

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council

February 8, 2017

7:00 P.M.

PRESENT: MAYOR: Virginia Rook

COUNCILLORS: Eileen Lewis Michael Reider Nancy Wirtz
Jim Rook Pierre Paquette

ABSENT: Nil

DISCLOSURE: Nil

STAFF: Clerk-Treasurer - Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault
Public Works Superintendent – Tony Nuziale

MEMBERS OF PUBLIC: Nil

GUESTS: Nil

DELEGATIONS: Nil

Mayor Rook called the meeting to order at 7:08 P.M. and proceeded with the Inaugural Ceremony.

The Clerk called upon Michael Reider to declare his oath of office.

Following the declaration of office Mayor Rook welcomed Michael Reider - appointed to the office of Councillor – Ward 1 for the ensuing term.

† INAUGURAL CEREMONY

SWORN IN February 8, 2017

COUNCILLOR - Ward 1: Michael Reider

17-034 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the minutes of the Regular Meeting of Council held January 16th, 2017 be adopted as circulated.

CARRIED

17-035 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT Disbursement Sheet #2017-01 covering the expenditures for the period ending January 31st, 2017 in the following amounts:

General Expenses - \$ 167,910.38

Payroll Expenses - \$ 33,542.23

are hereby approved for payment.

CARRIED

17-036 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality process the following adjustment under Minutes of Settlement for the following property roll number:

For the Year 2017

Roll #5136 000 002 06200 0000

Residential assessment w/o (RT) in the amount of \$ (3,750.00).

For the Period: January 1 to December 31, 2017

Reason: *Adjustment based on similar properties*

CARRIED

17-037 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney contract with AMEC Foster Wheeler for Annual Monitoring and Reporting at the Killarney landfill sites for 2017/18/19 as per Proposal No. PY161111 dated January 9, 2017.

CARRIED

17-038 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney support the resolution passed by the Municipality of Bluewater at its regular meeting of December 19th, 2016 regarding petitioning the Provincial Government to recognize the municipal fire service as critical infrastructure by including funding for Fire Department infrastructure as part of the governments Infrastructure Strategy to Move Ontario Forward.

FURTHER THAT a copy of this resolution be sent to the Premier of Ontario, the Minister of Economic Development, Employment and Infrastructure, AMO, ROMA and FONOM.

CARRIED

17-039 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney accept with regret the resignation of Adele Loosemore from the part time Public Works Assistant position effective February 8, 2017.

CARRIED

17-040 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney take part in the Council and Staff Educational Training Session conducted by Amberley Gavel Ltd. with the other three municipalities from Sudbury East and cost share if such a session is organized.

CARRIED

17-041 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney investigate alternative methods of voting, although ranked ballots will not be considered an option for the 2018 municipal election.

CARRIED

17-042 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney support resolution #60-16 passed by the Sudbury & District Health Unit on November 24, 2016 regarding restricting the marketing of unhealthy foods and beverages to children.

CARRIED

17-043 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney support resolution #04-17 passed by the Sudbury & District Health Unit on January 19, 2017 calling for the inclusion of marijuana (medicinal and recreational) as a prescribed product or substance under the Smoke Free Ontario Act.

CARRIED

17-044 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney accept with regret the resignation of Julie Solomon from the position of Community Emergency Management Co-Ordinator (CEMC) position effective January 31, 2017.

FURTHER THAT By-Law 2016-36 appointing the CEMC is hereby rescinded;

FURTHER THAT the Municipality post for a primary CEMC as well as an alternate CEMC;

FURTHER THAT these positions will be bound to adhere to the standards under the Emergency Management and Civil Protection Act, R.S.O., 1990.

CARRIED

17-045 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney have the clerical assistant investigate potential projects that could be applied for under the Rural Economic Development (RED) program and review at the March council meeting in order that an application is submitted by the March 31, 2017 deadline.

CARRIED

17-046 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality accept the 2016 Annual Groundwater and Surface Water Monitoring Report for the Key River Waste Disposal Site as submitted by AMEC Foster Wheeler dated January 20th, 2017.

CARRIED

17-047 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Council for the Municipality of Killarney defer consent of the Application for Absolute Title requested by Killarney Mountain Lodge Limited until such time as the Council is satisfied that the boundaries of the land under application, as shown on the plan, properly reflect the ownership being claimed by the applicant in relation to municipal land. Particularly in relation to the easement of the lagoon outlet pipe, Channel Street boundary, as well as the Bay Street unopened road allowance;

FURTHER THAT prior to executing the legal document, additional information is required;

FURTHER THAT until supporting material is received from the title search which substantiates that the municipal interests are protected, the Municipality is unable to execute the Consent and Waiver at this time.

THEREFORE due to the thirty day window a Statement of Objection will be filed until the Municipality is satisfied the draft reference plan properly reflects the ownership and other interests being claimed by the applicant in relation to our land.

CARRIED

17-048 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT property roll number 5136 000 001 02702 0000 is located in an area that is unable to be serviced with municipal water and/or sewer.

THEREFORE the Municipality and the Director of Planning requires that the property owner must demonstrate that the lot is buildable with respect to the zoning requirements set out in Zoning By-Law 2014-29 and have the plans reviewed by the Chief Building Official to ensure that the existing lot of record has the capacity for a septic system.

CARRIED

17-049 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Clerk attend the AMCTO Conference to be held in Huntsville, ON from June 11th – June 14th, 2017 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule “B”.

CARRIED

17-050 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality of Killarney take part in the 211 Services proposed by The United Way.

FURTHER THAT the Clerical Assistant contact the executive director of the United Way Sudbury and Nipissing Districts advising him of our intent to join the program.

CARRIED

17-051 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the following councillors be appointed to the following boards:

Eileen Lewis – Fire Department
Nancy Wirtz – Community Centre

CARRIED

17-052 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the report from the Public Works Department for the month of January 2017 be accepted and filed.

CARRIED

17-053 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality post notice for a landfill site attendant for the village site.

CARRIED

17-054 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the report from the Financial Department for the month of January 2017 be accepted and filed.

CARRIED

17-055 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the report from the Building Department for the 2016 Year End be accepted and filed.

CARRIED

17-056 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the minutes of the Killarney Community Centre Board meeting held January 19th, 2017 be accepted and filed.

CARRIED

17-057 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the minutes of the Killarney Health Centre Board meeting held January 25th, 2017 be accepted and filed.

CARRIED

17-058 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the quarterly report from the Fire Chief for the months of October, November and December 2016 be accepted and filed.

CARRIED

17-059 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Rural Broadband Program – Connect to Innovate Report from the Clerical Assistant be accepted and filed.

CARRIED

17-060 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Rural Economic Development (RED) Program Report from the Clerical Assistant be accepted and filed.

FURTHER THAT the information be provided to the Economic Development Committee for project suggestions.

CARRIED

17-061 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Seniors Community Grant Program Report from the Clerical Assistant be accepted and filed.

FURTHER THAT the information be provided to the KCC for project suggestions.

CARRIED

17-062 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Public Works Superintendent attend the 2017 OGRA (Ontario Good Roads Association) Conference to be held in Toronto from February 26th – March 1st, 2017 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule “B”.

CARRIED

17-063 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Public Works Department (Public Works Superintendent) be assigned to investigate alternate loading zones for Badgeley Island Aggregates Inc. (BIA) taking into consideration their requirements in a letter to the Municipality dated December 20th, 2016 and report back to Council at the May Regular Meeting with their findings.

CARRIED

17-064 BY PIERRE PAQUETTE – MICHAEL REIDER

WHEREAS Council passed Resolution No. 16-120 on March 9, 2016 stating the Key River Area Association (KRAA) was to retain full responsibility for the Key River helipad;

AND WHEREAS Council further passed Resolution No. 16-456 on November 9, 2016 stating it was not in the best interest of the Municipality to hold the Land Use Permit (LUP) for the KRAA helipad and that Resolution No. 16-120 would stand;

AND WHEREAS Resolution No. 16-511 was passed by two-thirds of the members present at the Regular Meeting of Council held December 15, 2016 to reconsider the Municipality holding the LUP for the KRAA helipad;

NOW THEREFORE the Council for the Municipality of Killarney will hereby reconsider their decision and address the letter dated November 25, 2016 from the KRAA requesting same.

CARRIED

17-065 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT further to Resolution #17-022 passed at the Regular Meeting of Council held January 16th, 2017 and the approval of aviation insurance from our insurer, it is hereby agreed that the Municipality of Killarney be the legal entity for the issuance of the Land Use Permit (LUP) for the Key River Helipad site with the Ministry of Natural Resources and Forestry;

FURTHER THAT this arrangement is conditional on the Key River Area Association (KRAA) agreeing they will adhere to the following:

- That the previous executed Hold Harmless/release of liability waiver between the Municipality and KRAA stands;
- The KRAA will adhere to all regulations and will obtain any other Ministry approvals required;
- The KRAA retains full responsibility for the Key River Helipad and for meeting Ornge’s maintenance and operational requirements;

FURTHER THAT Resolution No. 16-456 dated November 9, 2016 is hereby rescinded;

FURTHER THAT the contribution for helipad upgrades will be provided to the KRAA to pay the contractor directly;

FURTHER THAT the Municipality of Killarney be responsible for the aviation insurance expense regarding the helipad.

CARRIED

17-066 BY PIERRE PAQUETTE – MICHAEL REIDER

BE IT RESOLVED THAT the Killarney Village Landfill site hours remain the same in 2017 as indicated in Resolution #16-260.

CARRIED

17-067 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council declare a vacant seat on the Economic Development Committee and send out notice for interested persons to make application to fill the vacancy.

CARRIED

17-068 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-07 being a by-law to amend By-Law 2016-06 – Garbage By-Law Schedules “C” & “D” be read a first and second time.

CARRIED

17-069 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-07 being a by-law to amend By-Law 2016-06 – Garbage By-Law Schedules “C” & “D” be considered read a third time and passed in Open Council this 8th day of February 2017.

CARRIED

17-070 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-08 being a by-law to deem part of a registered plan not to be registered (CLAUS KOCH) be read a first and second time.

CARRIED

17-071 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-08 being a by-law to deem part of a registered plan not to be registered (CLAUS KOCH) be considered read a third time and passed in Open Council this 8th day of February 2017.

CARRIED

17-072 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-09 being a by-law to deem part of a registered plan not to be registered (ANGELICA OTTEWILL) be read a first and second time.

CARRIED

17-073 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-09 being a by-law to deem part of a registered plan not to be registered (ANGELICA OTTEWILL) be considered read a third time and passed in Open Council this 8th day of February 2017.

CARRIED

17-074 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council proceed to discuss the following item(s) listed below as an Addendum to the February 8th, 2017 Regular Meeting
Agenda:

1. City of Greater Sudbury - By-Law 2017-10 – Renew Recycling Agreement
2. Pinchin Ltd. – Landfill Operator Training Seminar

CARRIED

17-075 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-10 being a by-law to authorize the Mayor and Clerk to execute a Recycling Agreement with the City of Greater Sudbury be read a first and second time.

CARRIED

17-076 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-10 being a by-law to authorize the Mayor and Clerk to execute a Recycling Agreement with the City of Greater Sudbury be considered read a third time and passed in Open Council this 8th day of February 2017.

CARRIED

17-077 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Public Works Superintendent attend the Landfill Operator Training Seminar to be held in Barry’s Bay, ON on March 9th, 2017 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule “B”.

CARRIED

17-078 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT the Municipality of Killarney apply to the Northern Ontario Heritage Fund Corporation’s Northern Ontario Internship program by March 31, 2017 for funding to employ a Heritage & Culture Project Coordinator.

CARRIED

17-079 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council go into Closed Session at 9:32 P.M. in accordance with Section 239 (2) of the Municipal Act, 2001, c. 25. to adopt the minutes of the closed meeting held on January 16th, 2017 as well as to discuss two legal matters.

CARRIED

CLOSED SESSION:

Adoption of Minutes:

- The first matter of business was the adoption of the closed minutes from the January 16th, 2017 council meeting.

Legal Matters:

- The second matter of business discussed was a possible disposition of land.
- The final matter of business was an update on the Key River Landfill Site – MTO Expropriation.

17-080 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council rise and report at 10:00 P.M.

CARRIED

17-081 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-11 being a by-law to confirm the proceedings of Council be read a first and second time.

CARRIED

17-082 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-11 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 8th day of February, 2017.

CARRIED

17-083 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT we adjourn the Regular Meeting of Council held February 8th, 2017 at 10:01 P.M. to meet again on March 8th, 2017 at 7:00 P.M. or as otherwise specified.

CARRIED

ORIGINAL DOCUMENT SIGNED

.....
Virginia Rook, Mayor

ORIGINAL DOCUMENT SIGNED

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