

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held using GoToMeeting Web Conference System

On Wednesday, September 1, 2021

PRESENT: Mayor Erwin Butikofer
Blake Councillor Mark Thibert
Scoble Councillor Brian Kurikka
Councillor at Large Gordon Cuthbertson
Pardee Councillor Curtis Coulson
Crooks Councillor Brian Wright
Pearson Councillor Gary Gardner

Erika Kromm, Clerk-Treasurer
Laura Jones, Deputy Clerk-Treasurer

OTHER ORGANIZATIONS:

Christina Zardo, Food Cycle Municipal Program

MEMBERS OF THE PUBLIC:

Tracy Morgan
Barry Chezick
Shannon Dodd Smith
Other Members of the Public

1. PRELIMINARY MATTERS:

- (a) Call to Order: Mayor Butikofer called the meeting to order at 6:00 p.m.
- (b) Attendance: Attendance was recorded.
- (c) Accept/Amend the Agenda:

Res. No. 2021-09-203

Moved by: Councillor Cuthbertson
Seconded by: Councillor Thibert

BE IT RESOLVED THAT THAT the agenda for this regular meeting of Council be approved as presented.

CARRIED ✓

- (d) Declarations of Interest:

No declarations of pecuniary interests under the Municipal Conflict of Interest Act were brought forward.

2. HEAR DEPUTATIONS FROM AUDIENCE MEMBERS

2.1 Tracy Gardner will address Council Regarding MTO Highway Spraying

Tracy Gardner is representing residents along highway 595 and 597. Ms. Gardner states it is disheartening to say we have been here before with respect to roadside spraying. In the 1980's residents were successful in discontinuing herbicide.

- 1) Notification of intention to spray was non-existent. Neighbours seen mowing and play immediately after spraying occurred
- 2) Precautions for the type of herbicide indicate against use in residential area
- 3) These chemicals pose a threat to aquatic systems and groundwater wells.
- 4) The herbicide can cause injury or loss of desirable trees whose roots extent into the road right of way.
- 5) Wildflowers and berries that feed pollinators were killed.
- 6) Spray pattern was up-to and alongside the waterways, and in residential areas.
- 7) Since provincial and territorial governments can enact bylaws to control pesticides, she asked that Neebing consider doing the same to have the Province return to a program of brushing and mowing.

Council thanked Ms. Gardner for her presentation. The Mayor stated that other communities have also expressed concerns about the highway spraying and that he was informed the province would be conducting a review.

2.2 Barry Chezick will address Council regarding Oliver Lake

Mr. Chezick has enjoyed Oliver Lake for over 50 years. He is a member of the original committee that was formed at Oliver Lake to address different park issues. He spoke of working in Parks and Recreation with the City of Thunder Bay for over 30 years and his comments are informed from his work experience.

- Oliver Lake is a recreational gem and improvements to the lake make things safer and cleaner for park users.
- In his experience, the only way to deal with litter is to pick up after people. He does not want children to be swimming in an ashtray. Volunteers pick up the beach on a daily basis.
- He stated that the grounds in front of the garbage can is uneven and asked that the ground be levelled.
- He stated that if parking was to be created there may be enough room for 6-8 spots. It is difficult for senior citizens who access the park to park along Podres Road and walk to the beach.
- Mr. Chezick informed Council that the tile drain is too small and needs to be replaced.
- It is time to replace the no parking sign.
- Access to the camps past the beach is cut off when people park along Podres Rd past the beach. That area should be designated as an emergency access lane for emergency vehicles and be subject to larger fines. There should also be a written sign No Parking at any time.

Council thanked Mr. Chezick for his time and for his informative presentation. The Mayor thanked Mr. Chezick and all the volunteers that help maintain Oliver Lake.

2.3 Shannon Dodd-Smith will address Council regarding MTO highway spraying and Oliver Lake

Regarding MTO Spraying

Mrs. Dodd- Smith stated that she lives off the highway, however her bees forage 5-8 km from the hive and that they go to the ditches along the highways in search of flowers. She also has a dug well that is influenced by surface water. She supports the presentation by Tracy Gardner, and is willing to lend support to Council if MTO needs to hear from concerned citizens. She also is concerned about the effect on her young children of exposure to aerial herbicide application on adjacent crownland near her house a few years ago and the recent highway spraying.

Council thanked her for her concerns and stated they could contact Greenmantle who has the forest management license for crownland in Neebing

Regarding Oliver Lake

The Municipality must make decisions that are consistent with the Provincial Policy Statement which protects access to public shoreline. Oliver lake will become even more popular. Council is doing the right thing to create a safe place for the public. There needs to be a community solution because Oliver Lake is a shared resource for everyone, and Mrs. Dodd-Smith stated she was happy to have her tax dollars spent on garbage collection and washrooms. Garbage should never be a reason to shut down a beach. Parking is an issue for two months of the year. Time limits can be imposed on parking and Council can consider having a 15-minute time limit on one parking spot. The MNR land was open and inviting. Shared spaces shrink as houses grown. There is a lot pressure to sell off places. She hopes the sense of Oliver Lake as a shared resource returns and hopes that Council will lead a solution to raise a public process for concern.

Council thanked Mrs. Dodd Smith for her concern and comments.

3. CONSENT AGENDA: MINUTES, REPORTS AND CORRESPONDENCE

- 3.1 Minutes of the Special Meeting of Council held on August 11, 2021
(Recommendation to approve the minutes with any error corrections, as required.)
- 3.2 Minutes of the Open Session portion of the Regular Meeting of Council held on August 11, 2021
(Recommendation to approve the minutes for both the open session (Item 3.2) and the Closed Session (Item 7.1), with any error corrections, as required.)
- 3.3 Report from Clerk-Treasurer Regarding Administrative Activity
(Recommendation to authorize transfer to reserve fund and repairs to sign.)
- 3.4 Report from Working Roads Foreman Regarding Departmental Activity in June 2021
(Recommendation to receive the report for information)
- 3.5 Report from Working Roads Foreman Regarding Departmental Activity in July 2021
(Recommendation to receive the report for information)
- 3.6 Report from Deputy Clerk-Treasurer Regarding LRCA Board Representation
(Recommendation to receive the report for information)
- 3.7 Report from Deputy Clerk-Treasurer Regarding Variance Report
(Recommendation to receive the report for information.)

- 3.8 Correspondence from Oliver Paipoonge received August 27, 2021 Regarding Proposed New Lots on Boundary Drive
(Recommendation to receive the correspondence for information.)
- 3.9 Information Correspondence List (Recommendation to receive the correspondence for information)

Res. No. 2021-09-204

Moved by: Councillor Coulson
Seconded by: Councillor Wright

BE IT RESOLVED THAT Council approve the recommendations from Administration with respect to all of the items on the consent agenda portion of this evening's meeting, being Items 3.1, through 3.9, and item 7.1 the Closed Session Minutes from August 11, 2021

CARRIED ✓

4. REPORTS AND CORRESPONDENCE RECEIVED REQUIRING DIRECTION:

4.1 Report from Deputy Clerk-Treasurer Regarding Park Improvements at West Oliver Lake

The Deputy Clerk-Treasurer provided an overview of the report and some of the discussion points.

Members present stated their thoughts regarding the items in the report, and whether they supported the creation of additional parking spots on the MNRF land.

Administration was directed to investigate parking enforcement and the creation of either a community safety zone or an emergency lane for emergency access to the camps beyond the beach.

Res. No. 2021-09-205

Moved by: Councillor Wright
Seconded by: Councillor Kurikka

BE IT RESOLVED THAT, Council approves the name change of Falcon's Landing Park back to the name of West Oliver Lake Park

CARRIED ✓

Res. No. 2021-09-206

Moved by: Councillor Gardner
Seconded by: Councillor Kurikka

BE IT RESOLVED THAT Council establish a No Parking zone extending from the boat launch to the camps on both sides of the unmaintained road, and along the south side of Podres Rd from the boat launch to West Oliver Lake Road.

CARRIED ✓

Res. No. 2021-09-207

Moved by: Councillor Coulson
Seconded by: Councillor Cuthbertson

BE IT RESOLVED THAT Council approve the creation of additional perpendicular parking spaces on the MNRF land across from the beach, including the creation of a drop off zone and a handicapped parking spot.

CARRIED ✓

Res. No. 2021-09-208

Moved by: Councillor Kurikka
Seconded by: Councillor Gardner

BE IT RESOLVED THAT Council approve the installation of additional signage indicating No Fires, No Camping, No Smoking, No Alcohol, No Barbequing, No Cooking, No Boat Mooring

CARRIED ✓

4.2 Report from Clerk-Treasurer Regarding Food Cycle Municipal Program

Members present discussed the report.

Res. No. 2021-09-209

Moved by: Councillor Cuthbertson
Seconded by: Councillor Kurikka

BE IT RESOLVED THAT Council will participate in the Food Cycler Municipal Program with Food Cycle Science, as outlined in the proposal appended to the report.

CARRIED ✓

4.3 Report from Clerk-Treasurer Regarding Council Composition

Members present reviewed the report.

Res. No. 2021-09-210

Moved by: Councillor Cuthbertson
Seconded by: Councillor Thibert

BE IT RESOLVED THAT Council schedules a Public Meeting on September 29, 2021 at 6:00 pm at Blake Hall to collect comments relating to Council Composition.

CARRIED ✓

4.4 Report from Deputy Clerk-Treasurer regarding MTO roadside spraying

Members present reviewed the report.

Res. No. 2021-09-211

Moved by: Councillor Wright

Seconded by: Councillor Coulson

BE IT RESOLVED THAT Council direct Administration to send the letter appended in the report.

CARRIED ✓

4.5 Report from Deputy Clerk-Treasurer Regarding National Day for Truth and Reconciliation

Member present reviewed the report.

Res. No. 2021-09-212

Moved by: Councillor Thibert

Seconded by: Councillor Wright

BE IT RESOLVED THAT Council authorizes that Neebing's municipal services be closed on September 30th, in observance of the National Day for Truth and Reconciliation.

CARRIED ✓

Res. No. 2021-09-213

Moved by: Councillor Coulson

Seconded by: Councillor Kurikka

WHEREAS the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

AND WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

AND WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

AND WHEREAS the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

THEREFORE, BE IT RESOLVED THAT the Council of the Municipality of Neebing does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

CARRIED ✓

4.6 Correspondence from Township of O'Connor, received August 13, 2021, Regarding Eye Care

Members present reviewed the correspondence.

Res. No. 2021-09-214

Moved by: Councillor Wright

Seconded by: Councillor Cuthbertson

BE IT RESOLVED THAT Council support the resolution from the Township of O'Connor, received August 13, 2021, regarding eye care

CARRIED ✓

4.7 Correspondence from Municipality of Leamington, received August 17, 2021, Regarding Joint and Several Liability

Members present reviewed the correspondence.

Res. No. 2021-09-215

Moved by: Councillor Coulson

Seconded by: Councillor Thibert

BE IT RESOLVED THAT Council support the resolution from Municipality of Leamington, received August 17, 2021, regarding joint and several liability

CARRIED ✓

4.8 Correspondence from Perth County, received August 16, 2021, Regarding Relationship with MPAC

Members present reviewed the correspondence.

Res. No. 2021-09-216

Moved by: Councillor Gardner

Seconded by: Councillor Kurikka

BE IT RESOLVED THAT Council support the resolutions from Perth County, received August 16, 2021, regarding the relationship with MPAC

CARRIED ✓

5. BY-LAWS

No By-laws were presented.

6. NEW BUSINESS - ANNOUNCEMENTS

Councillor Cuthbertson advised there is a discrepancy between the intent of the zoning by-law and the trailer by-law as it relates to trailers in subdivisions. Administration was directed to bring forward the trailer licensing by-law for review.

Mayor Butikofer advised Council that a representative from the Great Lakes Trail Association would be in the Municipality on September 16, 2021 and would be meeting with him to discuss the promotion of sites along their bike route.

The Clerk-Treasurer advised that the Walleye will be doing a feature on the Nor'Wester Mountains in an upcoming issue and asked Council opinion regarding placing an advertisement in that issue. Administration was directed to circulate the information to Council by email.

Councillor Cuthbertson advised that the location of the Mail Boxes on Sturgeon Bay Road is dangerous and asked that we request that the boxes are moved back.

7. CLOSED SESSION

Res. No. 2021-09-217

Moved by: Councillor Wright
Seconded by: Councillor Gardner

BE IT RESOLVED THAT, the time being 8:04 p.m. Council will enter closed session under those paragraphs of Subsection 239(2) of the Municipal Act, 2001 for which the meeting was closed, to consider item 7.1 (minutes of the Closed session of the prior Council meeting); and
Under paragraph 239(2)(b) to consider item 7.3, involving personal matters about identifiable individuals; and
Under paragraph 239(2)(c) to consider item 7.2, involving a proposed or pending acquisition or disposition of land by the municipality

CARRIED ✓

During Closed Session the following resolution was passed

Res. No. 2021-09-218

Moved by: Councillor Thibert
Seconded by: Councillor Coulson

BE IT RESOLVED THAT, the time being 9:06 p.m., Council rise from closed session and report in open session.

CARRIED ✓

Matters Arising from Close Session

7.1 Minutes of the Closed Session portion of the Regular Meeting of Council held on August 11, 2021

This item was approved as part of the consent agenda

7.2 Report from Clerk-Treasurer Regarding Request for Municipal Property

7.3 Report from Clerk-Treasurer Regarding Personnel Matters

Res. No. 2021-09-219

Moved by: Councillor Wright

Seconded by: Councillor Gardner

BE IT RESOLVED THAT with respect to Items 7.2 and 7.3 on this evening's Closed Session agenda, Administration is authorized to proceed as directed in Closed Session.

CARRIED ✓

8. CONFIRMATION BY-LAW

8.1 By-law 2021-035 To Confirm the Proceedings of the Meeting

Res. No. 2021-09-220

Moved by: Councillor Thibert

Seconded by: Councillor Kurikka

BE IT RESOLVED THAT By-law 2021-035, to confirm the proceedings of this evening's meeting, be passed as presented.

CARRIED ✓

9. ADJOURN THE MEETING:

There being no further business to attend to, Mayor Butikofer adjourned the meeting at 9:06 p.m.

REGULAR MEETING OF COUNCIL


Erwin Butikofer
MAYOR


Erika Kromm
CLERK-TREASURER