



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

VIA Remote Access

Council Chambers

Friday, May 15th, 2020

1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Cheryl Philip, Mike Rickward, Liz Stermsek and Paul Ziraldo

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Keven Beaucage, Deputy Clerk, Deputy Treasurer
Brian Horsman, Chief Building Official
Ross Gattozzi, Operations Manager
Linda Moyer, Planning Technician
Cindy Filmore, Office Assistant

1. **Call the Meeting to Order**

Res. No. 1/15/05/2020 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on May 15th, 2020 be declared open and called to order at 1:00 p.m. **CARRIED**

2. **Approval of Agenda**

Res. No. 2/15/05/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on May 15th, 2020 be adopted as amended.

Defer 10(f)(ii) Draft By-law re: cost recovery with respect to Fire Department Specific response
CARRIED

3. **Declaration of Pecuniary Interest and the General Nature Thereof** – None noted.

4. **Delegations/Presentations**

(a) **Delegations**

- (i) **Jim Sutton re: Proposal to purchase Road Allowance**
Mr. Sutton was not in remote attendance. Council to receive a Staff report regarding this proposal, at the next regular Council meeting.
- (ii) **Maureen Armstrong re: Reimbursement/waiver of Building Permit fees**
Ms. Armstrong provided a brief history regarding two building permit fees for the property that she now owns. Council deferred comment until they receive information from our CBO.

(b) **Presentations – Nil**

5. **Minutes**

(a) **Adoption of Minutes**

- (i) **Regular Meeting, Draft Minutes – April 24th, 2020**
- (ii) **Public Meeting, Draft Minutes – April 24th, 2020**
- (iii) **Special Meeting, Draft Minutes – May 1st, 2020**
- (iv) **Special Meeting, Draft Minutes – May 8th, 2020**

Res. No. 5(a)(i)-(iv)/15/05/2020 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the Minutes of the Council Meeting(s) as follows:

- (i) **Regular Meeting, Draft Minutes – April 24th, 2020**
- (ii) **Public Meeting, Draft Minutes – April 24th, 2020**
- (iii) **Special Meeting, Draft Minutes – May 1st, 2020**
- (iv) **Special Meeting, Draft Minutes – May 8th, 2020**

CARRIED

(b) Receive Committee Minutes

(i) Almaguin Highlands Health Centre Committee re: Agenda - May 8th, 2020; Minutes – draft March 6th, 2020

(ii) Joint Waste Management Committee re: Draft Minutes – April 22nd, 2020; 2019 Financial Statements

Res. No. 5(b)(i)-(ii)/15/05/2020 Liz Stermsek, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney received the following Advisory Committee Minutes:

(i) Almaguin Highlands Health Centre Committee re: Agenda - May 8th, 2020; Minutes – draft March 6th, 2020

(ii) Joint Waste Management Committee re: Draft Minutes – April 22nd, 2020; 2019 Financial Statements

CARRIED

6. Committee Resolutions for Consideration - Nil

7. Public Meetings (Pursuant to the Planning Act)

(a) Report and Resolution re: Amendment to Zoning By-law No. 2002-28, as amended RZ-01-20 (DEWAR)

Res. No. 7(a)/15/05/2020 Liz Stermsek, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves application RZ-01-20 (DEWAR) to rezone part of lands located in Part of Lot 20, Concession 3, Part 3, Plan 42R-15069 (4214D Highway 518 E), in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Residential Waterfront (RWF) Zone to the Residential Waterfront Exception Fifty-five (RWF-55) Zone to permit a reduced setback of 0 metres from the Hazard Lands Zone where 30 metres is required, to allow for the reconstruction and relocation of the cottage currently located on the property.

Recorded Vote requested by: Mayor Ballantyne

Philip, Cheryl	Yes
Rickward, Mike	Yes
Stermsek, Liz	Yes
Ziraldo, Paul	Yes
Ballantyne, Carol	Yes

CARRIED

(b) By-law No. 2020-xx re: To amend Zoning By-law No. 2002-28, as amended RZ-01-20 (DEWAR)

Res. No. 7(b)/15/05/2020 Paul Ziraldo, Cheryl Philip

By-law No. 2020-24, Being a By-law to amend Zoning By-law No. 2002-28, as amended, (DEWAR), be read a first, second and third time and numbered 2020-24 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be engrossed in the By-law Book.

CARRIED

8. Public Meetings (Pursuant to the Municipal Act) - Nil

9. Unfinished Business – Nil

10. Reports and By-laws

(a) Building

(i) Report re: Maureen Armstrong request for waiver of Building Permit Fees

Res. No. 10(a)(i)/15/05/2020 Cheryl Philip, Liz Stermsek

WHEREAS Council has received a request from Maureen Armstrong to waive a Building Permit fee;

AND WHEREAS further information is required detailing the events of the two applications generating the outstanding fee;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall discuss this request in a Closed Session meeting due to personal matters about an individual.

Recorded Vote requested by: Mayor Ballantyne

Philip, Cheryl	No
Rickward, Mike	No
Stermsek, Liz	Yes
Ziraldo, Paul	Yes
Ballantyne, Carol	Yes

CARRIED

- (ii) **Report and Resolution re: Request from McMurrich/Monteith to extend Agreement**

Res. No. 10(a)(ii)/15/05/2020 Mike Rickward, Paul Ziraldo

WHEREAS Council has received a request from the Township of McMurrich/Monteith to extend the Agreement between McMurrich/Monteith and Kearney and Magnetawan regarding the provision of building department services;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of our CBO, determines that we do not have the resources to expand our building department at this time and cannot continue to supply building services to McMurrich/Monteith. **CARRIED**

- (b) **Planning** – Nil

- (c) **Operations**

- (i) **Transfer Station Report** – for the period April 17, 2020 to May 5, 2020 – **Report only.**

- (ii) **Report and Resolution re: Garbage Pick-up**

Res. No. 10(c)(ii)/15/05/2020 Paul Ziraldo, Liz Stermseck

WHEREAS Council requested a Staff report with regard to garbage and Transfer Station concerns;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that for curbside pickup, a \$100.00 fee shall be imposed upon those who do not follow the Town of Kearney garbage/recycling guidelines;

AND FURTHER this shall take effect on June 30th, 2020. **CARRIED**

- (d) **Administration**

- (i) **Report and Resolution re: Short Term Property Rentals**

Res. No. 10(d)(i)/15/05/2020 Mike Rickward, Cheryl Philip

WHEREAS Council requested a Staff report with regard to Short Term Property Rentals;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that we ask for public submissions for further information to be provided to Council for their consideration at a future date. **CARRIED**

- (ii) **Draft By-law No. 2020-xx re: To regulate dogs**

Res. No. 10(d)(ii)/15/05/2020 Paul Ziraldo, Liz Stermseck

By-law No. 2020-25, Being a By-law to Regulate Dogs within the Town of Kearney be read a first time. **DEFEATED**

- (e) **Treasury**

- (i) **Report and Resolution re: Payment Register**

Res. No. 10(e)(i)/15/05/2020 Paul Ziraldo, Liz Stermseck

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the 'List of Accounts' and has no objections to be noted with regard to Cheques #29775 to #29854 in the total amount of \$209,364.55. **CARRIED**

- (ii) **Report re: Statement of Revenue and Expenditures – Report only.**

- (iii) **Draft By-law No. 2020-xx re: 2020 Draft Budget**

Res. No. 10(e)(iii)/15/05/2020 Mike Rickward, Liz Stermseck

By-law No. 2020-28, Being a By-law to provide for the Adoption of the 2020 Budget be read a first and second time. **CARRIED**

- (f) **Fire and Emergency Services**

- (i) **Report re: Fire Chief, Fire Department Report for regular Council meeting on May 15, 2020. – Report only.**

- (ii) **Draft By-law No. 2020-xx re: To authorize cost recovery with respect to Fire Department Specific response - DEFERRED**

- (g) **Facilities and Buildings**

- (i) **Report and Resolution re: Surplus Stoves**

Res. No. 10(g)(i)/15/05/2020 Paul Ziraldo, Cheryl Philip

WHEREAS Staff were directed to sell by Tender, the surplus propane stoves;

AND WHEREAS Tenders were received for the May 8 closing date, with two bids received;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the Tenders received and awards the Tenders as follows:

1. Garland Commercial Propane Range: Taryn Talsma \$1500.00
2. Kenmore Household Stove to: Taryn Talsma \$300.00

CARRIED

(h) Council Presentations

(a) Mayor Ballantyne re: 2020 Regatta

Discussion of Council resulted in the following Resolution.

Res. No. 10(h)(a)/15/05/2020 Paul Ziraldo, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines with regret, that the 2020 Regatta shall be cancelled this year as a result of the COVID -19 Pandemic.

Recorded Vote requested by: Mayor Ballantyne

Philip, Cheryl Yes

Rickward, Mike Yes

Stermsek, Liz Yes

Ziraldo, Paul Yes

Ballantyne, Carol Yes

CARRIED

(b) Councillor Rickward re: Temporary, alternate boat launch

Council determined that additional access to Sand Lake is needed for emergency vehicles during the Boat Launch rehabilitation. Letters to be forwarded in accordance with Council discussion.

(c) Councillor Ziraldo re: Additional Portable Sanitation Station

Res. No. 10(h)(c)/15/05/2020 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall add an additional accessible portable sanitation station, to be placed at the Fire Hall;

AND FURTHER that this unit be rented by the Town and maintained/serviced at the same time as our other units.

CARRIED

11. Correspondence

(a) Action Items

(i) Township of Mapleton re: Request for support – Farm Property Class Tax Rate Programme

Res. No. 11(a)(i)/15/05/2020 Paul Ziraldo, Liz Stermsek

WHEREAS the Province of Ontario implemented changes to property assessment and introduced taxation reform which came into effect in 1998;

AND WHEREAS prior to 1998 farm properties were subject to taxation at the base residential tax rate and qualified farmers applied annually to the province to be reimbursed 75% of the farm portion of the taxes paid to the local municipality;

AND WHEREAS the province changed the method of delivering farmer's rebates by creating the Farm Property Class Tax Rate Programme under the jurisdiction of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA);

AND WHEREAS rather than apply annually and wait for property tax rebates, the delivery of the programme shifted to local municipal governments and onto the property tax system;

AND WHEREAS eligible farmland assessment values are now locally subsidized by 75% of their full current value assessment (CVA) to produce a lower weighted assessment base which is used for tax rate setting purposes;

AND WHEREAS the effect of the locally subsidized weighted assessment shifts an increased burden of tax onto all other property classes within the municipality;

AND WHEREAS these taxation reforms were originally supposed to be revenue neutral and offset by funding from the Ontario Municipal Partnership Fund (OMPF) and its predecessor the Community Reinvestment Fund (CRF);

AND WHEREAS the province has been reducing support from the Ontario Municipal Partnership Fund while the cost of the farm tax rebate programme is continuously increasing;

AND WHEREAS an economically competitive agricultural industry provides affordable food and agricultural products to all Ontarians and is a provincial objective that should be cost shared amongst all of its citizens;

AND WHEREAS the cost of this programme disproportionately falls upon property taxpayers in rural municipalities;

AND WHEREAS higher property taxes in rural municipalities is creating economic competitiveness issues between rural and urban municipalities;

AND WHEREAS the province hasn't undertaken a review of this programme since it was implemented in 1998;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney requests that the Province of Ontario undertake a review of the Farm Property Tax Class Rate Programme to determine:

- a) The appropriateness of the cost of the Farm Property Tax Class Rate Programme falling disproportionately amongst rural residential and business property owners when the benefit of an economically competitive agricultural industry and affordable food and agricultural products is a provincial objective that should be shared amongst all taxpayers in Ontario;
- b) The adequacy of funding being provided to rural municipalities to offset the cost of the Farm Property Tax Class Rate Programme;
- c) The differences between the amount of property taxes paid in rural and urban municipalities and the root causes of those differences;
- d) Economic competitiveness concerns with disproportionately higher average property taxes being paid in rural municipalities;
- e) Other methods of delivering the farm tax rebate programme to farmland owners where the cost can be shared province-wide;

AND FURTHER that this motion be sent to the Hon. Doug Ford, Premier of Ontario; the Hon. Steve Clark, Minister of Municipal Affairs and Housing; the Hon Rod Phillips, Minister of Finance; the Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs; the Association of Municipalities of Ontario (AMO); and the Rural Ontario Municipal Association (ROMA). **CARRIED**

(ii) **Township of Armour re: Request for support – High Speed Internet Connectivity in Rural Ontario**

Res. No. 11(a)(ii)/15/05/2020 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the letter attached hereto from Rod Ward of the Township of Armour, with regard to the need for substantial investments in high-speed internet connectivity in the rural areas of Ontario.

CARRIED

Res. No. 11(a)(iii)/15/05/2020 Mike Rickward, Liz Stermsek

WHEREAS these are unprecedented times that have not been seen in generations;

AND WHEREAS on April 16, 2020 the Canadian Federal Government announced a new program called the Canada Emergency Commercial Rent Assistance;

AND WHEREAS this program is to be developed in unison with the Provincial and Territorial counterparts;

AND WHEREAS this program is to provide relief to small business with their rent for the months of April, May and June;

AND WHEREAS many Provincial programs have been announced to date but have generally aimed at the residential, rather than the commercial, rent markets;

AND WHEREAS many small businesses have been affected financially due to COVID-19, thus making rent payments difficult;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney endorse this program whole heartedly and request the Federal Government of Canada to work with its Provincial and Territorial Partners to expedite this program and offer this program as soon as possible;

AND FURTHER that Council ask the Federal Government and Provincial and Territorial Partners look at the possibility of extending this program if the impacts of COVID-19 continue past the month of June and to make this program 100 percent forgiving to the small businesses effected;

AND FURTHER that this motion be sent to the Right Honourable Prime Minister Justin Trudeau; the Hon. Doug Ford, Premier of Ontario; the Hon Rod Phillips, Minister of Finance; and the Association of Municipalities of Ontario (AMO). **CARRIED**

(b) **Information Items - Nil**

12. Other Business – Nil

13. Closed Session

Council will enter into a Closed Session for discussion regarding:

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board;
- (b) Labour Relations or Employee Negotiations

Res. No. 13(a)/15/05/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the town of Kearney enters into Closed Session in accordance with Section 239, (1), (2), (3) and (3.1) of the Municipal Act, c. 25, S.O. 2001, as amended, at 4:18 p.m. for discussion regarding:

- (a) A proposed or pending acquisition of land by the municipality or local board;
- (b) Labour Relations or Employee Negotiations

CARRIED

Res. No. 13(b)/15/05/2020 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvene in Open Session and report on matters discussed in Closed Session. Closed Session adjourned at 6:30 p.m. **CARRIED**

Res. No. 13(c)/15/05/2020 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney does hereby go past the four hour curfew. **CARRIED**

14. Business Arising from Closed Session

Mayor Ballantyne reported on matters discussed in Closed Session.

15. Confirming By-Law

By-Law 2020-xx being a By-law to confirm the proceedings of Council at its Public Meeting held on April 24th, 2020; at its Special Meeting on May 1st, 2020; at its Special Meeting held on May 8th, 2020 and at its Regular Meeting held on May 15th, 2020.

Res. No. 15/15/05/2020 Paul Ziraldo, Liz Stermsek

By-law No. 2020-26, Being a By-law to confirm the proceedings of Council at its Public Meeting held on April 24th, 2020; at its Special Meeting on May 1st, 2020; at its Special Meeting held on May 8th, 2020 and at its Regular Meeting held on May 15th, 2020, be read a first, second and third time and numbered 2020-26 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book. **CARRIED**

16. Adjournment

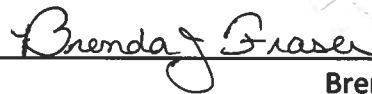
Res. No. 16/15/05/2020 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 6:35 p.m. to meet again at 1:00 p.m. on Thursday, May 21st, 2020 in the Council Chambers, Kearney, Ontario. **CARRIED**

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

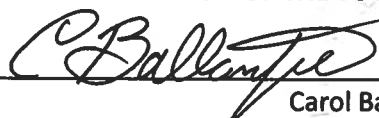
SPECIAL VIRTUAL COUNCIL MEETING REMOTE ACCESS - Council Chambers Thursday, May 21st, 2020 1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Cheryl Philip, Mike Rickward, Liz Stermsek and Paul Ziraldo

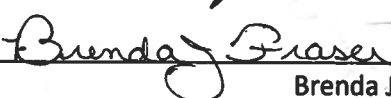
Staff Present: Brenda J. Fraser, Clerk Administrator
Keven Beaucage, Deputy Clerk, Deputy Treasurer
Brian Horsman, Chief Building Official
Cindy Filmore, Senior Office Assistant

1. **Call the Meeting to Order**
Res. No. 1/21/05/2020 Liz Stermsek, Paul Ziraldo
BE IT RESOLVED that the Special Council meeting of the Corporation of the Town of Kearney on May 21st, 2020 be declared open and called to order at 1:00 p.m. **CARRIED**
2. **Disclosure of Pecuniary Interest and the General Nature Thereof – None noted.**
3. **Council Discussion re: 92 Park Road**
Brian Horsman, CBO, provided an update to Council with regard to the action taken to date with respect to 92 Park Road. The Building Department has issued an Order, reported this operation to the Burk's Falls OPP and alerted Health Canada as to the actions on this property. The Fire Chief has scheduled a pre plan inspection in order to prepare a fire safety plan. The Town has passed Resolutions with respect to retail of Cannabis. There are two separate issues at this time. One being compliance with the Building Code and the other being compliance with all other applicable law (i.e. Zoning, Licensing, Health Canada, AGCO, etc.).
4. **Closed Session**
Res. No. 4(a)-(b)/21/05/2020 Cheryl Philip, Mike Rickward
BE IT RESOLVED that in accordance with Section 239, (1), (2), (3) and (3.1) of the Municipal Act, c. 25, S.O. 2001, as amended, the Council for the Corporation of the Town of Kearney will convene in Closed Session at 1:17 p.m. for discussion regarding:
 - (a) Personal matters about an identifiable individual
 - (b) Labour Relations or Employee negotiations **CARRIED****Res. No. 4(c)/21/05/2020 Paul Ziraldo, Liz Stermsek**
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvene in Open Session and report on matters discussed in Closed Session. Closed Session adjourned at 2:13 p.m. **CARRIED**
Mayor Ballantyne reported on matters discussed in Closed Session, including the following Resolution.
Res. No. 4(d)/21/05/2020 Cheryl Philip, Mike Rickward
WHEREAS Council has received a request from Maureen Armstrong to waive a Building Permit fee; **AND WHEREAS** our CBO Brian Horsman has provided information detailing the events of the two applications generating the outstanding fee;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of our CBO, determines that the CBO meet with Ms. Armstrong to cancel existing permit from Mr. Hahn and apply for a new permit to construct alterations to the roof over existing cottage now owned by Ms. Armstrong at rates as indicated in Building By-law No. 2019-19. **CARRIED**
5. **Adjournment**
Res. No. 5/21/05/2020 Cheryl Philip, Liz Stermsek
BE IT RESOLVED that the Special Meeting of the Corporation of the Town of Kearney adjourn at 2:16 p.m. to meet again at 1:00 p.m. on June 5th, 2020 in the Council Chambers, Kearney, Ontario. **CARRIED**

THE CORPORATION OF THE TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk