



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, August 28th, 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
Cindy Filmore, Office Assistant
Caitlin Deevey, By-law Enforcement Officer

1. Call the Meeting to Order

Res. No. 1/28/08/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on August 28th, 2020 be declared open and called to order at 1:02 p.m. **CARRIED**

Moment of Silence to honour the memory of Shirley Stamp.

2. Approval of Agenda

Res. No. 2/28/08/2020 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on June 26th, 2020 be adopted as amended.

ADD 10(d)(v) Resolution re: Application to Ontario Trillium Foundation

ADD 10(f)(iii) Resolution re: New Fire Department Recruit **CARRIED**

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

4. Delegations/Presentations

(a) Delegations - Nil

(b) Presentations - Nil

5. Minutes

(a) Adoption of Minutes

(i) Regular Meeting, Draft Minutes – August 7th, 2020

Res. No. 5(a)(i)/28/08/2020 Paul Ziraldo, Liz Stermsek

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 – August 7th, 2020

CARRIED

(b) Receive Committee Minutes

(i) District of Parry Sound Social Services Administration Board re: Quarterly Report – July 2020

Res. No. 5(b)(i)/28/08/2020 Cheryl Philip, Liz Stermsek

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

(i) District of Parry Sound Social Services Administration Board re: Quarterly Report – July 2020

CARRIED

6. Committee Resolutions for Consideration - Nil

7. Public Meetings (Pursuant to the *Planning Act*) - Nil

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

9. **Unfinished Business**

(a) **Resolution re: Youth Unlimited request for support**

Res. No. 9(a)/28/08/2020 Liz Stermsek, Cheryl Philip

WHEREAS Youth Unlimited | YFC Highlands operates as a regional chapter of Youth for Christ;
AND WHEREAS Council has received a presentation from Ryan Campese, Youth Unlimited Staff Community Director in Novar, requesting a commitment to pray for Ryan or to partner with Youth Unlimited for monthly or annual financial support;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that we will not be making a donation at this time. **CARRIED**

10. **Reports and By-laws**

(a) **Building**

(i) **Report and Resolution re: Consideration to purchase a vehicle for use by the Building Department**

Res. No. 10(a)(i)/28/08/2020 Liz Stermsek, Paul Ziraldo

WHEREAS in accordance with their request, Council has received a Staff report from Brian Horsman, Chief Building Official, with regard to the purchase a vehicle for use by the Building Department;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, directs Staff to obtain further information with regard to:

- The purchase by the Town, of a Vehicle for use by the Building Department
- Leasing a Vehicle for use by the Building Department with an option for the Town to purchase the vehicle when the lease expires;
- Amending the current compensation regarding the use of private vehicles for Town business to include a compensation package that would consist of a combination of flat rate plus per kilometre rate. **CARRIED**

(b) **Planning** - Nil

(c) **Operations**

(i) **Transfer Station Report – for the period July 31, 2020 to August 25, 2020 – Report only.**

(ii) **Report and Resolution re: Winter Sand Tender**

Res. No. 10(c)(ii)/28/08/2020 Paul Ziraldo, Liz Stermsek

WHEREAS Tender No. 2020-02 for Winter Sand was requested for the supply, screening, mixing and stockpiling of 3200 cubic metres of Winter Sand;

AND WHEREAS two (2) tenders were received, being A. Miron Topsoil at a cost of \$12.88 per m³ plus HST and Jeff Maki at a cost of \$11.26 per m³ plus HST;

NOW THEREFORE BE IT RESOLVED that Council awards the tender to Jeff Maki at a cost of \$11.26 per M³ plus HST. **CARRIED**

(iii) **Resolution re: TJ Mahony Road School – Construction Section via OGRA Livestream Course**

Res. No. 10(c)(iii)/28/08/2020 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the attendance of Scott McKay at the Ontario Good Roads Association – 2020 T.J.

Mahony Road School-Construction Section ON-LINE training from October 26, 2020 to October 28, 2020, at a cost of \$960.00 plus applicable taxes;

AND FURTHER that this training be accomplished during normal working hours. **CARRIED**

(d) **Administration**

(i) **Discussion and Resolution re: Trailer/Camper Compliance**

Res. No. 10(d)(i)/28/08/2020 Liz Stermsek, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the report from By-law Enforcement Officer Caitlin Deevey titled Trailer/Camper Compliance;

AND FURTHER Council has no objection for gaining compliance by way of towing and impounding as authorized by s.5(f) and s.5(g) of By-law No. 2013-17. **CARRIED**

(ii) **Resolution re: Notice of intent to change the Procedural By-law**

Res. No. 10(d)(ii)/28/08/2020 Liz Stermsek, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney does hereby direct Staff to give notice of their intent to change the Procedural By-law at their Regular Meeting scheduled to be held on September 18th, 2020;

AND FURTHER that the proposed changes include the following:

1) Section 1 shall be amended as follows:

- 1.3 Add a definition: **Attendance** means either physical or electronic presence at a meeting open to the public;
- 1.15 Add 'or iPad', after the word 'Tablet';
- 1.25 Add Present, when referring to attendance at a meeting, shall include electronic participation;
- Renumber section

2) Section 5 shall be amended as follows:

- Add 5.1.2 Council-elect must attend the Inaugural meeting in person
- 5.2.2 after 'or time' add 'and/or access'
- 5.3.1 delete 'summon' and add 'call'
- 5.3.2 delete 'The Mayor or his/her designate shall summon a Special Meeting upon receipt of a petition of the majority of the Council members for the purpose, and at the time and date mentioned in the petition' and replace it with 'Upon receipt of a petition of the majority of the members of Council, the clerk shall call a special meeting for the purpose and at the time mentioned in the petition;

3) Section 6 shall be amended as follows:

- 6.2 delete 'of Council or a Committee'
- Add:
 - 6.2(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them
 - 6.2(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization
 - 6.2(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - 6.2(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board
 - Add new 6.4 'A meeting of a Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - 6.4.1 The meeting is held for the purpose of educating or training the members
 - 6.4.2 at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee
 - 6.4 is now 6.5 and shall read as follows: 'Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution:
 - 6.5.1 the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
 - 6.5.2 in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection
- Renumber Section

4) Section 9

- 9.7 shall read as follows: 'The agenda to be considered at a special meeting of Council, save and except those discussed in Closed Session, shall be made available to the public at the time of giving Notice of the meeting'.

5) Section 14

- 14.14 Add the sentence: 'The Head of Council shall vote following all other members'.

6) Section 20

- Add 20.8
As the Council Chambers (Seniors Room) in the Kearney Community Centre can safely

social distance a maximum of fourteen (14) people, during the times when social distancing is required, in-person attendance will be limited. Those that cannot attend in person, or are not comfortable attending in person, will be accommodated by electronic means. **CARRIED**

(iii) **Discussion and Resolution re: Policy for On-line Training**

Res. No. 10(d)(iii)/28/08/2020 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, directs Staff to create a Policy regarding On-line Training, in accordance with the direction of Council expressed during this meeting. **CARRIED**

(iv) **Report and Resolution re: Successful applicant – Community Economic Development Officer Intern**

Res. No. 10(d)(iv)/28/08/2020 Paul Ziraldo, Liz Stermsek

WHEREAS the Town recently advertised an employment opportunity for a Communications and Public Relations Coordinator;

AND WHEREAS the Selection Team is recommending the hiring of one of the applicants;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the Clerk to offer the position of Communications and Public Relations Co-ordinator to the recommended applicant, following successful reference checks. **CARRIED**

(v) **Resolution re: Application to Ontario Trillium Foundation**

Res. No. 10(d)(v)/28/08/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby authorizes the submission of an application to the Ontario Trillium Foundation Resilient Communities Fund to address the required renovations and rejuvenation to the Kearney Municipal Complex (Kearney Community Centre) due to circumstances presented by the Covid-19 Pandemic. **CARRIED**

(e) **Treasury**

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

Res. No. 10(e)(i)/28/08/2020 Cheryl Philip, Liz Stermsek

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 #30036 to #30058 in the total amount of \$142,933.94. **CARRIED**

(ii) **Report and Resolution re: Appointment of External Auditor**

Res. No. 10(e)(ii)/28/08/2020 Mike Rickward, Paul Ziraldo

WHEREAS the Corporation of the Town of Kearney is required under Section 296 of the Municipal Act 2001, to appoint an Auditor to provide external auditing services for the Town of Kearney and the Kearney Elderly Persons Centre;

AND WHEREAS By-Law 2017-62 appointed Grant Thornton LLP for a three year term for the audit years 2017, 2018 and 2019; with an option given to extending the appointment for a further two year term;

AND WHEREAS Council reserves the right to terminate the appointment if dissatisfied in any way with performance, fees charged, or any other aspect of the services provided;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney appoints Grant Thornton LLP as the Town's external auditor for the audit years 2020 and 2021, for the amount of \$12,600 for the Town Consolidated Audit and \$2,000 for the Elderly Persons Centre Audit, plus applicable taxes. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting on August 28, 2020 – Report only.**

(ii) **Report and Resolution re: Request for Training**

Res. No. 10(f)(ii)/28/08/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received information regarding the NFPA-Fire Life Safety Educator ON-LINE training. **CARRIED**

(iii) **Resolution re: New fire department recruit**
Res. No. 10(e)(iii)/28/08/2020 Mike Rickward, Paul Ziraldo
BE IT RESOLVED that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Travis Stone to the Kearney Fire and Emergency Services Department, as a volunteer firefighter/first responder, subject to the conditions agreed to in the United Food and Commercial Workers Collective Agreement. **CARRIED**

(g) **Facilities and Buildings** - Nil

(h) **Council Presentations**

(i) **Mayor Ballantyne, discussion re: Public Access to Town Office; Christmas Begins in Kearney**

Discussion of Council resulted in the decision for Municipal Buildings to continue to remain closed to the public at this time.

Res. No. 10(h)(i)/28/08/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that, as a result of the COVID-19 Pandemic, the Council of the Corporation of the Town of Kearney shall, with regret, cancel the 2020 Christmas Begins in Kearney Festival. **CARRIED**

(ii) **Councillor Mike Rickward re: Public Access to ALL lakes in Kearney; Perry Lake Boat Launch/Road Allowance; Dog Sled Races 2021; Santa Ski Show 2020; Zoning By-law Schedules/Maps**

Discussion of Council resulted in the following:

Public Access to all lakes in Kearney: Ross Gattozzi, Operations Manager to compile a list of water access points in Kearney for future consideration of Council..

Perry Lake Boat Launch/Road Allowance: Report regarding options to address parking congestion, cost and number of available parking spaces, to be prepared in early 2021 for consideration of Council.

Dog Sled Races 2021: The Dog Sled Committee would like to be given as much notification as possible regarding being able to hold this event. Council will be considering each community festival on an individual basis.

Santa Ski Show 2020: Different avenues are being explored by the organizer(s) in an effort to have this event this year.

Zoning By-law Schedules/Maps: The public meeting on September 26th is to provide an additional public opportunity to view updates to the draft document.

11. Correspondence

(a) **Action Items** - Nil

(b) **Information Items**

(i) Eastholme, Home for the Aged re: Administrator Position – **For information only.**

12. Other Business – Nil

13. Closed Session

Council will enter into a Closed Session for discussion regarding:

(a) Personal matters about an identifiable individual, including municipal or local board employees (x2)

(b) A proposed or pending acquisition or disposition of land by the municipality or local board (x2)

Res. No. 13(a)-(b)/28/08/2020 Liz Stermsek, Paul Ziraldo

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 2:36 p.m. for discussion regarding:

(a) Personal matters about an identifiable individual, including municipal or local board employees (x2)

(b) A proposed or pending acquisition or disposition of land by the municipality or local board (x2)

CARRIED

Res. No. 13(c)/28/08/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvene in Open Session. Closed Session adjourned at 4:18 p.m. **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 Regular Meeting held on August 28th, 2020.

Res. No. 15/28/08/2020 Paul Ziraldo, Mike Rickward

By-law No. 2020-38, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on August 28th, 2020, be read a first, second and third time and numbered 2020-38 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. 16/28/08/2020 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 4:22 p.m. to meet again at 1:00 p.m. on September 18th, 2020 in the Council Chambers, Kearney, Ontario. **CARRIED**

THE CORPORATION OF THE
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk