

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council
Via Electronic Participation
Location: Municipal Council Chambers

June 10th, 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: Tiffany Cecchetto – KPMG LLP
Presentation of 2019 Financial Statements

The Clerk indicated the meeting was now to begin recording.

Mayor Rook called meeting to order at 5:02 P.M. and read the following statement.

On March 19, 2020, Bill 187, *Municipal Emergencies Act, 2020* came into force. This legislation amends the *Municipal Act, 2001* to permit municipalities to amend their procedural bylaws to provide that, during emergencies, members of Councils, local boards, and committees who participate in meetings electronically may be counted for the purposes of determining quorum. The Municipality of Killarney has decided to make such an amendment to its procedural bylaw in response to the COVID-19 pandemic. Accordingly, meetings of the Municipality's Council, local boards, and committees will be conducted by teleconference. The public will also be able to observe such meetings in the same manner.

Further to the COVID-19 pandemic and to promote the health and safety of the public, members of Council and staff, it is hereby the decision of Council that this meeting will be held via teleconference and the meeting will also be recorded. This is further enforced by an Order in Council made under the Emergency Management and Civil Protection Act on March 28, 2020 which prohibits any person from attending an organized public event of more than five people.

Mayor then continued with roll call, a quorum was present and then meeting proceeded.

Mayor called for a moment of silence. Mayor proceeded to ask Council if there were any declarations of pecuniary interest. Each councillor announced they had no disclosure. Mayor indicated there were no delegations on the agenda.

Note: All motions are recorded votes in order to ensure the public is aware of how councillors are voting since they are unable to view the meeting proceedings.

20-184 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney accept the Consolidated Financial Statements for the year ended December 31st, 2019 as prepared by KPMG dated June 10th, 2020.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

20-185 BY NANCY WIRTZ & JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the minutes of the Special Meeting of Council, the Committee of Adjustment Meeting, and the Regular Meeting of Council held May 12th, 2020 as well as the Special Meeting of Council held May 22nd, 2020 be adopted as circulated.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-186 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT Disbursement Sheet #2020-05 covering the expenditures for the period ending May 31st, 2020 in the following amounts:

General Expenses - \$ 133,299.25
Payroll Expenses - \$ 34,831.34 are hereby approved for payment.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-187 BY MICHAEL REIDER – BARBARA ANNE HAITSE

WHEREAS the World Health Organization (WHO) on March 11, 2020 declared COVID-19 a pandemic, pointing to the growing number of cases of the coronavirus illness around the world and the sustained risk of further global spread; and,

WHEREAS in response to the COVID-19 pandemic, the Province of Ontario has declared a state of emergency under the Emergency Management and Civil Protection Act; and,

WHEREAS Statistics Canada has reported that the unemployment rate has risen to 7.8 per cent and the pandemic has impacted the employment of 3.1 million Canadians; and,

WHEREAS the Federal Government has announced \$82 billion in relief funding for the COVID-19 Economic Response Plan, utilizing tax deferrals, subsidies, loans, and credits to support citizens, businesses, and industries; and,

WHEREAS according to a 2018 report, a Canada-wide basic income of the type previously piloted in Ontario would have an annual net cost of \$44 billion; and

WHEREAS a universal basic income would likely have many positive effects, including reducing poverty, reducing strain on health care and social assistance systems, supporting businesses and the economy, reducing crime, as well as reducing administrative complexity and creating efficiencies for those in need of financial and economic support measures;

THEREFORE BE IT RESOLVED that the Municipality of Killarney supports the resolution passed by the City of Kitchener on May 11, 2020 urging the Ontario Provincial government to pursue a partnership with the Federal Government for the establishment of a universal basic income;

BE IT FINALLY RESOLVED that this resolution be forwarded to the Prime Minister of Canada; the Premier of Ontario; the Minister of Children, Community & Social Services; the Minister of Municipal Affairs & Housing; the Association of Municipalities of Ontario; the Federation of Canadian Municipalities and our local MPP’s.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	_____	<u> x </u>
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-188 BY BARBARA ANNE HAITSE – JIM ROOK

WHEREAS the Municipality has received a letter dated May 21, 2020 from Killarney Mountain Lodge requesting a reduction in water/sewer billings for their businesses in 2020, stating they will be using much less water due to their inability to open their establishments in early spring due to the COVID-19 pandemic;

AND WHEREAS according to the Municipal Act (Section 106 [1] and [2]) there is express language that a municipality shall not assist directly or indirectly any commercial enterprise through the granting of bonuses for that purpose and shall not give a total or partial exemption from any levy, charge or fee. This would include water and sewer charges.

THEREFORE BE IT RESOLVED that the full water and sewer billings for 2020 will remain as levied for all residential, commercial and industrial/institutional enterprises.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	_____	<u> x </u>
N. WIRTZ	<u> x </u>	_____

CARRIED

20-189 BY JIM ROOK – MICHAEL REIDER

BE IT RESOLVED THAT in an attempt to offer some relief to our utility users due to the COVID-19 pandemic, the Municipality will implement a sewer reduction of \$25.00 per unit across the board for all residential, commercial and industrial/institutional enterprises for the year 2020 only.

There will be no reduction in water rates for 2020 due to budget requirements.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-190 BY NANCY WIRTZ – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney process the following 357 application made under the Municipal Act, 2001 for the following property:

For the Year 2020 – 357 Application

Roll #5136 000 001 03800 0000 commercial assessment w/o (CT) in the amount of \$ (109,100)

For the Period: May 1, 2020 to December 31, 2020

Reason: Owners are retiring and no longer operating the Pines Inn Bed & Breakfast. They will be using the structure as their home. Removing all commercial apportionment and making 100% RU/RT effective May 1st, 2020.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-191 BY JIM ROOK – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney hereby supports Resolution #20-47 passed by the Manitoulin-Sudbury District Services Board (MSDSB) at their regular meeting held May 28, 2020 regarding COVID-19 interim funding and operating policies for EarlyON and Child Care programs;

FURTHER THAT this resolution supporting the MSDSB position be forwarded to the Hon. Stephen Lecce – Minister of Education, AMO, NOSDA, OMSSA and our local MPP’s.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-192 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT the Municipality of Killarney contract with Municipal Insurance Services Ltd. to provide municipal insurance coverage in the amount of \$65,571 (*plus any applicable provincial sales tax*) as well as aviation liability insurance in the amount of \$3,240, effective from May 8, 2020 to May 8, 2021.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-193 BY BARBARA ANNE HAITSE – NANCY WIRTZ

BE IT RESOLVED THAT the Municipality of Killarney supports the resolutions passed by the Northumberland County, the Township of Perth South, the Village of Merrickville-Wolford, the Municipality of West Nipissing; and

FURTHER THAT the Municipality of Killarney requests the Ministry of Natural Resources & Forestry to review its practices and procedures to include a requirement to provide supporting evidence to impacted municipalities when designating Provincially Significant Wetlands within their boundaries; and

FURTHER THAT this resolution be forwarded to the Premier of Ontario; the Minister of Natural Resources & Forestry; the Minister of Municipal Affairs & Housing; the Association of Municipalities of Ontario; the Rural Ontario Municipal Association, FONOM and our MPP’s.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	_____	<u> x </u>
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-194 BY BARBARA ANNE HAITSE - JIM ROOK

BE IT RESOLVED THAT Council requests the Project Manager research the Natural Gas Expansion Support Program to see if the municipality would qualify for an expansion project.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-195 BY BARBARA ANNE HAITSE – MICHAEL REIDER

BE IT RESOLVED THAT Council requests the Project Manager investigate the Provincial Broadband and Cellular Action Plan announced by the Premier on June 3, 2020 to determine if the Municipality of Killarney would be eligible to apply. This plan will improve connectivity in communities across Ontario to ensure people and businesses have access to high-speed internet and cellular services that they need.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-196 BY NANCY REIDER – MICHAEL REIDER

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

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-197 BY NANCY REIDER – MICHAEL REIDER

BE IT RESOLVED THAT the Public Works Superintendent meet with the engineers who designed the wharf walkway, including the materials placed underneath the dock, etc. to develop a plan to rehabilitate and/or repair the problems caused by high water levels and present a report to Council.

FURTHER THAT the Project manager investigate funding options.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-198 BY JOHN DIMITRIJEVIC – BARBARA ANNE HAITSE

BE IT RESOLVED THAT regarding the issue with accepting shrink wrap in the landfill, the Public Works Superintendent will research the matter and once all options are received and reviewed will present a report to Council.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-199 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT Council approves of the Public Works Department reverting back to their regular schedule effective immediately;

FURTHER THAT social distancing, sanitization of vehicles/work tools etc. continue to be adhered to as well as wearing the proper Personal Protection Equipment (PPE) while at work.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-200 BY JIM ROOK – MICHAEL REIDER

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

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-201 BY NANCY WIRTZ – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the minutes of the 200th Celebrations Committee meeting held May 5th, 2020 be accepted and filed.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-202 BY JIM ROOK – NANCY WIRTZ

BE IT RESOLVED THAT the report from the Project Manager regarding 2020 MAMP Funding dated May 19th, 2020 be accepted and filed.

FURTHER THAT Council request the Project Manager complete the Asset Management Readiness Scale and then proceed to make application for funding for the integration of asset management functions into Municipal Datworks and/or CGIS programs along with relevant training in order to improve our municipal asset management tools.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-203 BY NANCY WIRTZ – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the museum remain closed to the public for the 2020 season as the funding agency has approved the amendments to the project scope. A Museum Technician will be hired for the 7 week period which will be funded 100% by the Canada Summer Jobs program;

FURTHER THAT the technician will use this time to clean and update displays, clean the interior of the building, add storage space, refurbish/replace the desk, determine appropriate signage, research artifact history and significance, create a reference binder with pertinent information about the artifacts, Killarney history, geography and tourism for use by future Museum Attendants/Technicians;

FURTHER THAT the original budgeted wages be used to offset purchasing costs.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-204 BY NANCY WIRTZ – MICHAEL REIDER

BE IT RESOLVED THAT the report from the Tax/Utility Clerk regarding Splashtop dated May 28th, 2020 be accepted and filed.

FURTHER THAT if in the future staff are required to work remotely this is the program that will be utilized.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-205 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT further to the report received from the Tax/Utility Clerk dated June 4th, 2020, Council hereby concurs that due to the ongoing COVID-19 pandemic and to alleviate financial stress on our ratepayers, the Municipality will implement the following:

Penalty on current 2020 taxes will be waived for the months of July, August and September 2020. This will also apply to current 2020 water/sewer utility accounts. Also, NSF fees will be waived during this time as well.

FURTHER THAT the Clerk amend By-Law Nos. 2020-16 and 2020-17 to be ready for the July regular council meeting.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-206 BY MICHAEL REIDER – JIM ROOK

BE IT RESOLVED THAT the Municipality of Killarney adopt the COVID-19 Contractor Policy and that a copy be provided to all contractors conducting any business for the municipality.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-207 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT By-Law #2020-20 being a by-law to amend By-Law # 2016-11 the Ministry of Natural Resources & Forestry Fire Agreement be read a first and second time.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	_____	<u> x </u>
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-208 BY BARBARA ANNE HAITSE – NANCY WIRTZ

BE IT RESOLVED THAT By-Law #2020-20 being a by-law to amend By-Law # 2016-11 the Ministry of Natural Resources & Forestry Fire Agreement be considered read a third time and passed in Open Council this 10th day of June 2020.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	_____	<u> x </u>
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-209 BY NANCY WIRTZ – BARBARA ANNE HAITSE

BE IT RESOLVED THAT Council proceed to discuss the following item(s) listed below as an Addendum to the June 10th, 2020 Regular Meeting Agenda:

1. Herbert Fisheries – Request to extend outdoor dining area;
2. Killarney Mountain Lodge – Request to extend patio dining area;
3. Tay Township – Great Lakes Water Level

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	<u> </u>
B. HAITSE	<u> x </u>	<u> </u>
M. REIDER	<u> x </u>	<u> </u>
J. ROOK	<u> x </u>	<u> </u>
V. ROOK	<u> x </u>	<u> </u>
N. WIRTZ	<u> x </u>	<u> </u>

CARRIED

Note: A member of the Public joined the meeting via teleconference.

20-210 BY JIM ROOK – NANCY WIRTZ

WHEREAS a letter was received from the Province dated June 8, 2020, stating that the Attorney General has implemented regulatory changes by amending Regulation 719 under the Liquor Licence Act (LLA) that gives the Alcohol and Gaming Commission of Ontario (AGCO) the discretion to allow licensed establishments (*e.g. licensed bars and restaurants*) to temporarily add or increase the size of their patios once they are permitted to reopen. These opportunities will be available to all licensed establishments, whether or not they currently have a patio, and will be subject to any additional requirements set out by the AGCO and the Municipality;

AND WHEREAS licensed bars and restaurants are allowed to temporarily extend their physical premises provided they have municipal approval and meet the criteria below.

AND WHEREAS once these establishments are permitted to welcome patrons on-site and until January 1, 2021 at 3:00 a.m., liquor sales licensees who wish to temporarily extend the physical size of their existing licensed patio or to temporarily add a new licensed patio within the approved period, are authorized to do so, if the following criteria are met:

1. The physical extension of the premises is adjacent to the premises to which the licence to sell liquor applies;
2. The municipality in which the premises is situated has indicated it does not object to an extension;
3. The licensee is able to demonstrate sufficient control over the physical extension of the premises;
4. There is no condition on the liquor sales licence prohibiting a patio; and,
5. The capacity of any new patio, or extended patio space where the licensee has an existing licensed patio, does not exceed 1.11 square metres per person.

AND WHEREAS our businesses have been significantly affected by the COVID-19 outbreak;

AND WHEREAS the Municipality of Killarney wish to work with and support our businesses to expand existing or create new patios/dining areas;

THEREFORE BE IT RESOLVED THAT

1. Council will grant Herbert Fisheries the temporary use of the area south of the wharf building for additional tables for an expanded dining area until January 1, 2021 at 3:00 a.m. (this expanded area shall not interfere with other tenants of the wharf) see attached map for approximate location;
2. There will be no fee associated with this temporary use of municipal property for the term noted in (1) above;
3. No permanent patio or any structure is to be constructed or placed on the municipal property by Herbert Fisheries;
4. Herbert Fisheries must provide additional insurance coverage naming the Municipality of Killarney as an additional insured for the area to be utilized and shall provide a copy to the Municipality prior to use;
5. No alcohol is to be consumed in this area until Herbert Fisheries meet the requirements of the AGCO and insurance is secured;
6. Herbert Fisheries shall ensure that all licensed areas are readily distinguishable from areas to which the licence does not apply;
7. Herbert Fisheries are expected to comply with physical distancing measures and any other public health guidelines or orders issued by the Ontario Government or by any other applicable level of government;
8. Any conditions on a licence issued by the AGCO continue to apply and licensees must continue to meet all other existing requirements in the LLA and regulations;
9. This resolution remains conditional and will only take effect upon the authorization of the Chief Building Official and the Fire Department.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	<u> </u>
B. HAITSE	<u> x </u>	<u> </u>
M. REIDER	<u> x </u>	<u> </u>
J. ROOK	<u> x </u>	<u> </u>
V. ROOK	<u> x </u>	<u> </u>
N. WIRTZ	<u> x </u>	<u> </u>

CARRIED

20-211 BY NANCY WIRTZ – MICHAEL REIDER

WHEREAS a letter was received from the Province dated June 8, 2020, stating that the Attorney General has implemented regulatory changes by amending Regulation 719 under the Liquor Licence Act (LLA) that gives the Alcohol and Gaming Commission of Ontario (AGCO) the discretion to allow licensed establishments (*e.g. licensed bars and restaurants*) to temporarily add or increase the size of their patios once they are permitted to reopen. These opportunities will be available to all licensed establishments, whether or not they currently have a patio, and will be subject to any additional requirements set out by the AGCO and the Municipality;

AND WHEREAS licensed bars and restaurants are allowed to temporarily extend their physical premises provided they have municipal approval and meet the criteria below.

AND WHEREAS once these establishments are permitted to welcome patrons on-site and until January 1, 2021 at 3:00 a.m., liquor sales licensees who wish to temporarily extend the physical size of their existing licensed patio or to temporarily add a new licensed patio within the approved period, are authorized to do so, if the following criteria are met:

1. The physical extension of the premises is adjacent to the premises to which the licence to sell liquor applies;
2. The municipality in which the premises is situated has indicated it does not object to an extension;
3. The licensee is able to demonstrate sufficient control over the physical extension of the premises;
4. There is no condition on the liquor sales licence prohibiting a patio; and,
5. The capacity of any new patio, or extended patio space where the licensee has an existing licensed patio, does not exceed 1.11 square metres per person.

AND WHEREAS our businesses have been significantly affected by the COVID-19 outbreak;

AND WHEREAS Council has received a request from Killarney Mountain Lodge for municipal consent to extend their patio space;

AND WHEREAS the Municipality of Killarney wish to work with and support our businesses to expand existing or create new patios/dining areas;

THEREFORE BE IT RESOLVED THAT

1. Council has no objection to Killarney Mountain Lodge extending their outdoor patio space around their pool area to permit greater areas for dining;
2. Killarney Mountain Lodge shall ensure that all licensed areas are readily distinguishable from areas to which the licence does not apply;
3. Killarney Mountain Lodge is expected to comply with physical distancing measures and any other public health guidelines or orders issued by the Ontario Government or by any other applicable level of government;
4. Any conditions on a licence issued by the AGCO continue to apply and licensees must continue to meet all other existing requirements in the LLA and regulations.
5. This resolution remains conditional and will only take effect upon the authorization of the Chief Building Official and the Fire Department.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-212 BY MICHAEL REIDER – BARBARA ANNE HAITSE

BE IT RESOLVED THAT the Municipality of Killarney supports the resolution of Tay Township passed at their meeting on May 27, 2020 requesting the Federal and Provincial Governments to intervene with the International Joint Commission to better manage and control the water levels of Lake Huron and Lake Michigan.

FURTHER THAT this resolution be forwarded to all those noted in the resolution endorsed by Tay Township.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-213 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT By-Law #2020-21 being a by-law to confirm the proceedings of Council be read a first and second time.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-214 BY NANCY WIRTZ – BARBARA ANNE HAITSE

BE IT RESOLVED THAT By-Law #2020-21 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 10th day of June, 2020.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

20-215 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT we adjourn the Regular Meeting of Council held June 10th, 2020 at 7:00 P.M. to meet again via teleconference on July 8th, 2020 at 5:00 P.M. or as otherwise specified.

RECORDED VOTE		
	<i>FOR</i>	<i>AGAINST</i>
Z. DIMITRIJEVIC	<u> x </u>	_____
B. HAITSE	<u> x </u>	_____
M. REIDER	<u> x </u>	_____
J. ROOK	<u> x </u>	_____
V. ROOK	<u> x </u>	_____
N. WIRTZ	<u> x </u>	_____

CARRIED

ORIGINAL DOCUMENT SIGNED

.....
Virginia Rook, Mayor

ORIGINAL DOCUMENT SIGNED

.....
Candy Beauvais, Clerk-Treasurer