

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council French River Visitor Centre – Ward 2

July 12, 2017

7:00 P.M.

PRESENT: MAYOR: Virginia Rook

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

ABSENT: Nil

DISCLOSURE: Nil

STAFF: Clerk-Treasurer - Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault
Public Works Superintendent – Tony Nuziale
Director of Planning - Matthew Dumont

MEMBERS OF PUBLIC: 2

GUESTS: Nil

DELEGATIONS: Nil

Mayor Rook called the meeting to order at 7:03 P.M.

17-271 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the minutes of the Public Meeting of Council, the Special Meeting of Council, and the Regular Meeting of Council held June 14th, 2017 be adopted as circulated with the exception of Resolution No. 17-238 passed at the Regular Meeting of Council due to a wording error.

CARRIED

17-272 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT Disbursement Sheet #2017-06 covering the expenditures for the period ending June 30th, 2017 in the following amounts:

General Expenses - \$ 330,508.79
Payroll Expenses - \$ 52,578.83

are hereby approved for payment.

CARRIED

17-273 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality of Killarney support the Public Vehicle Operating Licence application submitted by Lockerby Bus Lines to expand their bus services outside the Greater City of Sudbury area.

FURTHER THAT the Municipality of Killarney hereby requests Lockerby Bus Lines to add Killarney to their service area if approval is received from the Ontario Highway Transportation Board.

CARRIED

.../2

17-274 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT following the introduction of new rules of practice and procedure by the Assessment Review Board (ARB) the Municipality of Killarney notify the ARB of Ontario of the following:

#1] The appeal representative for appeals will be the CAO or Clerk of the Municipality;

#2] The complaints representative will be the municipal solicitor of the Municipality;

#3] That the Municipality will file a short list of sensitive properties with the ARB by September 1st, 2017.

CARRIED

17-275 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT we acknowledge the letter dated June 2017 from the Ministry of Indigenous Relations and Reconciliation – Negotiation Branch regarding a progress report on the Wiikwemkoong Islands Boundary Claim;

FURTHER THAT the Municipality of Killarney has no comments on the Draft Environmental Study Report (ESR) which is open for public comment from June 17, 2017 to August 11, 2017.

CARRIED

17-276 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality request the Clerk to advise Tulloch Engineering regarding Roll #'s 5136 000 001 19100 and 5136-000-001-19000 that the one-foot reserve over PIN 47138-0470 will remain and that the Municipality requires a plan that would see development of 3 to 4 building lots on each of the east and west properties.

CARRIED

17-277 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the following person be appointed to the Economic Development Committee:

Kris Puhvel

CARRIED

17-278 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney re-apply to the Enabling Accessibility Fund for funding to upgrade the municipal website in order that we conform to the World Wide Web Consortium Web Content and are compliant with Accessibility Legislation.

CARRIED

17-279 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney support the resolution passed by the Township of Edwardsburgh Cardinal at their meeting held on June 26, 2017 requesting the Government of Ontario to halt the downloading of enforcement responsibility for residential rental maintenance standards proposed in Schedule 5 of Bill 7, in light of the significant fiscal challenge each municipality will face to provide this service to the public in a cost effective manner.

FURTHER THAT a copy of this resolution be sent to Premier Wynne, Chris Ballard, Minister of Housing, AMO, ROMA, FONOM and our local MPP's.

CARRIED

17-280 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality agrees to try to bring our website into full compliance with the Accessibility for Ontarians with Disabilities Act by December 1, 2017.

CARRIED

17-281 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Killarney Volunteer Fire Department Association be given an extension from August 1st to August 5th to have the rink surface and grounds cleaned and returned to their original state following their annual Fish Fry. Although, all supplies and garbage (inside & outside) must be removed from inside the rink building and it must be cleaned by the August 1st deadline as the building is being rented.

The KCC surface will be closed to the public until the clean-up of the area is complete.

CARRIED

17-282 BY NANCY WIRTZ – PIERRE PAQUETTE

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

CARRIED

17-283 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality consider sponsoring a Hazardous Waste Day to be considered during the 2018 budget deliberations.

CARRIED

17-284 BY PIERRE PAQUETTE – NANCY WIRTZ

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

CARRIED

17-285 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT the quarterly report from the Fire Chief for the months of April, May and June 2017 be accepted and filed.

CARRIED

17-286 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT the minutes of the Celebrations Committee meeting held June 22nd, 2017 be accepted and filed.

CARRIED

17-287 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT the 2017-2019 O.P.P. Detachment Action Plan be accepted and filed.

CARRIED

17-288 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney hereby rescinds Resolution No. 17-238 (*due to a wording error*) passed on June 14, 2017 regarding hydro rate charges and replace with the revised resolution below:

BE IT RESOLVED THAT the Municipality of Killarney supports Resolution #2017-090 passed by the Municipality of Calvin on May 23, 2017 stating that hydro rate delivery charges be removed from all Hydro One customers billing;

FURTHER THAT this resolution be sent to the Premier of Ontario, the Minister of Energy and our local MPP's.

CARRIED

17-289 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney process the following:

1. Vacancy Rebate of Property Taxes for Commercial & Industrial Buildings according to Section 364 of the Municipal Act:

Roll #5136 000 007 00200 0000 – 30% tax rebate based on the 2016 assessment of \$263,438.

CARRIED

17-290 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney adopt the Post Traumatic Stress Disorder (PTSD) Prevention Plan for the Killarney Fire Department as presented;

FURTHER THAT the plan be submitted to the Minister of Labour.

CARRIED

17-291 BY PIERRE PAQUETTE – NANCY WIRTZ

BE IT RESOLVED THAT further to the successful completion of the six-month probationary period and following a formal performance review, it is hereby recommended that Tony Nuziale be given permanent full-time employee status with the Municipality of Killarney.

CARRIED

17-292 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney hereby rescinds Resolution No. 16-498 passed on December 15, 2016 regarding the Garbage Collection Fee and replaces it with the revised resolution below:

BE IT RESOLVED THAT Council has reviewed the sixty-two (62) comments received from ratepayers relating to special services/area rating;

AND WHEREAS Council was presented with a training session on special services/area rating from our municipal advisor of the Ministry of Municipal Affairs;

AND WHEREAS the comments received in favour of implementing some type of special services/area rating amounted to twenty-eight (28) representing approximately 2.3% of the total properties in the municipality;

AND WHEREAS the comments received against implementing some type of special services/area rating amounted to thirty-four (34) representing approximately 2.8% of the total properties in the municipality;

AND WHEREAS the total comments received represent approximately 5% of the total properties in our municipality in 2016, it is hereby the decision of Council that special services/area rating will not be implemented, nor will a third party independent study be required;

FURTHER the municipality will implement a special user fee of twenty-five (\$25.00) per year for those residential properties (*vacant properties are excluded*) who are in the garbage collection area and receive curb side pickup;

FURTHER there is no opportunity to opt out of paying this fee, unless the property code becomes vacant land (ie: no dwelling on property);

FURTHER any multiple dwellings located on a single lot will be assessed the \$25.00 fee per dwelling if the unit has self-contained living quarters;

FURTHER all rental units in a single-family dwelling will be assessed the \$25.00 fee per unit;

FURTHER multiple dwellings or rental units will not be pro-rated if they become unoccupied during the year, the full annual fee will apply;

FURTHER the user fee will be pro-rated contingent on a property becoming vacant as designated by MPAC or becomes a new residential dwelling property during a portion of the applicable taxation year;

FURTHER this curb side garbage collection user fee will be a special charge on the annual tax bill and will be collected like taxes;

FURTHER if a property is assessed as Commercial and also has a residential component, the residential property will be excluded from the \$25.00 fee;

FURTHER it is the responsibility of the property owner to notify the Municipality of any changes;

THEREFORE BE IT RESOLVED THAT this special user fee will take effect in 2017 and each year thereafter with any future fee increase being adopted in the Fees and Charges By-law.

17-293 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality set the hours of work for the Project Manager as follows, part-time at 22.5 hours per week.

FURTHER THAT the pay scale for the project manager be set from \$18.45 to \$20.76 per hour.

CARRIED

17-294 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT the draft trailer by-law be deferred until the August Council Meeting so that the Chief Building Official has the opportunity to comment.

CARRIED

17-295 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-31 being a by-law to amend By-Law No. 2009-17 an agreement with Hartley Bay Company Limited for the transportation of waste to Hartley Bay Landfill be read a first and second time.

CARRIED

17-296 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-31 being a by-law to amend By-Law No. 2009-17 an agreement with Hartley Bay Company Limited for the transportation of waste to Hartley Bay Landfill be considered read a third time and passed in Open Council this 12th day of July 2017.

CARRIED

17-297 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-32 being a by-law to authorize the Mayor and Clerk to execute a Clean Water and Wastewater Fund (Ontario) transfer payment agreement be read a first and second time.

CARRIED

17-298 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-32 being a by-law to authorize the Mayor and Clerk to execute a Clean Water and Wastewater Fund (Ontario) transfer payment agreement be considered read a third time and passed in Open Council this 12th day of July 2017.

CARRIED

17-299 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council proceed to discuss the following item(s) listed below as an Addendum to the July 12th, 2017 Regular Meeting Agenda:

1. Ontario Asset Management Regulation Proposal – To Discuss Implications

CARRIED

17-300 BY JIM ROOK – EILEEN LEWIS

WHEREAS municipalities are a responsible, mature order of government in Ontario;

WHEREAS the Municipality of Killarney promotes, supports and encourages strong and effective rural and northern rural governments;

WHEREAS the Municipality of Killarney supports the responsible and fiscally accountable development of municipal Asset Management Plans;

WHEREAS the Province of Ontario through the Ministry of Economic Development, Employment and Infrastructure has developed a proposed Municipal Asset Management Planning Regulation;

WHEREAS the proposed Municipal Asset Management Planning Regulation has been posted on the Environmental Registry as 013-0551;

WHEREAS the Municipality of Killarney has reviewed the proposed Municipal Asset Management Planning Regulation;

WHEREAS the Municipality of Killarney has reviewed the submission on the proposed Municipal Asset Management Planning Regulation submitted by the Rural Ontario Municipal Association.

THEREFORE BE IT RESOLVED that the Municipality of Killarney agrees that the proposed Municipal Asset Management Planning Regulation:

1. Is overly prescriptive;
2. Does not reflect the principle that municipalities are responsible, mature governments;
3. Will create a resource and fiscal strain on our municipality and others, more specifically, the small rural and northern rural communities that have limited staffing capacity, being the most vulnerable and sensitive to an increasingly burdensome regulatory environment.

FURTHER BE IT RESOLVED that copies of this Motion be sent to the Minister of Infrastructure, AMO, FONOM and our local MPP's, Michael Mantha, France Gelinis and Norm Miller.

CARRIED

17-301 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council go into Closed Session at 8:50 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 June 14th, 2017 as well as to discuss an issue regarding identifiable persons.

CARRIED

CLOSED SESSION:

Adoption of Minutes:

- The first matter of business was the adoption of the closed minutes from the meeting held June 14th, 2017.

Identifiable Persons:

- The final matter of business discussed were issues regarding identifiable persons.

17-302 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT Council rise and report at 9:19 P.M.

CARRIED

17-303 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-33 being a by-law to confirm the proceedings of Council be read a first and second time.

CARRIED

17-304 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT By-Law #2017-33 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 12th day of July, 2017.

CARRIED

17-305 BY JIM ROOK – EILEEN LEWIS

BE IT RESOLVED THAT we adjourn the Regular Meeting of Council held July 12th, 2017 at 9:20 P.M. to meet again on August 9th, 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