



**THE PUBLIC MEETING OF COUNCIL
OF THE TOWN OF ESPAÑOLA**

**Council Chambers
Municipal Office**

**May 8, 2018
7:30pm**

Deputy Mayor B. Foster presided over the meeting.

Present:

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

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

Absent:

Mayor Piche

The Deputy Mayor stated that this meeting will be live streamed.

Disclosure of pecuniary interest and the general nature thereof.

Public Hearing

Notification under the Provisions of Bylaw No. 2068/08, Notice
of Public Hearing.

A Meeting for the purpose of receiving comments on the
following request from the Knight Cruisers for an exemption to
Municipal Bylaws to permit a Car Show on Saturday, May 26th,
2018 from 8:00 am to 4:00 pm at the Track and Field:

- 1) A temporary exemption from Municipal Bylaw No. 751/84,
Section 14, being a bylaw to control the use of Municipally and
Recreationally owned property 14. d) no person shall park any
vehicle in any park, recreational area or on municipal property of
the Town of Espanola except in those areas specifically
designated by appropriate signs and notices as being areas in
which vehicles may be parked.
- 2) Temporarily closing Avery Dr. from the Complex to
Hunter St. to traffic with the exception of emergency vehicles
on Saturday, May 26, 2018 between the hours of 8:00 am to
4:00 pm to host the Knight Cruisers Car Show.
- 3) A temporary exemption from certain provisions of the
Noise Bylaw No. 1189/96, on Saturday, May 26, 2018 between
the hours of 8:00 am to 4:00 pm for an event being held
outdoors at the Track & Field – The Knight Cruisers Car Show.

The Applicant was not present. There were no verbal or written comments received.

This portion of the meeting closed at 7:32 pm

Delegations/Petitions

Yves Carriere, local resident stated that at the end of the snowmobile season a sign was put up in the Young Place area stating that people could no longer access that area by snowmobile. He learned that there were a couple of complaints received, one was due to a close call with a person at the park playing and a snowmobiler. He stated in his opinion, because the park is closed and not being maintained in the winter months, a sign should be erected stating that kids should not be playing in that area during that time of the year. He further advised that the reason snowmobilers are taking that trail is because carbides are expensive and they need a way to go to stay off the pavement.

Mr. Carriere stated that this trail has been there for a number of years without complaints, however as soon as a couple of complaints are received signs were erected; it was his hope that the municipality does not take this approach whenever a complaint is received.

In response to the second complaint received, he stated that if someone was new to the area and not used to snowmobile activity they will get used to it; stating that most people who use that trail are home by 6 pm and not driving around at 2 or 3 am. Further, Mr. Carriere advised that if someone is breaking the law then the culprit needs to be caught and not everyone should be penalized.

He cautioned Council that when reviewing their bylaw to not create additional congestion in another area of town by making people trailer their snowmobiles to access trails.

He thanked Council for their time.

Ken Niles, AAIO advised that he was given a ticket while being parked out front of the Recreation Complex while going in to pick up a customer. He asked Council if he will be given a ticket each time he parks there. There was no response from Council. Mr. Niles then stated this took place in front of the Complex and asked the question again. There were no answers from Council. Deputy Mayor Foster started to explain that as a delegation he wasn't there to necessarily ask questions but to tell Council what the concerns were. Mr. Niles responded by stating he wanted to know what his rights were and what the bylaw states, he wanted to know if he was allowed to go into the complex and get customers. There was no response from Council.

Mr. Niles then told Council that his drivers are being told not to park in front of the Mall or they would receive a ticket. He advised he wanted to know what this was all about. There was no response from Council.

Deputy Mayor Foster stated that in Mr. Niles' letter he requested that a designated sign be erected for a limited time drop off area. Mr. Niles agreed.

Mr. Niles stated that he was parked in the loading zone when delivering pizzas to the complex and received a ticket, he asked Council to tell him what he had done wrong. No answer was provided.

Deputy Mayor Foster thanked Mr. Niles and advised they would probably follow through with some action of some sort, his suggestion may go to staff and that will be up to Council.

Wayne Ashton, Private Citizen & Assistant Fire Chief was the next delegation.

Mr. Ashton introduced himself and stated that he and his wife have owned a home in Espanola since 1969, raised a family here and have paid taxes; therefore he is definitely a bona fide citizen of Espanola.

Mr. Ashton stated he joined the Fire Department in 1972, became a Captain in 1984 and now he is our Assistant Fire Chief - 45 years of service.

He advised that he has been following the conversations regarding the firehall and equipment concerns. He also acknowledges that Mayor and Council have received a mandate to save tax payers money. After many surveys over the last 8-10 years thousands of dollars have been spent to determine that we need a new firehall. He stated the plans that were presented to the Town 2 years ago at a cost of thousands of dollars was subsequently rejected by Council because they thought it was an exorbitant cost to the Town. Mr. Ashton stated that proposal was a 2 story, 12,000 sq ft structure with drive through truck bays and after some deliberation this was reduced to 9600 sq ft, he then advised that up until 2 weeks ago it was 8000 sq ft, single story with 4 truck bays. Mr. Ashton advised he attended that meeting and left satisfied and that it appeared to him Council has done their due diligence to the tax payers. He then stated that at the next Regular Meeting of Council a proposal was brought forth by a local contractor to build a 7900 sq ft hall with 4 truck bays, coming under the previous estimate by approximately \$400,000, Mr. Ashton was again impressed by the end of the meeting and left feeling that the matter had been resolved. He then stated that at the last meeting of Council, Councillor Dufour made the following statement "I still don't think Espanola requires a firehall that large." The decision was then made to hold another Meeting of the Whole at which time members voted down both the 8000 sq ft and 7900 sq ft proposals. Mr. Ashton wanted to know where and how it was discussed to come to this decision and asked if he had missed a meeting. He then advised Councillor Dufour that his thoughts are not predicated by modern facts and practices. He further stated that regardless of how he convinced the other Councillors to change their minds and

asked Councillor Dufour where he got the expertise to make such a statement, adding the question, "when was the last time this Council came into the firehall during training night or after a large fire to see what the needs really are." Mr. Ashton reminded Council that the fire fighters have repeatedly welcomed Council or any of the public to attend.

Mr. Ashton advised Council that in his opinion, this decision is wrong and short sighted. He stated that a 7000sq ft structure will not meet the needs of 28 fire fighters and their equipment or the needs of the community. He advised that in their zeal to cut taxes, they have not researched the subject very well and it has come to a point that savings pennies now will cost dollars in the future.

He asked Council to think about how many new homes have been built without fire hydrant service areas of the Town. There are 341 dwellings in Town that are not serviced by hydrants. Since 2010, 31 new houses have been built, 6 commercial buildings, 1 industrial building and 1 institutional building, Mr. Ashton stated that we need another pumper/tanker and we already have one. He further advised that we cannot be dependent on Baldwin to supply us with another pumper/tanker so we can save money and advised that they are not a substation of the Espanola Fire Department and questioned Council if they would allow Baldwin to constantly depend on Espanola for a pay loader and operator.

He advised that Councillor Yocom was correct in saying that not keeping the 3rd pumper tanker would be a disservice to the citizens of Espanola. He stated the insurance companies will be watching Espanola's firefighting capabilities closely. He stated the people who have built in town without hydrant services are paying higher premiums because of a lack of adequate water supply to their homes. He asked Council to take into consideration the value of these homes on Lee Valley Rd, Clear Lake Rd, Old Webbwood Rd, Panache Lake Rd and Jacklin Rd. He suggested that in order to reduce insurance costs to these citizens future Councils may have to take the brunt of purchasing a tanker in tomorrow's dollars – and we already own one!

He stated that in the 2016 Oracle Poll 79.4% of those surveyed responded that it is important or very important that the firehall have adequate firefighting equipment. As a reminder, he stated that the firemen are not asking for more money or increased benefits and stated that last year the firemen made under \$11/hr which is under minimum wage and all they are asking for is the proper equipment and space to protect the people and their property of the Town of Espanola.

In closing he asked Council to revisit their decision and keep their old pumper tanker and adjust the size of the firehall appropriately and advised that keeping the old truck (9120) and building an 8000 sq ft firehall will impact the town very little,

allowing the fire department to continue to serve the town very well into the future.

Mr. Ashton further advised that as of 5pm the firefighters have learned that the Ontario Government has adopted the new fire curriculum, where fire fighters will need to be trained to a certain standard and if they are not they will not be allowed to make entry into the building, therefore the room for training is needed.

Deputy Mayor Foster thanked Mr. Ashton for his presentation. Marc Lelievre of the Espanola Firefighters Association approached the podium where he introduced himself and stated that after completing his degree he moved back home to Espanola to start his family, he is a tax payer and has been a volunteer firefighter, for the past 5 years.

He stated the views shared today are those of the Association and not of the Fire Chief; adding that the Association operates as a separate united voice to ensure the safety and betterment of the department and that the services provided to residents are held in the highest regard.

Mr. Lelievre clarified the list of apparatus' that are currently owned. Mr. Lelievre advised Council that the current fleet is limited when fighting fires that are not within close proximity to fire hydrants, although the firefighters have always found ways to get the job done, it has been because of leaning on the assets of other municipalities, which has been allowed as a good will gesture only and should not be misconstrued to be an obligation. Mr. Lelievre asked Council to reconsider the need of the 4th bay, and to recognize the limitations of the fleet so that a 4th bay can be added to the design to meet the needs of today as well as those of tomorrow.

Mr. Lelievre explained to Council that having a 4th bay would allow the municipality to keep the current pumper/tanker that could be used strictly as a tanker, allowing the fire fighters to not rely as much on mutual aid as there would now be some capability to shuttle water themselves. He reminded Council that mutual aid agreements are not contracts and are based on factors such as equipment and firefighter availability and can be cancelled or denied at any time.

Mr. Lelievre spoke of the fire that took place in the trailer park the previous year and told Council that the attack efforts were downgraded as a direct result of the lack of water, compromising their ability to suppress the fire in a timely manner; it also placed the lives of firefighters and residents in needless jeopardy. He shared the following stats with Council and expressed the importance of them; it takes 7 minutes to empty the portable tank; it takes 15 minutes to refill 9120 and bring the water back less than a kilometre away; leaving 8 minutes of time where things can get out of hand, not to mention an event where there is a second structure fire. He stated the risks involved could be mitigated with a 4th bay and

the truck composition could be decided at a different time. An additional benefit would be positioning the firehall for potential future growth, at a small cost of \$100,000. He added the truck to fill the bay has been paid for long ago and the maintenance costs are budgeted at \$2,000 per year, and additional savings of \$600 could be realized if the pump is not certified.

Mr. Lelievre stated that Council has said many times that the population is declining and he stated that this information has no bearings on what the needs of the Espanola Fire Department are, regardless of the population of the Town of Espanola, taxes are a function of properties value and not the amount of occupants inside of a dwelling. He advised that the responsibility of the fire department is to protect the structures and residents of the community. He stated the figure that Council should be concerned with is the amount of structures Espanola has and shared facts obtained from the building department. According to the building department, residents invest an average of 8 million dollars per year in additions and upgrades, stating the population may be declining, but construction and real estate investing is thriving.

Mr. Lelievre reiterated Council's Yocom's comments that if the 4th bay is not built, they will be doing a major disservice to those who live out of hydrant service. He stated the first disservice is not providing the fire protection they deserve and are paying for, the second disservice is in insurance rates. He acknowledged that a 4th bay may not be a savings when it comes to property tax dollars, however they would be getting more value of their tax dollars, and they could see a potential decrease to insurance costs. By having two apparatus' that could shuttle water, the Espanola Fire Department could be accredited as being a tanker/shuttle service.

Mr. Lelievre discussed the responsibility of fighting brush fires and the potential safety risks to residents should the fires not be contained in a timely manner.

He asked Council to reconsider the addition of a 4th bay to the fire hall and stated that in order to right the wrongs of the past we must plan for the future and build a framework that will allow for success.

He further stated that all the Association can ask for is that the health and safety of the firefighters and residents are the top priority and the decision being made is not for the sake of saving \$100,000.

Question Period

None

Councillor K. Duplessis requested item E2 to be severed.
Councillor B. Yocom requested item D1 to be severed.

CONSENT AGENDA

CA-008-18 R. Yocom – D. Duplessis

Be It Resolved That: Items A1 to F2, with the exception of D1 and E2 contained in Part 1 Consent Agenda be adopted.

Carried

Items A1-A5
Council Minutes

18-067 R. Duplessis – R. Yocom

Be It Resolved That: The following Minutes are hereby accepted; Special Meeting of Council of April 17, 2018; Special Meeting of Council of April 17, 2018; Special Meeting of Council of April 17, 2018; Special Meeting of Council of April 23, 2018; Special Meeting of Council of May 1, 2018.

Carried

Board and Committee Reports

Items B1-B2

18-068 R. Duplessis – K. Duplessis

Be It Resolved That: The following board and committee reports are hereby received: Committee of the Whole Meeting Minutes of May 1, 2018; Corporate Services Committee Meeting of May 1, 2018.

Carried

Matters arising from the "In Camera Session"

None

Business Arising from Board and Committees

Committee of the Whole Meeting of May 1, 2018

Item D1

Severed to the Regular Agenda

Corporate Services Committee Meeting of May 1, 2018

Item D2

Fire Marque Inc.

18-070 R. Yocom – R. Duplessis

Be It Resolved That: As Recommended by the Corporate Services Committee That: Bylaw 2834/18 be adopted as presented.

Carried

Item D3

Remuneration Bylaw

18-071 R. Duplessis – R. Yocom

Be It Resolved That: As Recommended by the Corporate Services Committee That: Bylaw 2834/18 be adopted as presented.

Carried

Bylaws and Resolutions

Item E1 **18-072 R. Yocom – R. Duplessis**
Confirmatory Bylaw Be It Resolved That: Bylaw No 2843/18 be adopted, being a
Bylaw of the Town of Espanola to confirm the proceedings of
Council at its Meeting of April 24, 2018.
Carried

Item E2 **Severed to the Regular Agenda**

Item E3 **18-074 H. Malott – K. Duplessis**
Authorize the Be It Resolved That: Bylaw No 2842/18 be adopted, being a
Acceptance of the Bylaw of the Town of Espanola to Authorize the Acceptance of
OPP Contract the OPP Contract Policing Proposal for the Corporation of the
Policing Proposal Town of Espanola.
Carried

Item E4 **18-075 K. Duplessis – H. Malott**
Connecting Link Be It Resolved That: Bylaw No 2844/18 be adopted, being a
Funding Bylaw of the Town of Espanola to Enter into an Agreement with
the Ministry of Transportation for the Connecting Link Program.
Carried

Reports **18-076 H. Malott – K. Duplessis**
Items F1-F2 Be It Resolved That: The following reports are hereby received;
POA Department Departmental Report for Jan – Mar 2018;
Public Health Sudbury & Districts Meeting Minutes of April 19,
2018 – Unapproved.
Carried

PART II
REGULAR AGENDA
Bylaws and Resolutions

Item D1 **18-069 R. Duplessis – K. Duplessis**
RFP for Firehall Be It Resolved That: As Recommended by the Committee of
the Whole That: A request for proposals for a design-build fire
hall project be prepared which will include the functional
requirements included in Perry & Perry Architects report of
April 20, 2018. Submissions must meet the requirements of
the OBC and be able to be accommodated on the existing
property. To include space for 2 pumper tankers and 1 rescue
and a total area of 6800 – 7200 sq ft and to include the costs
for an additional bay to house a pumper tanker.
Carried

A discussion ensued.
Councillor Yocom advised that due to learning new stats
tonight, that some Council members may not have been aware
of, he would like to know if Council would like to reconsider and
go back to the original plan and keep three trucks plus the

rescue unit, which means a 4 bay firehall.

Councillor R. Duplessis suggested that contractors come to Council with a proposal and cost for both a 3 and 4 bay firehall. Councillor K. Duplessis stated that because of the information received through the presentations tonight as well as the emails received, he would like to look at the new information. A discussion ensued regarding the possibility of delaying the motion to review the information.

Councillor R. Duplessis repeated his suggestion of having a contractor come in to present the two different options previously stated. Councillor Yocom advised that they need to be cautious of having contractors come in to present their proposals in public, since this will be going as a public tender. He further advised the decision is still based on the amount of trucks needed.

Councillor K. Duplessis asked if tenders can be sent out for two different building sizes. The Clerk advised, that would be possible, however she cautioned she did not know what the response would be, further she did not know if that is a common practice.

Deputy Mayor Foster advised that he is in support of the 3 pumper tankers and for roughly 10% of the new firehall it makes sense for them to do that.

A discussion ensued revising the motion on the table.

The CAO commented that they could go back to the Architect to ask for a better figure on the savings for 1 bay for clarification, she further advised that if a tender went out asking for both 3 and 4 bay designs they are not appreciating the amount of work involved, and cautioned that perhaps not many tenders would be received.

Further discussion took place regarding methods of seeing the difference of costs between 3 and 4 bays.

It was the consensus of Council to amend the motion.

The CAO asked for clarification on if Council was expecting the 4 bays to fall into the 7200 sq ft. Deputy Mayor Foster advised that was not the case.

Item E2
**Collection, Removal
and disposal of
Waster With the
Town of Espanola**

18-073 R. Duplessis – R. Yocom

Be It Resolved That: As Recommended by the Corporate Services Committee That: Bylaw No 2807/17 be adopted, being a By-law for Establishing and Maintaining a System for the Collection, Removal and Disposal of Waste Within the Town of Espanola.

Deferred

Councillor K. Duplessis stated that a lot of work has been done with this Bylaw, it has been to Corporate Services and Council meetings and when he reads it over it is very confusing. He stated it is a very complicated Bylaw, the fines are complicated and he still has the problem that when or if a Bylaw officer is

retained there will not be an opportunity for residents to be warned prior to being fined. He stated he would like the bylaw deferred until it can be gone over. Deputy Mayor Foster asked if he was recommending to defer this item. Councillor K. Duplessis stated that there are other issues that are more important that need their attention and he would like to defer this item for awhile. Councillor R. Duplessis agreed. Councillor Yocom questioned why Corporate would pass it if they weren't satisfied with it and stated that he was glad to see if come back to Council after a year. He advised Council that he feels they are moving backwards as many communities are taking steps to reduce what is going into their landfills and was surprised that one week 3 Councillors at committee level supported the reduction to 2 bags and a week later during a Council meeting they go back to wanting to keep the 4 bag limit. He suggested to Council that there is thousands and thousands of dollars of staff time invested in revising the Bylaw and educating residents to improve the recycling and prepare for the 2 bag limit and he noticed a difference just by walking the streets. He stated if this Bylaw is going to be deferred, which he is in support of, then he would like the Committee to consider the 2 bag limit. People have been educated throughout the year, why do it all over again? He then stated, if we are trying to save tax dollars we are not doing it by flip flopping. Councillor K. Duplessis stated he would like to make a motion to defer this indefinitely; Councillor R. Duplessis seconded the motion. It was explained by the Clerk, that an additional motion was not needed and the chair can call a vote on deferring this item.

Item G1
Knight Cruisers Car Show

18-077 H. Malott – K. Duplessis

Be It Resolved That: Council authorizes:

- 1) A temporary exemption from Municipal Bylaw No. 751/84, Section 14, being a bylaw to control the use of Municipally and Recreationally owned property 14. D) no person shall park any vehicle in any park, recreational area or on municipal property of the Town of Espanola except in those areas specifically designated by appropriate signs and notices as being areas in which vehicles may be parked.
- 2) Temporarily closing Avery Dr. from the Complex to Hunter St. to traffic with the exception of emergency vehicles on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm to host the Knight Cruisers Car Show.
- 3) A temporary exemption from certain provisions of the Noise Bylaw No. 1189/96, on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm for an event being held outdoors at the Track & Field – The Knight Cruisers Car Show.

Carried

Item G2
Safety Recognition

18-078 K. Duplessis – H. Malott

Be It Resolved That: Council approve a recognition award budget of \$15/employee for the 42 employees of the 2 departments that achieved zero recordable injuries in 2017, which were the Fire and Administration departments.

Carried

Councillor R. Duplessis stated that he would like the H&S Committee to look at a Policy that recognizes the different physical and dangerous aspects of some jobs compared to others.

The CAO clarified that this would be reviewed at the Corporate Services Committee level.

Item G3
In-House Counsel

18-079 H. Malott – K. Duplessis

Be It Resolved That: Council for the Town of Espanola appoint Wishart Municipal Law Group to provide legal services in accordance with WMGs Silver Package 1 effective May 1, 2018 and a Bylaw be prepared to execute an agreement.

Deferred

Councillor K. Duplessis stated he has concerns with this item. He stated that without getting into too much detail, due to the item discussed at a In Camera Meeting, he stated that when in discussions with Mr. Cassan of Wishart Municipal Law Group he has been told that Council is not able to do certain things, yet he is seeing those types of things being done in Sudbury. He stated he is confused how one community is able to do something while the next is not. He further stated he wasn't satisfied with the answers he got from the lawyer and although the lawyer might be providing the right answers, he hasn't had an opportunity to research that.

A discussion took place regarding what to do with the motion. Councillor Yocom advised the rest of Council that this motion is just for the day to day operations. Councillor K. Duplessis did not agree, saying that it would include everything. Councillor Yocom acknowledged that and stated that Council still has the option of using a different firm to deal with issues outside of the day to day items. The CAO confirmed that hiring a different lawyer for specific items is an option to Council.

Further discussion ensued. It was the consensus of Council to defer this motion until more information can be obtained regarding different resources.

Item G4
Regular Meeting of
Council of May 22,
2018

18-080 R. Dufour – R Yocom

Be It Resolved That: The start time for the Regular Meeting of Council for Tuesday, May 22, 2018 be changed to 10 am in Council Chambers.

Carried

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.

Cheque Register

Township of Southgate resolution re: Landfill Developments

Conference and Conventions

None

Mayor and Councillors Reports and Announcements

Snowmobile Trails

It was the consensus of Council to direct staff to provide recommendations regarding ski doo use and guarding of the playground in the winter months. The Clerk advised this item will come to the Corporate Services Committee.

Taxi Designation

It was the consensus of Council to direct staff to look into erecting a pick up zone area for taxi companies.

Firefighters

Councillor Yocom thanked the Fire Fighters for their presentation as well as those that sent emails to Councillors throughout the last week.

Budget

Councillor Foster reminded everyone that the budget will be passed at the next Council meeting, showing a 0% increase.

New School

Councillor Foster advised that the announcement of the new school is about a 25 million dollar project and they could be breaking ground as early as this month.

Future Council Meetings

Community Services Committee Meeting of May 15th, 2018 @ 3:00 pm
Regular Meeting of Council of May 22nd, 2018 @ 10:00 am

Adjournment

K. Duplessis – H. Malott

Be It Resolved That: The Regular Meeting of Council is hereby adjourned. Time: 8:35pm

Carried



Bill Foster
Deputy Mayor



Paula Roque
Clerk