

# THE CORPORATION OF THE TOWN OF COBALT

## COMMITTEE OF THE WHOLE MEETING COBALT COMMUNITY HALL March 7, 2023 at 6:00 p.m. MINUTES

---

**Present:****Mayor:** Mita Gibson**Councillors:** Pat Anderson  
Gary Hughes  
Jim Starchuk  
Doug Wilcox**Absent:** Harry Cooper (with notice)  
Angela Hunter (with notice)**Staff:** S. Dalley, Town Manager/Clerk-Treasurer  
D. Taylor, Deputy Clerk-Treasurer  
A. Williams, Public Works Superintendent  
C. Beaudoin, Administrative Clerk  
E. Franks, Municipal Intern**Media Moderator**

1. **Call to Order:**  
Mayor Gibson called the meeting to order at 6:30 p.m.
2. **Disclosure of Pecuniary Interest and the General Nature Thereof**  
Nil
3. **Deputations/Delegation**  
Dale Wright – Affordable Housing concept.

Mr. Wright and his associate addressed Council with a proposal to develop a subdivision at 1 Hudson Bay Road for 30 homes including tiny homes, duplexes and high end homes. Mayor Gibson informed Mr. Wright that the application for severance is available at the Municipal Office.

**Recommendation:** Council requested all documents be forwarded to the Town Manager.

4. **Adoption of Meeting Agenda**

**RESOLUTION No. 2023-65**

**MOVED BY:** J. Starchuk

**SECONDED BY:** D. Wilcox

**BE IT RESOLVED THAT** Council approve the agenda of the Committee of the Whole Meeting dated March 7, 2023 as presented.

CARRIED

5. **Staff Reports**

5.1 Public Works – February 2023 Report

5.2 Animal Control – February 2023 Report

5.3 By-Law Enforcement – February 2023 Report

5.4 Municipal Intern – February 2023 Report

E. Franks informed Council that as per the agreement with FedNor, the remaining funds in the amount of \$37,331.00 are to be committed to the Teck Park Project by March 31 2023. The quote for installation of the pre-existing lights along the walking path will be covered by the funding and installation must occur by September, 2023 to adhere to the funding agreement.

**RESOLUTION No. 2023-66**

**MOVED BY:** P. Anderson

**SECONDED BY:** G. Hughes

**BE IT RESOLVED THAT** Council accept the Staff reports as presented.

CARRIED

6. **Items for Council consideration:**

6.1 Draft By-Law to Authorize the Electronic Signing of Documents.

Recommendation: a motion will be presented at the Regular meeting to adopt the By-Law.

6.2 Township of Coleman – notice of Council appointment to the Cobalt Public Library Board.

Recommendation: a motion will be presented at the Regular meeting to approve the appointment.

6.3 Draft Motion re: Procedural By-Law re meeting February 21, 2023.

**Whereas** motions were tabled at the Regular meeting of Council on February 21, 2023, which were not properly filed in accordance with section 9.1 of By-Law 2022-25 being a By-Law to Govern The Procedures of Council;

**And Whereas** adding and considering such motions are contrary to the process adopted by Council and may also be seen as contravention of section 239 of the *Municipal Act* related to the open meeting rules;

**And Whereas** said motions being moved, seconded, debated and decided without suspending section 9.1 of the Procedure By-Law to allow the motions to be properly introduced and considered by Council put the Town at risk of complaints made to the office of the Ontario Ombudsman as well as other legal challenges;

**And Whereas** in the interest of transparency and accountability to the ratepayers of the Town of Cobalt it is recommended that section 9.1 be suspended with respect to the addition of items 10.2 and 10.3 and the passing of resolutions 2023-58 and 2023-59 at the February 21, 2023, Regular Meeting of Council;

**And Whereas** Council can pass such a motion retroactively;

**Now Therefore Be It Resolved** That Council for the Corporation of the Town of Cobalt hereby suspend section 9.1 of Bylaw 2022-52, commonly known as the Procedure Bylaw, with respect to actions taken at the Regular Meeting of Council on February 21, 2023 to formally allow the addition, consideration and debate of items 10.2 and 10.3 as were added to the Agenda without proper notice;

**And Be It Further Resolved** That the result of the vote on items 10.2 and 10.3 be deemed to be legal and binding on the Corporation as if they had been passed in accordance with the provisions established in Bylaw 2022-52.

Recommendation: the motion will be presented at the Regular meeting.

7. **Items for Council information:**

7.1 Town of Kirkland Lake – notice of resolution re for Bill 42 Gender Affirming Healthcare Act.

Recommendation: a motion in support of the resolution will be presented at the Regular meeting.

7.2 Township of Evanturel – notice of resolution re limited Phlebotomy service in the north end of the Temiskaming District.

Recommendation: a motion in support of the resolution will be presented at the Regular meeting.

**RESOLUTION No. 2023-67**

**MOVED BY:** P. Anderson

**SECONDED BY:** G. Hughes

**BE IT RESOLVED THAT** Council accept the items for Council consideration and information as presented.

CARRIED

8. **Unfinished Business**

Nil

9. **New Business**

Nil

10. **Closed Session**

**RESOLUTION No. 2023-68**

**MOVED BY:** D. Wilcox

**SECONDED BY:** G. Hughes

**BE IT RESOLVED THAT** Council convene in Closed Session as per Section 239 of the Municipal Act, 2001 as amended, in order to address a matter pertaining to subsection:

(3.1) Education or training session – Tim Hutchinson, Municipal Insurer

CARRIED

6. **Business Arising from Closed Session**  
Nil

7. **Adjournment**

**RESOLUTION No. 2023-69**

**MOVED BY:** D. Wilcox

**SECONDED BY:** G. Hughes

**BE IT RESOLVED THAT** the Committee of the Whole Meeting of Council be adjourned at 8:35 p.m.

CARRIED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk