



**THE PUBLIC MEETING OF COUNCIL  
OF THE TOWN OF ESPANOLA**

**Council Chambers  
Municipal Office**

**February 13, 2018  
7:30pm**

**His Worship Mayor Piche presided over the meeting.**

**Present:** Councillors: R. Dufour, K. Duplessis; R. Duplessis, H. Malott,  
R. Yocom

**Absent:** Councillor B. Foster

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T.  
Denault-Roque, Recording Secretary

The Mayor stated that this meeting will be live streamed.

Disclosure of pecuniary interest and the general nature thereof.

**Public Hearing** None

**Delegations/Petitions** None

**Question Period** Richard Ellis, resident of Espanola read a section of the staff report Item G1 regarding the formation of a firehall subcommittee which stated "Unless there are decisions made to come to a resolution about what needs to be done with the firehall, in the near future, residents could see a dramatic increase to their insurance rates." Mr. Ellis would like to know where this information came from. Councillor Yocom advised that the information comes from the Fire Underwriters report Council received, they set the rates and insist that every community have at least one truck less than 20 years old, if not, rates are subject to an increase. There was clarification the possible rate increase would be subject to decisions regarding a fire truck and not the firehall.

**CONSENT AGENDA**

**CA-003-18 R. Dufour – R. Duplessis**

Be It Resolved That: Items A1 to F4, excluding items B2 and D1, contained in Part 1 Consent Agenda be adopted.

**Carried**

Councillor K. Duplessis requested that item B2 be severed. Councillor R. Dufour then requested item D1 be severed as well.

**Items A1-A2**  
**Council Minutes**

**18-017 R Dufour – K. Duplessis**

Be It Resolved That: The following Minutes are hereby accepted; Regular Meeting of Council of January 23, 2018; Special Meeting of Council of January 30, 2018.

**Carried**

**Board and Committee Reports**

**Item B1**  
**Committee of the Whole Meeting Minutes**

**18-018 R. Duplessis – R. Dufour**

Be It Resolved That: The following board and committee reports are hereby received: Committee of the Whole Meeting of January 23, 2018;

**Carried**

**Item B2**  
**Community Services Committee Minutes**

**Item Severed – see Regular Agenda**

**Matters arising from the “In Camera Session”**

**None**

**Business Arising from Board and Committees**

Corporate Services Committee of February 6, 2018

**Item D1**  
**Health and Safety Policy**

**Item Severed – See Regular Agenda**

**Bylaws and Resolutions**

**Item E1**  
**Confirmatory Bylaw**

**18-020 R Yocom – R. Duplessis**

Be It Resolved That: Bylaw No 2828/18 be adopted, being a Bylaw of the Town of Espanola to confirm the proceedings of Council at its Meeting of January 23, 2018.

**Carried**

**Item E2**  
**Espanola Infrastructure Upgrades Phase 2**

**18-021 R. Duplessis – R. Dufour**

Be It Resolved That: Bylaw No 2826/18 be adopted; being a Bylaw to execute an agreement between the Town of Espanola and RV Anderson Associates Ltd for engineering services for Espanola Infrastructure Upgrades phase 2.

**Carried**

Councillor Dufour asked for clarification on this item as he could not remember what this was for.

The Clerk advised that this agreement is for the engineering drawings for infrastructure upgrades in the areas of Katherine and Elizabeth Street

**Item E3**  
**Clear Lake**  
**Accessibility Project**

**18-022 R. Dufour – R. Duplessis**

Be It Resolved That: Bylaw No 2824/18; being a Bylaw to execute an agreement between the Town of Espanola and The Minister of Employment and Social Development for the Enabling Accessibility Fund for the Clear Lake Accessibility Project.

**Carried**

**Reports**  
**Items F1-F4**

**18-023 H. Malott – K. Duplessis**

Be It Resolved That: The following reports are hereby received; POA Department Departmental Report for October – December 2017; Espanola Police Services Board Meeting Minutes of January 10 & 19 2018 and December 29, 2017; Sudbury & District Board of Health Meeting Minutes of January 18, 2018; Lacloche Foothills Municipal Association Meeting Minutes of January 15, 2018.

**Carried**

Councillor Dufour questioned if once the annual review of the agreement regarding inspection services was conducted with the CBO and CAO, would it then come to Council to allow them to decide to continue or make changes to it.

The CAO advised that what is referred to in the minutes is that as per the agreement with the other municipalities, a review would take place annually to review the number of permits and the allocations of percentage. If there was a change in the contract it would then come to Council.

Councillor Yocom clarified that this review was just following the rules of the contract which Council had agreed to and adopted. Councillor Dufour continued to question the requirement for this position. He then tabled a notice of motion and requested it be heard at this meeting.

The Clerk provided Councillor Dufour with a blank motion to formally submit a Notice of Motion and explained the process on how to have the motion heard at tonight's meeting.

**Moved by R. Dufour – Seconded by R. Duplessis**  
**NOTICE OF MOTION**

To review the employment of the third building inspector.

**Carried**

**Moved by R. Dufour – Seconded by R. Duplessis**

Be It Resolved That: Council review the employment of the third building inspector.

The Mayor called for a vote when Councillor K. Duplessis asked Councillor Dufour what he wanted out of it, because the agreement would need to be checked and the document may

not be able to be touched because they had already agreed to it. Councillor Dufour acknowledged that the agreement would need to be reviewed first as a Council. Councillor K. Duplessis and the Mayor stated they didn't know the ramifications and was unsure what Councillor Dufour was looking for. Councillor Dufour advised that Council should know what was involved in the agreement, and a copy should be provided. Mayor Piche stated that Council already knew that, as it had come to Council when the inspector was hired.

The CAO asked for clarification on the whether a review would be of the contract with the other municipalities or of the contract with the employer. Councillor Dufour advised that a review of the contract with the municipalities should be done first and then a determination could be done from that. The CAO wanted to confirm that Council was aware the contract did come to the Council table, in which all of Council agreed.

The Mayor then asked if everyone was in favor.

**Carried**

**PART II**  
**REGULAR AGENDA**  
**Bylaws and Resolutions**

**Item G1**  
**Formation of Firehall  
Sub-Committee**

**18-024 K. Duplessis – R. Yocom**

Be It Resolved That: Council form and have representation on a sub-committee to resolve issues concerning the Firehall.

**Defeated**

Councillor R. Duplessis stated that he tried to get the consensus of Council on several occasions to move this item forward. He wondered why the staff report stating time is running out to make a decision was only coming forward now. He then stated that when the Committee of the Whole was formed he said that they would meet as often as needed and he would submit a motion to have the committee meet every week if needed to get this fire issue going forward, but was not in favour of a subcommittee.

Councillor Yocom advised he was in favour of forming a subcommittee simply because Council is moving too slow. He stated the last meeting was one simple question and there was still no consensus. He further stated he asked the committee twice if there was a consensus and there was still no answer. He then stated they were part of the problem, this topic is moving too slow because it is too big and cumbersome and people are getting off track all of the time. He felt it would go a lot quicker with a committee, and reminded Council that no decision can be made without it coming to council first. He also reminded Council that they would not be able to do much after the end of June that isn't budgeted for. Councillor Yocom

then stated this has been going on since 2008.

Councillor K. Duplessis stated that information that may allow us to move forward should be received shortly. He further advised that he supports the idea of additional Committee of the Whole meetings before forming a subcommittee. He also agreed that this item is delayed but regardless of why, the problem was Council, they had the ability to move it forward and they did not. He reiterated that it was Council's fault and their problem to handle but felt that they would be moving very progressively in a short time.

The Mayor asked the CAO when they can expect the engineer's report. She advised that they were here the other day to do inspections and she does not have a timeline of when to expect the document, but advised it should be soon.

The CAO stated the objective of the staff report and having a subcommittee was to include staff in the discussions, as they have been told in the past they are not to speak. She further stated that there has been a lot of information in the past 8-10 years that has been accumulated and circulated to Council but it has never been discussed at the Committee of the Whole meetings.

The Mayor thought that with the amount of information already provided, Council could decide the size of the building needed. A discussion ensued regarding the need to wait for the engineers report to advise if the current firehall could be added on to, or if a new building would need to be erected. Further comments were made regarding what has been previously asked for and provided.

The Clerk then advised that items B2 and D1 were severed and should have been dealt with first. These items followed.

**Item B2**  
**Committee Minutes**

Councillor K. Duplessis advised that the Corporate Services Committee approved a garbage bylaw that was buried in the minutes of the Corporate Services Committee, he felt it was not a consent agenda item and that it should be part of the Regular Agenda.

The Clerk advised that the bylaw is not on the agenda this week to be adopted, but once pricing for the bag tags is set it will come to Council in the D section. She further explained that the minutes were there but the actual resolution to adopt that bylaw was not.

Councillor R. Duplessis stated that because the minutes are being approved they are adopting the Bylaw. The Clerk advised that Council is only accepting the minutes and the resolution from the Corporate Services Committee recommending Council adopt the Bylaw will come at a later date.

**Item D1**  
**Health and Safety**  
**Policy**

**18-019 R. Dufour – R. Duplessis**

Be it Resolved That: As Recommended by the Corporate Services Committee That: Council endorse the Policy Statement and request that the Joint Health and Safety Committee review the policy to ensure it reflects the most recent legislative changes.

**Carried**

Councillor Dufour advised that he agrees with the Policy and hopes that it is being followed. He further advised that he would like to hear of all incidents regardless of how small. There were no other comments.

**Item G2**  
**Notice of Motion –**  
**Question on the**  
**Ballot**

**18-025 R. Yocom – K. Duplessis**

Be It Resolved That: There be an opportunity for residents to vote on whether to go OPP or not. This would be through a question on the ballot.

**Defeated**

Councillor R. Duplessis questioned if this was a notice of motion, the Clerk advised it was received as a notice of motion. Councillor R. Duplessis then stated it must be illegal because it was not signed. The Clerk then explained that the Mayor sets the Council Agenda and can add any item.

Further discussion ensued regarding a Notice of Motion and a regular Motion.

The Mayor then advised that he would of liked to see a referendum regarding this issue, but because of the costs, he would like a question on the ballot to bring this item forward. He said a lot of people in Espanola want the opportunity to vote on whether or not to go to OPP.

Councillor R. Duplessis stated that almost everyone that he spoke to wants Council to make the decision, because of all the inaccuracies they have heard, they want the people with the true facts to make the decision. Councillor Dufour and Yocom agreed that it should be a decision of Council.

The Mayor advised that through the Oracle Poll, 482 people out of 500 wanted to have a hand in deciding which method of policing would be provided.

**Item G3**  
**Notice of Motion**  
**regarding Hiring**

Be It Resolved That: Effective immediately, Council impose a hiring freeze for all new positions with the Town of Espanola and replacement of existing positions be reviewed by Council prior to advertising.

Councillor K. Duplessis advised that he submitted this Notice of Motion after seeing the budget and some of the areas out of Council's control like the Police services, DSB and labour legislation. He then further advised that the motion was

incorrect because there is already a policy that new hires have to go through Council and what he was looking at was filling existing positions that become vacant and would like to amend it to exclude firefighters.

The motion was amended to the following:

**18-026 K Duplessis – H. Malott**

Be It Resolved That: Effective immediately, Council will review the replacement of existing positions that become vacant, excluding volunteer firefighters.

**Carried**

**Item G4  
Strengthening  
Quality and  
Accountability for  
Patients Act**

**18-027 K. Duplessis – H. Malott**

Be It Resolved That: **WHEREAS** Bill 160, the *Strengthening Quality and Accountability for Patients Act* amended the *Ambulance Act* to permit the Ministry of Health and Long Term Care to enable two pilot projects hosted by willing municipal governments to allow fire fighters, certified as paramedics, to treat patients while on duty with a fire department; and

**WHEREAS** the Government of Ontario is committed to proceeding with the pilots and enabling the fire-medic model despite the absence of objective evidence to show that it would improve patient outcomes or response times; and

**WHEREAS** the current interest arbitration model, particularly in the fire services sector, allows arbitrators to impose awards on unwilling employers that directly impact the employer's ability to determine how it will deploy its workforce, as evidenced by the experience of many municipalities in regards to the 24-hour shift; and

**WHEREAS** in the absence of legislative protection, unwilling municipalities may be forced to enter into a pilot or adopt a fire-medic model as a result of interest arbitration; and

**WHEREAS** the Association of Municipalities of Ontario and its municipal members have called on the Government of Ontario to introduce legislative amendments to the *Fire Protection and Prevention Act, 1997* and the *Ambulance Services Collective Bargaining Act* to preclude arbitrators from expanding the scope of work for fire fighters and paramedics respectively through interest arbitration awards; and

**WHEREAS** there is precedent for a restriction on the scope of jurisdiction of arbitrators in section 126 of the *Police Services Act* which precludes arbitrators from amending the core duties of police officers; and

**WHEREAS** the Government of Ontario has committed that no unwilling municipal government will have a fire-medic pilot or program imposed upon them.

**NOW THEREFORE** be it resolved that:

1. The Town of Espanola calls on the Government of

Ontario to act immediately so that legislative amendments, that will protect unwilling municipalities from being forced by arbitrators to have a fire medic pilot or program, are placed within the upcoming Budget Bill before the Ontario Legislature rises for the provincial election.

2. A copy of this resolution be forwarded to Premier Kathleen Wynne, Office of the Premier; Hon. Dr. Eric Hoskins, Minister of Health and Long Term Care; Hon. Marie-France Lalonde, Minister of Community Safety and Correctional Services; Hon. Kevin Flynn, Minister of Labour, Hon. Bill Mauro, Minister of Municipal Affairs; Carol Hughes, MP for Algoma, Manitoulin and Kapuskasing; and the Association of Municipalities of Ontario.

**Carried**

**Item G5**  
**Marijuana Tax Revenue**

**18-028 H. Malott – K. Duplessis**

Be It Resolved That: Council for the Town of Espanola supports the Town of Lakeshore's resolution #577-01-2018 regarding Marijuana Tax Revenues.

**Carried**

**Item G6**  
**Monitoring of Nutritious Food Basket and Local Housing Costs**

**18-029 K. Duplessis – H. Malott**

Be It Resolved That: Council for the Town of Espanola supports the Manitoulin-Sudbury District Social Services Board resolution #18-11 regarding consistent monitoring of the Nutritious Food Basket and Local Housing Costs.

**Carried**

**Notice of Motion**

Councillor Dufour advised that he would like to make a Notice of Motion to rescind the 2 clear garbage bag Bylaw. The Clerk advised him to write out the Notice of Motion and asked him for a mover and seconder. She then clarified that Council adopted a resolution that could be rescinded, they did not adopt a bylaw.

**Moved by R. Dufour – Seconded by R. Duplessis**

A Notice of Motion to rescind the resolution to go to 2 clear bags effective May 1 and revert back to the 4 dark bags

**Carried**

**Moved by R. Dufour – Seconded by R. Duplessis**

Be It Resolved That: Council rescind the resolution to go to 2 clear bags effective May 1 and revert back to 4 dark bags.

**Carried**

Councillor Yocom suggested the item be deferred until the entire garbage bylaw is in front of them. He further stated that there has probably been hundreds of hours of effort into preparing it, Corporate Services has seen it 3 or 4 times and

assumes they were satisfied with it because they sent it to Council. Mayor Piche agreed.

There was discussion regarding the possibility of deferring it. Councillor Dufour advised that he had seen it a long time ago and was tired of it.

Councillor R. Duplessis provided reasons why he was in favour of this and provided statistics on the recycling percentages provided by Wayne St. Michel of Riverside Enterprises.

Councillor K. Duplessis advised that this subject has been very controversial, and although staff did a great job in terms of education it did not reach the people and there was a lot of confusion. He further advised that when Stewardship Ontario finally comes to the rules and regulations that we have to abide by we can quickly put them in place.

The Clerk advised that the garbage bylaw will still come to Council, just the bag type and limits will be changed.

### **Correspondence For Information Only**

**None**

### **Information**

**This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.**

Town of Lakeshore Resolution re: Population Growth Projections  
AMO correspondence re: draft MCSCS regulations

### **Conference and Conventions**

**None**

### **Mayor and Councillors Reports and Announcements**

**Carnival Weekend** It was stated that carnival weekend was well attended and thanked the volunteers for their time and effort.

**Committee of the Whole** Councillor R. Duplessis advised that two people in the community are willing to be interviewed by the Mayor regarding the events of the Community of the Whole meeting that took place in November.

### **Future Council Meetings**

Council Budget Meeting of February 20, 2018 @ 9:00 am

Community Services Committee Meeting of February 20, 2018 @ 3:00 pm

Committee of the Whole Meeting of February 27, 2018 @ 6:30 pm

Regular Meeting of Council of February 27, 2018 @ 7:30 pm

Policing Options Public Consultation April 19, 2018 @ 7:00 pm – Espanola Legion Hall

The Clerk advised that the Policing Options Public Consultation was a tentative date.

**Adjournment**

**B. Yocom – K. Duplessis**

Be It Resolved That: The Regular Meeting of Council is hereby adjourned. Time: 8:44 pm

**Carried**

"Ron Piche"  
Ron Piche  
Mayor

"Paula Roque"  
Paula Roque  
Clerk