



REGULAR COUNCIL MEETING MINUTES

Held on Tuesday, March 15, 2022 at 5:00 PM Closed Session, and;
6:00PM Open Session

Held via WebEx Video and Teleconference

COUNCIL MEMBERS PRESENT		STAFF PRESENT
Mayor:	Ted Lojko (connected to the Open Session at 7:35 PM)	Shellee Fournier, CAO
Councillors:	Dave Anderson	Penny Kelly, Clerk/CEMC
	Adrian Haird	David Armstrong, Manager of Public Works
	Matt Harper	Brenda Guy, Manager of Planning and Development
	Mike Kench	Gord Howard, Fire Chief
	Dennis O'Connor	Doug Wark, Manager of Community Services
	David Osmond	
Regrets:		Melanie Kirkby, Treasurer
		Scott Gee, Chief of Police

1.	Call Meeting to Order
	Mayor Lojko called the meeting to order at 5:04 PM, with the following Council Members present: Deputy Mayor Anderson, Councillor Haird, Councillor Harper, Councillor Kench, and; Councillor O'Connor.
2.	Disclosure of Pecuniary Interest & General Nature Thereof
	<ol style="list-style-type: none"> 1. Councillor O'Connor declared a pecuniary interest with respect to the Business Improvement Area (BIA) appointment of a Board of Director member as he is a member of the BIA. 2. Councillor Osmond declared a pecuniary interest with respect to Report Council-PD-2022-07 – Rocky Acres IV – First Street Extension Stub and Lot 11, as his property backs on to this location.
3.	Closed Meeting of Council (Beginning at 5:00 PM)
	Move into Closed Session
	Moved by Councillor Harper that the Council of the Town of Gananoque, in accordance with Section 239.2 of the <i>Municipal Act</i> , moves into Closed Session at 5:04 PM for the purpose of discussing items under Personal Matters Concerning an Identifiable Individual, Including Municipal or Board Employees.
	CARRIED – UNANIMOUS
4.	Move Out of Closed Session at 5:32 PM
	Council resumed the Open Session at 6:00 PM

Motion #22-045 – Kinsmen Building Advisory Panel – Community Member Appointment

Moved by: Councillor Osmond **Seconded by:** Councillor Haird
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE HEREBY REMOVES JAYNE CURTIS AS A COMMUNITY MEMBER TO THE KINSMEN BUILDING ADVISORY PANEL;

AND FURTHER APPOINTS DON MATTHEWS TO THE PANEL.

CARRIED – UNANIMOUS

**Councillor O'Connor declared a pecuniary interest and refrained from discussion and voting on the BIA Board of Directors appointment, as he is a member of the BIA.

By-law No. 2022-034 – Amend By-law No. 2019-064 – Business Improvement Area (BIA) Board of Directors

Moved by: Councillor Osmond **Seconded by:** Councillor Haird
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS BY-LAW NO. 2022-034, BEING A BY-LAW TO AMEND BY-LAW NO. 2019-064 TO APPOINT RANDALL SMITH TO THE BUSINESS IMPROVEMENT AREA (BIA) BOARD OF DIRECTORS.

CARRIED – UNANIMOUS, by those voting

Motion #22-046 – Letter of Reprimand – Councillor Mike Kench

Moved by: Councillor Haird **Seconded by:** Councillor Osmond
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE ISSUES A LETTER OF REPRIMAND TO COUNCILLOR MIKE KENCH WITH RESPECT TO A BREACH OF CONDUCT;

AND FURTHER, THAT THE LETTER BE PUBLISHED WITH THE COUNCIL MINUTES OF TUESDAY, MARCH 15, 2022.

CARRIED

6. Land Acknowledgement Statement

- Deputy Mayor Anderson read the Land Acknowledgement Statement

7. Public Question / Comment

- A Member of the public spoke to an item on the Agenda.

8. Disclosure of Additional Items – None

9. Delegations – None

10. Presentations / Awards / Deputations – None

11. Mayor’s Declaration – None

12. Public Meetings – None

13. Correspondence

1. Accounts Payable – February 22 to March 6, 2022

2. Gananoque Curling Club – Council Grant – Expression of Gratitude

	8. Multi-Municipal Wind Turbine Group (MMWTG) – Ontario’s Energy Plan and Wind Turbines
	9. Ministry of Infrastructure – Getting Ontario Connected Act (GOCA)
	10. Minister of Transport – High Frequency Rail (HFR) Project
	11. Town of Aurora Resolution – Request to Dissolve Ontario Land Tribunal (OLT)
	12. Township of Rideau Lakes – Rideau Lakes Fire & Rescue – Expression of Gratitude
	13. Gananoque Refugee Settlement Group – Ukrainian Refugee Project
	Motion #22-047 – Gananoque Refugee Settlement Group – Ukrainian Refugee Project Moved by: Councillor Harper Seconded by: Councillor O’Connor BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE HEREBY AUTHORIZES STAFF TO MAINTAIN A RESERVE ACCOUNT TO ACCEPT DONATIONS FOR THE UKRAINIAN REFUGEE PROJECT ON BEHALF OF THE GANANOQUE REFUGEE SETTLEMENT GROUP. CARRIED – UNANIMOUS
	14. Minutes – Downtown Business Improvement Area (BIA) – February 24, 2022
	15. Minutes – Police Services Board (PSB) – January 19, 2022
14.	Unfinished Business – None
15.	Approval of Minutes – Tuesday, March 1, 2022
	Motion #22-040 – Approval of Minutes – Tuesday, March 1, 2022 Moved by: Councillor Haird Seconded by: Councillor Kench BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE HEREBY ADOPTS THE REGULAR MINUTES OF TUESDAY, MARCH 1 ST , 2022 MEETING. CARRIED – UNANIMOUS
16.	Motions (Council Direction to Staff)
	1. Notice of Motion – Flying the Ukrainian Flag at Town Hall – Mayor Lojko
	Motion #22-048 – Notice of Motion – Flying the Ukrainian Flag at Town Hall Moved by: Councillor Haird Seconded by: Councillor Harper WHEREAS MANY MUNICIPALITIES ACROSS CANADA AND AROUND THE WORLD HAVE LIT UP THEIR MUNICIPAL BUILDINGS IN YELLOW AND BLUE TO SUPPORT PEACE IN UKRAINE; AND WHEREAS THE COUNCIL OF THE TOWN OF GANANOQUE WISHES TO DEMONSTRATE ITS SUPPORT OF PEACE IN UKRAINE. NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE DIRECT STAFF TO FLY THE UKRAINIAN FLAG AT TOWN HALL FOR A TWO-WEEK PERIOD. CARRIED – 5 Ayes, 1 Nay
17.	Notice Required Under the Notice By-law – None
18.	Committee Updates (Council Reps)
	• Councillors provided their updates.

By-law No. 2022-030 – Rocky Acres IV – First Street Extension Stub and Lot 11
Moved by: Councillor Haird **Seconded by:** Deputy Mayor Anderson
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS BY- LAW NO. 2022-030, BEING A BY-LAW TO DECLARE THE FIRST STREET EXTENSION STUB SURPLUS WITH THE INTENT OF THE LANDS BEING INCORPORATED INTO THE DRAFT PLAN OF SUBDIVISION SD2021-01 – ROCKY ACRES,

AND FURTHER, THAT THE DEVELOPER, RGH DEVELOPMENTS INC., UNDERTAKE CERTIFIED APPRAISALS OF THE SUBJECT LANDS AS DESCRIBED AT NO COST TO THE TOWN, AS PRESENTED IN COUNCIL-PD-2022-07.

RECORDED VOTE:	Aye	Nay
Anderson, D.	X	
Haird, A.	X	
Harper, M.	X	
Kench, M.		X
O'Connor, D.	X	
TOTALS	4	1

CARRIED – 4 Ayes, 1 Nay, by those voting.

Council-PD-2022-08 – Maplecroft Subdivision – Plan 28M-11 – Forfeit and Release

Motion #22-041 – Maplecroft Subdivision – Plan 28M-11 – Forfeit and Release
Moved by: Councillor Osmond **Seconded by:** Councillor Haird
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE RECEIVES THE FORFEIT AND RELEASE REGARDING PLAN 28M-11, MAPLECROFT COURT, AS PRESENTED IN COUNCIL REPORT PD-2022-08.

CARRIED – UNANIMOUS

By-law No. 2022-031 – Maplecroft Subdivision Plan 28M-11 – Repeal By-law No. 2020-119

Moved by: Councillor Haird **Seconded by:** Councillor Osmond
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS BY-LAW NO. 2022-031, BEING A BY-LAW TO REPEAL BY-LAW NO. 2020-119, A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO SIGN AN AGREEMENT WITH MAPLECROFT DEVELOPMENT INC., TO ACCEPT PAYMENT IN LIEU OF INSTALLING SIDEWALKS IN MAPLECROFT COURT, AS PRESENTED IN COUNCIL REPORT-PD-2022-08.

CARRIED – UNANIMOUS

Council-FIN-2022-10 – Statement of the Treasurer – 2021 Council Remuneration and Expenses

Motion #22-042 – Statement of the Treasurer – 2021 Council Remuneration and Expenses

Moved by: Councillor Haird **Seconded by:** Councillor Osmond
 BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE RECEIVES FOR INFORMATION THE STATEMENT OF THE TREASURER WITH REGARDS TO THE 2021 COUNCIL REMUNERATION AND EXPENSES, AS PRESENTED IN COUNCIL REPORT FIN-2022-10

Motion #22-043 – Municipal Insurance Policy – Heritage Replacement Cost – Postpone

Moved by: Councillor Kench

Seconded by: Councillor Harper

BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE POSTPONES COUNCIL REPORT FIN-2022-11, ENTITLED “MUNICIPAL INSURANCE POLICY – HERITAGE REPLACEMENT COST”, TO THE NEXT SCHEDULED MEETING OF COUNCIL ON TUESDAY, APRIL 5, 2022.

CARRIED – UNANIMOUS

****At this point Mayor Lojko connected to the meeting and requested that Deputy Mayor Anderson to continue as Chair.**

Council-FIRE-2022-02 – Fire Service Staffing

*****Mayor Lojko declared a pecuniary interest as he owns a B&B and refrained from discussion(s) and voting.**

*****Moved by Councillor Osmond and seconded by Councillor Kench to amend the recommendation contained in Report Council-FIRE-2022-02 to remove “FULL-TIME” and replace with “TWELVE (12) MONTH CONTRACT”.**

CARRIED – 4 Ayes, 2 Nays, by those voting

Motion #22-044 – Fire Service Staffing – 12 Month Contract

Moved by: Councillor Osmond

Seconded by: Councillor Kench

BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE AUTHORIZES THE DRAW OF UP TO \$75,000 FROM THE GANANOQUE FIRE SERVICE RESERVE TO HIRE A TWELVE (12) MONTH CONTRACT EMPLOYEE TO ASSIST IN MEETING LEGISLATED CHANGES TO MANDATORY FIREFIGHTER CERTIFICATION, AS PRESENTED IN COUNCIL REPORT– FIRE-2022-02.

CARRIED – 4 Ayes, 2 Nays, as amended and by those voting

Council-UTIL-2022-05 – Draft Backflow Prevention By-law

By-law No. 2022-032 – Backflow Prevention By-law

Moved by: Councillor Haird

Seconded by: Councillor Kench

BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE READS BY- LAW NO. 2022-032, A FIRST AND SECOND TIME ON MARCH 15, 2022, BEING A BY- LAW TO ADOPT THE BACKFLOW PREVENTION BY-LAW,

AND FURTHER, THAT BY-LAW NO. 2022-032, BE CONSIDERED FOR A THIRD AND FINAL READING AT A LATER DATE IN 2022, AS PRESENTED IN REPORT COUNCIL-UTIL-2022-05.

CARRIED – UNANIMOUS

Council-CS-2022-07 – Amend General Fees and Rates By-law No. 2016-047 – Community Recreational Services, Schedule ‘H’



****Moved by Councillor Kench and seconded by Mayor Lojko to amend the Community Recreational Services, Schedule ‘H’ to remove the amount of “\$257.50” and replace with “To be determined (TBD)” with respect to the Daily Fee (S.O.P./Hydro, if available).**

CARRIED – UNANIMOUS

By-law No. 2022-033 – Amend General Fees and Rates By-law No. 2016-047 – Community Recreational Services, Schedule ‘H’

Moved by: Councillor Kench

Seconded by: Mayor Lojko

21.	Questions from the Media – None
22.	Confirmation By-law
	<p>By-law No. 2022-029 – Confirming By-law – March 15, 2022 (3 Readings) Moved by: Councillor Osmond Seconded by: Councillor Kench BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS BY-LAW NO. 2022-029, BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS REGULAR MEETING HELD ON TUESDAY, MARCH 15TH, 2022, BE READ THREE TIMES AND FINALLY PASSED THIS 15TH DAY OF MARCH 2022.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
	<p>**Councillor Kench requested that Council consider a Motion to resume in-person meetings.</p> <ul style="list-style-type: none"> • The Chair advised that this item will be placed on the Tuesday, April 5th, 2022, Council Agenda for discussion and consideration.
23.	Next Meeting – Tuesday, April 5, 2022
24.	Adjournment
	<p>Moved by: Councillor Kench Be it resolved that Council hereby adjourns the Tuesday, March 15th, 2022 regular meeting at 8:20 PM.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
 <hr/> Dave Anderson, Deputy Mayor	 <hr/> Penny Kelly, Clerk / CEMC



March 16, 2022

Mike Kench
135 Oak Street
Gananoque, ON K7G 2R3

Councillor Kench,

This letter is in reference to your Covid-19 email communication to "All Staff" on December 21st, 2021 and March 4th, 2022. These emails are inappropriate and outside of your role as a Councillor.


Please be advised that no member of Council has any legal authority to direct any member of staff as an individual member of Council. Council speaks through by-law or resolution and therefore no individual member can direct staff unless Council has delegated that authority to the Member. In addition, the combined effect of section 11 of the Code of Conduct makes any attempt to direct staff a breach of the Code.

You are hereby directed to refrain from contacting and attempting to direct staff on the topic of COVID or any other municipal issue that you feel needs to be relayed to staff and that any communication must go through the Mayor to decide what, if anything, gets forwarded. Going forward, all staff will be directed to simply delete or ignore your emails.

Further, you can address constituent concerns through the Mayor, if those concerns happen to be anti-vax/anti-mask etc.

I trust that Council's position on this matter is clear to you.

Sincerely,



Mayor Ted Lojko