Watermain Relining within the Town of Fort Frances awarded through the public tender process (21-OF-09).
- 6.5 By-law 42/21 being a by-law to approve an agreement with Tom Jones Corporation awarded through the tender process (21-OF-11).
- 6.6 By-law 43/21 being a by-law to approve an agreement with Miller Environmental Corporation awarded through the tender process (21-OF-13).
- 6.7 By-law 44/21 being a by-law to approve an employment agreement with Faisal Anwar and for his appointment as Chief Administrative Officer for the Town of Fort Frances.

**7. Information Correspondence:**

The following nine items were received.

- 7.1 Northumberland County resolution re: Request changes to Provincial Offences Act
- 7.2 City of Kitchener resolution re: Support for M-84 Anti-Hate Crimes and Bill-C 313 Symbols of Hate
- 7.3 City of Kitchener resolution re: Construction costs concerns
- 7.4 Notice from MNR re: Inspection of Approved Aerial Herbicide Project Boundary Waters Forest
- 7.5 City of Stratford resolution re: Phase Out Ontario's Gas Plants
- 7.6 Invitation: Walk a Mile in her Shoes Event (October 1)
- 7.7 Memo from Ministry of Municipal Affairs and Housing re: Main Street Recovery Act
- 7.8 City of Toronto resolution re: Early Learning and Child Care
- 7.9 City of Toronto resolution re: Bill 177 Stronger Fairer Ontario Act

**8. Minutes of Local Boards / Committees:**

The following seven items were received.

- 8.1 Economic Development Executive Committee - June 9, 2021
- 8.2 Downtown BIA - June 9, 2021
- 8.3 Administration & Finance Executive Committee - June 22, 2021

- 8.4 Planning & Development Executive Committee - July 5, 2021
- 8.5 Community Services Executive Committee - July 5, 2021
- 8.6 Operations & Facilities Executive Committee dated July 7, 2021
- 8.7 Economic Development Executive Committee - July 7, 2021

**9. In-Camera:**

- 9.1 A proposed or pending acquisition or disposition of land by the municipality or local board: Laneway Matter (7:33-7:34pm)
  - D. Brown, C. Vangel and E. Slomke were connected virtually with Council for this discussion. A resolution will be considered by Council tonight after the in-camera session.
- 764 Behan - Judson: THAT Council now meet in-camera in order to address a matter pertaining to:
  - a proposed or pending acquisition or disposition of land by the municipality or local board; more specifically Item 9.1 Laneway Matter
  - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; more specifically Item 9.3 Update on Legal Matter and 9.4 Agency One Matters
  - advice that is subject to solicitor/client privilege, including communications necessary for that purpose; more specifically Item 9.2 Update on JTJ Lawsuit

CARRIED
- 9.2 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose: Update on JTJ Lawsuit (7:49-8:28pm)
  - D. Brown, S. Wojciechowski, ERYOU Barristers, M. Snowden, Snowden Law (7:50-8:28) and E. Slomke were connected virtually with Council for this matter. An explanation was provided and members of Council were provided opportunity to ask questions and obtain additional clarification. A resolution will be considered by Council after tonight's in-camera session.
- 9.3 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: Update on Legal Matter (7:37-7:47pm)
  - D. Brown, J. Forbes and E. Slomke were connected virtually with Council on this matter. A resolution will be considered by Council after tonight's in-camera session.
- 9.4 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: Agency One Matters (8:34-8:47pm)
  - D. Brown, J. Morse, Morse Shannon and E. Slomke were connected virtually with Council on this matter. The matter will proceed as directed.

**10. Public Session Resumes at 8:48 p.m.**

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

- 11.1 Council considered the following resolutions:

- 765 Brunetta - McTaggart: THAT the report dated August 9, 2021 from C. Vangel, CBO / Municipal Planner re: Laneway Matter be approved as outlined in the report.

CARRIED

766 Behan - Hallikas: THAT the verbal update re: JTJ lawsuit from S. Wojciechowksi, ERYOU Barristers and M. Snowden, Snowden Law be received with thanks and further that the matter proceed as directed.

CARRIED

767 Hallikas - Wiedenhoef: THAT the report dated August 9, 2021 from J. Forbes, Human Resources Manager re: Update on Legal Matter be approved as outlined in the report.

CARRIED

## **12. ADJOURNMENT**

12.1 The meeting adjourned at 8:49 p.m.

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

CARRIED

J. Caul, Mayor

J. McTaggart, Chairperson

E. Slomke, Clerk