

Council Meeting, December 10, 2020
Minutes of a Meeting of the Council
of the Town of Kippens, Held via Zoom & Streamed to Facebook
December 10, 2020 at 6:35 PM

Members Present	Mayor	Debbie Brake-Patten
	Deputy Mayor	Leon Benoit (In Office)
	Councillors	Tim Alexander
		Shawn Boyd
		John Dawson
		Wayne Howlett (In Office)
		Heather Shears
Absent with Regrets	CAO/Town Manager	Leonard Hann
Also Present	Town Clerk	Debbie Cormier (In Office)

Motion #203/20: Motion by Councillor Dawson, seconded by Councillor Alexander, be it hereby resolved to adopt the November 12, 2020 Council Meeting Minutes.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #204/20: Motion by Councillor Dawson, seconded by Councillor Shears, be it hereby resolved to adopt the November 19, 2020 Special Council Meeting Minutes.

Mayor Brake-Patten read the minutes out loud for the public for transparency. Town Clerk noted that the minutes will be available on the town website once approved.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #205/20: Motion by Councillor Boyd, seconded by Councillor Dawson, be it hereby resolved to adopt the December 10, 2020 Council Meeting Agenda.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Financial

Motion #206/20: Motion by Councillor Howlett, seconded by Deputy Mayor Benoit, be it hereby resolved to approve the accounts payable totaling \$578,800.00.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #207/20: Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved to defer the request to pro-rate business tax due to pandemic closure.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #208/20: Motion by Councillor Howlett, seconded by Councillor Alexander be it hereby resolved to approve the purchase and installation of a new electronic sign as the Capital Investment Plan and support the use of the gas tax allocation towards this project.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #209/20: Motion by Councillor Howlett, seconded by Deputy Mayor Benoit be it hereby resolved to approve the purchase of two generators as the Capital Investment Plan and support the use of the gas tax allocation towards this project.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #210/20: Motion by Councillor Howlett, seconded by Councillor Boyd be it hereby resolved to apply for an extension to the council chamber through the COVID Stimulus funding using funds in the bank for the Town's portion.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Councillor T. Alexander declared conflict of interest as he is manager of Regional Aquatic Centre and was placed in the waiting room.

Motion #211/20: Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved that the recommendation of the Finance Committee be accepted and in accordance with Section 78 of The Municipalities Act, Chapter M-24, contribute \$75,000 to the Regional Aquatic Centre.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Councillor T. Alexander returned to the meeting.

REVENUE & EXPENSES

Motion #212/20: Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved that the recommendations of the Finance Committee be accepted and in accordance with Section 78 of The Municipalities Act, Chapter M-24 the 2021 Budget containing in all total revenues of **\$2,327,543.12** and total expenditures of **\$2,327,543.12** be hereby accepted.

Deputy Mayor Benoit expressed his concerns regarding the increase in legal fees since 2013. Accusations were made by a resident regarding some councillors being in conflict of interest. This cost the Town \$7,200.00 and were false. In order to avoid some legal costs council could have made an internal decision but didn't. Deputy Mayor stated that council needs to be more respectful of employees so that it does not cost more money in legal fees. According to OHS council must provide employees with a safe workplace. This has cost the town \$16,000.00. A more respectful workplace is need and councillors need to be conscious of what they say and do. This will save the town some money. Mayor Brake-Patten reminded Deputy Mayor Benoit that it was at his request that the town got a lawyer to review the conflict of interest allegations. Deputy Mayor agreed because the issues were taking too long to resolve. Mayor acknowledged that theTown and four councillors are being sued by a contractor and legal costs may incur. Deputy Mayor clarified that those pending costs are through the insurance. Councillor Howlett acknowledged that the general operations of the town is becoming more legally complex forcing the town to defer to legal advice. Councillor Shears expressed her opinion on the additional office staff wages for a casual person. Clarification offered on the casual position.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed:

Abstaining:

Motion Carried

DUE DATE FOR 2021 TOWN TAXES

Motion #213/20: Motion by Councillor Howlett, seconded by Councillor Shears, be it hereby resolved that the recommendation of the Finance Committee be accepted and in accordance with Section 107, Subsection 1 of The Municipalities Act, Chapter M-24 the due date for the Town of Kippens 2021 tax year is March 31, 2021.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

YEAR 2021 MIL RATE

Motion #214/20: Motion by Councillor Howlett, seconded by Councillor Alexander, be it hereby resolved that the recommendations of the Finance Committee be accepted and in accordance with Sections 112 and 113 of The Municipalities Act, Chapter M-24 the Town of Kippens imposes a real property tax on the owners of real property within the Town of Kippens at a rate of 4.95 mils per \$1000.00 assessed value with effect January 1, 2021.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion: #215/20: Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved that the recommendations of the Finance Committee be accepted and in accordance with The Municipalities Act, Section 130 and Section 131, Chapter M-24 the remainder of the town of Kippens 2021 tax base will remain the same as the 2020 tax base.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed:

Abstaining:

Motion Carried

New Business

Permits

Motion #216/20: Motion by Deputy Mayor Benoit, seconded by Councillor Howlett, be it hereby resolved to defer request to operate an agricultural business at 269-279 Kippens Road pending further information.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #217/20: Motion by Deputy Mayor Benoit, seconded by Councillor Boyd, be it hereby resolved to approve a permit to build a garage extension at 9 Simons Drive, being in full compliance.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Additional Business

Motion #218/20: Motion by Deputy Mayor Benoit, seconded by Councillor Boyd, be it hereby resolved to accept the November 10, 2020 Planning & Development Meeting Minutes.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #219/20: Motion by Deputy Mayor Benoit, seconded by Councillor Alexander, be it hereby resolved to accept the November 27, 2020 Planning and Development Meeting Meeting Minutes.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Motion #220/20: Motion by Deputy Mayor Benoit, seconded by Councillor Dawson, be it hereby resolved to accept the resignation of the Town Manager, Lenny Hann.

Deputy Mayor Benoit read a prepared statement regarding the resignation of town managers. He is receiving calls from residents asking why the Town is going through so many town managers. What is the Town doing wrong? Three of the previous managers felt they were being micromanaged and disrespected by certain members of council. All former managers were professional people. Emails have been sent that are disrespectful about staff and to staff. Deputy Mayor read an email this summer sent to a former councillor telling him that the office will be cleanup before the end of the term. Staff has been on the edge of their seats wondering if they will lose their jobs and how restructuring might affect them. Attempts have been made to try and turn staff members against each other. Deputy Mayor gave examples of inappropriate behaviour towards staff such as the manager receiving a phone call from a resident at a councillors house between 9:30 and 10:00 on a Friday night and accusations of being in cahoots with contractors on McCarthy's Lane. The Town Manager has been accused of lying in front of four residents and has been micromanaged. He was demanded to give permits when not in compliance, received numerous phone calls and emails after hours that were not

emergencies. He was accused of working with certain councillors and forced to second guess decisions he had made. How can staff work under such toxic conditions? It is required by law to have a safe and respectful workplace and we have to abide by it. The abuse must stop. Lenny Hann has been patient, respectful and worked above and beyond. Mr. Hann worked with Roads & Maintenance Committee to see Island Pond Drive completed, McCarthy's Lane storm sewer and pavement, Edwards Lane and a large section of Oceanview Drive. Last years Mr. Hann worked with staff and contractors all weekend to ensure the residents did not run out of drinking water. The comments on social media are disheartening. Mr. Hann also volunteered with Canada Day activities, Kippens Recreation, Fire Department, Winter Carnival, Christmas float and many others. This is truly a sad day to see another manager quit the job for all the wrong reasons. There is a common denominator on council and the only time to make changes will be in the fall of 2021. Deputy Mayor Benoit feels ashamed there was not more he could do to help the town manager.

Councillor Dawson expressed his concerns regarding the turnover in town managers and accepts the resignation of Mr. Hann with considerable regret. Councillor Boyd concurred with the statements made and wished Mr. Hann the best of luck. Councillor Alexander also wished Mr. Hann the best of luck.

In favour: Mayor D. Brake-Patten and Councillors T. Alexander, J. Dawson, W. Howlett and H. Shears

Opposed: Deputy Mayor L. Benoit and Councillor Boyd

Abstaining: 0

Motion Carried

Committee Reports

HR Committee/Policy Committee

Councillor Dawson reported that the HR committee has been busy working on a Kippens Respectful Workplace policy. Happy Christmas greetings extended to all council and staff.

Recreation/Fire Department

Councillor H. Shears reported that her councillor email account has been hacked.

Recreation/Fire Department

Councillor Alexander advised that 155 suppers were delivered to seniors in the community. The event was successful. Thanks to all the volunteers who delivered the meals on wheels to the seniors. There will be a walk through on December 13th at the community centre for the children to see Santa. Councillor Alexander wished council, staff and residents a very Merry Christmas and happy new year. The annual boot drive will take place December 19th. Donations will be accepted starting at 10:00 am

Roads & Maintenance

Councillor Boyd reported that the snow clearing equipment is ready for winter. Roads are in good shape with paving and patching completed this year. Hoping operators have a good and safe season. Councillor Boyd wished everyone a good Christmas.

Roads & Maintenance

Deputy Mayor Benoit thanked the HR committee for their hard work on the Respectful Workplace Harassment Prevention Policy. The policy will be sent to Occupational Health and Safety for final review. The policy will be distributed to all councillors for review and then brought forward for adoption.

Work is being completed on the dog park. There is ongoing work on the outfall on McCarthy's Lane involving the engineer and contract. Deputy Mayor wished council and staff a Merry Christmas and acknowledge the hard work of the finance committee and staff on the budget.

The HR committee will be looking at the vacant town manager position very soon.

Finance

Councillor Howlett reported that the budget focuses on the core responsibilities of the town such as clean and safe drinking water, plowing roads, collecting garbage and so on. It is a delicate balance deciding where to put the

money. The town is in a good financial position and will continue to provide the services the residents expect and deserve while growing our recreation. Councillor Howlett states it is fun and an honor to work with the council, staff and volunteers in the Town. He acknowledges the work of the committees and the negative feedback that is received at times. If residents feel things are not what they want, they should run in the next municipal election. Councillor Howlett recommended the town have a look at the vehicle fleet and consider vehicle replacement and finances.

Mayor's Report

Mayor Brake-Patten reported that this is the last budget for the term. She loved serving as Mayor. It has not been easy and 2020 has not been easy with the COVID pandemic. The councillors involved in the litigation have had a lot of stress since October 2019. It has impacted our lives, our families and relationships amongst councillors. It has been difficult with getting threatening letters from developers' lawyers. However, council has managed to stay together, move forward and take the high road. Mayor Brake-Patten thanked the volunteers, councillors and staff. Thanks to Lenny Hann for all he did while serving the Town, best of luck in his future endeavors and best wishes to him and his family. Merry Christmas and Happy New Year to all those in the community. Hopefully 2021 will be a better year.

Motion #221/20: Motion by Councillor Dawson, seconded by Deputy Mayor Benoit, be it hereby resolved to adjourn the Council Meeting.

In favour: Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors T. Alexander, S. Boyd, J. Dawson, W. Howlett and H. Shears

Opposed: 0

Abstaining: 0

Motion Carried

Council meeting adjourned at 7:30 pm. Next regular council meeting is scheduled for January 14, 2021.

Debbie Cormier, Town Clerk

Debbie Brake-Patten, Mayor