

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council

February 12, 2020

5:00 P.M.

PRESENT: *MAYOR:* Virginia Rook

COUNCILLORS: Barbara Anne Haitse Michael Reider Jim Rook
John Dimitrijevic Nancy Wirtz

ABSENT: Nil

DISCLOSURE: Nil

STAFF: Clerk-Treasurer – Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault
Public Works Superintendent – Tony Nuziale
Administrative Assistant – Angie Nuziale
Project Manager – Kelly Champaigne

MEMBERS OF PUBLIC: Nil

GUESTS: Nil

DELEGATIONS: Nil

Mayor Rook called meeting to order at 5:01 P.M.

20-033 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the minutes of the Regular Meeting of Council held January 8th and the Town Hall meeting held January 29th, 2020 be adopted as circulated.

CARRIED

20-034 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT Disbursement Sheet #2020-01 covering the expenditures for the period ending January 31st, 2020 in the following amounts:

General Expenses - \$ 593,169.48

Payroll Expenses - \$ 57,692.19

are hereby approved for payment.

CARRIED

20-035 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality contract with Wood Environmental and Infrastructure Solutions for landfill monitoring and reporting for the period 2020-2022 for the Killarney, Hartley Bay and Key River landfill sites as per their quote dated January 6, 2020.

CARRIED

20-036 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney submit letters to AECOM and the Ministry of Transportation (MTO) regarding the planned rehabilitation of Highway 637;

FURTHER THAT we request MTO install asphalt vs surface treatment due to the fact that asphalt is more durable, requires less maintenance and improves road safety and also due to the numerous logging trucks, construction vehicles etc. travelling Highway 637;

FURTHER THAT the frost heave repairs be deferred until July 13, 2020 in an attempt to reduce stone chips to vehicles as these areas will be a gravel surface;

FURTHER THAT work on the various sections of highway cease during July 5 to 12, 2020 as this is Killarney's 200th Anniversary and high traffic volumes are expected during that week of celebrations.

CARRIED

20-037 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT Mayor Rook attend the regional roundtable sessions for municipalities and band councils regarding OPP-related regulatory changes under the Community Safety and Policing Act, 2019 (CSPA, 2019) to be held in Sudbury on February 24th, 2020 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule "B".

CARRIED

20-038 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT in order for the Seniors Lunch Program to continue, (originally funded by Employment and Social Development Canada - New Horizons for Seniors Program) the Municipality will:

1. The Veterans' Memorial Hall rental fee will be a \$50 cleaning fee;
2. If the Veteran's Memorial Hall is rented, the group may have to choose an alternate lunch day;
3. Continue to post the lunch/activity information on the website and in the municipal newsletter;
4. Contribute two mailouts per year;
5. Arrange for the group to utilize a small storage space at the hall;
6. Set up 100% of the 2019 lunch revenues as a deferred revenue in 2020 which the group can use for food and activity supplies as determined by the committee.

CARRIED

20-039 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT Council acknowledge the letter from Ann Roque dated January 20, 2020 concerning the highway, broadband and the cemetery and a reply be sent.

CARRIED

20-040 BY JIM ROOK – BARBARA ANNE HAITSE

WHEREAS the Municipality of Killarney fully supports Killarney Mountain Lodge in their efforts with Viking and Hapag-Lloyd to develop a luxury expedition cruising market within the Great Lakes Region with planned stops at Killarney Mountain Lodge;

AND WHEREAS these cruise line operators are currently investing hundreds of millions of dollars to construct new luxury cruise ships that will provide incredible tourism opportunities not only to their customers, but will be extremely beneficial to the community of Killarney, the Province of Ontario and Canada more broadly;

AND WHEREAS the understanding is that Mr. Rhodes has consulted extensively with representatives of Viking, Hapag-Lloyd and Transport Canada, who provides certification of the Port of Entry, and they have outlined the following local improvements necessary to permit the operation of these ships and the safe passage of their guests to Killarney which include:

- Construction of a dock on the island in front of Canada House, the conference centre at Killarney Mountain Lodge (this would require some minor rock blasting on the island and installation of steel columns and connections to the island to allow the dock to float vertically, but also to be safe and stable for passengers as the water levels rise and fall);
- Construction of a ramp from the dock to the seawall/path area to permit the dock to float vertically with rising and falling water levels;
- Infill with clean fill from existing shoreline to new sea wall;
- Construction of sea wall at water's edge as outlined on the December 3rd, 2019 site plan; and
- Construction of a gravel path at the edge of the seawall to permit people and any potential emergency vehicles to pass from the Canada House area to the dock area (or vice versa) for medical, security or other emergencies.

AND WHEREAS this development will, without a doubt, be extremely beneficial for our community, enhancing the tourism trade which is our mainstay and which remains a vital component to the livelihood of a large percentage of town residents;

AND WHEREAS the height of our tourism season currently runs mid-June to just after Labour Day in September. This venture has the ability to extend our tourism season into the shoulder seasons, being spring and fall which will extend the employment of our residents working in the tourism industry;

AND WHEREAS Council acknowledges that the Ministry of Natural Resources and Forestry is responsible for and committed to balancing economic development along with protecting the environment;

AND WHEREAS it does not appear the environment is being endangered or compromised by the proposed work permit;

AND WHEREAS a cruise line development of this magnitude is unparalleled and will be extremely beneficial to our small tourist community and will stimulate the economy;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Killarney hereby endorses this significant project and respectfully requests that the Ministry of Natural Resources and Forestry approve the work permit submitted by KML dated January 7, 2020 to support this remarkable endeavour.

CARRIED

20-041 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT Gilles Legault & Angie Nuziale attend the “Scribe Training Program for the Emergency Operations Centre” organized by the Ontario Association of Emergency Managers (OAEM) to be held in Sudbury (Azilda) on April 16th, 2020 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule “B”.

CARRIED

20-042 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the Municipality of Killarney process the following 358 application made under the Assessment Act and the Municipal Act, 2001 for the following property:

For the Year 2019 – 358 Application

Roll #5136 000 001 02400 0000 residential assessment w/o (RT) in the amount of \$ (8,630)

For the Period: June 21, 2019 to December 31, 2019

Reason: Damaged and Substantially Unusable

CARRIED

20-043 BY JOHN DIMITRIJEVIC – MICHAEL REIDER

BE IT RESOLVED THAT the Deputy Clerk-Treasurer attend the Payroll Law 2020 Seminar to be held in Sudbury on March 9th, 2020 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule “B”.

CARRIED

20-044 BY BARBARA ANNE HAITSE – JIM ROOK

BE IT RESOLVED 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

20-045 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney support The Wounded Warriors Canada by providing a donation in the amount of \$50.

CARRIED

20-046 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the Municipality of Killarney agree to continue with the Fire Protection Agreement with the Ministry of Natural Resources and Forestry which expires as of March 31, 2020;

FURTHER THAT Council accept the 2020 Comprehensive Protection Charges to Land Types (Appendix A), the 2020 Municipal Fire Agreement Rates (Appendix C), the 2020 Municipal Fire Agreement Cost Report Form (Form 210) and the 2020 Municipal Agreement Fire Summary (Appendix G) for the 2020 forest fire season dated December 17, 2019.

CARRIED

20-047 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney accept with regret the resignation of Dolores Harbin from the Killarney Community Centre Board effective February 4th, 2020.

CARRIED

20-048 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the Municipality of Killarney accept the 2019 Annual Monitoring Report for the Key River Waste Disposal Site as prepared by Wood Environment and Infrastructure Solutions dated January 16th, 2020.

CARRIED

20-049 BY JOHN DIMITRIJEVIC – MICHAEL REIDER

WHEREAS the Provincial Government of Ontario has identified the need for municipal accessibility committees structured through the Accessibility for Ontarians Act, 2005; and

WHEREAS the Provincial Act allows citizens with all abilities and impairments from vision and hearing to a wide range of physicality from seniors with minor mobility issues, to people with complex physical impairment; and

WHEREAS the Act doesn't impose committee structure and standards under 10,000 citizens, the Act provides an opportunity for multiple smaller municipalities to act collaboratively to form a committee of a region;

THEREFORE BE IT RESOLVED THAT as recommended by SEMA, each Sudbury East Municipality will create a new committee 'Sudbury East Accessibility Committee' by adopting the Terms of Reference to work under the Accessibility for Ontarians Act to ensure accessible and inclusive programs and services for the public.

CARRIED

20-050 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the report from the Public Works Department for the month of January 2020 be accepted and filed.

CARRIED

20-051 BY JOHN DIMITRIJEVIC – MICHAEL REIDER

BE IT RESOLVED THAT Council concurs with the Public Works Superintendent and due to the lack of proper snow removal equipment, the increased expense of staff time and increased liability, it is hereby agreed that all sidewalks in the Municipality of Killarney will be closed for the winter months and the appropriate by-law will be prepared;

FURTHER THAT investigations continue into alternative options to provide citizens with safe walkways.

CARRIED

20-052 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Public Works Superintendent and Foreman as well as our Health and Safety rep attend the Occupational Health Clinic for Ontario Works to be held in Sudbury on February 28th, 2020 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule "B".

CARRIED

20-053 BY MICHAEL REIDER – JOHN DIMITRIJEVIC

WHEREAS the people of Ontario are committed to doing their part to keep our communities clean and protect our environment and wildlife. Recognizing that we create too much waste and do not recycle enough;

AND WHEREAS we want products and packaging that result in less waste, and want companies to do their part in diverting waste from landfills;

AND WHEREAS making producers responsible for diverting waste is based on the idea that the companies that design, create and market products and packaging are in the best position to divert these materials when they become waste. By diverting products and packaging, producers keep materials in the economy to be used in new products or processes- rather than in landfills.

THEREFORE BE IT RESOLVED THAT as recommended by the Public Works Superintendent, the Municipality of Killarney would like to transition their Blue Box program to full producer responsibility by October 31st, 2025 due to the following rationale:

1. Not certain how this program will help small rural communities with limited resources and staff, more information is required;
2. Currently this is not the right time for our Municipality to be transitioning due to various projects/programs occurring such as landfill expansion, feasibility studies and current contracts for the transportation of recycling;
3. Would like the opportunity to see how other municipalities are benefiting by transitioning to full producer responsibility;
4. The Municipality of Killarney is interested in providing services, which are yet to be determined to producers if we are able to arrive at mutually agreeable commercial terms.

FURTHER THAT this resolution be forwarded to the Association of Municipalities of Ontario and the Ministry of the Environment, Conservation and Parks.

CARRIED

20-054 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality contract with Proulx Painting to paint the Veterans' Memorial Hall as per quote dated February 5th, 2020.

FURTHER that copies of insurance, a valid WSIB clearance certificate any other required documents must be obtained from Proulx Painting prior to work commencing.

CARRIED

20-055 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the report from the Financial Department for the month of January 2020 be accepted and filed.

CARRIED

20-056 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the minutes of the Killarney Community Centre Board Meetings held on January 7th, January 13th, and January 27th, 2020 be accepted and filed.

CARRIED

20-057 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT the Fourth Quarter Year End Report for 2019 from the Sudbury East Building and By-law Services Department (SEBBS) be accepted and filed.

CARRIED

20-058 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the minutes of the Celebrations Committee meeting held January 14th, 2020 be accepted and filed.

CARRIED

20-059 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the Municipality of Killarney request the Project Manager to make application to the Canada Summer Jobs Program by the February 24th, 2020 deadline for the following positions:

- Two Public Works Maintenance Labourers
- Event Co-ordinator – Killarney 200
- Museum Attendant

CARRIED

20-060 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality apply for 30% funding under the Rural Economic Development Program – Strategic Economic Infrastructure Stream for:

1. An application to be submitted for streetscape improvement items such as signage, banners, street furniture, etc.

CARRIED

20-061 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney request that the Project Manager make application to the Summer Experience Program by the February 27th, 2020 deadline for the following student positions:

- Event Assistant
- Heritage Planner

CARRIED

20-062 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the quarterly report covering the period October – December 2019 from the Fire Chief be accepted and filed.

CARRIED

20-063 BY JOHN DIMITRIJEVIC – NANCY WIRTZ

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 individual will be officially appointed to the Killarney Volunteer Fire Department upon submission of all required documentation:

Cole Gill

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

20-064 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the minutes of the Killarney Community Centre Board Meeting held on February 10th, 2020 be accepted and filed.

CARRIED

20-065 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT Council acknowledge the draft report from R.J. Burnside & Associates Limited dated January 10, 2020 regarding the Killarney Water Treatment Plant.

FURTHER THAT an amended report will be forthcoming in the near future.

CARRIED

20-066 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT By-Law #2020-06 being a by-law to establish the Sudbury East Accessibility Advisory Committee be read a first and second time.

CARRIED

20-067 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT By-Law #2020-06 being a by-law to establish the Sudbury East Accessibility Advisory Committee be considered read a third time and passed in Open Council this 12th day of February 2020.

CARRIED

20-068 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT Councillor Reider be appointed to sit on the Sudbury East Accessibility Advisory Committee;

FURTHER THAT the Municipality post for one member from the community to also sit on the committee.

CARRIED

20-069 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT By-Law #2020-07 being a by-law to amend By-Law No. 2019-04 Schedules “A” and “C” – Staff Remuneration be read a first and second time.

CARRIED

20-070 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT By-Law #2020-07 being a by-law to amend By-Law No. 2019-04 Schedules “A” and “C” – Staff Remuneration be considered read a third time and passed in Open Council this 12th day of February 2020.

CARRIED

20-071 BY JOHN DIMITRIJEVIC – NANCY WIRTZ

BE IT RESOLVED THAT By-Law #2020-08 being a by-law to amend By-Law No. 2003-04 Schedule “E” which established Procedures for Notice under the Municipal Act be read a first and second time.

CARRIED

20-072 BY MICHAEL REIDER – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT By-Law #2020-08 being a by-law to amend By-Law No. 2003-04 Schedule “E” which established Procedures for Notice under the Municipal Act be considered read a third time and passed in Open Council this 12th day of February 2020.

CARRIED

20-073 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT Council proceed to discuss the following item(s) listed below as an Addendum to the February 12th, 2020 Regular Meeting Agenda:

1. A Personal matter regarding an identifiable individual.

CARRIED

20-074 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT Council go into Closed Session at 7:17 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 8th, 2020, to discuss a legal matter [239 (2) (e)] involving a statement of claim and to discuss a proposed disposition of land [239 (2) (c)].

CARRIED

CLOSED SESSION:

Adoption of Minutes:

- The first matter of business during closed session was the adoption of the closed minutes from the regular meeting held on January 8th, 2020.

Legal Matter:

- The second matter of business during closed session was to discuss a statement of claim.

Disposition of Land:

- The third matter of business during closed session was to discuss a proposed disposition of land.

Personal Matter:

- The final item discussed was a personal matter regarding an identifiable individual.

20-075 BY MICHAEL REIDER – NANCY WIRTZ

BE IT RESOLVED THAT Council rise and report at 7:34 P.M.

CARRIED

20-076 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT By-Law #2020-09 being a by-law to confirm the proceedings of Council be read a first and second time.

CARRIED

20-077 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT By-Law #2020-09 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 12th day of February, 2020.

CARRIED

20-078 BY JOHN DIMITRIJEVIC – NANCY WIRTZ

BE IT RESOLVED THAT we adjourn the Regular Meeting of Council held February 12th, 2020 at 7:35 P.M. to meet again on March 11th, 2020 at 5:00 P.M. or as otherwise specified.

CARRIED

ORIGINAL DOCUMENT SIGNED

.....
Virginia Rook, Mayor

ORIGINAL DOCUMENT SIGNED

.....
Candy Beauvais, Clerk-Treasurer