



THE VILLAGE OF BURK'S FALLS
COUNCIL MEETING MINUTES
September 22, 2020

The regular meeting of The Burk's Falls Council was held on Tuesday, September 22, 2020 at the Community Centre at 4:30 pm.

Present: Mayor Cathy Still, Councillors, Lewis Hodgson, Lisa Morrison, Jarvis Osborne, Rex Smith; Staff: Nicky Kunkel, Clerk; Derek Smith, Foreman; Graham Smith, Arena Manager.

DECLARATION OF PECUNIARY INTEREST: Councillor Morrison agenda item 5.D regarding the Lions Bingo

MINUTES

Resolution 2020-136 Moved by Jarvis Osborne - Seconded by Lisa Morrison
That the Council for the Village of Burk's Falls hereby approves the minutes of the regular Council meeting of August 25, 2020 as circulated. Carried.

DELEGATIONS TO COUNCIL:

1. MNP Consulting conducted the final presentation on the completed Service Delivery Review. The Report yielded a Current State Report as well as the Final Recommendations. There were 18 recommendations for Council to consider and prioritize. Overall, the consultants felt the Village is well managed with a lean team and a lean budget. There is concern the expenses will eventually exceed revenues, expressing the same concerns of Council in preparing the Report. The 18 recommendations will assist in ensuring long term revenues will meet the needs of the Village. Council will review the Report at the November Council meeting in preparing for the 2021 budget deliberations. The Report will be available on the Municipal website.
2. Diana Warriner attended the meeting regarding feral cats. There are concerns that pet owners also allow their cats to run at large expanding the existing cat problems. She requested that the animal control bylaw be amended to include that cats cannot run at large. Currently the Bylaw prohibits dogs and exotic animals but is silent on cats. Council agreed to amend the Bylaw at the next Council meeting.
3. Danika Hammond attended the meeting regarding the Santa Claus Parade. She was seeking Council's opinion on holding the Parade during COVID and outlined how it would be possible to continue the event ensure social distancing was maintained. The Santa meet and greet would be cancelled to prevent any large gathering. Council had no concerns with the route or the parade if all rules were followed. Council advised Ms. Hammond to contact the North Bay Parry Sound Regional Health Unit to ensure she was covering all requirements.

REPORTS TO COUNCIL:

1. Department Report: Arena Manager Graham Smith presented his report. He commented that there has been only one complaint regarding the closure of the ice surface and that was from out of the country. He recommends that there be at least 60-70% of normal but guaranteed weekly rental hours prior to installing the ice.
2. Derek Smith, Public Works Foreman, and the Clerk provided Council with updates on infrastructure projects Yonge Street Rehabilitation and Armstrong Bridge Phase 3.
 - a. Yonge Street: A site meeting was held two weeks ago to correct the retaining wall structure as a "toe" of cement was discovered when the existing wall was removed. The engineering firms are working on resolving. He also reported that the storm sewer must be redesigned. DM Wills has taken a lot of elevation shots to find and resolve the problem, but he believes there was a design issue and the storm already installed will have to be lowered.
 - b. Armstrong Bridge was to be completed with live jacking, but the contractor's engineer indicated that the bridge would not sufficiently be supported so it must be dead jacked. Details are still coming in the proposal including costs and the costs to repair the additional damage discovered to the bridge. However, they will need an amendment to the noise bylaw to allow them to work at night in order to still get the work completed on schedule. Council agreed through resolution to amend the noise bylaw. Council awaits the costing of the additional work prior to the contractor proceeding.



THE VILLAGE OF BURK'S FALLS
COUNCIL MEETING MINUTES
September 22, 2020

ITEMS FOR DISCUSSION:

- A. Council received the resolutions of the Township of Ryerson and the Township of Armour regarding the closure of the ice surface at the Arena. Armour Council expressed that they would like to have the ice installed. The Arena Manager presented a report on the COVID restrictions, including that rentals from areas outside the Health Unit jurisdiction is prohibited, meaning that teams from Huntsville could not rent the ice. There was a letter received by Armour Council the evening of their meeting expressing that teams were looking to book ice. The Arena Manager explained that he had reached out several times to regular ice rental groups and to date had secured 11 hours per week of rentals. Normal ice rentals would be about 30 hours per week. Council maintained that with the COVID restrictions in place, that there was no interest in many groups to rent the ice and the cost to install and maintain the ice at 30% capacity were reasons to maintain their decision to not install ice until January 2021. The decision will be reviewed monthly and be based on COVID numbers reducing and ice rentals increasing.
- B. Council received the correspondence from the Township of Ryerson regarding the Regional Fire Training Officer and Council agreed to renew the agreement by the end of 2020.
- C. Council received the email from Reeve MacPhail regarding the Regional Fire Department and agreed to continue discussions. They also reviewed the report from the Burk's Falls Ad-hoc Committee indicating that the formula for the Regional Department will also be a concern and the group should proceed with those that want to proceed despite the formula issue and further that there should be a report on what the Regional Fire Department would look like from possibly a third party reviewer.
- D. Council received the letter from the Lions Club seeking to use the Arena Community Hall for their Bingo events. The Arena Manager presented a report on the cost of the request and the alterations that would be required. Council considered that the Service Delivery Review presented early that evening expressed that nominal fees for the use of the Arena for community organizations are not recommended for sustainability and therefore, with the Lions not being able to pay the rental fee, the request was defeated, with regret.
- E. Council reviewed correspondence from the Township of Perry regarding the impact of COVID on the Mutual Assistance Agreement for sharing of employees between communities should COVID leave a municipality short on staff. Council agreed to continue with the agreement.
- F. Council received information from the Mayor and Clerk regarding the property near Kelsall and the landfill site. As the property is permitted to be severed from the Landfill site, the partnering communities have no concerns the property could be declared surplus and then subject to the Disposal of Property Bylaw procedures. A resolution was passed.
- G. The Clerk sought clarification from Council on the intent of the residential use of a commercial property. The General Standards Bylaw does not reflect the percentage requirements and there have been inquiries of putting residential units in storefronts. Council reiterated they will not rezone storefronts for residential uses. They passed a resolution to specify at a minimum 50% of the lower/main level of the commercial property must remain commercial use. This will be confirmed in a zoning bylaw in 2021.
- H. Council received the formal written resignation of Lewis Hodgson as Councillor. Council wished Mr. Hodgson well in his future endeavors and thanked him for his 18-year commitment to the Village.

RESOLUTIONS:

2020- 137 Moved by Jarvis Osborne- Seconded by Lisa Morrison
That the Council for the Village of Burk's Falls hereby receives the 2020 Service Delivery Review for the Village as prepared and presented by MNP Consulting; and

Further that Council review in order to discuss setting implementation priorities for the October 2020 Council meeting for incorporation in the 2021 budget deliberations. Carried

2020-138 Moved by Rex Smith - Seconded by Lewis Hodgson
That the Council for the Village of Burk's Falls hereby approves the closure of the following streets for the duration of the 2020 Santa Claus Parade provided the Committee obtain permission from the North Bay Parry Sound Health Unit and have appropriate protocols in place to ensure compliance with any Provincial restrictions in place at the time of the event:

1. Ontario Street



THE VILLAGE OF BURK'S FALLS
COUNCIL MEETING MINUTES
September 22, 2020

2. Main Street
3. Huston Street
4. Yonge Street
5. Centre Street Carried

2020-139 Moved by Jarvis Osborne – Seconded by Lewis Hodgson
That the Council for the Village of Burk's Falls hereby agrees to renew the joint municipal agreement for Regional Fire Training Officer Services for the period of 2021-2023; and

Further that a Bylaw with the finalized agreement be presented at a future Council meeting.
Carried.

2020-140 Moved by Lisa Morrison - Seconded by Lewis Hodgson
That the Council for the Village of Burk's Falls hereby agrees to participate in the discussions for establishing a regional fire department and that Cathy Still be appointed as the Burk's Falls representative. Carried. Recorded vote requested by C. Smith. Yays: Councilor's Osborn, Hodgson, Morrison. Nays: Smith

2020-141 Moved by Rex Smith – Seconded by Jarvis Osborne
That the Council for the Village of Burk's Falls hereby approves the use of the Karl Crozier Community Hall for the Burk's Falls Lions bingo events. Defeated

2020-142 Moved by Jarvis Osborne – Seconded by Lisa Morrison
That the Council for the Village of Burk's Falls hereby confirms their participation in the Municipal Mutual Assistance Agreement including for COVID 19 whether a municipality declares an emergency or not. Carried

2020-143 Moved by Jarvis Osborne – Seconded by Lewis Hodgson
That the Council for the Village of Burk's Falls hereby declares municipal property known as Concession 8 PT Lot 8 PR42R4055 Part 4 RP42R5242 Part of Part 1 as surplus municipal property: and

Further that Council instructs staff to begin the process of severing the property from 141 Chetwynd in the Township of Armour (known as the landfill site). Carried

2020-144 Moved by Rex Smith – Seconded by Jarvis Osborne
That the Council for the Village of Burk's Falls hereby accepts the resignation of Councillor Lewis Hodgson and hereby declares seat vacant effective September 25, 2020. Carried

2020-145 Moved by Rex Smith – Seconded by Lisa Morrison
That the Accounts Payable in the amount of \$995,310.24 as presented up to and including September 22, 2020 hereby be approved for payment. Carried

2020-146 Moved by Lewis Hodgson – Seconded by Rex Smith
That the Council for the Village of Burk's Falls hereby approves the expenditure of the Arena Rubber flooring for supply only to a max of \$4,500.00. Carried

2020-147 Moved by Rex Smith – Seconded by Lisa Morrison
That the Council for the Village of Burk's Falls hereby receives the report from the Public Works Foreman regarding the purchase of the sidewalk sander; and

Further that the recommendation to purchase a Baumann 440H Spreader from Tracks and Wheels in the amount of \$3,715.00 plus HST be approved. Carried

2020-148 Moved by Jarvis Osborne – Seconded by Lisa Morrison
That the Council for the Village of Burk's Falls hereby approves the quote from Jensen Architects for the KCU Market Design Changes for NOHFC and FedNor funding applications to be submitted in October. Carried

2020-149 Moved by Lisa Morrison – Seconded by Jarvis Osborne
That the Council for the Village of Burk's Falls hereby receives the letter from Parry Sound District Emergency Medical Services regarding the Supplemental Services Levy; and

Further that Council agrees to pay the additional levy amount of \$2,691.70. Carried



THE VILLAGE OF BURK'S FALLS
COUNCIL MEETING MINUTES
September 22, 2020

2020-150 Moved by Rex Smith – Seconded by Jarvis Osborne
That the Council for the Village of Burk's Falls hereby receives the 2020 Drinking Water Inspection Report: and

Further that Council congratulates the staff on obtaining a 100% rating on the inspection.
Carried

2020-151 Moved by Lisa Morrison - Seconded by Rex Smith
WHEREAS it has been discovered that the Ontario Street Bridge cannot hold a live jacking in order to repair pier 3; and

WHEREAS the construction company, Urban Link, has agreed to work in the evenings and minimal overnight hours in order to perform a dead jacking, with interrupts in traffic of 30 minutes at a time on one lane, to keep the project within budget and timeframes;

NOWHEREFORE the Council for the Village of Burk's Falls hereby authorizes Urban Link to perform construction work on the Ontario Street Bridge Project after 8:00 pm and prior to 7:00 am until December 24th, 2020. Carried

2020-152 Moved by Lisa Morrison - Seconded by Rex Smith
That the Council for the Village of Burk's Falls hereby agrees to amend the Animal Control Bylaw to include: "that no domestic animal be permitted to run at large". Carried

2020-153 Moved by Lisa Morrison - Seconded by Rex Smith

Council for the Village of Burk's Falls now enters into a closed meeting at 19:50, pursuant to the Municipal Act 2001, c. 25, Section 239 (2)

1. Permitted by Section 239(2)(b) regarding an identifiable individual
2. Permitted by Section 239(2)(c) regarding a proposed or pending acquisition or disposition of land

Carried.

2020-154 Moved by Jarvis Osborne – Seconded by Lewis Hodgson
Council for the Village of Burk's Falls now reconvenes to regular open session at 20:31pm.
Having discussed: Carried.

2020-155 Moved by Jarvis Osborne – Seconded by Lewis Hodgson
WHEREAS the Village of Burk's Falls has experienced positive growth in recent years and 2021 marks the 10-year review of the Official Plan; and

WHEREAS a Service Delivery Review was completed in September 2020 with a recommendation to conduct a Strategic Growth Plan for the Village of Burk's Falls in 2021; and

WHEREAS water and wastewater services are critical to the growth of the Village.

NOWHEREFORE The Council for the Village of Burk's Falls hereby confirms a suspension on extension of water and wastewater services outside the municipal boundary until a complete review of the municipal growth needs are concluded. Carried

2020-156 Moved by Lisa Morrison - Seconded by Rex Smith
WHEREAS the Village of Burk's Falls is experiencing a decline in Arena rentals due to COVID 19 restrictions and economic feasibility of installing winter ice and therefore a reduction in Arena staff hours worked.

NOWHEREFORE The Council for the Village of Burk's Falls hereby agrees to enter into a work share program through employment insurance for Arena Staff who are able to work during COVID 19 restrictions: and



THE VILLAGE OF BURK'S FALLS
COUNCIL MEETING MINUTES
September 22, 2020

Further that the Treasurer be instructed to research the requirements of the employer and the benefits to the employee for said program and if necessary and deemed acceptable to proceed with the program as early as October 1, 2020. Carried

2020-157 Moved by Lewis Hodgson- Seconded by Lisa Morrison
WHEREAS the Council for the Village of Burk's Falls declared municipal property known as Concession 8 PT Lot 8 PR42R4055 Part 4 RP42R5242 Part of Part 1 as surplus municipal property: and

WHEREAS Katherine Kelsall has approached the Village to purchase all or part of the surplus property; and

WHEREAS Council wishes to sell a portion to Mrs. Kelsall for an addition to her existing lot; and

WHEREAS Council wishes to retain the larger portion to sell in order that development will occur as a residential lot.

NOWTHEREFORE Council instructs the Clerk to begin negotiations with Mrs. Kelsall in order to proceed with the direction of Council in compliance with the Disposal of Surplus Land policy. Carried.

Councillors Report

NOTE: Several regular meetings have been cancelled due to the to COVID 19.

Councillor Hodgson attended the ACED meeting.

Councillor Osborne attended the Service Delivery Review workshop, had a walk through on September 9th with DM Wills and Deep for the Yonge Street Project. He attended the Library meeting and informed Council that by the end of the month it may be open by appointment only.

Councillor Smith attended the ARI meeting and reported that 226 households in Almaguin took advantage of the HazMat day. He also attended the JBC meeting and confirmed they are going well, and no invoices are expected for the 2020. He will attend the Planning Board meeting by Zoom this month as well.

Councillor Morrison attended the Historical meeting. It was the first in person meeting since March and it went well. However, due to COVID the fall events have been cancelled.

Mayor Still attended the AHHC meeting and reported that the OTN position has been filled and the Committee is working on quotes to renovate the lunchroom as the OTN has outgrown the current space.

2020-158 Moved by Lewis Hodgson – Seconded by Jarvis Osborne
That the Council for the Village of Burk's Falls hereby adjourns at 20:35. Carried

Cathy Still, Mayor

Nicky Kunkel, Clerk