

TOWNSHIP OF O'CONNOR – MINUTES – MAY 8, 2023

Minutes of the Council meeting held on Monday, May 8, 2023 at 7 p.m. in the Council Chambers and Virtual.

Present: Mayor Vezina
 Councillors: Crane, Racicot, Sobolta, Torkkeli
 Clerk-Treasurer Buob
 Deputy Clerk-Treasurer Racicot
 Visitors: Kelly Johnson, Leadhand
 Brendan Rea, Larry Catillo
 John Nagy, Chronicle-Journal (virtual)

Mayor Vezina called the meeting to order at 7:07 p.m.

1. Moved by Carly Torkkeli
 Seconded by J. Sobolta

THAT THE AGENDA FOR THE MEETING BE APPROVED.

Carried

Disclosure of pecuniary interest and general nature thereof: None

2. Moved by Carly Torkkeli
 Seconded by J. Sobolta

THAT THE MINUTES FROM THE FIRE DEPARTMENT BUDGET MEETING HELD ON MONDAY, APRIL 24, 2023 AND THE COUNCIL MEETING HELD ON MONDAY, APRIL 24, 2023 BE ACCEPTED AS PRINTED.

Carried

The visitors were asked if they wished to address Council and Mr. Catillo asked if he could speak regarding the Zoning By-law Amendment application #2023-01. Council agreed to allow Mr. Catillo to speak in this regard. He noted that he has no concern with an assembly building being built on the property, however he wanted to express his concern with Smart Road. He has concerns regarding the increased traffic which will be on the road as a result of events being held on the property and in the assembly building. Prior to the property being sold there were only four homes on this dead-end road and there were no concerns, however, if there is going to be additional traffic of fifty plus cars possibly in a day, he is concerned if the road can handle it. Council thanked Mr. Catillo for his comments and noted that this matter will be discussed further with the Leadhand, Mr. Johnson.

Mr. Johnson, Leadhand, was welcomed to the table. Mr. Johnson reported that the Road employees have been working on frost heaves, grading the roads, and dealing with beaver issues. They are also cleaning up the equipment and around the yard. It was noted that there is a Ritchie Bros. Auction being held and there may be some items that Mr. Johnson should be watching for. Mr. Johnson noted that he has not looked to see if there might be a garbage truck/compactor in the auction.

The condition of Garbutt Road was discussed. It is very soft this spring. Mr. Johnson noted that he did put several loads of gravel on this road a few years ago and ditched one side of the road and it seemed to work well, but this year the frost heaves are bad once again. The telephone line is buried in the ditch on the opposite side of the road so they cannot ditch this area. They will continue to monitor it and keep it as good as they can while the frost continues to come out of the ground.

Mr. Johnson reported to Council that he does plan on doing brushing, ditching and widening Smart Road this year, as a result of the Zoning By-law Amendment application. There is a large rock on the edge of the road which would have to be worked around or possibly chiseled out to remove a portion. There are also frost heaves around the rock. There will be more signage installed, identifying the curve and hill and he will consider asking Council to lower the speed limit if he still feels there is a risk once he is done. The Township will do our best to protect everyone.

TOWNSHIP OF O'CONNOR – MINUTES – MAY 8, 2023

Mr. Johnson also expressed his concern with erosion along the Whitefish River and our Township roadways. There are five areas of concern, including Blaikie Road. If the river breaks through in one of the corners, it could one day leave the Township's bridge high and dry and take out another portion of the road. The banks can be built up with rock but this is expensive. Diana road has big chunks of the bank eroding as a result of several years in a row of high water and flooding. The banks must be stabilized. The Road employees have placed some rock in an area on Diana Road, however this is only temporary. On Harstone Road the water is getting in behind the head wall of our structure, removing the rock that was previously placed there when it was built and the water is going under the pillars. Mr. Johnson will get pictures of the erosion.

Mr. Catillo left the meeting at 7:33 p.m.

It was suggested that a spring Township Inspection be held to allow Council to see the issue firsthand, and as soon as possible, to determine what is required prior to the budget being set. It was

3. Moved by A. Crane
Seconded by Carly Torkkeli

**THAT THE FOLLOWING DATE BE SET FOR A TOWNSHIP INSPECTION
MAY 30, 2023 AT 8:30 A.M.**

Carried

The Administration and Roads Voucher to May 8, 2023, was reviewed and it was

4. Moved by Bishop Racicot
Seconded by A. Crane

**THAT THE ADMINISTRATION AND ROADS VOUCHER #2023-09 DATED
MAY 8, 2023 TOTTALLING \$68,427.87 BE APPROVED AND PAID.**

Carried

It was agreed to move item #19 ahead on the agenda to discuss with Mr. Johnson. It was

5. Moved by Carly Torkkeli
Seconded by J. Sobolta

**BE IT RESOLVED THAT THE NEXT PORTION OF THE MEETING BE
CLOSED TO THE PUBLIC IN ORDER TO DISCUSS LABOUR RELATIONS
OR EMPLOYEE NEGOTIATIONS; PURSUANT TO SUBSECTION 239(2)(D)
OF THE MUNICIPAL ACT, 2001.**

TIME BEING: 7:27 P.M.

Carried

Mr. Rea and Mr. Nagy were asked to leave the meeting during this discussion.

The Road Department Intern position and the By-law Enforcement Officer position applications were discussed. Mr. Johnson left the meeting at 8:03 p.m. It was

6. Moved by J. Sobolta
Seconded by Carly Torkkeli

TIME BEING: 8:07 P.M.

THAT WE NOW MOVE TO OPEN MEETING.

Carried

Mr. Rea returned to the meeting.

Mr. Nagy rejoined the meeting virtually at 8:16 p.m.

TOWNSHIP OF O'CONNOR – MINUTES – MAY 8, 2023

Under By-laws and Policies Council discussed

a) i) Zoning By-law Amendment application. The question was asked, is there any clear planning reasons why Council should deny the application? It was noted that most of the concerns addressed at the Public meeting held on May 5, 2023, were in regard to road safety, with one concern for the possible noise. It was noted that the noise concern can be addressed through the Township's Noise By-law and the activities of concern are already permitted on the property. It was noted that there is still not a clear picture of what the applicant will be doing on the property. The presentation made at the public meeting was nothing but positive, however there were a few changes from the original presentation made at the Council meeting held on March 13, 2023. It was noted that most of the suggested events and activities would require accredited positions to be held. There are far more benefits than cons. The traffic issues must be addressed to minimize liability for the Township. Council noted that it must be made clear that if the current owner sells the property, the Zoning Amendment stays with the property. Both the Township and the owner must be aware of what is permitted. It must be made clear that no permanent liquor licence will be permitted to allow for a clubhouse in the building. Each social event would require its own liquor permit if any type of alcohol will be served. Both parties should also be made aware of what the capacity limitations are for the building and know that depending on the seating arrangement, and whether a liquor permit is available, these numbers will change. Site visits could be conducted by the Ontario Provincial Police or the Township's By-law Enforcement Officer if there was concern.

ii) The draft By-law #2023-14 – By-law to amend By-law Number 2022-12, the Zoning By-law, was read. Council agreed to pass the By-law upon the confirmation that the building permit to be submitted is in fact the same building submitted with the Zoning By-law Amendment application and that Council's liquor permit concerns can be addressed. It was also noted that the Thunder Bay District Health Unit would be responsible for approving the septic field for the industrial kitchen.

b) A draft Abuse Policy, as requested by the insurer, was reviewed by Council. Additional forms will still have to be created and added to the Policy prior to approval. Council did not have any concerns with the draft as presented. It will be brought back to the next meeting with the additional forms for approval. It was noted that the Insurance Broker has to confirm whether or not the Township will require a background check for the employees and volunteers. If so, another Policy will be required to satisfy the insurance renewal.

Resolutions for endorsement were read as follows:

a) Municipality of Shuniah opposing utility locate costs being downloaded to 3rd party contractors and Ontario municipalities. It was

7. Moved by Carly Torkkeli
Seconded by J. Sobolta

THAT THE RESOLUTION FROM THE MUNICIPALITY OF SHUNIAH STRONGLY OPPOSING UTILITY LOCATE COSTS BEING DOWNLOADED TO 3RD PARTY CONTRACTORS INCLUDING MUNICIPALITIES BY ENBRIDGE GAS OR OTHER UTILITIES;

AND THAT THE PROVINCE OF ONTARIO'S MINISTRY OF PUBLIC BUSINESS SERVICE DELIVERY MAKE IT CLEAR THAT THESE COSTS MUST BE BORNE BY THE UTILITIES THEMSELVES BE ENDORSED.

Carried

b) Town of Fort Erie regarding Change to the Municipal Oath of Office was filed.
c) Regional Municipality of Waterloo regarding protection of privacy of candidates and donors on publicly available election forms. It was

8. Moved by A. Crane
Seconded by Carly Torkkeli

TOWNSHIP OF O'CONNOR – MINUTES – MAY 8, 2023

THAT THE RESOLUTION FROM THE REGIONAL MUNICIPALITY OF WATERLOO CALLING ON THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, FOR THE PROVINCE OF ONTARIO, TO PROTECT THE PRIVACY OF CANDIDATES AND DONORS BY REMOVING THE REQUIREMENT FOR THE STREET NAME, NUMBER AND POSTAL CODE TO BE LISTED ON PUBLICLY AVAILABLE FORMS;

AND THAT FOR VERIFICATION PURPOSES, THE ADDRESSES OF ALL CANDIDATES AND ALL DONORS OVER \$100 BE SUBMITTED TO THE MUNICIPAL CLERK ON SEPARATE FORMS THAT ARE PROTECTED BY THE MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OR PRIVACY ACT AND WILL NOT BE PUBLISHED BE ENDORSED.

Carried

- d) City of Stratford regarding the funding and support for VIA Rail Services was filed.
- e) Township of The Archipelago regarding Road Management Action of Invasive Phragmites. It was

- 9. Moved by Carly Torkkeli
Seconded by J. Sobolta

THAT THE RESOLUTION FROM THE TOWNSHIP OF THE ARCHIPELAGO IN REGARD TO CONTROLLING INVASIVE PHRAGMITES BE ENDORSED.

Carried

Correspondence were read as follows:

- a) Thunder Bay District Social Services Administration Board (TBDSSAB) – i) 2022 Annual Report highlights. The full report is available on their website.
ii) TBDSSAB 2022 Levy Surplus Disposition. The Township of O'Connor will receive \$278 of the surplus.
- b) Treasury Board Secretariat – Emergency Management Ontario – advising that the Township of O'Connor has satisfied all program elements required under the Emergency Management and Civil Protection Act, 2023.
- c) Ministry of Infrastructure – i) News Release April 27, 2023 – Ontario Launches New Interactive High-Speed Internet Map.
ii) email regarding Ontario Launches New Interactive High-Speed Internet Map. Ontario has made significant progress on filling service gaps using a suite of initiatives and are looking at all options on how best to bring faster service to all communities by the end of 2025.
- d) IESO – Recommending New Transmission Line in Northwest Ontario (Phase 2 Wassigan). This would be a new single-circuit 230kV transmission line between Atikokan and Dryden to meet emerging needs in the region west of Atikokan. IESO is hoping to be able to start Phase II when Phase I is complete.
- e) Rural Cupboard Food Bank regarding the stats for client/food distribution. In total for 2022, 622 hampers were distributed.
- f) Rural Ontario Municipal Association (ROMA) – May 2, 2023 Update. Ms. Janet Hager, Deputy Mayor from the Municipality of Red Lake has been elected as the ROMA Zone 10 Representative.
- g) Prime Minister's office response to Council's endorsed resolution on Bail Reform. The balance of the correspondence was passed around the table.

Under Old Business, Council discussed

- a) Northwestern Ontario Recreational Trails Association (NWORTA) – i) email from Mr. Day asking questions of Council regarding the alternate route options. The NWORTA will be pursuing the suggested Kakabeka Falls to Fleming Road option via Highway 590 corridor and using Sovereign Road as an interim route until they can mitigate the 2 obstacles as presented at the Open House held on April 18, 2023, in the O'Connor Community Centre. Mr. Day would like clarification on how Council would like to proceed with the approval of the alternate route as it is different than originally proposed.
ii) A copy of Memorandum of Agreement with NWORTA for the use of Fleming Road was reviewed. Council agreed that they had no issue with the use of Sovereign Road or Luckens Road and were in agreement to amend the existing Memorandum

TOWNSHIP OF O'CONNOR – MINUTES – MAY 8, 2023

of Agreement between the NWORTA and the Township of O'Connor for the use of Fleming Road, which was previously signed on November 28, 2022. Mr. Day will be notified and Council will await an amended Memorandum for review and approval.

- b) A verbal report from Deputy Clerk-Treasurer Racicot regarding the Circular Materials Ontario (CMO) Agreement for collection of recyclable materials at the Township of O'Connor's disposal site was made. In this Agreement the Township would still be responsible for paying GFL for pickups of the recycling materials. The compensation offer from CMO, included in the Statement of Work Agreement, does not come close to covering the cost of collection. If the Township chooses to opt into a depot operation only and doesn't opt out completely, there is room to negotiate because the Township's costs are so high. The Township could lease space at the Disposal site to CMO for their bins, or we could possibly sell them the Townships current bins and they would deal with paying GFL for their services to pickup. A neighbouring Township has submitted the proposed agreement to their insurance company and they noted that the Agreement is currently putting the liability for the bins onto the Township. CMO is looking for a signed agreement or written commitment from each Municipality by June 30th. Deputy Clerk-Treasurer Racicot will continue to follow up on the Township's options and bring a report to Council for the next meeting.

Under Further Old Business, Councillor Sobolta expressed his concern for Bill 97 and the proposed Planning Statement for both the unorganized and incorporated municipalities. The Bill was discussed at the Lakehead Rural Planning Board (LRPB) meeting and is much more than what is necessary. The Bill is currently open for comments now and he will look more into it.

Councillor Crane noted that he has spoken with Jules Tupker of the Thunder Bay and Ontario Health Coalition regarding bringing out a ballot box for the vote to stop the privatization of our public hospitals to for-profit hospitals and clinics at the Township office. Mr. Tupker would like to bring it out and leave it in the office for voting during regular business hours and will try to find a volunteer to man the vote in the O'Connor Community Centre on May 26 and 27, 2023, the official days of their promotion.

The Northwestern Ontario Municipal Association (NOMA) Conference was briefly discussed. Everyone thought that it was very good and entertaining. The speakers were good. At the Conference Mayor Vezina and Councillor Crane spoke with Infrastructure Ontario regarding the Township's application for the debenture. While they were told that the application should be approved, the Administration has not heard anything further on the status of the loan.

Under New Business, Council discussed

- a) TBT Engineering regarding a Notice of Study for the CNR Overhead Bridge on Highway 11/17. TBT has been retained by the Ontario Ministry of Transportation to undertake detail design of the project and is responsible for addressing any public/agency concerns and obtaining any environmental approvals required for the project to proceed to construction. They are currently looking for any comments, concerns or suggestions related to the project. Council did not have any to move forward.
- b) Yvonne and Dan McConnell request to use the O'Connor Community Centres parking lot for an upcoming event being held at their home. Council did not have any concerns as long as they keep an area open for a fire route. It was

10. Moved by Carly Torkkeli
Seconded by J. Sobolta

THAT COUNCIL ALLOW YVONNE AND DAN MCCONNELL TO PARK OVERFLOW VEHICLES IN THE COMMUNITY CENTRE PARKING LOT ON JUNE 24, 2023 FOR AN EVENT HELD AT THEIR HOME ON HIGHWAY 595.

Carried

- c) Joint School Boards – Invitation to Attend Facility Partnership Meeting – May 24, 2023. No one will attend at this time.
- d) A date for a full Budget meeting was discussed and it was

11. Moved by J. Sobolta

TOWNSHIP OF O'CONNOR – MINUTES – MAY 8, 2023

Seconded by A. Crane

**THAT THE FOLLOWING DATE BE SET FOR A BUDGET MEETING
JUNE 13, 2023 AT 7:00 P.M.**

**THE MEETING WILL BE HELD IN THE O'CONNOR COUNCIL CHAMBERS
AND VIRTUALLY.**

Carried

Under Further New Business Clerk-Treasurer Buob noted that Mr. Johnson, Leadhand had forgotten to ask Council for permission to sell off a surplus part for the old backhoe that was still in stock in the garage. The purchaser was in touch with Mr. Johnson wanting to purchase it from the Township. Council agreed to sell the part, as there is no current need for it on the new backhoe. Mr. Johnson will be made aware of Council's decision.

For information purposes one Building Permit #2023-03 was approved for a new garage at 271 Highway 590.

As the Closed Portion of the meeting was already dealt with earlier, it was

- 12. Moved by A. Crane
Seconded by Carly Torkkeli

**THAT THE COUNCIL MEETING ADJOURN TO THE COUNCIL MEETING TO
BE HELD ON TUESDAY, MAY 23, 2023 AT 7:00 P.M. IN THE COUNCIL
CHAMBERS AND VIRTUAL.**

TIME BEING: 9:24 P.M.

Carried

Mayor

Clerk-Treasurer