

City of Pembroke Council Meeting

Council Chambers
Pembroke, Ontario
October 15, 2024
6:56 p.m.

1. Call to Order

Present:

Mayor Gervais, Chair
Deputy Mayor Abdallah
Councillor Jacyno
Councillor Kuehl
Councillor Lafreniere
Councillor Plummer
Councillor Purcell

Regrets:

Also Present:

David Unrau, Chief Administrative Officer
Victoria Charbonneau, Municipal Clerk

Mayor Gervais called the regular meeting of Council to order at 6:56 p.m.

2. Opening Prayer/Reflection

3. Disclosure of Pecuniary Interest & General Nature Thereof

There were no disclosures of pecuniary interest declared.

4. Minutes

- i. Approve minutes from Council
 - a. Regular Meeting of Council – October 1, 2024

Motion:

Moved by Deputy Mayor Abdallah

Seconded by Councillor Plummer

That the minutes of the Regular Meeting of Council of October 1, 2024, be approved as circulated.

Carried

- ii. Adopt minutes from Committees
 - a. Parks & Recreation Committee Meeting – September 17, 2024

Motion:

Moved by Councillor Plummer

Seconded by Councillor Lafreniere

That the minutes of the Parks & Recreation Committee meeting held on September 17, 2024, be adopted as circulated.

Carried

- iii. Receive minutes from Local Boards

a. Pembroke Heritage Murals Committee – October 2, 2024

Motion:

Moved by Councillor Jacyno

Seconded by Councillor Plummer

That the minutes from the Pembroke Heritage Murals Committee of October 2, 2024, be received as circulated.

Carried

5. Committee Reports

a. Operations Committee – Adopt Amendment to Traffic By-law

Motion:

Moved by Councillor Plummer

Seconded by Deputy Mayor Abdallah

That the amendment to By-law 2020-64 Regulate Traffic By-law, be adopted

Carried

6. Proclamations

a. Mayor Gervais proclaimed October 24, 2024, Child Care Worker and Early Childhood Educator Appreciation Day in the City of Pembroke.

7. By-laws

a. 2024-58 Zoning By-law Amendment – Cannabis Production Facilities

Motion:

Moved by Councillor Jacyno

Seconded by Councillor Plummer

That By-law 2024-58, a by-law to amend By-law 2020-05 of the Corporation of the City of Pembroke, being a by-law to regulate the use of lands and the character, location and use of buildings and structures in the City of Pembroke be adopted and passed;

And Further That the Said By-law be signed by the Mayor and Clerk and sealed with the seal of the Corporation.

Carried

b. 2024-59 Zoning By-law Amendment – Cedar Lane Properties

Motion:

Moved by Councillor Kuehl

Seconded by Councillor Purcell

That By-law 2024-59, a by-law to amend By-law 2020-05 of the Corporation of the City of Pembroke, being a by-law to regulate the use of lands and the character, location and use of buildings and structures in the City of Pembroke be adopted and passed;

And Further That the Said By-law be signed by the Mayor and Clerk and sealed with the seal of the Corporation.

Carried

c. 2024-60 Regulate Traffic By-law (2020-64) Amendment

Motion:

Moved by Councillor Plummer

Seconded by Deputy Mayor Abdallah

That By-law 2024-60, a by-law to amend By-law 2020-64, as amended, being a by-law to regulate traffic in the City of Pembroke, be adopted and passed;

And Further That the Said By-law be signed by the Mayor and Clerk and sealed with the seal of the Corporation.

Carried

8. Motions

9. Correspondence

Deputy Mayor Abdallah assumed the role of Chair for section 9 of the regular Council meeting agenda. One of the items of correspondence included a code of conduct complaint that involves Mayor Gervais.

- a. Code of Conduct Complaint Letter dated October 10, 2024 – Tony Fleming, LSO Specialist in Municipal Law, Cunningham, Swan, Carty, Little and Bonham LLP
 - Deputy Mayor Abdallah provided a brief overview of the Integrity Commissioner’s final report dated October 10, 2024 regarding a Code of Conduct Complaint against Mayor Ron Gervais.
 - The nature of the alleged conflict is that the Member was the lawyer for the Grind in 2017.
 - Investigation findings from the report include that the Member does not have a conflict of interest with the Grind. The evidence before the Integrity Commissioner is that the Member is not the lawyer for the Grind and that he has not acted for the Grind on the matter of the lease, which formed part of the complaint. The allegation that the lease for the Grind was drafted by the law firm that employs the Member is also unfounded. There is therefore no basis to find that the Member acted in breach of the Code of Conduct and the complaint is dismissed.
 - As there was no breach identified by the Integrity Commissioner Council is only required to determine how to post on the website:

Motion:

Moved by Councillor Purcell

Seconded by Councillor Jacyno

That the City of Pembroke Council direct staff to post the Code of Conduct Complaint, Final Report regarding Mayor Gervais dated October 10, 2024 as a standalone page under the City Government tab on the City’s website.

Carried

- b. Code of Complaint Letter dated October 8, 2024 – Tony Fleming, LSO Specialist in Municipal Law, Cunningham, Swan, Carty, Little and Bonham LLP
 - Deputy Mayor Abdallah provided a brief overview of the Integrity Commissioner’s final report dated October 8, 2024 regarding a Code of Conduct Complaint against Councillor Ian Kuehl.
 - The Complaint alleged that the Member attended a “Town Hall” style meeting on April 25, 2024. The meeting was attended by members of the public who were concerned with certain behaviour in the downtown.
 - A quote from Councillor Kuehl was reported by a local media outlet that contained a word that the complainant found unsuitable.

- Investigation findings from the report include that the Integrity Commissioner finds that the statement made by the Member constituted a breach of the Code of Conduct.
- The Integrity Commissioner recommends that Council issue a public reprimand to ensure that the public know that it does not condone this conduct.
- As there is a breach identified by the Integrity Commissioner, Council is required to decide on two matters:
 1. How to post the report on the website
 2. To uphold the Integrity Commissioner's recommendation or accept as information.

Motion:

Moved by Councillor Purcell

Seconded by Councillor Plummer

That the City of Pembroke Council direct staff to post the Code of Conduct Complaint, Final Report regarding Councillor Kuehl dated October 8, 2024 as a standalone page under the City Government tab on the City's website.

Carried

Motion:

Moved by Mayor Gervais

Seconded by Councillor Jacyno

That the City of Pembroke Council instruct Councillor Kuehl to that issue a statement of apology to parties affected by the conduct of conduct complaint and final report findings dated October 8, 2024..

Councillor Jacyno requested a recorded vote.

Yea: Councillors Jacyno, Lafreniere, Mayor Gervais

Nea: Deputy Mayor Abdallah, Councillors Plummer, Purcell

Defeated 3:3

At the conclusion of the correspondence section (9) of the agenda Mayor Gervais re-assumed the role of Chair.

10. Mayor's Report

Mayor Gervais provided an update on the community functions he attended on behalf of Council including:

- October 2 – weekly meeting of Kiwanis Club of Pembroke. The club presented the Mayor with a cheque for \$10,000 to be contributed to the ongoing renovations at the Kinsmen Pool
- October 5 – volunteer appreciation event at the Pembroke Public Library
- October 5 – spooky drive-in event with Councillor Kuehl. A joint effort between the City of Pembroke and Township of Laurentian Valley and thanked the City, Township, Drive In and sponsors/volunteers who made the event a success.
- October 6 – Pembroke Lumber Kings Game for a puck drop with Sparky the mascot for a kick off Fire prevention week

- October 11 – Pembroke Fire Department open house. Kudos to the fire department on a well run event
- October 13 – Joined by Deputy Mayor and Councillor Kuehl to attend a medal presentation to Jolan Wong. Para Olympian who won a bronze medal
- Update from the Pembroke Handi-Bus, ridership in September increased from 486 trips to 718. This is noted as largely an increase from usage of ambulatory individuals. An increase of service is being explored for Saturday trips.

11. Notices of Motion

a. Illegal and Toxic Drug Enforcement Measures

Councillor Kuehl indicated that he would be bringing forward a motion on Illegal and Toxic Drug Enforcement Measures to the next meeting of Council dated November 5, 2024.

12. Councillor Updates

Deputy Mayor Abdallah

- October 26 – PBIA announcement for Downtown Pumpkin Treats event 10:00 am – 12:00 p.m. and event for children to visit downtown Pembroke and get some treats in anticipation of Halloween.
- October 25 – Fundraiser for Got You in Mind Store at Fitzzy's Sports Bar 7:00 p.m. – 1:00 a.m.. Thank you to the venue and all of the bands participating for a donation of time and services.
- Transit update on the City's webpage
- Kudos to Pembroke's Farmer's market on their final weekend for the year. the vendors and volunteers for another great season.

Councillor Jacyno

- Update from Mural committee and the Grey Sister's mural has been successfully refinished, kudos to the team.

Councillor Purcell

- October 19 - Renfrew County Youth Day 11:00 a.m. – 3:30 p.m. at L'Equinoxe School

Councillor Kuehl

- Announcement of retirement of Rick Whorton Festival Hall manager
- Highlighted of RFP for Festival Hall Management, and noted that the City welcomes as many applications as possible and that the commencement of the replacement will be sought as soon after the closing date as possible
- Chucks Roadhouse is anticipated to be open at the end of the month and is an exciting addition to the City
- October 12 - Attendance at Fire Hall open house, stating that it was a well run and attended event
- Key to the City presentation to Jolan Wong

13. Closed Session 7:57 p.m.

Motion:

Moved by Councillor Lafreniere

Seconded by Councillor Kuehl

That this meeting become a closed meeting to discuss advice that is subject to solicitor/client privilege, including communications necessary for that purpose as per Section 239(2)(f) of the Municipal Act, regarding 273 Victoria Street, and Closed Meeting Investigation; and to discuss a proposed or pending acquisition or disposition of land by the municipality or local board as per Section 239(2)(c) of the Municipal Act, regarding TransCan offer to purchase, and Sale of Land to Town of Petawawa through the Pembroke and Area Airport Commission.

Carried

14. Business Arising from Closed Session 10:15 p.m.

Deputy Mayor Abdallah indicated that a closed session was held earlier.

1. 273 Victoria Street:

- Pecuniary interests declared – none

2. Closed Meeting Investigation

Pecuniary interests declared – none

- Nothing to report.

3. TransCan Business Park Offer to Purchase

- Pecuniary interests declared - none
- Staff was given direction to continue in the land sale process and if successful completion of conditions are met, prepare the necessary by-laws for a future Council meeting for the sale of lands in the TransCan Corporate Park.

4. Sale of Land to Town of Petawawa Through the Pembroke and Area Airport Commission

- Pecuniary interests declared – Mayor Gervais declared a perceived pecuniary interest and as Bob Sheppard (Mayor Gervais business partner represents one of the parties). Mayor Gervais left the meeting after declaring.

Motion:

Moved by Councillor Plummer

Seconded by Councillor Kuehl

That the City of Pembroke approve the following

1. Disposition of lands in question and reflected in legal documentation provided by Reiche Law August 8, 2023; and
2. Endorsement from the City of Pembroke to enable the Pembroke and Area Airport Commission to sell its own property notwithstanding the language contained within the legislation. Understanding that the general purpose of this consent is to obtain an Order to clarify that the Commission can deal with its property as it sees fit, in the future, notwithstanding the Pembroke and Area Airport Commission Act, provided and all other legal requirements be met.

15. Confirming By-law

- Confirming By-law 23-2024

Motion:

Moved by Councillor Purcell

Seconded by Councillor Lafreniere

That By-law 23-2024 to confirm the proceedings of the Regular Meeting of Council of October 15, 2024, be adopted and passed; and

Further That the said By-law be signed by the Mayor and Clerk and sealed with the seal of the Corporation.

Carried

16. Adjournment

Motion:

Moved by Councillor Plummer

Seconded by Councillor Purcell

That the October 15, 2024, regular meeting of Council adjourn at 10:18 p.m.

Carried

Ron Gervais
Mayor

Victoria Charbonneau
Municipal Clerk