

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council

March 9, 2016

7:00 P.M.

PRESENT: MAYOR: Virginia Rook

COUNCILLORS: Eileen Lewis Pierre Paquette Debbie Burant
Jim Rook Nancy Wirtz

ABSENT: Nil

DISCLOSURE: Nil

STAFF: Clerk-Treasurer - Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault

MEMBERS OF PUBLIC: 1

GUESTS: Nil

DELEGATIONS: Nil

Mayor Rook called meeting to order at 7:09 P.M.

16-078 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the minutes the Special Meeting of Council held February 10th, 2016 at 6:30 PM and the Regular Meeting of Council held February 10th, 2016 at 7:00 PM, be adopted as circulated.

CARRIED

16-079 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Disbursement Sheet #2016-02 covering the expenditures for the period ending February 29, 2016 in the following amounts:

General Expenses - \$ 221,956.86
Payroll Expenses - \$ 32,499.76

are hereby approved for payment.

CARRIED

16-080 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality of Killarney supports the resolution passed by the Town of Aurora at their meeting of January 26th, 2016 requesting that the Government of Ontario limit the jurisdiction of the Ontario Municipal Board (OMB) relating to Official Plans to questions of law or process;

BE IT RESOLVED THAT the Government of Ontario be requested to require the OMB to uphold any planning decisions of Municipal Councils unless they are contrary to the processes and rules set out in legislation;

FURTHER THAT this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, our local MPP's, the Ontario Progressive Conservative and New Democratic Party leaders, AMO and FONOM.

CARRIED

16-081 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT THAT the Municipality of Killarney support The Royal Canadian Legion Ontario Command by purchasing an advertisement space (*1/10 full colour page*) in their annual "Military Service Recognition Book".

CARRIED

16-082 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Clerk and Deputy attend the LAS 2016 workshop to be held in Espanola on May 19th, 2016 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule "B".

CARRIED

16-083 BY JIM ROOK – EILEEN LEWIS

WHEREAS municipalities are required to invest their reserves in accordance with the Municipal Act, 2001 and Ontario Regulation 438/97 (as amended), which specifically outlines allowable investments;

AND WHEREAS to ensure the sustainability and sound stewardship of the municipality's investments, the municipality is of the opinion that changes should be made to the Municipal Act, 2001 and Ontario Regulation 438/97 (as amended), to allow for the prudent investment of reserves, if those investments are professionally managed and part of a broader investment strategy;

AND WHEREAS the Prudent Investor Standard is an industry accepted best practice in effectively managing a portfolio of investments, and the Standard applies to investments, not in isolation, but in the context of the portfolio of investments and as part of an overall strategy, that should incorporate acceptable risk and return objectives suitable to the stakeholders;

AND WHEREAS the Province is conferring "Prudent Investor" status on the City of Toronto to enable greater diversification in portfolio management;

AND WHEREAS the Association of Municipalities of Ontario (AMO), Local Authority Services (LAS), and the Municipal Finance Officers Association of Ontario (MFOA), have long requested that the Prudent Investor Standard apply to all municipal investments that are invested with The One Investment Program;

AND WHEREAS in 2005, municipalities were granted the ability to invest in longer-term corporate bonds and Canadian equity investments via only the One Investment Program, and the One Investment Program has demonstrated strong investment returns for municipalities within these 'new' investment sectors;

AND WHEREAS the institutional portfolio managers utilized by the One Investment Program recommend that the Prudent Investor Standard approach is a more appropriate approach to investing;

AND WHEREAS operating municipal investments under the Prudent Investor Standard is precluded by the Municipal Act, Eligible Investments, in its current form;

THEREFORE BE IT RESOLVED THAT Council support the request of AMO, LAS, and MFOA to amend Ontario Regulation 438/97 (as amended) of the Municipal Act, 2001, to allow municipalities to invest consistent with the Prudent Investor Standard, if such investments are through the One Investment Program.

CARRIED

16-084 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality of Killarney accept the 2016 Municipal Apportionment as presented by the Sudbury East Planning Board.

The share for the Municipality of Killarney for the 2016 fiscal year amounts to \$17,765.00 which is based on approximately 935 households at \$19.00 per household.

CARRIED

16-085 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Clerk attend the Zone 7 Workshop to be held in Sundridge on May 5 - 6th, 2016 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule "B".

CARRIED

16-086 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council acknowledge the letter from John Hollick regarding the native land claim and the Clerk be directed to reply.

CARRIED

16-087 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality of Killarney hereby approves the water and sewer lines being extended to the lot line of the T. Turpin property on Noble Street West provided that the owner assume all costs involved, obtain the necessary permits and that our operating authority and public works department has no objections.

FURTHER THAT the initial driveway culvert will be installed at the owners' expense.

CARRIED

16-088 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT up to 6 fire fighters attend the "North Eastern Fire Education Conference 2016" to be held in North Bay from April 1 – 3, 2016 and that expenses be reimbursed according to By-Law #2015-06 - Schedule "B".

CARRIED

16-089 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality of Killarney support the concerns brought forward by MP Charlie Angus regarding the lack of fairness in gas prices and the variance in gas prices in Northern Ontario;

FURTHER THAT this resolution be forwarded to John Pecman, Commissioner of Competition, our local MP's and FONOM.

CARRIED

16-090 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Clerk attend the Bill 8 workshop to be held in Parry Sound on May 17th, 2016 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule "B".

CARRIED

16-091 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality acknowledge the letter dated February 17th, 2016 from Ross Herbert regarding the heating element removal/damper installation and understands staff have replied to his concerns on March 2, 2016.

CARRIED

16-092 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality accept the Pavement Rehabilitation Design Report for the Killarney Municipal Airport as prepared by Golder Associates Ltd. dated February 22, 2016.

FURTHER THAT the report be forwarded to the Airport Committee for review and comment.

CARRIED

16-093 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality acknowledge the letter dated February 23rd, 2016 from Ross Herbert regarding issues with the heating element removal/damper installation and understands staff have also replied to these concerns on March 2, 2016.

CARRIED

16-094 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Councillor Rook attend the session on Community Safety/Police Services Act to be held in Sudbury on March 31st, 2016 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule "B".

CARRIED

16-095 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality accept the Killarney Water Treatment Plant Supply System Annual Summary Report 2015 as presented by the Ontario Clean Water Agency February 26, 2016.

FURTHER THAT this report will be made available for inspection by any member of the public during normal business hours.

CARRIED

16-096 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT Council acknowledge the request from Richard Seguin regarding lobbying FONOM to implement legislation which would allow municipalities to use electronic communication for council and board/committee meetings;

THEREFORE the Municipality forward a letter to the Federation of Northern Ontario Municipalities (FONOM) requesting their support of this matter and to include this topic on the agenda for the FONOM conference to be held May 2016.

CARRIED

16-097 BY PIERRE PAQUETTE – DEBBIE BURANT

BE IT RESOLVED THAT staff look into the effectiveness of electronic meetings in the province of British Columbia and Saskatchewan and forward any findings to Council and FONOM Board of Directors.

CARRIED

16-098 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT Council acknowledge the request from Roxanne O'Connor regarding the use of electronic communications for meetings.

CARRIED

16-099 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT Council acknowledge the request from Narasim Katary requesting Council take steps to make it possible for municipalities in Ontario to hold meetings using telecommunication technologies.

CARRIED

16-100 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT Council request the Project Manager investigate the feasibility of livestreaming Council meetings, the initial costs, the technical feasibility, annual costs etc. and report back to Council at the September meeting.

CARRIED

16-101 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT the Municipality of Killarney nominate Bill Pitfield for the Senior of the Year Award for his valuable contributions to our community.

CARRIED

16-102 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT Council hereby approves a 50% reduction in the Veteran’s Memorial Hall rental rate for the Annual Spring Dinner to be held on March 13th, 2016 by the Catholic Women’s League.

CARRIED

16-103 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT the Municipality of Killarney supports the request of Killarney Mountain Lodge to obtain a Work Permit from the Ministry of Natural Resources and Forestry for the installation of fixed docks to house two fuel dispensers to service larger boats. This is provided that all approvals have been obtained and all requirements regulated by the Technical Standards & Safety Authority (TSSA) are adhered to.

FURTHER THAT all foreseeable precautions be taken with all “in water” work so as not to contaminate the municipal water intake. The applicant will be responsible for any costs incurred by the Municipality as a result of contamination of the water intake.

CARRIED

16-104 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT Councillors Burant and Paquette and the Public Works Superintendent attend the blue-green algae forum sponsored by the Sudbury District Health Unit to be held in Sudbury on March 22nd, 2016 and that expenses be reimbursed according to By-Law #2015-06 - Schedule “B”.

CARRIED

16-105 BY NANCY WIRTZ – DEBBIE BURANT

BE IT RESOLVED THAT the Municipality of Killarney supports the position of the Township of Burpee and Mills regarding the Conservation Land Tax Incentive Program (CLTIP) as it results in municipalities losing tax revenue as the private conservation organization who purchase these lands are designated eligible for CLTIP tax exemptions.

FURTHER THAT there is no way to recover these lost revenues and there has been no consultation or regard whatsoever for a municipality’s ability to absorb the lost revenue which result in serious shortfalls.

FURTHER THAT this resolution be forwarded to the Premier of Ontario, our local MPP’s, AMO and FONOM.

CARRIED

16-106 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the report from the Public Works Department for the month of February 2016 be accepted and filed.

CARRIED

16-107 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the waste depot at the east end of Channel Street be removed from service effective immediately due to non-compliance.

CARRIED

16-108 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the report from the Financial Department for the month of February 2016 be accepted and filed.

CARRIED

16-109 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT Council acknowledges receipt of the Statement of Remuneration and Expenses for Members of Council for the fiscal period 2015 pursuant to Section 284 (1) of the Municipal Act, S.O. 2001, c. 25, as amended.

CARRIED

16-110 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the special report from the Project Manager regarding the Wiikwemkoong Background Information be accepted and filed.

CARRIED

16-111 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT on recommendation of the Fire Chief, and providing that he qualifies under Municipal Policy #H-001 – Part 1.3, the following person will be officially appointed to the Killarney Volunteer Fire Department upon submission of a satisfactory criminal background check:

Thomas Turpin

FURTHER this appointee will be on a 6 month probation period following submission of the criminal check, during which he shall take such special training and examinations as may be required by the Chief of the Department.

CARRIED

16-112 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-09 being a by-law to set the Rates for Fees & Charges for the year 2016 be read a first and second time.

CARRIED

16-113 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-09 being a by-law to set the Rates for Fees & Charges for the year 2016 be read a third time and passed in Open Council this 9th day of March 2016.

CARRIED

16-114 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-10 being a by-law to Appoint a Weed Inspector be read a first and second time.

CARRIED

16-115 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-10 being a by-law to Appoint a Weed Inspector be read a third time and passed in Open Council this 9th day of March 2016.

CARRIED

16-116 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-11 being a by-law to Enter into an Agreement with MNR for Municipal Forest Fire Management be read a first and second time.

CARRIED

16-117 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-11 being a by-law to Enter into an Agreement with MNR for Municipal Forest Fire Management be read a third time and passed in Open Council this 9th day of March, 2016.

CARRIED

16-118 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-12 being a by-law to Amend Schedule “A” of By-Law No. 2005-07 Respecting Construction, Demolition and Change of Use Permits and Inspections be read a first and second time.

CARRIED

16-119 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-12 being a by-law to Amend Schedule “A” of By-Law No. 2005-07 Respecting Construction, Demolition and Change of Use Permits and Inspections be read a third time and passed in Open Council this 9th day of March, 2016.

CARRIED

16-120 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney provide financial assistance up to a maximum of Fifty Thousand Dollars (\$50,000.00) to the Key River Area Association (*subject to a hold harmless/release of liability waiver*) for the purpose of upgrading the Key River Helipad as required by Ornge in order to be compliant for night landings;

FURTHER THAT the Key River Area Association agrees to obtain all Ministry approvals and adhere to all regulations;

FURTHER THAT the Key River Area Association retains full responsibility for the Key River helipad, and for meeting Ornge's maintenance and operational requirements.

CARRIED

16-121 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT Council go into Closed Session at 9:28 P.M. to adopt the minutes of the closed meeting held on February 10th, 2016 as well as to discuss three legal matters regarding potential litigation, one small claims update and personnel matters.

CARRIED

CLOSED SESSION:

Adoption of Minutes:

- The first matter of business was the adoption of the closed minutes from the February 10th, 2016 council meeting.

Legal Matters:

- The first issue addressed a potential litigation issue.
- The second matter involved an update on a small claims issue.
- The third item dealt with a possible disposition of land.
- The fourth matter involved a potential litigation item relating to the wharf lease.

Personnel Matter:

- This matter was to discuss staffing at the public works department/an identifiable employee.

16-122 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT Council rise and report at 10:25 P.M.

CARRIED

16-123 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-13 being a by-law to confirm the proceedings of Council be read a first and second time.

CARRIED

16-124 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT By-Law #2016-13 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 9th day of March, 2016.

CARRIED

16-125 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT we adjourn the Regular Meeting of Council held March 9th, 2016 at 10:26 P.M. to meet again on April 13th, 2016 and on May 18th, 2016 to be held in Ward 2 or as otherwise specified.

CARRIED

ORIGINAL DOCUMENT SIGNED

.....
Virginia Rook, Mayor

ORIGINAL DOCUMENT SIGNED

.....
Candy K. Beauvais, Clerk Treasurer