# THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Regular Meeting of Council Via Electronic Participation Location: Municipal Council Chambers December 9<sup>th</sup>, 2020 5:00 P.M.

PRESENT: MAYOR: Nancy Wirtz

COUNCILLORS: Barbara Anne Haitse Michael Reider Jim Rook

John Dimitrijevic Robert Campbell

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 Tax/Utility Clerk – Julie Solomon

MEMBERS OF PUBLIC: Nil

GUESTS: Nil

DELEGATIONS: Andrea Tarini, Chief Building Official

**Travel Trailer Report** 

The Clerk indicated the meeting was now being recorded.

Mayor Wirtz called meeting to order at 5:05 P.M. and read the following statement.

On March 19, 2020, Bill 187, *Municipal Emergencies Act, 2020* came into force. This legislation amended 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. Further, on July 21, 2020, the COVID-19 Economic Recovery Act, 2020 was passed to further amend the Municipal Act, 2001 such that a Municipality's procedure by-law may permit Councillors to participate electronically in both open and closed meetings and for those Councillors to be counted in determining quorum when participating electronically. Therefore, the Municipality of Killarney has determined to further amend its procedural bylaw. Accordingly, meetings of the Municipality's Council, local boards, and committees will be conducted via teleconference or via in person meetings. The public will also be able to participate in such meetings in the same manner.

Mayor then continued with roll call, a quorum was present and the 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 was one delegation 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.

**Delegation:** 

Andrea Tarini, Chief Building Official – Travel Trailer Report

#### 20-390 BY JIM ROOK - ROBERT CAMPBELL

**BE IT RESOLVED THAT** regarding travel trailers, the Municipality of Killarney agree to proceed with Option #2 – Removing travel trailer restrictions from the zoning by-law and set up a separate by-law which would regulate travel trailers within the Municipality.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-391 BY BARBARA ANNE HAITSE – MICHAEL REIDER

**BE IT RESOLVED THAT** the minutes of the Regular Meeting of Council held November 12<sup>th</sup> and the Special Meeting of Council held November 24<sup>th</sup>, 2020 be adopted as circulated.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-392 BY JIM ROOK – ROBERT CAMPBELL

**BE IT RESOLVED THAT** Disbursement Sheet #2020-11 covering the expenditures for the period ending November 30<sup>th</sup>, 2020 in the following amounts:

General Expenses - \$ 198,659.13 Payroll Expenses - \$ 36,464.63

are hereby approved for payment.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	Х	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-393 BY ROBERT CAMPBELL – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Municipality of Killarney support the resolution passed by the City of Hamilton on August 21, 2020 asking the Premier of Ontario to consider amending its licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations as this is currently not taken into consideration.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	Х	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-394 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Municipality of Killarney support the resolution passed by the City of Belleville at their council meeting of November 9, 2020 regarding Bill 218 and the proposed changes to the Municipal Elections Act – Extension of Nomination Period;

**AND WHEREAS** it is proposed to extend nomination day from the end of July to the second Friday in September;

**AND WHEREAS** it becomes more difficult for local governments to implement various options to increase voter participation, to vote safely along with other election options with the proposed shorter period between Nomination Day and the October 24, 2022 Election Day.

**THEREFORE** Killarney Council recommends that the Government of Ontario support the freedom of municipalities to run democratic elections within the existing framework the Act currently offers without amendment.

**FURTHER THAT** this resolution be circulated to AMO, AMCTO, FONOM and our local MPP's.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-395 BY MICHAEL REIDER – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the Municipality of Killarney process the following Minutes of Settlement for the 2019 & 2020 Tax Years made under Section 39.1 of the Assessment Act and process the following 357 & 358 applications made under the Municipal Act, 2001 for the following properties:

# For the Year 2020 – Minutes of Settlement

Roll #5136 000 001 31100 0000 new construction commercial write-off (XT) in the amount of \$ (971,054) and residential assessment write-off (RT) in the amount of \$ (1,946) For the Period: January 1, 2020 to December 31, 2020

Reason: Adjustment for obsolescence

#### For the Year 2020 - Minutes of Settlement

Roll #5136 000 001 33500 0000 new construction commercial write-off (XT) in the amount of \$ (405,000)

For the Period: January 1, 2020 to December 31, 2020 Reason: Updated commercial/industrial building value Adjustment based on similar properties

#### For the Year 2019 – Minutes of Settlement

Roll #5136 000 001 31100 0000 new construction commercial write-off (XT) in the amount of \$ (944,080)

For the Period: June 1, 2019 to December 31, 2019 *Reason: Updated commercial/industrial building value* 

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#### For the Year 2020 – 357 Application

Roll #5136 000 004 04500 0000 residential assessment write-off (RT) in the amount of \$ (91,000)

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

Reason: Demolition

# For the Year 2019 - 358 Application

Roll #5136 000 004 04500 0000 residential assessment write-off (RT) in the amount of \$ (88,655)

For the Period: January 1, 2019 to December 31, 2019

Reason: Demolition

## For the Year 2018 – 358 Application

Roll #5136 000 004 04500 0000 residential assessment write-off (RT) in the amount of \$ (86,309)

For the Period: January 1, 2018 to December 31, 2018

Reason: Demolition

Res	solution Result	on Result Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-396 BY BARBARA ANNE HAITSE – ROBERT CAMPBELL

**BE IT RESOLVED THAT** Council endorses the letter issued by Mayor Wirtz in support of Vianet's application for universal broadband funding.

Resolution Result		Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

## 20-397 BY JIM ROOK - NANCY WIRTZ

**BE IT RESOLVED THAT** the Municipality of Killarney acknowledge the letter from a ratepayer regarding utility services at property roll #5136 000 001 12000 0000;

**FURTHER** the municipal utility by-law states there are no exemptions generally and that properties are not eligible for rate exemptions solely by the fact that the owner chooses not to utilize the connection. Although, there are limited exemptions available such as when a building remains unoccupied after a period of twelve consecutive months, the owner can make application to Council to pay a reduced utility rate of 50% of the per unit cost which would apply January 1<sup>st</sup> of the next billing year provided there are no arrears owing on the utility account;

**FURTHER** Council approved the Vacancy Rebate Application for this property in 2010 and the 50% billing has been in effect since that time;

**FURTHER** the Municipality must adhere to our by-laws and follow past practice in order to be fair to all utility users;

**FURTHER** the by-law will not be amended.

**THEREFORE** the Municipality is unable to grant this property a 100% reduction in utility billings until such time as the building is demolished.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	Х	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider		Х
	PECUNIARY INTEREST DECLARED	Jim Rook	Х	
	WITHDRAWN	Nancy Wirtz	Х	

## 20-398 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Municipality of Killarney supports resolution 2020-747 passed by the Municipality of Grey Highlands on November 18, 2020 and resolution #CC2020-272 passed by the Council of the City of Greater Sudbury on November 24, 2020 regarding Bill 229 -- Protect, Support and Recover from COVID-19 Act – Schedule 6 – Conservation Authorities Act;

**FURTHER THAT** Council requests that the Province of Ontario work with conservation authorities to address their concerns by removing Schedule 6 from Bill 229 which affects changes to the Conservation Authorities Act and the Planning Act;

**FURTHER THAT** this motion be provided to the Premier of Ontario, the Minister of Finance, the Minister of Environment Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing and our local MPP's.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	Х	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

## 20-399 BY MICHAEL REIDER – BARBARA ANNE HAITSE

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

Re	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	_

## 20-400 BY ROBERT CAMPBELL – JOHN DIMITRIJEVIC

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

Re	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-401 BY ROBERT CAMPBELL – JIM ROOK

**BE IT RESOLVED THAT** the minutes of the 200<sup>th</sup> Celebrations Committee meeting held November 18<sup>th</sup>, 2020 be accepted and filed.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	Х	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	Х	
	WITHDRAWN	Nancy Wirtz	Х	

## 20-402 BY MICHAEL REIDER – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the minutes of the Killarney Health Centre Board meeting held November 25<sup>th</sup>, 2020 be accepted and filed.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-403 BY BARBARA ANNE HAITSE – JIM ROOK

**BE IT RESOLVED THAT** the Project Manager apply to the Ministry of Seniors and Accessibility's Inclusive Community Grant funding program for sidewalk repair/extension, only if no application for sidewalk repair/extension is made to the Ministry of Infrastructure COVID-19 Resilience Infrastructure Stream.

If a sidewalk repair/extension application is made to the MOI COVID-19 stream, then the Project Manager will apply to the MSAA Inclusive Community Grant for funding for an Active Transportation Trail Feasibility Study.

Res	solution Result	Recorded Vote	
		Council Members	YES NO
	CARRIED	Robert Campbell	X
	DEFEATED	John Dimitrijevic	X
	TABLED	Barbara Anne Haitse	X
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X
	PECUNIARY INTEREST DECLARED	Jim Rook	X
	WITHDRAWN	Nancy Wirtz	X

## 20-404 BY ROBERT CAMPBELL – MICHAEL REIDER

**BE IT RESOLVED THAT** the report dated November 30<sup>th</sup>, 2020 from the Deputy Clerk Treasurer detailing the impacts of COVID-19 on the budget be accepted and filed.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	Х	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	Х	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-405 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the report dated December 3<sup>rd</sup>, 2020 from the Tax/Utility Clerk detailing the Hartley Bay Cemetery property be accepted and filed;

**FURTHER THAT** the Municipality cancel the tax registration proceedings and request that the owners transfer the property to the Municipality of Killarney;

**FURTHER THAT** the Municipality will assume all costs for the transfer of the cemetery property.

Re	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-406 BY BARBARA ANNE HAITSE – MICHAEL REIDER

**BE IT RESOLVED THAT** the Municipality of Killarney appoint the following person to the following Board:

**Killarney Health Centre Board** 

**TERM OF OFFICE** 

Dolores Harbin Two Year Term - beginning Jan 1<sup>st</sup>, 2021-Dec 31, 2022

Res	Resolution Result Recorded Vote			
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-407 BY BARABA ANNE HAITSE – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** Council hereby approves the Year End Appreciation for staff which will be allocated following the format from the previous year.

Resolution Result Recorded Vote				
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-408 BY ROBERT CAMPBELL – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the Municipality of Killarney contact the appropriate authorities that oversee the navigation system along the Key River including members of parliament.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	Х	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	Х	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-409 BY ROBERT CAMPBELL – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the Municipality of Killarney hereby appoints Councillor Jim Rook to the Sudbury East Community Safety Planning Committee.

Res	solution Result	ution Result Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

## 20-410 BY JOHN DIMITRIJEVIC – JIM ROOK

**BE IT RESOLVED THAT** the Municipality of Killarney adopt the Re-Opening Action Plan/Procedures for the COVID-19 Pandemic 2020 and it be forwarded to all staff to review and return with signature.

Resolution Result Recorded Vote				
		Council Members	YES NO	0
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-411 BY ROBERT CAMPBELL – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** Council go into Closed Session at 6:10 P.M. in accordance with Section 239 (2) of the Municipal Act, 2001, c. 25 to discuss a legal matter.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	Х	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

Mayor Wirtz stated public participation is not permitted during the Closed Session. Therefore, <u>ALL</u> participants on the call are asked to disconnect while Council and the Clerk retire into closed session. The public participants can call back into the regular meeting number to reconnect and will be placed on hold until the regular open meeting resumes.

Council then proceeded to sign in to Closed Session. The Closed Session was not recorded. Following Closed Session, Council members re-connected to the regular open meeting, will rise and report, and the open session of the meeting will resume.

## 20-412 BY ROBERT CAMPBELL – JOHN DIMITIRJEVIC

**BE IT RESOLVED THAT** Council rise and report from closed session at 6:22 P.M.

Res	solution Result	Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	X	

#### 20-413 BY MICHAEL REIDER – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** By-Law #2020-38 being a by-law to confirm the proceedings of Council be read a first and second time.

Res	Resolution Result Recorded Vote			
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	X	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	

#### 20-414 BY ROBERT CAMPBELL – JIM ROOK

**BE IT RESOLVED THAT** By-Law #2020-38 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 9<sup>th</sup> day of December, 2020.

Resolution Result		Recorded Vote		
		Council Members	YES	NO
	CARRIED	Robert Campbell	X	
	DEFEATED	John Dimitrijevic	X	
	TABLED	Barbara Anne Haitse	Х	
	RECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
	PECUNIARY INTEREST DECLARED	Jim Rook	X	
	WITHDRAWN	Nancy Wirtz	Х	·

## 20-415 BY ROBERT CAMPBELL – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** we adjourn the Regular Meeting of Council held December 9<sup>th</sup>, 2020 at 6:25 P.M. to meet again on January 13<sup>th</sup>, 2021 at 5:00 P.M. via teleconference or as otherwise specified.

Resolution Result		Recorded Vote		
		Council Members	YES	NO
C	ARRIED	Robert Campbell	Х	
□ D	EFEATED	John Dimitrijevic	Х	
□ <b>T</b> .	ABLED	Barbara Anne Haitse	Х	
R	ECORDED VOTE (SEE RIGHT)	Michael Reider	Х	
□ P	ECUNIARY INTEREST DECLARED	Jim Rook	Х	
□ <b>w</b>	/ITHDRAWN	Nancy Wirtz	Х	

ORIGINAL DOCUMENT SIGNED			
Nancy Wirtz, Mayor			
ORIGINAL DOCUMENT SIGNED			
Candy Beauvais. Clerk-Treasurer			