

# THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

## Regular Meeting of Council French River Visitor Centre – Ward 2

May 15, 2019

7:00 P.M.

**PRESENT: MAYOR:** Virginia Rook

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

**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  
Chief Building Official – Andrea Tarini  
Ontario Clean Water Agency – Patti O’Handley

**MEMBERS OF PUBLIC:** 1

**GUESTS:** Nil

**DELEGATIONS:** 1. Tiffany Cecchetto KPMG LLP – 2018 Year-End Audit  
Presentation of Financial Statements  
2. Holden Rhodes – Killarney Mountain Lodge – Fire  
Suppression Sprinkler System

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Mayor Rook called meeting to order at 7:00 P.M.

**19-166 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the Municipality of Killarney accept the Consolidated Financial Statements for the year ended December 31<sup>st</sup>, 2018 as prepared by KPMG dated May 15<sup>th</sup>, 2019.

**CARRIED**

**19-167 BY BARBARA ANNE HAITSE – JIM ROOK**

**WHEREAS** the AECOM Engineering Report dated April 2016 states that the Killarney Mountain Lodge (KML) fire suppression system cannot be connected to the Killarney Water System;

**AND WHEREAS** Killarney Mountain Lodge were advised by AECOM and the Municipality that they were to have a “stand alone” fire-fighting/suppression system, not connected to the municipal drinking water infrastructure;

**AND WHEREAS** Killarney Mountain Lodge were advised that Council were to approve all connections to the municipal water supply;

**AND WHEREAS** Killarney Mountain Lodge has connected a sprinkler fire suppression system to Canada House and two other buildings (Covered Portage/Main kitchen) to the municipal drinking water supply;

**AND WHEREAS** there is a potential for the municipality's potable drinking water to be compromised should these connections remain;

**AND WHEREAS** there have been concerns expressed by the Ministry of the Environment Conservation and Parks (MECP) relating to the connections;

**AND WHEREAS** the Municipality has a responsibility to provide safe drinking water for all;

**AND WHEREAS** by allowing these connections at Killarney Mountain Lodge to remain, it is placing the entire municipal water system and water users in jeopardy as all business', residents etc. could experience non potable water, loss of pressure, additional expenses, etc.

**AND WHEREAS** the Municipality share KML's concerns with the life safety of all. This includes the municipal water system users, as well as ensuring the safety of visitors, this is the primary reason for such concern on the part of the Municipality. The Municipality is required under the Safe Drinking Water Act to show due diligence and this is all the more reason to be extremely cautious and prudent in this matter;

**AND WHEREAS** Council has been apprised by staff of their responsibility under the *Safe Water Drinking Act*, with possible repercussions of liability resulting in legal actions in the event of a disastrous incident occurring;

**AND WHEREAS** this decision of Council is in no way to be construed as an effort to have any negative impact on KML's development project, but rather it is the Municipality taking a cautious approach that is not unreasonable with regard to the requirements and limitations of municipal infrastructure;

**AND WHEREAS** Council feels that the process has been fair in their decisions affecting the KML expansion;

**AND WHEREAS** the Municipality recommends Killarney Mountain Lodge disconnect their sprinkler systems from the municipal water grid and implement the option suggested by Killarney Mountain Lodge in an email dated April 16, 2019 which is to install a pump in the Channel that provides full time water pressure and supply to their sprinkler system;

**NOW THEREFORE** in the best interest for all concerned, it is hereby the decision of Council to request that Killarney Mountain Lodge disconnect all fire suppression sprinkler systems on KML property which are connected to the municipal water system so that the municipal water supply will not be jeopardized, the municipal infrastructure will not be damaged and water users will not be adversely affected;

**FURTHER THAT** Killarney Mountain Lodge proceed with their proposed option of designing a system which will supply their sprinkler suppression system with water from Killarney Channel or another appropriate water source and to have it operational within nine months or less;

**FURTHER THAT** in order that KML remains compliant with the fire code the Municipality will hereby allow the sprinkler system at Canada House to remain connected to the municipal water system only until such time as KML has designed and installed their own water supply for the sprinkler system as per the timeframe indicated by Council above.

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>      </u>	<u>  x  </u>
V. ROOK	<u>      </u>	<u>  x  </u>
N. WIRTZ	<u>  x  </u>	<u>      </u>

**CARRIED**

**19-168 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the minutes of the Regular Meeting of Council held April 10<sup>th</sup>, 2019, the Public Meeting of Council held April 26<sup>th</sup>, 2019 and the Special Meeting of Council held April 26<sup>th</sup>, 2019 be adopted as circulated.

**CARRIED**

**19-169 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** Disbursement Sheet #2019-04 covering the expenditures for the period ending April 30<sup>th</sup>, 2019 in the following amounts:

General Expenses - \$ 722,536.43  
 Payroll Expenses - \$ 39,651.47

are hereby approved for payment.

**CARRIED**

**19-170 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the Municipality of Killarney is concerned with Bill C-68 currently before the Senate which reverses changes to the Fisheries Act which the current Federal Government has expanded the definition of “habitat” and added a new concept to the Act, “water flow”.  
 By adding the concept of water flow, the scope of offences municipalities can be charged with, have been greatly expanded.

**FURTHER**, rather than specifically listing what is and is not an offence under this legislation, including fines or jail, this power has been handed over to the unelected technocrats, to determine by regulation, what the penalties for non-compliance will be.

**THEREFORE**, the Municipality of Killarney hereby requests that the Federal Government provide regulatory certainty before this legislation is passed into law. Clear regulatory certainty is necessary to prevent the return of conflicted interpretations and inconsistencies in enforcement of the Fisheries Act which happened in the past.

**CARRIED**

**19-171 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the Municipality of Killarney process the following Minutes of Settlement, 357 and 358 applications made under the Assessment Act and the Municipal Act, 2001 for the following properties:

**For the Year 2017 – 358 Application**

Roll #5136 000 001 05400 0000 commercial assessment w/o (CT) in the amount of \$ (164,825) and residential assessment increase (RT) of \$9,956  
For the Period: January 1, 2017 to December 31, 2017  
*Reason: Gross or Manifest Error*

**For the Year 2018 – 358 Application**

Roll #5136 000 001 05400 0000 commercial assessment w/o (CT) in the amount of \$ (165,250) and residential assessment increase (RT) of \$10,004  
For the Period: January 1, 2018 to December 31, 2018  
*Reason: Gross or Manifest Error*

**For the Year 2019 – 357 Applications**

Roll #5136 000 002 07970 0000 residential assessment w/o (RT) in the amount of \$ (49,250)  
For the Period: January 1, 2019 to December 31, 2019  
*Reason: Adjustment based on similar properties*

Roll #5136 000 004 04600 0000 residential assessment w/o (RT) in the amount of \$ (20,500)  
For the Period: January 1, 2019 to December 31, 2019  
*Reason: Location Adjustment/Change in the valuation approach*

**CARRIED**

**19-172 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the Municipality of Killarney has no issues with CN’s vegetation control activities for safety purposes being performed in our area between May 6, 2019 to July 12, 2019.

**CARRIED**

**19-173 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** the Public Works Superintendent, the three landfill attendants, and two firefighters attend the ‘Landfill Fire Training Seminar’ to be held in North Bay on July 11<sup>th</sup>, 2019 and that expenses be reimbursed according to By-Law No. 2015-06 - Schedule “B”.

**CARRIED**

**19-174 BY JIM ROOK – JOHN DIMITRIJEVIC**

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

**CARRIED**

**19-175 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the Municipality of Killarney hereby approves of J. Roque’s property #5136 000 001 04601 0000 be connected to the municipal water and sewer supply serviced off of Charles Street, provided that the owner assumes all costs involved, obtains all necessary permits and that our operating authority OCWA and public works department have no objections.

**FURTHER** if required the initial driveway culvert will be installed at the owners’ expense.

**CARRIED**

**19-176 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the Municipality of Killarney acknowledge the email from Richard Seguin dated May 8, 2019 regarding the removal of all the history articles on the municipal website (under the heading news, and create a new heading of history).

**FURTHER THAT** Council advise the Clerk to have our webmaster create a new heading of history and move all history items located under news to that heading.

**CARRIED**

**19-177 BY MICHAEL REIDER – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Municipality of Killarney supports the letter from the Town of Mono dated May 2, 2019 regarding the Ontario Municipal Partnership Fund (OMPF). This program primarily supports northern and rural municipalities but as the grant allocations decrease it is having a significant impact on municipal finances. The loss of OMPF revenue is being made up through increased tax levies.

**THEREFORE** it is requested that the Province maintain the OMPF at not less than its current funding level and further engage municipalities in meaningful dialogue regarding the future of this program.

**CARRIED**

**19-178 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the Municipality of Killarney send an official invitation to Anne Bailly, Bluenose II Director of Operations to consider making Killarney a stop on its travel to Sarnia Ontario in August 2019.

**CARRIED**

**19-179 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the report from the Public Works Department for the month of April 2019 be accepted and filed.

**CARRIED**

**19-180 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** the report from the Financial Department for the month of April 2019 be accepted and filed.

**CARRIED**

**19-181 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the minutes of the Killarney Community Centre Board meetings held on March 14<sup>th</sup>, 2019 and April 23<sup>rd</sup>, 2019 be accepted and filed.

**CARRIED**

**19-182 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the minutes of the Killarney Health Centre Board meeting held on April 24<sup>th</sup>, 2019 be accepted and filed.

**CARRIED**

**19-183 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** the quarterly report from the Fire Chief for the months of January, February and March 2019 be accepted and filed.

**CARRIED**

**19-184 BY NANCY WIRTZ – MICHAEL REIDER**

**BE IT RESOLVED THAT** on recommendation of the Fire Chief, and providing that they qualify under Municipal Policy #H-001 – Part 1.3, the following individuals will be officially appointed to the Killarney Volunteer Fire Department upon submission of all required documentation:

**Robert Campbell  
Michael Champaigne**

**FURTHER** these appointees will be on a 6 month probation period, during which time they shall take such special training and examinations as may be required by the Chief of the Department.

**CARRIED**

**19-185 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the First Quarter Report from the Sudbury East Building and By-law Services Department (SEBBS) be accepted and filed.

**CARRIED**

**19-186 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** the Travel Trailer Results from the Sudbury East Building and By-law Services Department (SEBBS) be accepted and filed.

**CARRIED**

**19-187 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** the Municipality of Killarney acknowledge the letter from Interpaving Limited dated May 9, 2019 requesting to rent the Welcome Centre as their office & staging/laydown area while they complete work under contract by the Ministry of Transportation on Charles Street in Killarney this summer.

**CARRIED**

**19-188 BY JIM ROOK – JOHN DIMITRIJEVIC**

**BE IT RESOLVED THAT** due to the significant number of incidents of breaches and hacking occurring in cities and municipalities it is imperative that the municipality take steps to protect our infrastructure and private information;

**THEREFORE** the Municipality of Killarney will hereby contract with Municipal Insurance Services (MIS) to provide \$1 Million in cyber insurance coverage with an annual premium of \$4,000 plus a \$250.00 policy fee.

**CARRIED**

**19-189 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** the Municipality of Killarney hire the following persons for the following seasonal positions on recommendation of the personnel committee:

***MAINTENANCE LABOURER – PUBLIC WORKS:***

- **Paul Bloxam**

***GRASS CUTTER(S):***

- **Brandon Bloxam**

***MUSEUM TECHNICIAN:***

- ***Devin Proulx***

***SPECIAL EVENTS PROGRAM PLANNER:***

- ***Lauren Massey***

***HORTICULTURALIST:***

- ***Marlene Kutcher***

**CARRIED**

**19-190 BY MICHAEL REIDER – NANCY WIRTZ**

**BE IT RESOLVED THAT** Council acknowledges the report from JL Richards dated May 8, 2019 Re: Killarney Community Centre Proposed Services for Program Definition and Space Requirement Study and agrees with the Killarney Community Centre Board's recommendation to defer this project until funds can be raised to move this proposal forward.

**CARRIED**

**19-191 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** By-Law #2019-21 being a by-law to Establish Tax Ratios for the Year 2019 be read a first and second time.

**CARRIED**

**19-192 BY MICHAEL REIDER – NANCY WIRTZ**

**BE IT RESOLVED THAT** By-Law #2019-21 being a by-law to Establish Tax Ratios for the Year 2019 be considered read a third time and passed in Open Council this 15<sup>th</sup> day of May 2019.

**CARRIED**

**19-193 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** By-Law #2019-22 being a by-law to Impose, Levy and Collect Municipal & School Taxes to meet the estimates for the Year 2019 for the Municipality of Killarney be read a first and second time.

**CARRIED**

**19-194 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** By-Law #2019-22 being a by-law to Impose, Levy and Collect Municipal & School Taxes to meet the estimates for the Year 2019 for the Municipality of Killarney be considered read a third time and passed in Open Council this 15<sup>th</sup> day of May 2019.

**CARRIED**

**19-195 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** By-Law #2019-23 being a by-law to Authorize the Mayor & Clerk to Execute a Lease Agreement between Interpaving Limited and the Municipality of Killarney be read a first and second time.

**CARRIED**

**19-196 BY MICHAEL REIDER – NANCY WIRTZ**

**BE IT RESOLVED THAT** By-Law #2019-23 being a by-law to Authorize the Mayor & Clerk to Execute a Lease Agreement between Interpaving Limited and the Municipality of Killarney be considered read a third time and passed in Open Council this 15<sup>th</sup> day of May 2019.

**CARRIED**

**19-197 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** Council go into Closed Session at 9:02 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 10<sup>th</sup>, 2019.

**CARRIED**

**CLOSED SESSION:**

*Adoption of Minutes:*

- The only matter of business during closed session was the adoption of the closed minutes from the regular meeting held on April 10<sup>th</sup>, 2019.

**19-198 BY BARBARA ANNE HAITSE – MICHAEL REIDER**

**BE IT RESOLVED THAT** Council rise and report at 9:07 P.M.

**CARRIED**

**19-199 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** By-Law #2019-24 being a by-law to confirm the proceedings of Council be read a first and second time.

**CARRIED**

**19-200 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** By-Law #2019-24 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 15<sup>th</sup> day of May, 2019.

**CARRIED**

**19-201 BY JOHN DIMITRIJEVIC – JIM ROOK**

**BE IT RESOLVED THAT** we adjourn the Regular Meeting of Council held May 15<sup>th</sup>, 2019 at 9:09 P.M. to meet again on Wednesday, June 12<sup>th</sup>, 2019 at 7:00 P.M. or as otherwise specified.

**CARRIED**

*ORIGINAL DOCUMENT SIGNED*

.....  
*Virginia Rook, Mayor*

*ORIGINAL DOCUMENT SIGNED*

.....  
*Candy Beauvais, Clerk-Treasurer*