

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council French River Visitor Centre – Ward 2

May 16, 2018

7:00 P.M.

PRESENT: *MAYOR:* Virginia Rook

COUNCILLORS: Eileen Lewis Nancy Wirtz Michael Reider
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 meeting to order at 7:09 P.M.

18-157 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the minutes of the Regular Meeting held April 11th, 2018 be adopted as circulated.

CARRIED

18-158 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT Disbursement Sheet #2018-04 covering the expenditures for the period ending April 30th, 2018 in the following amounts:

General Expenses - \$ 175,067.12

Payroll Expenses - \$ 35,482.90 are hereby approved for payment.

CARRIED

18-159 BY NANCY WIRTZ – MICHAEL REIDER

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities;

AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the Municipality of Killarney supports *Bill 16, Respecting Municipal Authority Over Landfilling Sites Act* introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities;

AND FURTHER THAT the Municipality of Killarney send copies of this resolution to MPP Ernie Hardeman and all municipalities.

CARRIED

18-160 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality of Killarney process the following Minutes of Settlement/357/358 Applications and a Vacancy Rebate made under the Assessment Act/Municipal Act, 2001 for the following properties:

For the Year 2018 – Minutes of Settlement

Roll #5136 000 002 02800 0000 residential assessment w/o (RT) in the amount of \$ (52,000)

For the Period: January 1 to December 31, 2018

Reason: *Seasonal and/or water access to lot / Location adjustment*

For the Year 2018 – 357 Application(s)

Roll #5136 000 001 31100 0000 residential assessment w/o (RT) in the amount of \$ (25,896) and commercial increase (XT) in the amount of \$1,597

For the Period: January 1 to December 31, 2018

Reason: *The old staff dorm has been demolished for many years and is now being removed from the assessment roll.*

Roll #5136 000 001 26600 0000 commercial assessment w/o (CT) in the amount of \$ (915,000) and w/o (CU) in the amount of \$ (2,000) with a residential assessment increase (RT) in the amount of \$880,921

For the Period: January 1 to December 31, 2018

Reason: *The property is now being used for sleeping quarters for staff only and there is no commercial activity, therefore changing the tax class from CT to RT*

For the Year 2017 – 358 Application

Roll #5136 000 001 31100 0000 commercial assessment w/o (CT) in the amount of \$ (42,000)

For the Period: January 1 to December 31, 2017

Reason: *The old meeting room has been demolished for many years and is now being removed.*

For the Year 2017 – Vacancy Application

Roll #5136 000 007 00200 0000 a Vacancy Rebate for Property Taxes for Commercial/Industrial buildings according to Section 364 of the Municipal Act:

Tax rebate of 30% based on the 2017 assessment of \$419,250.

For the Period: January 1 to December 31, 2017

Eligibility: *The building was entirely vacant and unused for at least 90 consecutive days and the property was not used on a seasonal basis.*

CARRIED

18-161 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality of Killarney acknowledge the letter from Henvey Inlet First Nation (HIFN) dated April 26, 2018 requesting an extension for the disposal of refuse in the Key River Landfill Site;

FURTHER THAT the Municipality will grant an extension of one additional year (to October 2019) or less should HIFN make a decision on its future disposal of waste from the commissioned study currently conducted by Neegan Burnside;

FURTHER THAT HIFN will continue with all recycling efforts and that construction waste from the Nigig Wind Farm project or the trailer parks/campgrounds will not be allowed to dispose of refuse in the Key River Landfill.

CARRIED

18-162 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality of Killarney make a contribution of a \$100.00 to the Henvey Inlet First Nation to assist with their annual Pow Wow fundraising event.

CARRIED

18-163 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the Municipality of Killarney is unable to participate in the Enabling Accessibility Fund sponsored by the Federal Government at this time.

CARRIED

18-164 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney grants the Sportsman's Inn Resort & Marina an exemption to the noise by-law until 1 AM on August 24th & 25th, 2018;

FURTHER THAT it is understood that this exemption may be rescinded if complaints are received from the community or if the 1 AM curfew is not adhered to.

CARRIED

18-165 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney endorse Resolution No. 2018-146 passed on April 24th, 2018 by the Municipality of East Ferris regarding the abundance of wolf sightings and that the wildlife will diminish if the government keep the trappers from this area, resulting in a major impact on the wildlife in the area.

FURTHER THAT a copy of this resolution be forwarded to Nathalie Des Rosiers, Ministry of Natural Resources and Forestry, our MPP's; FONOM, AMO and the Ontario Federation of Anglers and Hunters.

CARRIED

18-166 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT Council supports the resolution passed on April 24, 2018 by the Town of Lakeshore regarding the renovation and/or demolition of all buildings containing hazardous materials.

FURTHER THAT the Government of Ontario be urged to review and revise the laws regarding the alteration, renovation and/or demolition of all buildings containing hazardous materials, to ensure that proper steps and preventative measures are taken to protect the public from exposure to hazardous materials;

FURTHER THAT a copy of this motion be sent to the Premier of Ontario, the Leader of the PC Party, the NDP Party and all MPP's in the Province of Ontario and AMO.

CARRIED

18-167 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney contract with Municipal Insurance Services Ltd. to provide municipal insurance coverage in the amount of \$56,423.28 as well as aviation liability insurance in the amount of \$3,240.00, effective from May 8, 2018 to May 8, 2019.

CARRIED

18-168 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT Council acknowledge the letter from Killarney Mountain Lodge dated April 6, 2018 and advise that a reply will be forthcoming within the next two weeks regarding their property tax proposal.

CARRIED

18-169 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the report from the Public Works Department for the month of April 2018 be accepted and filed.

CARRIED

18-170 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality purchase a Backhoe from Nortrax Canada Inc. as per Quote ID #16658698 dated January 15, 2018;

FURTHER THAT the equipment will be paid back over a 9 year loan.

CARRIED

18-171 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the report from the Financial Department for the month of April 2018 be accepted and filed.

CARRIED

18-172 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the report prepared by the Tax/Utility Department regarding the Conservation Land Tax Incentive Program dated May 9, 2018 be accepted;

FURTHER THAT once the additional information is received, the final report will come back to council for review;

FURTHER THAT the Clerk will prepare a draft resolution for Council's consideration with the intent that the motion will be circulated to Ontario municipalities requesting support to petition the government to consider the negative impacts this program is having on municipalities due to the loss of assessment and ultimately municipal tax dollars.

CARRIED

18-173 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 all required documentation:

Ralph Nacin

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

CARRIED

18-174 BY NANCY WIRTZ – PIERRE PAQUETTE

BE IT RESOLVED THAT the Municipality of Killarney make application for the Fire Smart Grant and prepare the Fire Smart Community Plan as required under the program.

FURTHER THAT Councillor Rook will work with the Public Works Clerical Assistant K. Champaigne on this project.

CARRIED

18-175 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney make application to the GHG Challenge Fund – for Water Plant Upgrades as recommended by the Ontario Clean Water Agency our operating authority.

CARRIED

18-176 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney apply for funding under the Ontario Community Infrastructure Fund 2018 Top-up Intake Launch for Road Paving/Sidewalk Rehabilitation and Hartley Bay Road safety improvements – cost sharing is on a 90/10% basis.

CARRIED

18-177 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT once the Request for Proposals are submitted and the prospective estimates are known as to the cost of a feasibility study for a Joint Waste Management Strategy, Council will at that time determine if application will be made to the Green Municipal Fund to cover 50% of the eligible costs to a program maximum of \$175,000.

CARRIED

18-178 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the minutes of the Airport Committee Meeting held May 5th, 2018 be accepted and filed.

CARRIED

18-179 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the minutes of the Killarney Health Centre Board meeting held April 25th, 2018 be accepted and filed.

CARRIED

18-180 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney agree with the terms set out in the revised co-operation agreement received April 24, 2018 for the development of a feasibility study on local solid waste management, partnering with Henvey Inlet First Nation, Wikwemikong Unceded Indian Reserve and Magnetawan First Nation with a 25% cost to each party involved;

FURTHER THAT based on the division of costs Killarney will be responsible to pay 25% of the actual costs incurred for the feasibility study should the project proceed.

CARRIED

18-181 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Clerk begin to prepare a policy regarding cannabis in the workplace for Council approval. Although, in the meantime send all staff a memorandum regarding cannabis legalization.

CARRIED

18-182 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Municipality employ Marlene Kutcher as the municipal gardener for a period of 15 weeks – 25 hours per week starting date as of May 28, 2018.

Remuneration will be according to Step 5 of the General Labourer Pay Grid – By-Law No. 2017-45.

CARRIED

18-183 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney contract with Everline Coatings and Services for runway rehabilitation as per their revised quote dated May 8th, 2018.

CARRIED

18-184 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT Council proceed to discuss the following item(s) listed below as an Addendum to the May 16th, 2018 Regular Meeting Agenda:

- Tyson Family Requesting Exemption to Noise By-Law

CARRIED

18-185 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney grants the Tyson Family an exemption to the noise by-law until 1:00 AM on May 19th, 2018;

FURTHER THAT it is understood that this exemption may be rescinded if complaints are received from the community or if the 1:00 AM curfew is not adhered to.

CARRIED

18-186 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT Council go into Closed Session at 8:39 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 April 11, 2018 as well as to discuss three legal matters.

CARRIED

CLOSED SESSION:

Adoption of Minutes:

- The first matter of business was the adoption of the closed minutes from the meeting held April 11th, 2018.

Legal Matters:

- The first legal matter involved an ongoing claim regarding the Municipal Wharf project. Council reviewed an information update under solicitor-client privilege;
- The second item related to a discussion of terms relating to the launch ramp agreement;
- The third item involved a possible land acquisition which may be of interest to the Municipality.

18-187 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT Council rise and report at 9:01 P.M.

CARRIED

18-188 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT By-Law #2018-14 being a by-law to confirm the proceedings of Council be read a first and second time.

CARRIED

18-189 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT By-Law #2018-14 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 16th day of May, 2018.

CARRIED

18-190 BY EILEEN LEWIS – JIM ROOK

BE IT RESOLVED THAT we adjourn the Regular Meeting of Council held May 16th, 2018 at 9:02 P.M. to meet again on June 13th, 2018 at 7:00 P.M. or as otherwise specified.

CARRIED

ORIGINAL DOCUMENT SIGNED

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Virginia Rook, Mayor

ORIGINAL DOCUMENT SIGNED

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Candy K. Beauvais, Clerk Treasurer