# THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

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

May 12th, 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

via telephone

Administrative Assistant – Angie Nuziale Project Manager – Kelly Champaigne

**MEMBERS OF PUBLIC:** 3 [announced themselves on teleconference]

GUESTS: Nil

DELEGATIONS: Nil

The Clerk indicated the meeting was now to begin recording. Mayor Rook called meeting to order at 5:50 P.M. Mayor read the following statement then proceeded with roll call.

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 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.

# 20-151 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the minutes of the Regular Meeting of Council held April 8<sup>th</sup>, 2020 be adopted as circulated.

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	X	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

#### 20-152 BY JIM ROOK – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** Disbursement Sheet #2020-04 covering the expenditures for the period ending April 30<sup>th</sup>, 2020 in the following amounts:

General Expenses - \$ 173,700.43 Payroll Expenses - \$ 35,179.14

are hereby approved for payment.

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

# **CARRIED**

During the public question period, a member of public inquired about the use of the municipal boat launch ramp. CEMC Jim Rook stated that the Community Emergency Control Group initiated the closure along with many other northern municipalities to keep our residents safe. CEMC mentioned he would investigate what the current rules are and would follow up.

#### 20-153 BY BARBARA ANNE HAITSE – JIM ROOK

**BE IT RESOLVED THAT** Council acknowledge the email from G. Tessier regarding seasonal residents.

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

#### 20-154 BY MICHAEL REIDER - NANCY WIRTZ

**BE IT RESOLVED THAT** the Municipality of Killarney supports the letter signed by the eight Northern Ontario NDP MPPs which was sent to Premier Ford regarding essential access to affordable, efficient broadband service for Northern and rural Ontario as our region is once again at a disadvantage in relation to the rest of the province.

**FURTHER THAT** this resolution be forwarded to ROMA, FONOM and to our MPP's.

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

#### **CARRIED**

# 20-155 BY JIM ROOK – BARBARA ANNE HAITSE

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

# For the Year 2018 – 358 Application

Roll #5136 000 013 02700 0000 residential assessment w/o (RT) in the amount of \$ (80,527)

For the Period: July 21, 2018 to December 31, 2018

Reason: Parry Sound 33 Fire

# For the Year 2019 – 358 Application

Roll #5136 000 013 02700 0000 residential assessment w/o (RT) in the amount of \$ (83,763)

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

Reason: Parry Sound 33 Fire

# For the Year 2020 – 358 Application

Roll #5136 000 013 02700 0000 residential assessment w/o (RT) in the amount of \$ (31,000)

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

Reason: Parry Sound 33 Fire

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

CARRIED .../4

#### 20-156 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Integrity Commissioner Services 2019 Annual Report from Cunningham-Swan lawyers be accepted and filed.

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

#### **CARRIED**

#### 20-157 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Municipality of Killarney has no objections to Killarney Treasures accepting the transfer of the Technical Standards and Safety Authority (TSSA) permit from Gateway Marine's name to continue handling and selling propane cylinders at 29 Channel Street provided that Killarney Treasurers ensure the station is in compliance with the Technical Standards and Safety Act, 2000 at all times, and that the required insurance is obtained to include coverage for a propane station.

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

#### **CARRIED**

# 20-158 BY JOHN DIMITRIJEVIC – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the Municipality of Killarney provide a contribution of \$1,000 to the French River Snowmobile Association for the maintenance of trails in Ward 2.

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

CARRIED .../5

#### 20-159 BY NANCY WIRTZ – JIM ROOK

**BE IT RESOLVED THAT** the Municipality supports the Canada Emergency Commercial Rent Assistance (CECRA) program announced by the Federal Government on April 16, 2020;

**FURTHER THAT** this program is to provide relief to small business who qualify for their rent for the months of April, May and June due to the COVID-19 pandemic;

**FURTHER THAT** Council supports the resolution passed by the Town of Grimsby at their May 4, 2020 meeting requesting that the program be extended past the month of June and that this program be 100 percent forgiving to the small businesses affected due to the impacts of COVID-19;

**FURTHER THAT** this resolution be forwarded to the Prime Minister of Canada, the Minister of Finance, the Premier of Ontario, FONOM, AMO and our MP's and MPP's.

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

#### **CARRIED**

#### 20-160 BY JIM ROOK - NANCY WIRTZ

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

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

# **CARRIED**

# 20-161 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Municipality of Killarney as well as the Public Works Department has no objections to the owner of the dock located on property roll #5136 000 001 01200 installing a floating tubular dock at the pumping station located on Channel Street provided that the following conditions are met and adhered to:

- 1. the new dock is in no way to interfere with the municipal water intake;
- 2. the owner is to remove the current dock and associated cribbing and properly dispose of it (not in the Killarney village landfill);
- 3. the owner is to replace with a floating tubular dock provided it is the same size and length *(or shorter)* of the original dock being removed and is to be installed in the same location;
- 4. the access ramp to the dock is to be secured properly;
- 5. the dock and surrounding area are to be maintained in a safe state of repair and the dock must not obstruct any access or maintenance as may be required by Public Works or others;
- 6. Further that should the new dock ever become in a state of disrepair or become a safety hazard the Public Works Department has the authority to remove the dock immediately;
- 7. The dock shall be used strictly for the exclusive use of the owner.

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

# 20-162 BY BARBARA ANNE HAITSE - JIM ROOK

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

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	X	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

#### **CARRIED**

# 20-163 BY NANCY WIRTZ – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the quarterly report from the Fire Chief be accepted and filed.

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

# 20-164 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the report from the Sudbury East Building and By-law Services Department (SEBBS) regarding prohibiting yard sales during emergency measures be accepted and filed.

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	X	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

#### **CARRIED**

#### 20-165 BY NANCY WIRTZ - 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.

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

# **CARRIED**

# 20-166 BY NANCY WIRTZ – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** the Virtual Private Network (VPN) report from the Tax/Utility Clerk be accepted and filed.

**FURTHER THAT** a free trial be arranged for the Splashtop Streamer Remote Access program and if satisfactory will be purchased to allow staff to work remotely if need be.

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

#### **CARRIED**

#### 20-167 BY NANCY WIRTZ - JIM ROOK

**BE IT RESOLVED THAT** the Municipality amend the 'Firefighters Position Description Policy' by adding all the details pertaining to what a 'rescue' shall consist of as well as a clause stating no interior attack/suppression.

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

#### **CARRIED**

# 20-168 BY JIM ROOK – NANCY WIRTZ

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

#### MAINTENANCE LABOURERS - PUBLIC WORKS DEPARTMENT:

- Paul Bloxam
- Brandon Bloxam
   Start date to be determined program runs for 16 weeks
   Wage as set by funding agency

# HORTICULTURALIST:

Marlene Kutcher
 Start date to be determined
 Wage as per Step 5 of the General Labourer pay grid

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	X	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

# **CARRIED**

# 20-169 BY BARBARA ANNE HAITSE – JIM ROOK

**BE IT RESOLVED THAT** the Municipality adopt the Infectious Illness Policy provided by Wishart Law Firm LLP and that a copy be provided to all employees.

RECORDED VOTE		
	FOR AGAINST	
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	connection lost	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

# 20-170 BY JIM ROOK - NANCY WIRTZ

**BE IT RESOLVED THAT** the Municipality forward the 'Notice to all Employees' regarding COVID-19 for their signatures and be returned to the Municipal Office for their personnel files.

RECORDED VOTE		
	FOR AGAINST	
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	connection lost	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

# **CARRIED**

# 20-171 BY NANCY WIRTZ – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** the Municipality of Killarney adopt the Electronic Meeting Procedure dated May 2020.

**FURTHER THAT** this policy will be rescinded when the Provincial State of Emergency has been cancelled.

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	<u>X</u>	
B. HAITSE	X	
M. REIDER	conr	nection lost
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	<u>X</u>	

#### **CARRIED**

# 20-172 BY BARBARA ANNE HAITSE – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** By-Law #2020-16 being a by-law to amend Interim Tax By-Law No. 2020-01 be read a first and second time.

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	X	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

# 20-173 BY JIM ROOK - NANCY WIRTZ

**BE IT RESOLVED THAT** By-Law #2020-16 being a by-law to amend Interim Tax By-Law No. 2020-01 to waive property tax penalty provisions for April, May & June 2020 be considered read a third time and passed in Open Council this 12<sup>th</sup> day of May 2020.

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

# **CARRIED**

#### 20-174 BY NANCY WIRTZ - MICHAEL REIDER

**BE IT RESOLVED THAT** By-Law #2020-17 being a by-law to amend By-Law No. 2019-20 Water & Sewer Operating Maintenance Rates be read a first and second time.

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

# **CARRIED**

# 20-175 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** By-Law #2020-17 being a by-law to amend By-Law No. 2019-20 Water & Sewer Operating Maintenance Rates to waive penalty provisions for April, May & June 2020 be considered read a third time and passed in Open Council this 12<sup>th</sup> day of May 2020.

RECORDED VOTE		
	FOR	AGAINST
Z. DIMITRIJEVIC	X	
B. HAITSE	X	
M. REIDER	X	
J. ROOK	X	
V. ROOK	X	
N. WIRTZ	X	

# 20-176 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** By-Law #2020-18 being a by-law to amend Zoning By-Law 2014-29, as amended (Killarney Mountain Lodge) be read a first and second time.

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

#### **CARRIED**

#### 20-177 BY NANCY WIRTZ – MICHAEL REIDER

**BE IT RESOLVED THAT** By-Law #2020-18 being a by-law to amend Zoning By-Law 2014-29, as amended (Killarney Mountain Lodge) for the permitted use of a nano-brewery with a capacity of up to 3,000 hectolitres per annum be considered read a third time and passed in Open Council this 12<sup>th</sup> day of May 2020.

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

# **CARRIED**

# 20-178 BY NANCY WIRTZ – MICHAEL REIDER

**BE IT RESOLVED THAT** the Municipality of Killarney has no objections to the Manitoulin Brewing Co. applying to the Alcohol and Gaming Commission of Ontario for two licenses to be located on the Killarney Mountain Lodge (KML) property;

The first license is a Secondary Production Site and the second license is a Retail Store Authorization. These licenses will permit Manitoulin Brewing Co. to produce and sell their beer products via retail shop on KML property.

**THEREFORE** the Clerk is hereby given the authority to complete the application.

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

# **CARRIED**

#### 20-179 BY MICHAEL REIDER – NANCY WIRTZ

**BE IT RESOLVED THAT** By-Law #2020-19 being a by-law to confirm the proceedings of Council be read a first and second time.

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

# **CARRIED**

# 20-180 BY JIM ROOK – JOHN DIMITRIJEVIC

**BE IT RESOLVED THAT** By-Law #2020-19 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 12<sup>th</sup> day of May, 2020.

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

# **CARRIED**

# 20-181 BY MICHAEL REIDER – BARBARA ANNE HAITSE

**BE IT RESOLVED THAT** we adjourn the Regular Meeting of Council held May 12<sup>th</sup>, 2020 at 7:11 P.M. to meet again on June 10<sup>th</sup>, 2020 at 5:00 P.M. or as otherwise specified.

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

# **CARRIED**

ORIGINAL DOCUMENT SIGNED
Virginia Rook, Mayor
ORIGINAL DOCUMENT SIGNED
Candy Beauvais, Clerk-Treasurer