CITY OF ELLIOT LAKE



CITY COUNCIL - REGULAR MEETING AGENDA

Monday, September 11, 2017 7:00 pm COUNCIL CHAMBERS

Pages

1.	CALL TO ORDER				
2.	ROLL CALL				
3.	DECLARATIONS OF CONFLICT OF INTEREST				
4.	ADOPTION OF PREVIOUS MINUTES				
	4.1	August 28, 2017 - Regular.	4		
5.	PUBLIC PRESENTATIONS				
	5.1	September 6, 2017. Request to address Council from Chamber of Commerce	22		
		re: Proposal to include Pickle Ball facility in the Multi-purpose Complex			
		Presenter: Tom Turner, Vice President, Chamber of Commerce			
6.	INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS				
	6.1 September 7, 2017. Report from the Manager of Human Resources				
		re: Workplace Accommodation			
		As this matter deals with personal information about identifiable individuals, it may be discussed in closed session under Section 239.(2)(b) of the Municipal Act.			
7.	PRESENTATION OF COMMITTEE REPORTS				
	7.1	Referral from Committee of the Whole for further discussion	23		
		re: Public Private Partnership proposal - inclusion of Pickle Ball facility in the Multi-purpose Complex			
		Council may consider moving this item forward on the agenda, in order to			

facilitate a conference call with William Elliott to be scheduled at the

beginning of the Council meeting.

7.2	Referral from Committee of the Whole for further discussion	56		
	re: Amend By-laws regulating the keeping of animals and birds			
7.3	Referral from Committee of the Whole for further discussion			
	re: consideration of site for Community Hub			
7.4	September 5, 2017. Resolution from Committee of the Whole	71		
	re: rotation of chair for the Committee of the Whole Meetings			
	Res. 17-1			
	That the Chairmanship of the Committee of the Whole meetings rotate at each meeting to allow each member of Council an opportunity to chair the meetings; and that the Mayor chair this first meeting.			
7.5	September 5, 2017. Resolution from Committee of the Whole			
	re: Amendment to Council Code of Conduct to remove sections referencing the CAO as the Integrity Commissioner			
	Res. 17-6			
	That the proposed amendment to the Council Code of Conduct, adopted by By-law No. 16-74, be amended to reflect the appointment of the Integrity Commissioner and remove the portion of the Code of Conduct which places the integrity commissioner function and duties with the Chief Administrative Officer of the City of Elliot Lake, and that a by-law to amend the Code of Conduct be prepared for consideration by Council.			
7.6	September 5, 2017. Resolution from Committee of the Whole	80		
	re: Reconstruction and upgrade of Drainage Ditch system			
	Res. 17-5			
	That Staff Report OPS2017-26 dated August 29, 2017 of the Director of Infrastructure Services be received; and that contract 2017-11 for reconstruction and upgrade of a drainage ditch system in the amount of \$93,535.00 plus applicable taxes be awarded to Wendell Farquhar Trucking Ltd.			
7.7	September 5, 2017. Resolution from Committee of the Whole	84		
	re: Request from Rogers Communications to extend lease agreement			
	Res. 17-8			
	That Staff Report CK2017-14 of the Director of Clerks and Planning Services dated July 31, 2017 concerning a request from Rogers Communications Inc. to extend the lease agreement authorized by By-			

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law No. 95-128 for location of communications towers and equipment at the Roman Avenue Water Tower Standpipes site be received; and that the Committee of the Whole recommend to Council the acceptance of the proposed \$7,500 rent for the renewal period of April 1, 2031 to March 31, 2036 and that the necessary by-law be prepared and presented at the next regular meeting of Council; and that an appendix be added to the lease renewal agreement to ensure that the beacon be illuminated.

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- 9. PETITIONS
- 10. CORRESPONDENCE
 - 10.1 August 25, 2017. Letter from MP of Renfrew-Nipissing-Pembroke
 - re: federal government proposed changes to tax law
- 11. NOTICES OF MOTION
- 12. PUBLIC QUESTION PERIOD
- 13. INTRODUCTION AND CONSIDERATION OF BY-LAWS
 - 13.1 By-law No. 17-50

re: Amend Recruitment, Selection and Hiring Policy By-law No. 04-111 by changing the membership of the CAO Selection Committee to the Human Resources Manager and all members of Council

13.2 By-law No. 17-51

Being a by-law to amend the Council Code of Conduct By-law No. 16-74, by replacing sections referencing the CAO as the Integrity

13.3 By-law No. 17-52

Commissioner

Being a by-law to authorize an agreement with Wendell Farquhar Trucking Limited for the reconstruction and upgrade of a drainage ditch system located on Dunlop Shores Road

- 14. COUNCIL REPORTS AND ANNOUNCEMENTS
- 15. ADDENDUM
- 16. CLOSED SESSION (if applicable)
- 17. ADJOURNMENT

THE CORPORATION OF THE CITY OF ELLIOT LAKE

Minutes of a regular meeting of the Council of The Corporation of The City of Elliot Lake

Monday, August 28, 2017 7:00 PM COUNCIL CHAMBERS

Present D. Marchisella, Mayor

L. Cyr, Councillor

C. Nykyforak, CouncillorC. Martin, CouncillorN. Mann, CouncillorT. VanRoon, CouncillorS. Reinhardt, Councillor

Present M. Humble, Director of Corporate Services

S. McGhee, Director of Operations

W. Rowland, Director of Community Services

L. Sprague, Director of Clerks & Planning Services

Regrets

1. CALL TO ORDER

2. ROLL CALL

3. DECLARATIONS OF CONFLICT OF INTEREST

Councillor Martin read out a Notice of Motion that was to be included on the agenda

Res. 339/17

Moved By: C. Martin

Seconded By: C. Nykyforak

That the notice provisions of the procedure by-law be suspended in order that the following item may be added to the agenda:

- Notice of motion from Councillor Martin respect to the July 26, 2017 agenda item:

To continue ongoing discussion from the Special Meeting of Council held on July 26, 2017 pertaining to governance.

At the request of Mayor Marchisella, the following roll call vote was recorded:

In Favour

- C. Nykyforak
- C. Martin
- N. Mann
- S. Reinhardt

Not In Favour

- T. VanRoon
- L. Cyr
- D. Marchisella

Carried

Councillor Nykyforak read out a Notice of Motion that was to be included on the agenda

Res. 340/17

Moved By: C. Nykyforak Seconded By: S. Reinhardt

That the notice provisions of the procedure by-law be suspended in order that the following item may be added to the agenda:

- Notice of motion from Councillor Nykyforak respect to a memo circulated by the Interim CAO on August 10, 2017 titled "Communication between Staff and Council"; and

At the request of Councillor Nykyforak, the following roll call vote was recorded:

In Favour

- C. Nykyforak
- C. Martin
- N. Mann
- S. Reinhardt

Not In Favour

- T. Van Roon
- L. Cyr
- D. Marchisella

Carried

Councillor Cyr declared an indirect pecuniary interest with respect to Item 13.1, By-law No. 17-41, as his employer does business with this company.

4. ADOPTION OF PREVIOUS MINUTES

4.1 July 24, 2017

Res. 341/17

Moved By: N. Mann Seconded By: T. VanRoon

That the following minutes be adopted:

July 24, 2017 - Regular.

Carried

4.2 July 26, 2017- Special

Res. 342/17

Moved By: T. VanRoon Seconded By: N. Mann

That the following minutes be adopted:

July 26, 2017 - Special.

Carried

4.3 August 8, 2017- Special

Moved By: L. Cyr

Seconded By: T. VanRoon

That the following minutes be adopted, as amended:

August 8, 2017- Special

An amendment to the minutes was introduced as follows:

Item 6.6 on the August 8, 2017 concerning compensation of the Interim CAO position was not deferred; it was moved to closed session for discussion.

Res. 343/17

Moved By: N. Mann Seconded By: T. VanRoon

That the following minutes be adopted, as amended:

August 8, 2017- Special.

Carried

4.4 August 10, 2017- Special

Res. 344/17

Moved By: T. VanRoon Seconded By: C. Nykyforak

That the following minutes be adopted:

August 10, 2017- Special.

Carried

5. PUBLIC PRESENTATIONS

5.1 Chamber of Commerce- Activities and Membership

Presenter: Tom Turner, Vice President, Chamber of Commerce Board

The Champion level of membership was proposed by the City, and involves one lump payment with no further fees. The Chamber is actively rebuilding under a new Board; has executed 3 year business plan; reviewed marketing strategy; holds breakfast meetings with guest speakers and ran a successful golf tournament.

6. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

6.1 August 16, 2017. Staff Report CK2017-19

re: Request to lease a portion of the municipal sidewalk at 144 and 138 Ontario Avenue for access ramps

Res. 345/17

Moved By: N. Mann Seconded By: L. Cyr

That Staff Report CK2017-19 of the Director of Clerks and Planning Services, dated August 16, 2017 concerning the request from Sarich Realty Ltd. to lease a portion of the City's sidewalk for the purposes of two barrier free, wheelchair access ramps be received; and

That the necessary by-law be passed to authorize the agreement.

Carried

6.2 August 4, 2017. Staff Report FIN2017-32

re: Capital status update as at 31st July 2017

Res. 346/17

Moved By: C. Nykyforak

Seconded By: L. Cyr

That Staff Report FIN2017-32, Capital Status Update as at 31st July 2017 of the Director of Corporate Services be received for information.

Carried

6.3 August 16, 2017. Staff Report FIN2017-33

re: Operating variance report as at 31st July 2017

Res. 347/17

Moved By: L. Cyr

Seconded By: T. VanRoon

That Staff Report FIN2017-33, Operating Budget Variance Report as at 31st July 2017 of the Director of Corporate Services be received for information.

Carried

6.4 August 22, 2017. Staff Report OPS2017-24

re: Screening, Treating, and Stockpiling of Winter Sand

Res. 348/17

Moved By: T. VanRoon Seconded By: C. Martin

That Staff Report OPS2017-24 dated August 22, 2017 of the Director of Infrastructure Services be received; and

That contract 2017-09 for the screening, treating and stockpiling of winter sand in the amount of \$55,620.00 plus applicable taxes be awarded to Wendell Farquhar Trucking Limited.

Carried

6.5 August 23, 2017. Staff Report OPS2017-25

re: Asphalt Pavement Crack Sealing

Res.349 /17

Moved By: T. VanRoon Seconded By: N. Mann

That Staff Report OPS2017-25 dated August 23, 2017 of the Director of Infrastructure Services be received; and

That contract 2017-10 for asphalt pavement crack sealing in the amount of \$52,500.00 plus applicable taxes be awarded to Northern Contracting Ltd.

Carried

6.6 August 24, 2017. Letter from Manager of Human Resources

re: Update to Workplace Violence & Harassment Policy and Program

Res. 350/17

Moved By: L. Cyr

Seconded By: T. VanRoon

That the letter from the Human Resources manager regarding the updated Workplace Violence and Harassment Policy and Program be received; and

That the necessary by-law be passed to enact this Policy and Program.

Carried

6.7 August 23, 2017. Staff Report FIN2017-35

re: Functional Program Services for a Community Hub

Res. 351/17

Moved By: L. Cyr

Seconded By: T. VanRoon

That Report FIN 2017 -35 of the Director of Corporate Services dated 23rd August 2017 be received; and

That the proposal for Functional Program Services for aCommunity Hub as submitted by Yallowega, Belanger, Salach be accepted; and

That the Corporation enter into an agreement with Yallowega, Belanger, Salach to provide the Functional Program Services for a Community Hub (to an upset limited of \$40,750 plus applicable taxes.

Carried

7. PRESENTATION OF COMMITTEE REPORTS

8. UNFINISHED BUSINESS

8.1 July 11, 2017. Report from the Economic Development Coordinator

re: Elliot Lake & District Chamber of Commerce Membership

Res. 352/17

Moved By: N. Mann Seconded By: S. Reinhardt

That Staff Report SR EDC 2017-10 dated July 11, 2017 be received; and

That the City of Elliot Lake sponsor the Elliot Lake & District Chamber of Commerce at a Champion Status membership level for the 2017 calendar year; and

That the Chamber provide a semi-annual presentation including information about the business plan, financial reporting and membership levels.

Carried

8.2 August 1, 2017. Compensation for Interim CAO position

re: discussion concerning remuneration for the position of Interim Chief Administrative Officer

This matter has been dealt with.

8.3 August 1, 2017. Duties of the CAO Position

re: CAO Job Description and Organizational Charts

Res. 353/17

Moved By: N. Mann Seconded By: C. Nykyforak

That the CAO Job Description be approved; and

That recruitment of a Chief Administrative Officer be initiated.

Carried

8.4 August 14. 2017. Report from the Director of Clerks and Planning Services

re: Agreement for the provision of Integrity Commissioner Services.

Res. 354/17

Moved By: L. Cyr

Seconded By: T. VanRoon

That Staff Report CK2017-18 of the Director of Clerks and Planning Services, dated August 14, 2017 concerning the agreement for the provision of Integrity Commissioner services, be received; and

That Robert J. Swayze be appointed and retained as the City of Elliot Lake's Integrity Commissioner pursuant to Section 223.3 of the Municipal Act; and

That the necessary by-law be passed to authorize the agreement.

Carried

9. PETITIONS

10. CORRESPONDENCE

10.1 Letter from the Ministry of Community and Social Services

re: Invitation to Participate in the District Social Services Administration Board Review.

Res. 355/17

Moved By: L. Cyr Seconded By: C. Martin

That the letter from the Ministry of Community and Social Services be received; and

That Councillor Mann and Councillor VanRoon be nominated to participate in the District Social Services Administration Board Review.

Carried

10.2 Letter from the Ministry of Municipal Affairs

re: Councils feedback regarding Recent Changes to the Municipal Elections Act, 1996 under Bill 68.

Res. 356/17

Moved By: C. Nykyforak Seconded By: T. VanRoon

That the letter from the Ministry of Municipal Affairs concerning the threshold for number of electors required to sign nomination forms, be received.

Carried

10.3 Memo from the City Clerk Pro Tempore

re: Complaint received by the Ombudsman of Ontario regarding the July 24, 2017 closed meeting in the City of Elliot Lake.

Res. 357/17

Moved By: N. Mann Seconded By: C. Nykyforak

That the Letter from the Ontario Ombudsman dated August 9, 2017 concerning their review concerning a complaint with respect to the closed session of the July 24, 2017 Council meeting be received for information.

Carried

10.4 Memo from the City Clerk Pro Tempore

re: Resignation from the Elliot Lake Public Library Board.

Res. 358/17

Moved By: T. VanRoon Seconded By: L. Cyr

That the memo from the City Clerk Pro Tempore be received; and

That the resignation from Ken Pierce from the Elliot Lake Public Library Board be accepted, with regret.

Carried

10.5 Memo from the City Clerk Pro Tempore

re: Meeting date and Appointment of Chair- ad hoc 2018 Budget Committee

Moved By: T. VanRoon

Seconded By: L. Cyr

That Councillor Mann be nominated as Chair of the ad hoc 2018 Budget Committee.

Councillor Mann indicated he would stand down at this time.

Moved By: C. Nykyforak Seconded By: N. Mann

That Councillor Reinhardt be nominated as Chair of the ad hoc 2018 Budget Committee.

A motion to discuss the matter in closed session was introduced:

Moved By: T. VanRoon Seconded By: L. Cyr

That the nomination of Chair of the ad hoc 2018 Budget Committee be discussed in closed session under Section 239.(2)(b) of the Municipal Act as this matter deals with personal information about identifiable individuals.

Councillor Reinhardt indicated he would stand down.

Res. 359/17

Moved By: S. Reinhardt Seconded By: C. Nykyforak

That Councillor Mann be nominated as Chair of the ad hoc 2018 Budget Committee, and that the date of the first meeting be at the call of the Chair pending discussions with staff.

Carried

10.6 Memo from the City Clerk Pro Tempore

re: Complaint received by the Ombudsman of Ontario regarding the Elliot Lake Residential Development Commission - Public Notice

Res. 360/17

Moved By: T. VanRoon Seconded By: L. Cyr

That the Ombudsman Report dated August 2017 concerning the provision of Public Notice by the "ELRDC" Elliot Lake Residential Development Commission be received for information.

Carried

The next meeting of the ELRDC is on Sept. 25 at 4:15 in the ELNOS building.

10.7 Memo from City Staff

re: Additional Information Requested on the Miner's Monument Agreement with Artist Laura Brown Breetvelt

Res. 361/17

Moved By: L. Cyr

Seconded By: C. Nykyforak

That the memo dated august 23, 2017 concerning additional information about the Miners Monument agreement with Artist Laura Brown Breetvelt be received; and

That the City enter into an agreement with Laura Brown Breetvelt for the provision of the Prospector Monument for the Miners Memorial Site and that the necessary by-law be passed.

Carried

11. NOTICES OF MOTION

11.1 August 18, 2017. Notice of Motion from Councillor VanRoon

re: Ad hoc Cottage Lots Phase 2 Committee

Res. 362/17

Moved By: T. VanRoon

Seconded By: L. Cyr

Whereas the Council of the City of Elliot Lake passed a motion Resolution 15/189 "That an ad hoc phase II waterfront development committee for the purpose of developing an agreement between the City of Elliot lake and Serpent River First Nation is hereby established";

and whereas the Council of the City of Elliot Lake has committed to "Develop a strategy to advance the Cottage Lot Program and have a memorandum of understanding (MOU) by the end of 2016" as indicated in the City's 2015 Strategic Plan;

and whereas we are reaching the end of 2017 with a need to expedite the project and/or reach a final conclusion as to the project's continuation;

and whereas on June 12, 2017 resolution number 17/231 states "That the Ad Hoc Cottage Lot Phase II Committee work with the Province of Ontario to procure the lots for Phase II Waterfront Development Project and provide recommendations to Council with regard to development of Phase II Waterfront Development project";

and whereas Resolution 17/231 changes the material nature of the original resolution for the creation of the committee:

Now therefore be it resolved that the Council of the City of Elliot Lake disband the existing Ad Hoc Phase II Cottage Lot Committee;

and that this matter be referred to the Committee of the Whole.

Carried

Councillor Cyr assumed the Chair.

11.2 August 22, 2017. Notice of Motion from Mayor Marchisella

re: First Nations Flag at Miners Monument

Res. 363/17

Moved By: Mr. D. Marchisella Seconded By: C. Nykyforak

Whereas; both the Federal and Provincial Government have moved in the direction of reconciliation and respect for treaty rights;

And That; communities across Canada are now proactively recognizing the value of acknowledging the treaty agreements and their First Nations neighbors;

And That; the Council of the Corporation of the City of Elliot Lake recognizes the importance of fostering good relations with our neighboring communities;

And That; we are all treaty people under the Robinson – Huron Treaty of 1850;

Now Let It Be Resolved That; the City of Elliot Lake agrees in principle to the erection of a flag at the Miners Monument site, with the permission and at a time proposed by our neighbouring First Nation community, out of respect for the First Nations with whom we share our land, and as a step towards reconciliation.

At the request of Councillor Reinardt, the following roll call vote was recorded:

In Favour

- C. Nykyforak
- C. Martin
- N. Mann
- T. VanRoon
- S. Reinhardt
- D. Marchisella
- L. Cyr

Carried

Mayor Marchisella left the Council chambers.

Res. 364/17

Moved By: C. Martin Seconded By: N. Mann

That the Notice of Motion from Councillor Martin concerning continuance of ongoing discussion from the Special Meeting of Council held on July 26, 2017 pertaining to governance be discussed in closed session under Section 239.(2)(b) of the Municipal Act as the matter involves personal information about identifiable individuals.

At the request of Councillor Cyr, the following roll call vote was recorded:

In Favour

- C. Nykyforak
- C. Martin
- N. Mann
- S. Reinhardt
- D. Marchisella

Not In Favour

- T. VanRoon
- L. Cyr

Carried

Res. 365/17

Moved By: C. Nykyforak Seconded By: S. Reinhardt

That the Notice of Motion from Councillor Nykyforak concerning a memo circulated by the Interim CAO on August 10, 2017 titled "Communication between Staff and Council" be discussed in closed session under Section 239.(2)(b) of the Municipal Act as the matter involves personal information about identifiable individuals.

At the request of Councillor Cyr, the following roll call vote was recorded:

In Favour

- C. Nykyforak
- C. Martin
- N. Mann
- S. Reinhardt
- D. Marchisella

Not In Favour

- T. VanRoon
- L. Cyr

Mayor Marchisella returned to council chambers, and assumed the Chair.

12. PUBLIC QUESTION PERIOD

Councillor Cyr withdrew from his position at the council table.

13. INTRODUCTION AND CONSIDERATION OF BY-LAWS

13.1 By-law No. 17-41

Being a by-law to authorize the entering into of an agreement to place advertisements on the buses and bus shelters.

Res. 366/17

Moved By: N. Mann Seconded By: S. Reinhardt

That By-law No.17-41, being a by-law to authorize the entering into of an agreement to place advertisements on the buses and bus shelters, be passed.

Carried

Councillor Cyr returned to his chair.

Councillor Nykyforak left council chambers.

13.2 By-law No. 17-43

Being a by-law to authorize an agreement to commission a monument for display at the Miners Memorial park on the shore of Horne Lake.

Res. 367/17

Moved By: T. VanRoon

Seconded By: L. Cyr

That By-law No. 17-43, being a by-law to authorize an agreement to commission a monument for display at the Miners Memorial park on the shore of Horne Lake, be passed.

Councillor Nykyforak returned to her chair.

Carried

13.3 By-law No. 17-44

Being a by-law to appoint and retain Robert J. Swayze as the City of Elliot Lake's Integrity Commissioner pursuant to Section 223.3 of the Municipal Act.

Res. 368/17

Moved By: L. Cyr

Seconded By: T. VanRoon

That By-law No.17-44, being a by-law to appoint and retain Robert J. Swayze as the City of Elliot Lake's Integrity Commissioner pursuant to Section 223.3 of the Municipal Act, be passed.

Carried

13.4 By-law No. 17-45

Being a by-law to authorize a Marketing Licence Agreement with Service Line Warranties of Canada, Inc.

Res. 369/17

Moved By: L. Cyr Seconded By: C. Martin

That By-law No.17-45, being a by-law to authorize a Marketing Licence Agreement with Service Line Warranties of Canada, Inc., be passed.

Carried

13.5 By-law No. 17-46

Being a by-law to authorize the leasing of certain municipal lands for the purpose of establishing two public pedestrian access ramps.

Res. 370/17

Moved By: C. Nykyforak Seconded By: N. Mann

That By-law No. 17-46, being a by-law to authorize the leasing agreement of certain municipal lands for the purpose of establishing two public pedestrian access ramps, be passed.

Carried

13.6 By-law No. 17-47

Being a by-law to authorize the entering into of an agreement for provision of services with respect to asphalt pavement crack sealing.

Res. 371/17

Moved By: L. Cyr

Seconded By: T. VanRoon

That By-law 17-47, being a by-law to authorize the entering into of an agreement for provision of services with respect to asphalt pavement crack sealing, be passed.

Carried

13.7 By-law No. 17-48

Being a by-law to authorize the entering into of an agreement for provision of services with respect to screening, treating and stockpiling of winter sand.

Res. 372/17

Moved By: T. VanRoon

Seconded By: L. Cyr

That By-law 17-48, being a by-law to authorize the entering into of an agreement for provision of services with respect to screening, treating and stockpiling of winter sand, be passed.

Carried

13.8 By-law No. 17-49

Being a by-law to enact the updated Policy and Program for the prevention of Workplace Violence and Harassment.

Res. 373/17

Moved By: N. Mann Seconded By: L. Cyr

That By-law No. 17-49, being a by-law to enact the updated Policy and Program for the prevention of Workplace Violence and Harassment, be passed.

Carried

14. COUNCIL REPORTS AND ANNOUNCEMENTS

<u>Official Elliot Lake CANADA 150 merchandise</u> is available at the Elliot Lake Welcome Centre, including t-shirts and collectible pins.

The City of Elliot Lake in conjunction with Elliot Lake Entertainment Series is pleased to present <u>Carl Dixon in Concert and Conversation</u>, September 16 at the Lester B. Pearson

Civic Centre. Carl Dixon remains one of Canada's stellar singers and musicians (Coney Hatch, The Guess Who, and April Wine.)

<u>Elliot Lake Arts on the Trail</u>, the fall's most spectacular arts event will be held September 30 at the Lester B. Pearson Civic Centre, Collins Hall and Camp Thompson. The event showcases 23 professional artists from around the region and features live musicians, demonstrations, open studios, a youth exhibit and a special Canada 150 community arts project that will include the general public. Watch for the event brochure coming to your mailbox in September or go to www.artsonthetrail.com for full details.

<u>The Golden Helmets</u>, from the OPP will be here in Elliot Lake to perform on September 8th at 6 pm in the Lower Plaza.

<u>Kids Fishing Derby</u>; to be held on September 16th, 9am -3 pm at Westview Park.Ages 3-16, no entry fee. Deadline for registration is September 8. For more info: elliotlakederby2017@gmail.com or call 461-825-0712

Quick Charge Station. New to the community, this quick charge station is for electric cars and is located at the Bank of Nova Scotia.

Geology Tour was completed August 19-20, with 52 registrations. The event was a wonderful experience – we have world class Geology in our area.

Res. 373/17

Moved By: S. Reinhardt Seconded By: T. VanRoon

That this meeting may proceed beyond 10 pm.

Carried

- 15. ADDENDUM
- 16. CLOSED SESSION (if applicable)

Res. 374/17

Moved By: C. Nykyforak Seconded By: N. Mann

That this meeting proceed into closed session at the hour of 9:25 PM.

Carried

Res. 375/17

Moved By: N. Mann Seconded By: L. Cyr

That this meeting come out of closed session at the hour of 11:03 PM.

Carried

17. ADJOURNMENT

Res. 375/17

Moved By: N. Mann Seconded By: T. VanRoon

That this meeting adjourn at the hour of 11:04 PM.

	Carried
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Mayor	
City Clerk	-

Lesley Sprague

From:

Tom Turner <tom.turner@vianet.ca>

Sent:

September-06-17 2:18 PM

To:

Lesley Sprague

Subject:

Council Presentation Sept 11/17

Good afternoon, Ms. Sprague,

I am writing on behalf of the Elliott Lake and District Chamber of Commerce. We would like the opportunity to address Council at its meeting of September 11, 2017. The topic we wish to address is Pickle Ball and the Multi-Plex.

As Council is aware, the Chamber has written to the City in support of its drive to obtain grants for the proposed multiplex. At last Monday's Committee of the Whole meeting the inquiry from an American entrepreneur regarding a pickle ball court building and a possible business arrangement with the city on the multi complex was presented by William Elliott.

The Chamber of Commerce encourages investment in our community. The inquiry from this gentleman amounts to just that. There was also an expression of interest on behalf of the investor in pursuing other options with the city, but only if the city was interested.

The Chamber of Commerce takes the position that Council should be open to hearing what this gentleman has to say and what he might offer. It will cost nothing to listen and to explore opportunities. This would be in keeping with City's Strategic Plan and the idea that We Are Open for Business.

On Behalf of the Chamber,

Tom Turner Vice-President

Sent from my iPhone.



City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: PUBLIC PRIVATE PARTNERSHIP PROPOSAL -

INCLUSION OF PICKLE BALL IN THE MULTI-PURPOSE COMPLEX

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following recommendation was made to the City Council:

Resolution no. 17-2

That the report concerning the inclusion of the Pickle Ball recreation facility as part of the Multi-purpose complex be forwarded to Council for consideration.

William Elliott will be available by conference call to provide information. In order to participate in the call at a pre-arranged time, it is suggested that this item be moved forward to the beginning of the agenda so that Mr. Elliott can be available to provide information and answer questions.

Yours truly,

Lesley Sprague City Clerk



INTER-OFFICE MEMO

TO: Committee of the Whole

FROM: William Elliott

DATE: August 30, 2017

SUBJECT: "Pickle Ball" and potential P3 opportunity

ELNOS was approached by a business developer from South Carolina who has been working with a local business with an unrelated project. The developer, Scott Elliott, is a former Elliot Laker and is currently working with an investor (Steve Kuhn) on developing Pickle Ball centres in the United States.

Pickle Ball has been around for a long time but has shown tremendous growth in the last few years. The attached PowerPoint will give you the basics of the sport, and there was a recent story on MCTV covering pickle ball in the Soo.

http://northernontario.ctvnews.ca/video?clipId=1173423&binId=1.1142313&playlistPageNum=1

Elliott/Kuhn were originally interested in a stand-alone model similar to what has been developed in Kansas City http://www.chickennpickle.com/ but were open to a 'value added' venture in conjunction with the City's multiplex project.

There have been some initial discussion and consideration of running the project as Private Public Partnership (P3), a relatively new concept for developing large municipal infrastructure projects. P3 projects can take the form of:

- Operation & Maintenance Contract (O & M): A private operator, under contract, operates a publicly-owned asset (e.g. water/wastewater treatment plant) for a specified term. Ownership of the asset remains with the public entity.
- **Build-Finance:** The private sector constructs an asset and finances the capital cost only during the construction period.
- **Design-Build-Finance-Maintain (DBFM):** The private sector designs, builds and finances an asset and provides hard facility management (hard fm) or maintenance services under a long-term agreement.

P3 projects are designed to utilize the expertise of the private sector in building and maintaining infrastructure, while allowing municipalities to provide needed services in a cost effective and predictable manner.

Pickle Ball P3 memo Page 2

Based on some preliminary analysis it was suggested that – using construction figures of \$36m for the base multiplex and \$4m for the pickle ball addition – the options would be:

Option 1:

- Land
 - Serviced land provided by City of Elliot Lake
- Construction/Build Cost
 - o Investment by US Partners \$40 Million
- Financing
 - o \$4 Million non-repayable investment in Pickleball Construction from US Partners
 - \$36 Million repayable by City of Elliot Lake to US Partners through balloon payments from Federal and Provincial funding with the remainder through payment on terms
- Potential Timeline
 - Proceed with due diligence/project development while concurrently lobbying and securing funding from the Provincial and Federal government

Option 2:

- Land
 - Serviced land provided by the City of Elliot Lake
- Construction/Build Cost
 - o Investment by Provincial and Federal Government and City of Elliot Lake
 - Maximum funding potentially available 40% Feds, 33% Province, 27%
 City
 - US Partners to provide City contribution approximately \$9.72
 Million(based on \$36 Million) if maximum funding received
- Financing
 - o \$4 Million non-repayable investment in Pickleball Construction from US partners
 - \$9.72 Million repayable by City of Elliot Lake to US partners through payment on terms
- Potential Timeline
 - Lobby Provincial and Federal government to secure funding
 - o Proceed with due diligence/project development once funding secured

While there exists a high degree of uncertainty related to the potential contribution of the Federal and Provincial governments, the overall project is likely fixed, with only the financing package to be determined. The potential US investors would like to move quickly, and are looking for a simple outline from the City as to what they would be expected to do (finance 100%? finance just the pickle ball portion? etc.) and how their return on investment would be structured (balloon payments? Amortization period? Revenue sharing? etc.)

Pickle Ball P3 memo Page 3

The reality is the project is already moving much slower than the 'speed of business', so if the City is interested in pursuing the multiplex option it will be necessary to commit some time and resources to this aspect of the project.

Submitted by

William Elliott

William Elliott



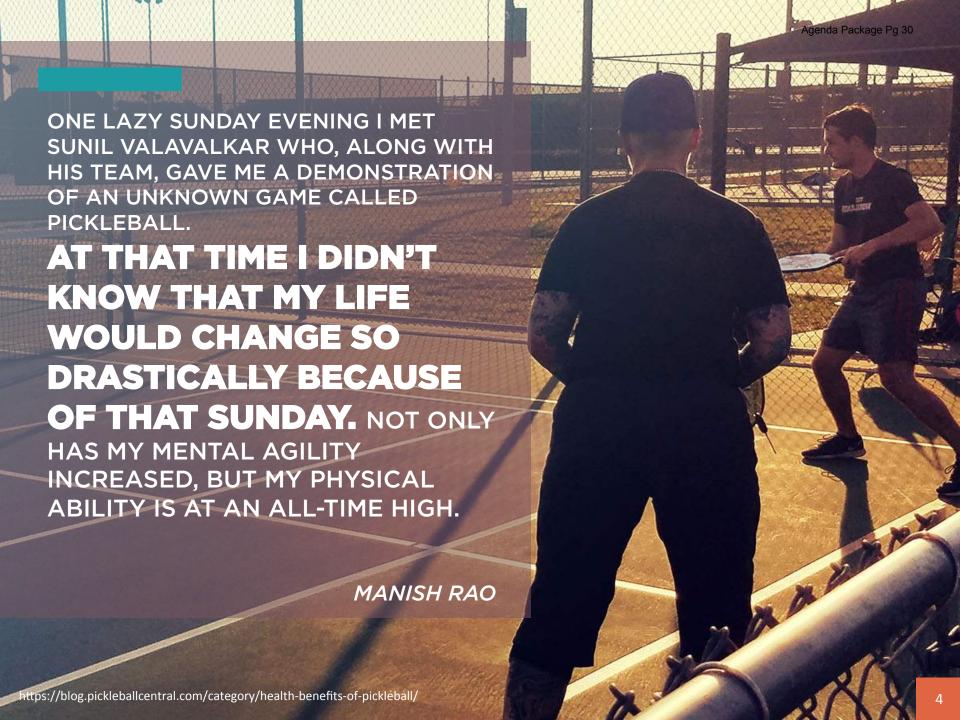
If you pick up a paddle and step on the court,

THERE IS A VERY REAL CHANCE THAT PICKLEBALL WILL HAVE A POSITIVE AND MATERIAL IMPACT ON THE QUALITY OF YOUR LIFE.



EXECUTIVE SUMMARY

- Pickleball is a game similar to tennis that is played on a court one-third the size, with a net 34 inches high, where the players use a paddle and a polymer ball that resembles a Wiffle ball
- Pickleball is one of the fastest growing sports in the United States
- Pickleball is accessible to all demographics, and is one of the only sports that is truly ageless (A 70 year old can legitimately compete with a 20 year old)
- The fact that the sport is not intimidating, low impact, easy to pick up, and ridiculously addictive, Pickleball is having an unprecedented impact on health across the United States
- Communities benefit from the increased density offered by the smaller court size, the inclusive nature of the sport, the low barriers to entry, and the low cost and durability of the equipment
- There is the very real chance it may become an Olympic sport



ORIGIN

Pickleball has always been a game of simple rules, basic equipment and minimal space.

The very first game was played in 1965 by Joel Pritchard, a congressman from Washington state, and Bill Bell, a successful businessman, at Pritchard's home on Bainbridge Island, WA (near Seattle). Having access to an abandoned badminton court, but lacking badminton equipment, Mr. Pritchard and Mr. Bell started playing with ping-pong paddles and a perforated plastic ball. The net was eventually lowered to 36 inches (two inches higher than the standard today.)

The following weekend, Barney McCallum was introduced to the game at Pritchard's home. Soon, the three men created rules, keeping in mind the original purpose, which was to design a game that the whole family could play together.

It is said that the name was derived when Joan Pritchard (Joel Pritchard's wife) commented, "It reminded me of the Pickle Boat in crew where oarsmen were chosen from the leftovers of other boats." There is a rumor that the name came from the Pritchard's family dog Pickles, however, according to Mr. Pritchard, Pickles didn't arrive on scene until two years after the game was invented.



TIMELINE 2005 2013 USAPA became a The USAPA establishes the non-profit corporation. Grant Program to assist in 1990 Pickleball was being creating new sites. By the end 1976 of 2013, the program played in all 50 states. The first known accounted for 1,400 new sites. Pickleball tournament in the world was held. 2008 2003 There were 420 places There are 39 known 1984 to play in North places to play in North 1972 USAPA was organized America as listed on America listed on the A corporation was to perpetuate the the USAPA website. Pickleball Stuff website. formed to protect the growth of pickleball on This represents 10 states creation of Pickleball. a national level. The and 3 Canadian provinces first rulebook was and about 150 courts. published. 1984 2009 1975 The first composite The fist USAPA National paddle was made by The National Tournament for players of all Arien Paranto, a Boeing 2003 Observer published ages was held. The tournament industrial engineer. Pickleball was included an article about drew almost 400 players from for the first time in the Pickleball followed 26 states and several Canadian Huntsman World Senior Game. by a 1976 article in provinces. Tennis magazine about "America's newest racquet 2015 sport." Today, Pickleball has 2001 2008 approximately 3 The game of Pickleball was The first USA Pickleball 1976 million players. The introduced for the first time in

the Arizona Senior Olympics.

The first permanent

Pickleball court was

constructed.

Official Tournament

rulebook was published.

"Places to Play" list

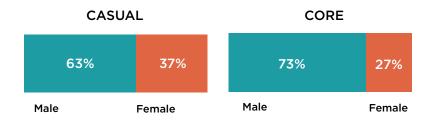
boasts over 4,000 sites.

ADOPTION

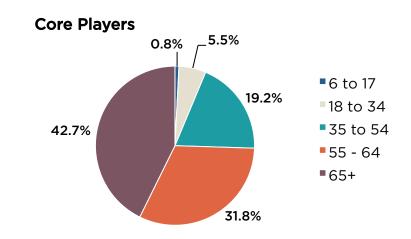
The Sports & Fitness Industry Association (SFIA) 2016 Pickleball Participant Report shows that of the 2.5 million players:

- 1.57 million were "Casual" participants who play
 1-7 times a year
- 930 thousand were "Core" participants who play 8 or more times a year

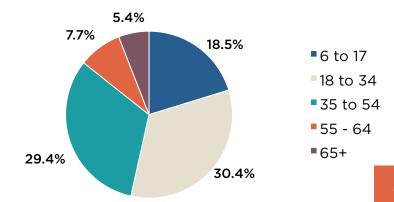
In addition to the United States, Pickleball is played in Canada, Mexico, Netherlands, India, England, Australia, China, Spain, France, Singapore, Aruba, Czech Republic, the United Kingdom, and Japan.



New and more diverse groups of people are trying the sport (and this supports all multi-use facilities)



Casual Players





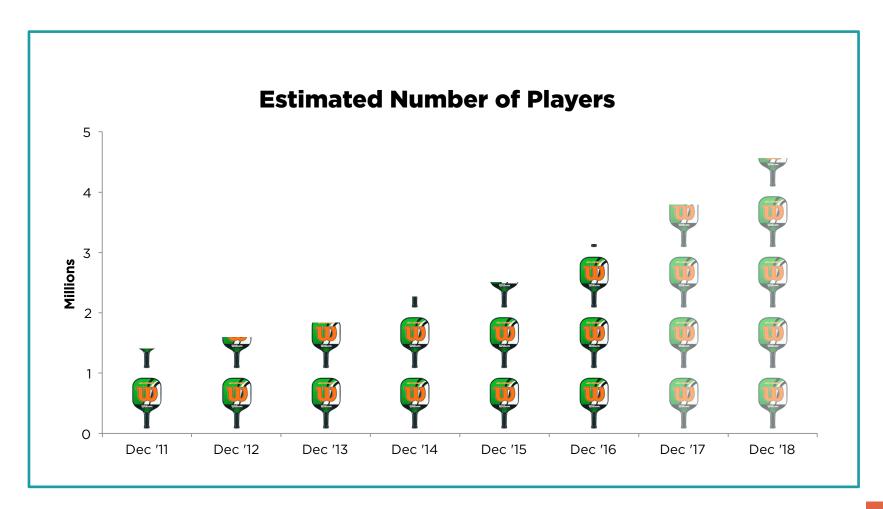
ATTRACTIVE DEMOGRAPHICS

- 55+ make up 36% of Pickleball players yet only 28% of the population
- 38% of Pickleball players have HH incomes greater than \$100,000, compared to 27% of the population
- 31% of Pickleball players have a post-graduate education 2-1/2 times the population at large



CONSISTENTLY STRONG GROWTH

There were **3.1 million** people playing Pickleball at the end of 2016 – that number is expected to be almost **5 million** within the next 2 years



OPPORTUNITY

Economic

As with most sporting activities, opportunities abound for investments:

- Facilities
- Equipment
- Apparel
- Professional player sponsorships

Given Pickleball's very diverse demographic and growing numbers, there are additional opportunities:

- Pickleball bar (Example: www.chickennpickle.com)
- Multi-use 'court sport' complex
- Professional league development
- Tournaments
- Camps and development activities
- Corporate events



APPEALING TO

FITNESS-ORIENTED INDIVIDUALS

22.5%

maintain a running or jogging routine

23.7%

participate in 'boot camp' style training

of Pickleball players engage in aerobic exercise (High Impact /

High Intensity)

...WITH ACTIVE LIFESTYLES

27%.---

are campers

29% -- - of Pickleball

of Pickleball players are cyclists

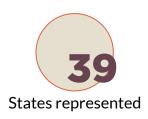


-• 19.3%

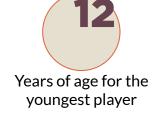
are mountain /
ice climbers

AN ECONOMIC STORM IS BUILDING

From the 2016 U.S. Open Pickleball Championships which received nationwide coverage and was broadcast on CBS Sports Network

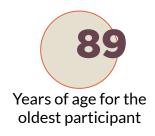




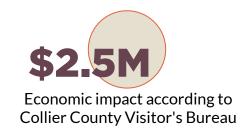








10,000 – 12,000 Spectators who attended the five-day event







OPPORTUNITY Community

- Re-purpose ailing and under-utilized community tennis courts
- Build new public facilities in small areas

- Increased utilization of public spaces and creates a renewed sense of community
- A Pickelball court is one-third the size of a tennis court, and people play doubles. The utilization of space increases by 600%
- Accessible to all ages
- Engages the senior community
- The only sport where an elderly individual can legitimately compete with someone half their age
- The equipment is low cost, extremely durable and can withstand public use













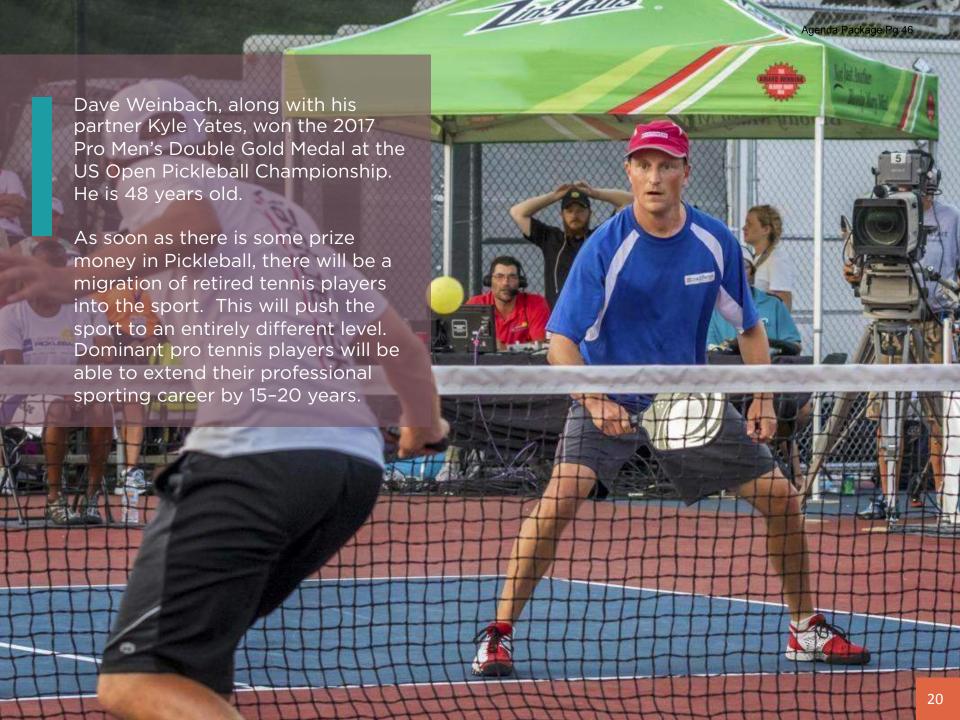




Pickleball is a sport that unites people. Everyone can play. It doesn't require hundreds of hours of practice to become competent – you are having fun in minutes. There is something fundamentally good about that.

It is also impossible to judge how competent someone is based on appearance alone. It's inspiring."

Steve Kuhn

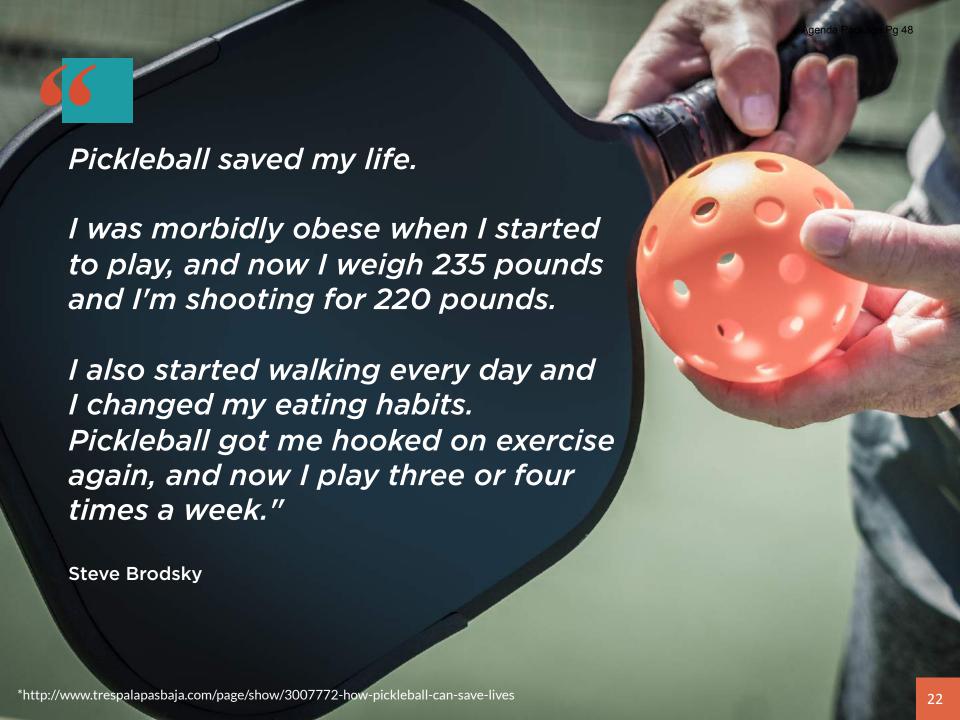


OPPORTUNITY

Health



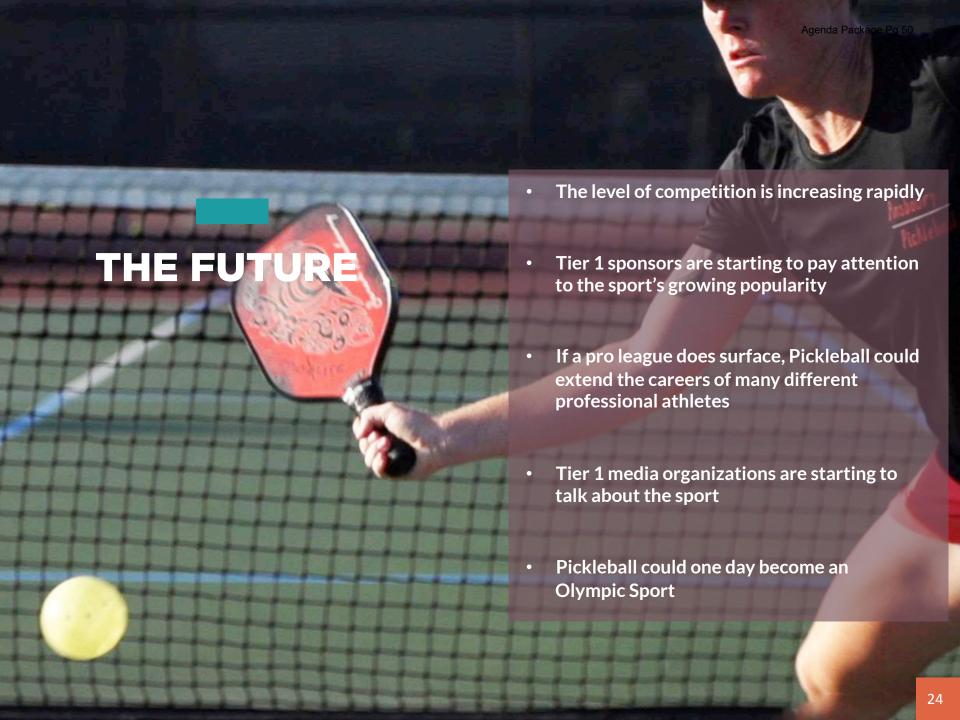
- Not an intimidating sport
- Accessible
- Low impact
- The ease of adoption and addictiveness of the sport can be life altering for inactive people
- Assists in the fight against obesity across all ages
- Builds self-esteem and improves mental health
- Offers an alternative for those with limited mobility



OPPORTUNITY Charity / Kids



- Pickleball is an incredible way to build confidence in children
- Doesn't require extensive budgets to play
- Pickleball paddles are far more durable than tennis rackets, which increases their lifespan and reduces costs
- Gets kids off of screens and promotes a more balanced and healthy lifestyle
- It is a fantastic way to unite and engage with disenfranchised children that have had tough childhoods
- Cost of a junior Pickelball program is the fraction of the cost of a junior tennis program



APPENDIX















THE GAME



THE EQUIPMENT

COURT

- o 20 feet wide X 44 feet long
- Surface is typical to tennis courts and basketball courts
- o Net is 34 inches high
- Court is broken into 4 quadrants, not including a 7 foot wide section at the net
- There exists a seven foot "no volley" line to prevent "spiking."

PADDLE

- o Constructed of wood, composite or graphite
- Combined length and width, including any edge guard and butt cap shall not exceed 24 inches
- The most common paddle measurement approximately 8 inches in width and 15 ¾ inches long
- There is no restriction on thickness

BALL

- o Durable material
- o Hollow
- Smooth surface
- o Uniform color
- O Size: 2.874 inches 2.972 inches in diameter
- o Weight: 0.78 0.935 ounces
- Bounce: have a bounce between 30 34 inches when dropped from a height of 78 inches
- o Design: shall have 26 40 circular holes

HOW TO PLAY

RULES

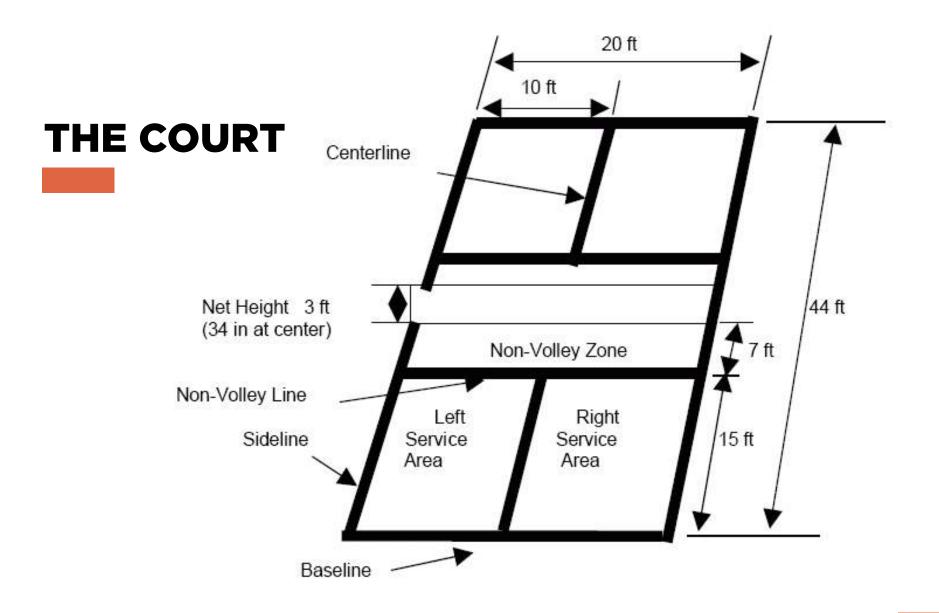
- Can be played indoors and outdoors
- Serve is diagonal (starting with the right-hand service square)
- The serve continues, alternating sides, until there is a fault, at which point the service is given to the opposing side.
- Each side must let the ball bounce once before volleys (hitting the ball before it bounces) are allowed
- Serve must be underhand with the paddle below the waist with both feet behind the back line
- There are singles and doubles games in Pickleball

SCORING

- The first side scoring 11 points wins, but you must win by 2 points
- Points are scored only on the serve

FAULT

- Touches any part of the non-volley zone on the serve (including the line)
- o Is hit out of bounds
- o Does not clear the net
- o Is volleyed from the non-volley zone
- Is volleyed before a bounce has occurred on each side



COST OF CONSTRUCTION

PAINTING COURTS

In cases where existing slabs are present (tennis, basketball court etc.), permanent painting can transform these into Pickleball courts.

Est. Cost: \$300-\$400

NEW CONTRUCTION

In cases that require brand new construction, a typical per-court price runs around \$4,000-5,000

CONTACT DETAILS





City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: REQUEST TO AMEND BY-LAW 59-93; KEEPING OF BIRDS AND ANIMALS

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following recommendation was made to the City Council:

Resol. 17-9

That the By-laws regulating the keeping of Birds and Animals be amended to permit a maximum of 3 egg-laying hens per household and that further information be obtained with respect to appropriate restrictions for the keeping of hens; and That rabbits also be removed from the by-laws as a restricted pet; and that this matter be forwarded to Council.

Yours truly,

Lesley Sprague City Clerk



Chief Building Official

August 31, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Dr. N. Elliot Lake, ON P5A 1X5

RE: Request to amend Bylaw 59-93, Keeping of Birds and Animals

Dear Mayor and Members of Council:

We wish to advise that at the regular meeting of the By-laws and Planning Committee held Tuesday, August 8, 2017 the Committee deferred the following resolution to the Committee of the Whole:

Res. 29/17

"That the letter concerning an amendment to Bylaw 59-93 being a bylaw regulating the keeping of birds and animals, be deferred to the next regularly scheduled meeting."

Yours truly,

Bruce Ewald, CBCO

Secretary of Bylaw and Planning Committee

Attachments



July 2, 2017

Official Plan & Municipal By-Law Committee City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

Dear Committee Members,

Re: Requested Amended to By-law No. 59-93

It was brought to my attention a short while ago of the existence of By-law No. 59-93, which is a by-law regulating the keeping of domestic fowl, pigeons, cattle, goats, swine, horses, rabbits, mink and foxes. This by-law actually states that no one shall keep such animals within one thousand feet of any dwelling house located within a registered plan of subdivision.

This by-law is not listed or shown on the City website.

I would like to have this by-law amended to allow for the keeping of backyard hens. There are a number of cities and towns in Canada which allow for the keeping of hens in city limits, including Victoria, Saanich, Nelson, Guelph, Niagara, Brampton, Surrey, Kingston, Quinte West, to name a few.

The benefits for keeping laying hens include fresher eggs, greater control over egg source, and companionship. Hens are no more noisy, smelly or dirty than your average household pet and they are easy to look after.

Keeping laying hens is no different than growing your own vegetables. Chicken waste products also provide good compost for gardens. I have been growing vegetables in order to have fresh, truly organic vegetables for a long time. About five years ago I started looking into getting some hens to supplement my "home grown" diet. After checking the by-laws of the City of Elliot Lake which were on-line and not finding any that forbade chickens, I decided to get some.

I researched what I would need to know in order to take care of laying hens and found out that I could get hens locally from an organic farmer in McKerrow. She was very helpful in assisting me finding the necessary feed, straw, etc. that I would require, and what I should do to keep the hens safe, and warm in winter.

I asked my neighbours if they would mind, and they thought it was a great idea, so in the spring of 2014 I built a coop and made a chicken run in the back yard. I purchased the necessary food and straw, and then got six laying hens. The first year was an experience, learning what worked and what didn't; chasing a chicken out of the neighbour's yard that had got through a hole in the hedge, with the neighbour following us with a camera! We lost two chickens the first year to a raccoon that was living under the neighbour's shed, but learned where the hole in our defense was and closed it up.

Since that first year we have not had any escapes, and we have not been bothered, in any way, by predators or other pests, other than squirrels and chipmunks. The feed is kept in critter proof cans, in the locked chicken run. By 8:00 p.m. the hens are already in their coop, waiting to be locked up.

This is the fourth year we have had hens, and at no time have we receive any complaints from neighbours.

Again, I ask the council to amend the present by-law no. 59-93 to allow for the keeping of laying hens in back yards within the City of Elliot Lake. I have included some material on this matter, mostly from Newmarket which is presently conducting a pilot project before passing a by-law for the keeping of backyard hens, as well as a couple of other City by-laws respecting hens:

- 1. City of Newmarket Corporate Services report on Keeping of Laying Hens dated September 11, 2013.
- 2. Urban Hens in the Town of Newmarket, a Powerpoint Presentation by Marc Mantha dated March 2013.
- 3. Backyard Hens Report March 2013, Newmarket.
- 4. Newmarket Urban Hens Public Information Centre Pilot Project.
- 5. Copy of City of Guelph By-law No. (2016)-20122.
- 6. City of Niagara Falls By-law No. 2002-129.

Your earliest attention to this matter would be appreciated.

Sincerely,

Elaine Carter 155 Westhill Road, Elliot Lake ON 705-461-6498 jec1954@live.com THE CORPORATION OF THE IMPROVEMENT DISTRICT OF ELLIOT LAKE

BY-LAW NO. 59-93

Being a By-law regulating the keeping of domestic fowl, pigeons, cattle, goats, swine, horses, rabbits, mink and foxes.

WHEREAS under and by virtue of the Municipal Act, Chapter 243, Section 388, Sub-Section (1), Paragraph 1, R.S.O. 1950, the Board of Trustees of The Improvement District of Elliot Lake is authorized to pass a By-law for regulating the keeping of domestic fowl, pigeons, cattle, goats, swine, horses, rabbits, mink or foxes within the Municipality or defined areas thereof;

AND WHEREAS it is expedient to pass this By-law for the Improvement District of Elliot Lake;

NOW THEREFORE the Board of Trustees of the Improvement District of Elliot Lake ENACTS AS FOLLOWS:

- No one shall keep or house domestic fowl, pigeons, cattle, goats, swine, horses, rabbits, mink or foxes within one thousand feet of any dwelling house located on any lot shown on any registered plan of subdivision within the Improvement District of Elliot Lake.
- 2. Any person convicted of a breach of any of the provisions of this By-law shall forfeit and pay a penalty not exceeding \$50.00, at the discretion of the convicting magistrate, for each offence, exclusive of costs, and on default of full payment of the said penalty and costs forthwith, the said penalty and costs may be levied by distress and sale of the goods and chattels of the offender, and in case there be no distress fund on which the said penalty and costs may be

levied, the convicting magistrate may commit the offender to the common gaol, with or without hard labour, for a meriod not exceeding twenty-one days, unless the said penalty and costs are sooner paid.

3. That this by-law shall come into force and take effect upon the day that it receives the approval of the Department of Municipal Affairs for Ontario.

READ a first and second time this loth day of June, 1959.

Secretary

READ a third time and finally passed this 16th day of June, 1959.

RPPROVED

THE CORPORATION OF THE CITY OF ELLIOT LAKE



Being a by-law to prohibit the keeping of certain kinds of animals.

The Council of The Corporation of the City of Elliot Lake, pursuant to Section 128 (Public Nuisances) of The Municipal Act, 2001, **ENACTS AS FOLLOWS:**

DEFINITIONS

- 1. In this by-law,
 - "animal" means any member of the animal kingdom or living beings, including mammals, birds and reptiles, but excluding fish.
 - "keep" means to have temporary or permanent control or possession of an animal.

KEEPING OF CERTAIN KINDS OF ANIMALS PROHIBITED

2. Subject to Section 3.0, no person shall keep or cause to be kept any animal listed on Schedule "A", attached hereto.

EXEMPTIONS

3. The provisions of Section 2.0 do not apply to the keeping of those animals listed in Schedule "B" or, in the circumstances listed in Schedule "C".

PENALTY

4. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction under the *Provincial Offences Act* is liable to a fine and any other penalty imposed.

SHORT TITLE

5. This by-law shall be known as the "Exotic Pets By-law".

PASSED this 13 th day of December, 2004.	
	MAYOR
	CITY CLERK

SCHEDULE "A"

Being a list of animals the keeping of which is prohibited within the City of Elliot Lake.

All Marsupials (such as kangaroos and opossums)

All Non-human Primates (such as gorillas and monkeys)

All Felids except the domestic cat

All Canids except the domestic dog

All Viverrids (such as mongooses, civets and genets)

All Mustelids (such as skunks, weasels, otters, badgers) except the domestic ferret

All Ursids (bears)

All Artiodactylus Ungulates (such as domestic goats, sheep, pigs, and cattle)

All Procyonids (such as racoons, coatis, and cacomistles)

All hyaenas

All Perissodaetylus Ungulates, except the domestic horse and ass

All Elephants

All Pinnipeds (such as seals, fur seals and walruses)

All snakes of the families pythonidae and boidae

All Venomous reptiles

All Ratite Birds (such as ostriches, rheas, cassowaries)

All Diurnal and Nocturnal Raptors (such as eagles, hawks, & owls)

All Edentates (such as anteaters, sloths and armadillos)

All bats

All Rodentia, (such as rats, porcupines and prairie dogs) except domestic pets such as hamsters, white mice, gerbils and guinea pigs

All Crocodylias (such as alligators and crocodiles)

All Venomous Arachnids (such as scorpions and tarantulas)

All Anseriformes (such as ducks, geese, swans)

All undomesticated Galliformes (such as grouse, pheasant, turkeys)

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

SCHEDULE "B"

Being a list of farm animals exempt from the application of this by-law but subject to the provisions of other by-laws of the City of Elliot Lake.

Horse	
Donkey, pony	
Mule	
Cow or steer	
Goat	
Swine	
Mink	
Fox	
Chinchilla	
Sheep	
Chicken. Or any other domestic galliforme	

SCHEDULE "C"

Being a list of places or circumstances, which are exempt from the application of this bylaw.

- 1. On the premises of a park, zoo or animal display operated by, or on behalf of The Corporation of the City of Elliot Lake;
- 2. On the premises of The City of Elliot Lake and the District Society for the Prevention of Cruelty to Animals and the Society for Animals in Distress;
- 3. In a veterinary hospital under the care of a licensed veterinarian;
- 4. On the premises of a university or community college where such animals are being kept for research, study or teaching purposes or on premises registered as research facilities under Section 5 of The Animals for Research Act, R.S.O. 1970, Chapter 22;
- 5. By anyone holding a licence under any statute of the Legislatures of Ontario or The Government of Canada, which permits the keeping of animals under stated conditions.
- 6. On the premises of any television studio where such animals are being kept temporarily for the purpose of a television production;
- 7. On premises which are temporarily used for a traveling show such as a circus or other like shows.



City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: INVESTIGATION OF PROPERTY

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following resolution was passed:

Resolution no. 17-13

Whereas the Council of the City of Elliot Lake was presented with the following recommendation at its Special meeting held August 10, 2017: "That the Ad-Hoc Multi-Use Complex Committee recommend to Council that the most optimal site for the Community Hub would be 151 Ontario Avenue with a back-up site being the Centennial Arena site"; and

Whereas the motion was defeated; and

Whereas more information has become available:

Now therefore be it resolved that the Council of the City of Elliot Lake reconsider its earlier decision and pursue the site located at 151 Ontario Avenue as its primary selection as the site for the multi-use facility.

Yours truly,

Lesley Sprague City Clerk



The Corporation of the City of Elliot Lake

Council Report TVR2017-03

Report of Councillor VanRoon for the Consideration of Council

RE: Site – Selection Multi-Use Complex

OBJECTIVE

To provide additional information to council members regarding the site-selection for the multi-use complex.

RECOMMENDATION

That Report TVR-2017-03 of Councillor VanRoon dated 17th August be received;

And that the City of Elliot Lake pursue the site located at 151 Ontario Avenue as its primary selection for the site of the Multi-Use center, as recommended by the ad-hoc Multi Use Complex Committee.

Respectfully Submitted

O

Prepared by

Councillor VanRoon

30 Aug, 2017

BACKGROUND

The Ad-Hoc Multi-use committee was provided a detailed Site Options Comparative Analysis by Colliers International. The report identifies three potential site locations for the complex.

At its July 26 meeting the Ad Hoc Multi Use Committee discussed at great length and great detail each potential site, primarily weighing the pros and cons of the placement of the facility at each site. Some additional factors that would have a great impact on the selection were not discussed in detail.

ANALYSIS

With respect to the Centennial Arena site, of primary concern is the property that is located at the south east corner of the property, it is privately owned and had at one time operated as a gas station. I have had concerned citizens approach me, indicating that at one time that property was fenced of with a sign that indicated it was contaminated. Due to the close proximity of this property to the proposed build site, a Phase One and Phase Two Environmental assessment would be required, at minimum. This carries an estimated cost of \$20,000 based on my experience. Should any contamination be discovered the cost to and length of time to remedy is unpredictable.

I am aware of a contamination issue in the Gloucester area in which the contamination migrated some 4km away from the source. Some 33 years later there are still contamination concerns, despite remediation efforts. I do not believe there are any guarantees of permanent remediation once there has been contamination.

My concern is that the possible cost to remediate a contaminated site, along with the cost to demolish the existing structures, along with the cost to develop and flatten the sloped wooded area will far exceed Council's expectations.

Also, the use of the Centennial site will require the closure of the baseball diamond in order to afford the space required to house the facility. The topography of the site is not ideal and there is also a lift station located on the site.

Given the 100,000-120,000 sq ft footprint required by the proposed structure, the City will likely lose the use of its Arena during the construction period if optimal location on the property is desired. Colliers have advised that it would conceptually be possible to retain use of the existing Arena during construction, but only by shifting the new construction towards the existing parking area, former gas station property, the sanitary lift station, and back towards the steeper areas of the property and adjacent residential properties that would be more costly to prepare.

Another point that I believe is of the utmost importance is the accessibility of the facility by our constituents. The Ontario Ave site is centrally located and far more accessible to all of our residents being located downtown and on existing regular transit routes. It will also provide convenience to our many citizens who do not have a mode of transportation to enjoy the multi-plex and complete their other errands, which in turn will revitalize the down town core (which was the main argument in placing the new plaza and library where they are located). The site is not located in a residential area where it will become a nuisance to neighboring residential properties, not to mention the loss of the wooded area abutting their properties.

There has been strong support expressed throughout the community to select the site located on Ontario Ave, along with some strong disappointment of Council's hesitance to do so. From what I have seen and read the support for this location most certainly outweighs the opposition.

FINANCIAL IMPACT

To avoid the potential for a cost to remediate the property of environmental contaminants,.

LINKS TO STRATEGIC PLAN

Economic Development and Diversification, Stabilization, and Investment Readiness

• Continue to foster retirement opportunities

Development of Strong Partnerships

• Support local business community.

SUMMARY

Approval is sought to Pursue the property located at 151 Ontario avenue as the preferred site to locate the new multi-plex.



City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: ROTATION OF CHAIR FOR COMMITTEE OF THE WHOLE MEETINGS

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following recommendation was made to the City Council:

Resolution no. 17-1

That the Chairmanship of the Committee of the Whole meetings rotate at each meeting to allow each member of Council an opportunity to chair the meetings; and That the Mayor chair this first meeting.

The following rotation for chairing the Committee of the Whole Meetings is suggested:

Tuesday September 5 – Mayor Marchisella

Monday September 18 - Councillor Cyr

Monday October 2 – Councillor Nykyforak

Monday October 16 - Councillor Martin

Monday November 6 - Councillor Mann

Monday November 20 – Councillor VanRoon

Monday December 4- Councillor Reinhardt

Monday December 18 - Councillor Cyr

Tuesday January 2 – Councillor Nykyforak

Monday January 15 - Councillor Martin

Monday February 5 - Councillor Mann

Monday February 19 - Councillor VanRoon

Yours truly,

Lesley Sprague City Clerk



City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: AMEND BY-LAW NO. 16-74 - COUNCIL CODE OF CONDUCT

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following recommendation was made to the City Council:

Resolution no. 17-6

That the proposed amendment to the Council Code of Conduct, adopted by By-law No. 16-74, be amended to reflect the appointment of the Integrity Commissioner and remove the portion of the Code of Conduct which places the integrity commissioner function and duties with the Chief Administrative Officer of the City of Elliot Lake, and that a by-law to amend the Code of Conduct be prepared for consideration by Council.

Yours truly,

Lesley Sprague City Clerk

Office of the City Clerk

Memo

To: Mayor and Members of Council

From: Lesley Sprague, City Clerk

CC:

Date: August 30, 2017

Re: REQUIRED AMENDMENT TO BY-LAW NO. 16-74 – COUNCIL CODE OF CONDUCT

At the regular meeting of Council held August 28, 2017, By-law No. 17-44 was passed to appoint and retain the services of Robert Swayze as Integrity Commissioner for the City of Elliot Lake.

The Integrity Commissioner reports to Council and investigates in an independant manner, the functions assigned by the Municipality, primarily with respect to the application of the Code of Conduct Policy, adopted by by-law No. 16-74.

The Integrity Commissioner has agreed to provide a review of the Code of Conduct and make recommendations with respect to compliance with the applicable legislation. This review will be performed in the near future. However, in order to proceed, there is an immediate need to remove the portion of the Code of Conduct which places the Integrity Commissioner functions and duties with the Chief Administrative Officer of the Municipality. Therefore Sections 9 and 10 must be removed from the Code of Conduct. Mr. Swayze has provided an appropriate replacement for these sections of the current Code of Conduct. A draft by-law to amend the Code of Conduct By-law No. 16-74 is attached.

L. Sprague

CODE OF CONDUCT COMPLAINT PROTOCOL

PART A: INFORMAL COMPLAINT PROCEDURE

Any person or a representative of an organization who has identified or witnessed behaviour or an activity by a member of Council that they believe is in contravention of the *Council Code of Conduct* (the "Code") may wish to address the prohibited behaviour or activity themselves as follows:

- (1) advise the member that the behaviour or activity contravenes the Code of Conduct:
- (2) encourage the member to stop the prohibited behaviour or activity;
- (3) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (4) tell someone else (for example, a senior staff member or an officer of the organization) about your concerns, your comments to the member and the response of the member;
- (5) if applicable, confirm to the member your satisfaction with the response of the member; or, if applicable, advise the member of your dissatisfaction with the response; and
- (6) consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code of Conduct. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

PART B: FORMAL COMPLAINT PROCEDURE: Integrity Commissioner

Requests for Inquiries s.1

Complaint

- 1. (1) A request for an investigation of a complaint that a member has contravened the Code of Conduct (the "complaint") shall be in writing.
 - (2) All complaints shall be signed by an identifiable individual (which includes the authorized signing officer of an organization).
 - (3) A complaint shall set out reasonable and probable grounds for the allegation that the member has

contravened the Code of Conduct. For example, the complaint should include the name of the alleged violator, the provision allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.

Initial Classification by Integrity Commissioner s. 2

2. (1) The request shall be filed with the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council policies.

No Jurisdiction

- (2) If the complaint is not, on its face, a complaint with respect to non- compliance with the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Council policy, the Integrity Commissioner shall instruct the City Clerk to advise the complainant in writing as follows:
 - (a) if the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
 - (b) if the complaint on its face is with respect to non-compliance with the *Municipal Conflict of Interest Act*, the complainant shall be advised to review the matter with the complainant's own legal counsel;
 - (c) if the complaint on its face is with respect to noncompliance with a more specific Council policy with a separate complaint procedure, the complainant shall be advised that the matter will be processed under that procedure; and
 - (d) in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

Reports

- (3) The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- (4) The Integrity Commissioner shall report annually to Council on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

Integrity Commissioner Investigation ss. 3 – 8

Refusal to Conduct Investigation

- 3. (1) If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.
 - (2) Other than in exceptional circumstances, the Integrity Commissioner will not report to Council on any complaint described in subsection (1) except as part of an annual or other periodic report.

Investigation & Settlement

4. (1) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and may attempt to settle the complaint.

Public Inquiries Act

- (2) Integrity Commissioner may elect to investigate a complaint by exercise of the powers of a commission under Parts I and II of the *Public Inquiries Act*.
 - (3) When the *Public Inquiries Act* applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Protocol, but, if there is a conflict between a provision of the Complaint Protocol and a provision of the *Public Inquiries Act*, the provision of the *Public Inquiries Act* prevails.
- 5. (1) The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act*:
 - (a) serve the complaint and supporting material upon the member whose conduct is in question with a request that a written response to the allegation by way of affidavit or otherwise be filed within ten days; and
 - (b) serve a copy of the response provided upon the complainant with a request for a written reply within ten days.

Access

(2) If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in the Municipal Act and may enter any City work location relevant to the complaint for the purposes of investigation and settlement.

Interim Reports

(3) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.

Final Report

- 6. (1) The Integrity Commissioner shall report to the complainant and the member generally no later than 90 days after the making of the complaint.
 - (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner may also report to Council outlining the findings, the terms of any settlement, or recommended corrective action.

(3) Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to Council except as part of an annual or other periodic report.

Lawful Recommendations

(4) Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.

Member not Blameworthy

7. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.

Report to Council 8. The City Clerk shall process the report for the next meeting of Council

Council Review; Costs ss. 9 – 10

Duty of Council

- 9. (1) Council shall consider and respond to the report within 90 days after the day the report is laid before it.
 - (2) In responding to the report, Council shall not refer the recommendation other than back to the Integrity Commissioner.

Confidentiality

- 10. (1) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding or in accordance with the provisions of the *Municipal Act*.
 - (2) All reports from the Integrity Commissioner to Council will be made available to the public.
 - (3) The Integrity Commissioner in a report to Council on whether a member has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.



City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: DRAINAGE DITCH RECONSTRUCTION

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following recommendation was made to the City Council:

Resolution no. 17-5

That Staff Report OPS2017-26 dated August 29, 2017 of the Director of Infrastructure Services be received; and

That contract 2017-11 for reconstruction and upgrade of a drainage ditch system in the amount of \$93,535.00 plus applicable taxes be awarded to Wendell Farquhar Trucking Ltd.

Yours truly,

Lesley Sprague City Clerk



The Corporation of the City of Elliot Lake

Staff Report OPS2017-26

Report of the **Director of Infrastructure Services** for the Consideration of Council

RE: DRAINAGE DITCH RECONSTRUCTION

OBJECTIVE

To provide Mayor and Council with information regarding the outcome of the tender for a drainage ditch reconstruction project on Dunlop Shores Road.

RECOMMENDATION

THAT Staff Report OPS2017-26 dated August 29, 2017 of the Director of Infrastructure Services be received;

AND THAT contract 2017-11 for reconstruction and upgrade of a drainage ditch system in the amount of \$93,535. ⁰⁰ plus applicable taxes be awarded to Wendell Farquhar Trucking Ltd.

Respectfully Submitted

Sean McGhee

Director of Infrastructure Services

August 29, 2017

BACKGROUND

There is a storm water drainage system situated between 574 and 578 Dunlop Shores Road. This ditch was constructed to collect surface water from the surrounding area and direct it to the lake.

The drainage system was compromised severely during the heavy rain event of July 27th, 2013. Following investigation by municipal staff, Tulloch Engineering, and Algoma Public Health, and action plan was developed to remediate the ditch and bolster the design. Changes to the system were made to better handle the volume and velocity of water being handled by the ditch. The reconstruction, which occurred late in 2013 was not successful in adequately handling the higher than anticipated flow velocities managed at the site. As a result, the blasted rock fill within the ditch system continued to wash out and was deposited near the shore line of the lake.

The services of Tulloch Engineering were secured at which time a topographical survey and flow analysis was completed. It was determined that the most reliable and durable solution to address the high flow velocities associated with the ditch was a manufactured product. Design was completed utilizing a PVC ditching system with some areas reinforced using concrete flex-mat. Consultation with both homeowners was incorporated into the design process. The municipality will be applying for an easement to permit access for the purpose of maintenance as required.

As ownership and maintenance of the road and all associated infrastructure was assumed by the municipality long ago, these expenses are being considered as corrective maintenance activities. In the future, a thorough inspection of drainage systems should be completed prior to acceptance of any new development to ensure adequate design standards were adopted.

The tender was advertised on the City of Elliot Lake website and through the Merx website. Due to the complexity of the project, and site access limitations associated with the work, a mandatory site visit was held on Thursday August 10th. In total, four (4) firms attended the site visit with two (2) firms submitting bids for the project.

ANALYSIS

The pricing received through the tender process was as follows:

- Beamish Construction Inc. \$103,000.
- Wendell Farguhar Trucking Ltd. \$93,535.⁰⁰

No bid irregularities were noted during the tender review process.

FINANCIAL IMPACT

This project will be funded through the 2017 Capital Projects Budget utilizing funds from the Roads Emergency Infrastructure Replacement account. At present, there is \$300,000 available through this funding source. Following completion of the project, there will be a total of \$204,818.⁷⁹ remaining.

LINKS TO STRATEGIC PLAN

Approval of this request will uphold the commitment of Mayor and Council toward "Continued Investment into Infrastructure". This report serves to assist in "educating the public on infrastructure operations, repair and replacement".

SUMMARY

The drainage ditch in question has been increasingly problematic in that erosion continues to take place with rock, debris, and silt washing to the shore line of the lake. In order to prevent an escalation of the environmental issues associated with this issue and potential damage to private property; it is recommended that this work be completed as soon as possible.



City Clerk

September 6, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Drive North Elliot Lake, ON P5A 1X5

RE: REQUEST TO EXTEND LEASE AGREMENT FROM ROGERS COMMUNICATIONS

Dear Members of Council:

We wish to advise that at the meeting of the Committee of the Whole, held on Tuesday September 5, 2017, the following recommendation was made to the City Council:

Resol. 17-8

Moved By: L. Cyr

Seconded By: T. VanRoon

That Staff Report CK2017-14 of the Director of Clerks and Planning Services dated July 31, 2017 concerning a request from Rogers Communications Inc. to extend the lease agreement authorized by By-law No. 95-128 for location of communications towers and equipment at the Roman Avenue Water Tower Standpipes site be received; and

That the Committee of the Whole recommend to Council the acceptance of the proposed \$7,500 rent for the renewal period of April 1, 2031 to March 31, 2036 and that the necessary by-law be prepared and presented at the next regular meeting of Council

And that an appendix be added to the lease renewal agreement to ensure that the beacon be illuminated.

Yours truly,

Lesley Sprague City Clerk



Chief Building Official

August 31, 2017

Mayor and Members of Council City of Elliot Lake 45 Hillside Dr. N. Elliot Lake, ON P5A 1X5

RE: Request to extend Lease Agreement from Rogers Communications

Dear Mayor and Members of Council:

We wish to advise that at the regular meeting of the By-laws and Planning Committee held Tuesday, August 8, 2017 the Committee deferred the following resolution to the Committee of the Whole:

Res. 26/17

"That Staff Report CK2017-14 of the Director of Clerks and Planning Services, dated July 31, 2017 concerning a request from Rogers Communications Inc. to extend the lease agreement authorized by By-law No. 95-128 for location of communications towers and equipment at the Roman Avenue Water Tower standpipes site be deferred to the next regularly scheduled meeting of the By-law and Planning Committee in order to obtain further information pertaining to what "fair Market rent" actually means."

Yours truly,

Bruce Ewald, CBCO

Secretary of Bylaw and Planning Committee

Attachments





The Corporation of the City of Elliot Lake Staff Report CK2017-14

Report of the Director of Clerks and Planning Services

RE: REQUEST TO EXTEND LEASE AGREEMENT - ROGERS COMMUNICATIONS

OBJECTIVE

To provide Council with information concerning a request to extend the lease agreement for the Rogers communications tower at the City's standpipes (water tower site off Roman Avenue).

RECOMMENDATION

2017-14

That Staff Report CK2016-36 of the Director of Clerks and Planning Services, dated July 31, 2017 concerning a request from Rogers Communications Inc. to extend the lease agreement authorized by By-law No. 95-128 for location of communications towers and equipment at the Roman Avenue Water Tower standpipes site be received;

And that the addition of one 5 year extension term commencing on April 1, 2031 at fair market rent be approved.

Respectfully submitted,

Director of Clerks and Planning Services

Approved by,

Reviewed by XMT and approved by Michael Humble, CPA, CGA Director of Corporate Services / Interim CAO

July 31, 2017

BACKGROUND

Rogers Communications have a lease agreement with the City for location of a tower and transmitting/receiving antennae mounts and a building to house related equipment on the City's standpipes property at the top of Roman Avenue/Willoughby Road. Rogers standard practice is to secure a 20 year lease for all of their communications towers and equipment. Rogers have given advance notice of their intention to request an extension to their existing lease to provide an additional five year term for the years 2031 to 2036.

Attached is a copy of the draft proposed lease renewal / extension agreement. We are currently entering the fourth extension term of the agreement authorized by By-law No. 95-128 at \$6,000.00 per year.

ANALYSIS

The City has already passed By-laws in 2001, 2006 and 2011 to approve extension agreements in the future. Rogers have historically paid their rent in a timely manner.

There is provision in the lease agreement to terminate should there become difficulties with interference with other wireless communications/transmissions.

Previous renewals have been agreed to at an increase of \$500.00 per annum in the rental amount for each additional 5 year extension term.

Options to Extend the Lease agreements over 5 year terms with lease amount paid per annum:

```
1995-2001
                           $4,000
             2001-2006
                           $4,500
             2006-2011
                           $5,000
             2011-2016
                          $5,500
By-law 01-22 2016-2021
                          $6,000
By-law 06-61 2021-2026
                          $6,500
By-law 11-13 2026-2031
                          $7,000
             2031-2036
                           (City proposed $7,500; Rogers propose fair market rent)
```

Rogers had proposed a new clause 4. Rent Payable during the Extension Terms with respect to the lease amount being set at "Fair Market Rent". At the City's request, Clause 4. was expanded to clarify the lease amounts previously authorized to ensure the rent payable for those terms shall not be overturned. It was recognized however, that the 5 year term commencing in the year 2031, shall reflect fair market rent. Rogers have proposed that the lease extension term for 2031 to 2036 be set at Fair Market Rent for similar sites in the vicinity of the property, or as determined by an arbitrator appointed under provincial arbitration legislation.

At the last renewal extension in 2011, city staff verified that The City of Timmins and the Town of Dryden have agreements for comparable amounts. (ie. City of Timmins have an agreement at \$6,000 per year until the year 2022.) Municipalities in our immediate area do not have agreements with a

communications company comparable to Rogers, as these companies often have agreements for their towers on private property, or lease space on an existing tower.

This request for an extension lease was presented to Council on December 12, 2016 and the following resolution was passed:

Res. 418/16

That the matter be deferred to the next regular meeting of Council pending a review of the requirement to have a signal light on top of the tower.

The Director of Infrastructure Services has been corresponding with Transport Canada and the Project Manager for Rogers Communications. The signal/beacon light at the top of the Rogers Tower is now functioning as of June 29th.

FINANCIAL IMPACT

The lease rate is reasonable in comparison with rates other municipalities are collecting.

LINKS TO STRATEGIC PLAN

n/a

SUMMARY

It is recommended that the Council approve the request from Rogers for a further five year extension to the term of their lease agreement, and that the necessary by-law authorizing the lease extension be passed.

LEASE AMENDING AND EXTENSION AGREEMENT

BETWEEN:

THE CORPORATION OF THE CITY OF ELLIOT LAKE

(the "Landlord")

- and -

ROGERS COMMUNICATIONS INC.

(the "Tenant")

WHEREAS:

- A. The Landlord and Rogers Wireless Inc., as tenant entered into a lease commencing the 8th day of September 1992, and the Landlord and the Tenant entered into a Lease Amendment and Extension agreement dated the 21st day December 2012 (collectively the "Lease") with respect to a certain real property municipally known as Block B, Plan M1-152, in the City of Elliott Lake, Ontario (the "Property") more particularly described in the Lease;
- B. By amalgamation effective July 1, 2007, Rogers Wireless Inc. amalgamated with its affiliated corporation Rogers Communications Inc., Rogers Cable Inc., Rogers Wireless Communications Inc., and RWCI Acquisition Inc., and continued as Rogers Communications Inc.;
- C. The Landlord and Tenant have agreed to amend and extend the Lease as hereinafter provided.

THEREFORE in consideration of the mutual covenants, terms, conditions and agreements contained herein the Landlord and the Tenant agree as follows:

1. Demise and Term

The Landlord hereby leases to the Tenant the Property for and during the term of five (5) years commencing on the 1st day of April 2016 and expiring on the 31st day of March 2021 (the "Third Extension Term").

2. Rent

During the Third Extension Term the Tenant shall pay the Landlord an annual rent of Six Thousand Dollars (\$6,000.00) plus applicable taxes payable in advance during each year of the Third Extension Term.

3. Option for Additional Extension Term

The Landlord irrevocably grants to the Tenant the option to further extend the Term for one (1) further and consecutive period of five (5) years, commencing April 1st 2031. The option shall be deemed to be exercised by the Tenant unless the Tenant gives notice in writing at least 60 days prior to the expiry of the term or any extension period as the case may be stating that it elects not to exercise such option.

4. Rent Payable During The Extension Terms

Rent for the extension terms are payable as follows:

2031

For the period of April 1st, 2021 up to and including March 31st, 2026, the Tenant shall pay the Landlord an annual rent of Six Thousand, Five Hundred Dollars (\$6,500.00) plus applicable taxes;

For the period of April 1st, 2026 up to and including March 31st, 2026, the Tenant shall pay the Landlord an annual rent of Seven Thousand Dollars (\$7,000.00) plus applicable taxes; and

For the period of April 1st, 2031 up to and including March 31st, 2036 rents shall be set at fair market rent for Tenant sites for similar uses in the vicinity of the property as agreed by the parties acting reasonably, or, failing agreement, by a single arbitrator appointed under provincial arbitration legislation.

5.

Assignment of Lease
The Landlord shall not assign the Lease or any interest therein without the Tenant's prior written consent, except to a principal lender or purchaser of the Property.

Application of Lease 6.

The Landlord and Tenant acknowledge and agree that except as otherwise provided herein this agreement shall be on the same terms and conditions as the Lease and the capitalized terms herein unless otherwise provided shall have the same meaning as ascribed to them in the Lease. All other terms and conditions of the Lease remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto executed this agreement as of the dat written below.
Dated this, 2017
ROGERS COMMUNICATIONS INC.
Per:
Name: Ron Joe Title: Director, Network Implementation
I have the authority to bind the Corporation.
Dated this day of
THE CORPORATION OF THE CITY OF ELLIOTT LAKE
Per:
Name:
Title:
Per:
Name: Title:
I/We have the authority to bind the Corporation

Location Code: C0685/50773001

LEASE AMENDING AND EXTENSION AGREEMENT

BETWEEN:

THE CORPORATION OF THE CITY OF ELLIOT LAKE

(the "Landlord")

- and -

ROGERS COMMUNICATIONS INC.

(the "Tenant")

WHEREAS:

- A. The Landlord and Rogers Wireless Inc., as tenant entered into a lease commencing the 8th day of September 1992, and the Landlord and the Tenant entered into a Lease Amendment and Extension agreement dated the 21st day December 2012 (collectively the "Lease") with respect to a certain real property municipally known as Block B, Plan M1-152, in the City of Elliott Lake, Ontario (the "Property") more particularly described in the Lease;
- B. By amalgamation effective July 1, 2007, Rogers Wireless Inc. amalgamated with its affiliated corporation Rogers Communications Inc., Rogers Cable Inc., Rogers Wireless Communications Inc., and RWCI Acquisition Inc., and continued as Rogers Communications Inc.;
- C. The Landlord and Tenant have agreed to amend and extend the Lease as hereinafter provided.

THEREFORE in consideration of the mutual covenants, terms, conditions and agreements contained herein the Landlord and the Tenant agree as follows:

Demise and Term

The Landlord hereby leases to the Tenant the Property for and during the term of five (5) years commencing on the 1st day of April 2016 and expiring on the 31st day of March 2021 (the "Third Extension Term").

2. Rent

During the Third Extension Term the Tenant shall pay the Landlord an annual rent of Six Thousand Dollars (\$6,000.00) plus applicable taxes payable in advance during each year of the Third Extension Term.

3. Option for Additional Extension Term

The Landlord irrevocably grants to the Tenant the option to further extend the Term for one (1) further and consecutive period of five (5) years, commencing April 1st 2031. The option shall be deemed to be exercised by the Tenant unless the Tenant gives notice in writing at least 60 days prior to the expiry of the term or any extension period as the case may be stating that it elects not to exercise such option.

4. Rent Payable During The Extension Terms

Rent for the extension terms are payable as follows:

For the period of April 1st, 2021 up to and including March 31st, 2026, the Tenant shall pay the Landlord an annual rent of Six Thousand, Five Hundred Dollars (\$6,500.00) plus applicable taxes;

For the period of April 1st, 2026 up to and including March 31st, 2031, the Tenant shall pay the Landlord an annual rent of Seven Thousand Dollars (\$7,000.00) plus applicable taxes; and

For the period of April 1st, 2031 up to and including March 31st, 2036 the Tenant shall pay the Landlord an annual rent of Seven Thousand Five Dollars (\$7,500.00) plus applicable taxes

Site Name: Elliott Lake

Location Code; C0685/50773001

Assignment of Lease

The Landlord shall not assign the Lease or any interest therein without the Tenant's prior written consent, to a party that merely wishes to purchase the Landlords interest in the Lease.

6. Application of Lease

The Landlord and Tenant acknowledge and agree that except as otherwise provided herein this agreement shall be on the same terms and conditions as the Lease and the capitalized terms herein unless otherwise provided shall have the same meaning as ascribed to them in the Lease. All other terms and conditions of the Lease remain in full force and effect.

	the bease. An other terms and conditions of the bease term	and in full force and effect.
9	IN WITNESS WHEREOF the parties hereto have hereunto execuriten below.	cuted this agreement as of the date
	Dated this day of	, 2017
	ROGERS COMMUNICATIONS INC.	
	Per: Name: Title: I have the authority to bind the Corporation.	
ě	Dated this day of THE CORPORATION OF THE CITY OF ELLIOT LAKE	, 2017
10A	THE COM CHANGE OF THE CAT OF ELLECT EARLY	
	Per: Name: Title:	
	Per: Name: Title:	
	I/We have the authority to hind the Cornoration	



Cheryl Gallant

Member of Parliament Renfrew-Nipissing-Pembroke Member of Standing Committee on National Defence Member of Standing Committee on Industry, Science and Technology



August 25th, 2017

Mayor and Council City of Elliot Lake 45 Hillside Dr N Elliot Lake, Ontario, P5A 1X5

IS YOUR COMMUNITY IN JEOPARDY

Dear Mayor and Council: (le français suit)

Recently, the federal government proposed significant changes to tax law, which may affect the ability of your ratepayers to save for retirement, severely limit the extent to which agricultural producers can pass their farms on to the next generation without incurring significant taxes, and reverse many years of accepted tax planning.

Physicians and other professionals will also be negatively affected.

Just like campground owners were targeted for so-called "passive income", other small businesses may become subject to new taxes on assets not deemed as active. It is estimated that combined taxes on small business owners could bring their effective rate of taxation to 93%.

The current administration is planning to end four tax practices:

- 1. Income Sprinkling, which involves diverting income from a high-income individual to family members with lower personal tax rates:
- 2. Passive investments funded from after tax active business earnings;
- 3. Capital Gains conversion from a private corporation's regular income for lower tax rates and limit access to the life time capital gain exemption.
- 4. Lifetime Capital Gains Exemption on gains on the disposition of property (i) that accrued before the taxation year in which the individual turns 18 years of age; (ii) if income on the property was subject to the tax on split income; or (iii) that accrued while the property was held by a trust (other than a spousal trust or common law partner trust or certain trusts established to hold shares for employees).

IT IS NOT TOO LATE TO STOP THIS.

Together with my colleagues in the Official Opposition, we have stopped a number of new taxes from being implemented. The government is accepting submissions until October 2, 2017.

Please, take a minute to complete the short yes/no survey attached, then use the envelope enclosed to mail your responses to me. No postage is necessary. Your reply will be kept in the strictest confidence.

Sincerely,

hery Salfont Cheryl Gallant, M.P.

Renfrey Nipissing Pembroke

Room 604, Justice Building House of Commons Ottawa, ON K1A 0A6 Tel.: (613) 992-7712

Fax: (613) 995-2561

CONSTITUENCY OFFICE 2nd Floor, 84 Isabella St.

Pembroke, ON K8A 5S5 Tel.: (613) 732-4404 Fax: (613) 732-4697

Toll Free: 1-866-295-7165 Website: www.cherylgallant.com

(Le français suit)

TAX PLANNING USING PRIVATE CORPORATIONS CONSULTATIONS

If implemented, will the proposed tax changes		
impact your residents or businesses?	Yes	No
have a negative effect on your tax base?	Yes	No
require a tax rate increase?	Yes	No
stop infrastructure projects from going forth?	Yes	No
prevent the provision of services at current levels?	Yes	No
reduce grant levels to non-profit organizations?	Yes	No
Your Comments (If you require additional space please attach extra pages to this page or go only	ine and complete at cherylgal	lant.com/tax-target)
2		
CONTACT INFORMATION		
Name:		
Address (Street, City, Prov, Postal):		
Phone: Email:		
Website:		

Please return completed forms in reply envelope to Cheryl Gallant, M.P., House of Commons, Ottawa, ON, K1A 0A6 or go online at cherylgallant.com/tax-target

THE CORPORATION OF THE CITY OF ELLIOT LAKE

$\mathcal{B}_{\text{Y-LAW NO. 17-50}}$

Being a by-law to amend By-law No. 04-111, a by-law to establish policies and procedures for the hiring of employees by The Corporation of the City of Elliot Lake.

The Council of the Corporation of the City of Elliot Lake hereby **ENACTS AS FOLLOWS:**

1. **THAT** the Recruitment, Selection and Hiring Policy By-law No. 04-111, as amended, is hereby further amended as follows:

Under Section 2.5 RECRUITMENT OF A CHIEF ADMINISTRATIVE OFFICER

The Selection Committee will be made up of the following personnel:

Remove:

- "- Personnel Manager
- Members of Council (maximum of three) and the Mayor as Ex Officio"

Replace with:

- "- Manager of Human Resources
- All members of Council."

PASSED this 11th day of September, 2017.

 Mayo
MAYO
CITY CLER

THE CORPORATION OF THE CITY OF ELLIOT LAKE

$\mathcal{B}_{\text{Y-LAW NO. 17-51}}$

Being a by-law to amend By-law No. 16-74, a by-law to adopt a Code of Conduct Policy for Members of Council, Local Boards, and Advisory Committees.

The Council of the Corporation of the City of Elliot Lake hereby **ENACTS AS FOLLOWS:**

1. **THAT** Council's Code of Conduct Policy is hereby amended as follows:

Remove Sections 10 and 11, and replace with the following:

CODE OF CONDUCT COMPLAINT PROTOCOL

PART A: INFORMAL COMPLAINT PROCEDURE

Any person or a representative of an organization who has identified or witnessed behaviour or an activity by a member of Council that they believe is in contravention of the *Council Code of Conduct* (the "Code") may wish to address the prohibited behaviour or activity themselves as follows:

- (1) advise the member that the behaviour or activity contravenes the Code of Conduct;
- (2) encourage the member to stop the prohibited behaviour or activity;
- (3) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (4) tell someone else (for example, a senior staff member or an officer of the organization) about your concerns, your comments to the member and the response of the member;
- (5) if applicable, confirm to the member your satisfaction with the response of the member; or, if applicable, advise the member of your dissatisfaction with the response; and
- (6) consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code of Conduct. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

PART B: FORMAL COMPLAINT PROCEDURE: Integrity Commissioner

Requests for Inquiries s.1

Complaint

- 1. (1) A request for an investigation of a complaint that a member has contravened the Code of Conduct (the "complaint") shall be in writing.
- (2) All complaints shall be signed by an identifiable individual (which includes the authorized signing officer of an organization).
- (3) A complaint shall set out reasonable and probable grounds for allegation member the that the Code For example, the contravened the of Conduct. complaint should include the name of the alleged violator, the provision allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.

Initial Classification by Integrity Commissioner s. 2

2. (1) The request shall be filed with the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council policies.

No jurisdiction

- (2) If the complaint is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under under another Council policy, the Integrity Commissioner shall instruct the City Clerk to advise the complainant in writing as follows:
- (a) if the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of*

Canada, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;

- (b) if the complaint on its face is with respect to non-compliance with the *Municipal Conflict of Interest Act*, the complainant shall be advised to review the matter with the complainant's own legal counsel;
- (c) if the complaint on its face is with respect to noncompliance with a more specific Council policy with a separate complaint procedure, the complainant shall be advised that the matter will be processed under that procedure; and
- (d) in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

Reports

- (3) The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- (4) The Integrity Commissioner shall report annually to Council on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

Integrity Commissioner Investigation ss. 3 – 8

Refusal to Conduct Investigation

- 3. (1) If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.
- (2) Other than in exceptional circumstances, the Integrity Commissioner will not report to Council on any complaint described in subsection (1) except as part of an annual or other periodic report.

Investigation & Settlement

4. (1) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and may attempt to settle the complaint.

Public Inquiries Act

- (2) Integrity Commissioner may elect to investigate a complaint by exercise of the powers of a commission under Parts I and II of the *Public Inquiries Act*.
- (3) When the *Public Inquiries Act* applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Protocol, but, if there is a conflict between a provision of the Complaint Protocol and a provision of the *Public Inquiries Act*, the provision of the *Public Inquiries Act* prevails.
- 5. (1) The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act*:
 - (a) serve the complaint and supporting material upon the member whose conduct is in question with a request that a written response to the allegation by way of affidavit or otherwise be filed within ten days; and
 - (b) serve a copy of the response provided upon the complainant with a request for a written reply within ten days.

Access

(2) If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in the Municipal Act and may enter any City work location relevant to the complaint for the purposes of investigation and settlement.

Interim Reports

(3) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.

Final Report

6. (1) The Integrity Commissioner shall report to the complainant and the member generally no later than 90 days after the making of the complaint.

- (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner may also report to Council outlining the findings, the terms of any settlement, or recommended corrective action.
- (3) Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to Council except as part of an annual or other periodic report.

Lawful Recommendations

(4) Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.

Member not Blameworthy

7. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through

inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.

Report to Council

8. The City Clerk shall process the report for the next meeting of Council.

Council Review; Costs ss. 9 – 10

Duty of Council

- 9. (1) Council shall consider and respond to the report within 90 days after the day the report is laid before it.
 - (2) In responding to the report, Council shall not refer the recommendation other than back to the Integrity Commissioner.

Confidentiality

- 10. (1) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding or in accordance with the provisions of the *Municipal Act*.
 - (2) All reports from the Integrity Commissioner to Council will be made available to the public.

CITY CLERK

	disclose Commissioner's report.		matters are necess		~ .
PASSED this 11 th day of	of September, 2017	7.			
					Mayor

(3) The Integrity Commissioner in a report to Council on whether a member has violated the Code of Conduct shall only

THE CORPORATION OF THE CITY OF ELLIOT LAKE

D	Y-LAW No. 17-52	
YD	Y-LAW No. 17-52	2

Being a by-law to authorize the entering into of an agreement for provision of services with respect to reconstruction of a drainage ditch.

The Council of The Corporation of the City of Elliot Lake **ENACTS AS FOLLOWS:**

- 1. THAT the Corporation enter into an agreement with Wendell Farquhar
 Trucking Limited, for the reconstruction and upgrade of a drainage ditch
 system located on Dunlop Shores Road, a copy of which agreement is
 attached hereto as Schedule "A" and forms part of this by-law.
- **2. THAT** the Mayor together with the City Clerk of the Corporation are hereby authorized and directed to execute the agreement on behalf of the Corporation under the corporate seal.

PASSED this 11th day of September, 2017.

Mayor
CITY CLERK

SECTION III

<u>AGREEMENT</u>

THIS AGREEMENT made in triplicate the _11 th _ day of _ <u>September</u>
in the year Two Thousand Seventeen by and between
Wendell Farquhar Trucking Limited
Hereinbefore and hereinafter called the "Contractor"
and
The Corporation of the City of Elliot Lake
Hereinbefore and hereinafter called the "Owner"

WITNESSETH: That the Contractor and Owner for the considerations hereinafter indicated undertake and agree as follows:

<u>ARTICLE I</u>

The Instructions to Bidders, the Tender Form, and Specifications/Terms of Reference are to be read herewith and form part of the present Agreement as fully and completely to all intents and purposes as though all the stipulations thereof had been embodied herein.

ARTICLE II

The Contractor undertakes and agrees:

a) To provide all necessary labour, equipment and materials and perform all the works as described in the Contract Specifications entitled:

Contract No. 2017-11 Reconstruction and Upgrade of a Drainage Ditch

which were prepared by The Corporation of the City of Elliot Lake, Public Works Department, 3 Timber Road, Elliot Lake, Ontario.

- b) To do and fulfill everything indicated by this agreement and the Instructions to Bidders and Specification/Terms of Reference.
- c) To commence the work within seven days of being given written notice to proceed with the work and complete, substantially, all the work to which this agreement refers by a date mutually agreed upon by both parties.

ARTICLE III

The owner undertakes and agrees:

To pay the Contractor in lawful money of Canada for the performance of the work (subject to additions and deductions as provided in the General Conditions of the Contract) at the unit price of \$18.54 per cubic meter for a total estimated sum of Ninety-three Thousand, Five Hundred and Thirty-five Dollars plus applicable taxes (\$93,535.00)

ARTICLE IV

The Contractor and the Owner for themselves, their successors, and assigns, hereby undertake and agree to the full performance of the covenant contained herein and in the General Conditions of the Contract, and that this Agreement with the General Conditions of the Contract, and the Specifications constitute the Contract and the Plans.

ARTICLE V

The Contractor agrees to carry out this Agreement in a manner calculated to avoid additional expenses and additional legal costs being incurred by the Owner and undertakes to indemnify the Owner for all such additional legal expenses and any legal costs arising from the carrying out of this Agreement including, without limited the generality of the foregoing, the Contractor agrees to indemnify the Owner for all legal expenses and legal costs that the Owner may be compelled to pay in respect of any Lien claim or claims which may be claimed or registered.

ARTICLE VI

The terms "Owner", and "City" and "Corporation" as mentioned in the Agreement, the Information for Bidders, the Tender, the General Conditions and the Special Conditions of the Contract, and Specifications, shall mean "The Corporation of the City of Elliot Lake."

ARTICLE VII

If and whenever either party hereto desires to give notice to the other party or in connection with this Agreement, such notice will be effectively given if sent by registered mail to:

The Contractor at:

Highway 108 North Elliot Lake, Ontario P5A 2T1 The Owner at

Municipal Office 45 Hillside Drive North Elliot Lake, Ontario P5A 1X5

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of	(THE CONTRACTOR ((BY			
	(AND	(SEAL)		
	(THE CORPORATION OF ELLIOT LAKE	THE CITY OF		
WITNESS	((<u>BY</u> (MAYOR			
	((<u>AND</u> (CLERK	(SEAL)		