



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, October 9<sup>th</sup>, 2020

1:00 p.m.

**Council Members Present:** Mayor Carol Ballantyne  
Councillors: Cheryl Philip, 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  
Paul Schaefer, Fire Chief

**Regrets:** Councillor Mike Rickward

1. **Call the Meeting to Order**

**Res. No. 1/09/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on October 9<sup>th</sup>, 2020 be declared open and called to order at 1:00 p.m. **CARRIED**

2. **Approval of Agenda**

**Res. No. 2/09/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on September 18<sup>th</sup>, 2020 be adopted as circulated. **CARRIED**

3. **Declaration of Pecuniary Interest and the General Nature Thereof**

Mayor Ballantyne declared a pecuniary interest with regard to: Lions use of KCC; the reason being: Member of Lions.

In accordance with her declaration, Mayor Ballantyne left the Council table and room – 1:02 p.m. Deputy Mayor Ziraldo assumed his position of Head of Council.

4. **Delegations/Presentations**

(a) **Delegations**

- (i) **Blair Ballantyne, President, Kearney Lions Club re: Request to utilize the KCC gymnasium for Kearney Lions Christmas Food Hamper program; 2020 Hallowe'en Plan**

Lions President Blair Ballantyne approached Council to request the use of the Kearney Community Centre for the Lions Christmas Food Hamper program and to share the plans the Lions have made regarding their traditional Hallowe'en Party. The following Resolutions resulted:

**Res. No. 4(a)(i)/09/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the presentation from Blair Ballantyne, President, Kearney Lions Club, authorizes the use of the Kearney Community Centre (KCC) gymnasium, to store non-perishable food being collected during the local food drive;

**AND FURTHER**, Council authorizes the use of the KCC gym on December 18<sup>th</sup> and 19<sup>th</sup>, 2020 for assembling their Christmas food hampers for delivery. **CARRIED**

**Res. No. 4(a)(ii)/09/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney authorizes a donation to the Kearney Lions Club to support the annual community Children's Hallowe'en Candy Bags, in an amount not to exceed \$250.00, upon presentation of receipts;

**AND FURTHER**, funds to be taken from the Christmas Begins in Kearney 2020 unused Budget. **CARRIED**

At this point, Mayor Ballantyne resumed her position as Head of Council – 1:12 p.m.

(b) **Presentations – Nil**

5. **Minutes**

(a) **Adoption of Minutes**

- (i) **Regular Meeting, Draft Minutes – September 18th, 2020**
- (ii) **Special Meeting, Draft Minutes – September 26<sup>th</sup>, 2020**

**Res. No. 5(a)(i)-(ii)/09/10/2020 Cheryl Philip, 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 – September 18th, 2020**
- (ii) **Special Meeting, Draft Minutes – September 26<sup>th</sup>, 2020** **CARRIED**

(b) **Receive Committee Minutes**

- (i) **Almaguin Highlands Health Centre Committee re: Draft Minutes – September 11, 2020**
- (ii) **District of Parry Sound Social Services Administration Board re: Report - September 2020**
- (iii) **Kearney Watershed Environmental Foundation re: Special Edition**
- (iv) **Muskoka Algonquin Healthcare re: Staff Case of COVID-19**

**Res. No. 5(b)(i)-(iv)/09/10/2020 Paul Ziraldo, Cheryl Philip**

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

- (i) **Almaguin Highlands Health Centre Committee re: Draft Minutes – September 11, 2020**
- (ii) **District of Parry Sound Social Services Administration Board re: Report - September 2020**
- (iii) **Kearney Watershed Environmental Foundation re: Special Edition**
- (iv) **Muskoka Algonquin Healthcare re: Staff Case of COVID-19** **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** – Nil

10. **Reports and By-laws**

(a) **Building**

- (i) **Report re: Building Activity Report to September 30, 2020 – Report only**
- (ii) **Information re: Municipality of Magnetawan Resolution – Building Inspector – Information only**

(b) **Planning** - Nil

(c) **Operations**

- (i) **Transfer Station Report – for the period September 18, 2020 to September 29, 2020 – Report only.**
- (ii) **Report and Resolution re: Cashman Creek Bridge Replacement Contract Award Recommendation**

**Res. No. 10(c)(ii)/09/10/2020 Liz Stermsek, Cheryl Philip**

**WHEREAS** the Town of Kearney requested Tenders for the replacement of the Cashman Creek Bridge;

**AND WHEREAS** eleven (11) Tenders were received, as follows:

**Bridge Closure:**

1	A2Z Civil	\$963,167.00
2	Bronte Construction (2220742 Ontario Ltd.)	\$1,100,891.27
3	MTM-2 Contracting Inc.	\$1,148,010.00
4	Miller Paving Ltd.	\$1,211,997.20
5	Bonnechere Excavating Inc.	\$1,217,585.00
6	R.M. Belanger Ltd.	\$1,270,310.00
7	Louis W. Bray Construction Ltd.	\$1,351,878.00
8	Natural Structures 2011 Inc.	\$1,395,809.00
9	Clearwater Structures Inc.	\$1,425,095.00

10	Carlington Construction	\$1,530,043.25
11	AECON Construction and Materials Ltd.	\$1,579,450.00

**Maintaining a single lane during construction:**

1	Bronte Construction (2220742 Ontario Ltd.)	\$1,337,712.87
2	A2Z Civil	\$1,363,167.00
3	Clearwater Structures Inc.	\$1,552,095.00
4	MTM-2 Contracting Inc.	\$1,555,010.00
5	Louis W. Bray Construction Ltd.	\$1,562,178.00
6	R.M. Belanger Ltd.	\$1,570,310.00
7	Natural Structures 2011 Inc.	\$1,724,275.00
8	Miller Paving Ltd.	\$1,806,997.20
9	Bonnechere Excavating Inc.	\$1,812,585.00
10	AECON Construction and Materials Ltd.	\$1,925,050.00
11	Carlington Construction	\$2,005,043.25

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation from the Operations Manager and Engineer, accepts the Tender submitted by A2Z CIVIL for the replacement of the Cashman Creek Bridge, in the amount of \$963,167.00. **CARRIED**

(iii) **Report and Resolution re: Grass Lake Road Speed Limit**

**Res. No. 10(c)(iii)/09/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation from the Operations Manager, supports reducing the speed limit on Grass Lake Road from 80 km/hr to 60 km/hr, for the entire 6,300 m of Grass Lake Road. **CARRIED**

(iv) **Report and Resolution re: Town Dock**

**Res. No. 10(c)(iv)/09/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation from the Operations Manager, authorizes the repairs to the Mirror Bay Town Dock, in the amount of \$2,513.57, plus applicable taxes. **CARRIED**

(v) **Update re: Hwy 518 & Forestry Tower Corner – Verbal Update; Report to follow**

**(d) Administration**

(i) **Draft Policy and Resolution re: On-line Training**

**Res. No. 10(d)(i)/09/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney adopts the Training Policy attached hereto, effective immediately. **CARRIED**

(ii) **By-law No. 2020-xx re: Licence Agreement (TEETER)**

**Res. No. 10(d)(ii)/09/10/2020 Liz Stermsek, Cheryl Philip**

**By-Law 2020-43** being a By-law to authorize the signing of a Licence Agreement between the Corporation of the Town of Kearney and Blair Nelson Teeter, be read a first, second and third time and numbered 2020-43 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**

(iii) **Information and Resolution re: COOP2021 Imagery Project**

**Res. No. 10(d)(iii)/09/10/2020 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney authorizes the Clerk to endorse a Letter of Intent to commit funding for the Central Ontario Orthophotography Project – 2021. **CARRIED**

**(e) Treasury**

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

**Res. No. 10(e)(i)/09/10/2020 Liz Stermsek, Cheryl Philip**

**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 #30124 to #30147 in the total amount of \$49,911.98. **CARRIED**

**(f) Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting on October 9, 2020 – Report only.**

(ii) **Information and Resolution re: Regional Fire Training Officer**  
**Res. No. 10(f)(ii)/09/10/2020 Liz Stermsek, Cheryl Philip**  
**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney has reviewed the Draft Fire Training Officer Services Agreement 2021-2023 as presented and supports entering into an Agreement with our surrounding Municipalities subject to: Each participating Municipality contributing an equal share. **CARRIED**

(iii) **Information and Resolution re: Regional Fire Department**  
**Res. No. 10(f)(iii)/09/10/2020 Paul Ziraldo, Liz Stermsek**  
**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports participating in further discussions regarding a Regional Fire Department;  
**AND FURTHER** that Mayor Ballantyne continue to represent the Town of Kearney at the Committee meetings. **CARRIED**

(iv) **Report and Resolution re: New Firefighter**  
**Res. No. 10(f)(iv)/09/10/2020 Liz Stermsek, Cheryl Philip**  
**BE IT RESOLVED** that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Chloe Cochrane 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**

(v) **Report and Resolution re: New Radio Console**  
**Res. No. 10(f)(iv)/09/10/2020 Liz Stermsek, Paul Ziraldo**  
**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the request from Fire Chief Paul Schaefer, approves the following purchases:

- 1) Radio Dispatch Console equipment upgrade for the Burk's Falls Fire Hall, at a cost of \$2,052.28; and
- 2) Two steel shelving units at a cost not to exceed \$350.00.

**CARRIED**

(vi) **Report and Resolution re: C-Can Training Facility**  
**Res. No. 10(f)(vi)/09/10/2020 Cheryl Philip, Liz Stermsek**  
**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports, in principle, the joint purchase and installation of a Live Burn Training Facility to be located behind the Perry Township Fire Hall at 64 Old Government Road, subject to: Costs being divided equally between the participating Municipalities;  
**AND FURTHER** Council understands that there will be ongoing annual costs of approximately \$400.00 per Fire Department. **CARRIED**

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

(h) **Council Presentations**

(i) **Mayor Ballantyne, discussion re: Public Access to Town Office**  
Discussion of Council resulted in the decision for Municipal Buildings to continue to remain closed to the public at this time.

## 11. **Correspondence**

(a) **Action Items**

(i) **Township of Perry re: Mutual Assistance Agreement**  
**Res. No. 11(a)(i)/09/10/2020 Liz Stermsek, Cheryl Philip**  
**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney reiterates their commitment to participate in the Mutual Assistance Agreement for emergency management purposes between the Town of Kearney and the Municipality of Magnetawan, Townships of Armour, McMurrich/Monteith, Perry, Ryerson and Village of Burk's Falls. **CARRIED**

(ii) **Town of Parry Sound re: Supplemental Emergency Medical Services Levy**  
**Res. No. 11(a)(ii)/09/10/2020 Liz Stermsek, Cheryl Philip**  
**WHEREAS** the Town of Kearney received correspondence from the Town of Parry Sound regarding a Supplemental Emergency Medical Services Levy indicating cost overruns have occurred due to significant increases in needed Personal Protective Equipment, COVID related sick time and overtime costs associated with sick time;  
**AND WHEREAS** the Town of Parry Sound has sent a request for funding from the contributing Parry Sound District municipalities in the amount of an additional \$450,000.00, apportioned to each municipality, with the Town of Kearney's share being \$11,898.96;  
**AND WHEREAS** the Town of Parry Sound is requesting that the municipalities use the funds they received from the Safe Restart Funding – Phase 1;

**AND WHEREAS** it is noted that the monies received through the Safe Restart Funding is to address the needs of each local municipality for their own operational pressures and increased costs as a result of COVID-19, not those of other agencies;

**AND WHEREAS** there was no itemized listing of the funds requested by the Town of Parry Sound;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports the Municipality of Magnetawan's Resolution No. 2020-139 passed September 23, 2020, that the Town of Parry Sound should petition the Province for these funds rather than a Supplemental Levy to the Municipalities now or in the future;

**AND FURTHER** that we do not support this Supplemental Levy to municipalities.

**CARRIED**

(iii) **Township of Wollaston re: Municipal Elections Act amendments  
Res. No. 11(a)(iii)/09/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney petition the Minister of Municipal Affairs and Housing, the Honourable Steve Clark, to review the *Municipal Elections Act* and to provide amendments:

- to ensure that loopholes are closed on any pay to play schemes in rural communities where non-resident electors are permitted to participate in elections;
- to provide clearer, stronger wording, to assist Municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list;
- to ensure that there is a clear and accessible way to report election fraud; and
- to ensure that the rules described in the *Municipal Elections Act* are actually enforceable even if there is not current case law.

**CARRIED**

(b) **Information Items - Nil**

12. **Other Business – Nil**

13. **Closed Session – Nil**

14. **Business Arising from Closed Session – Nil**

15. **Confirming By-Law**

**By-Law 2020-xx** being a By-law to confirm the proceedings of Council at its Special Meeting held on September 26<sup>th</sup>, 2020, at its Special Meeting held on October 9<sup>th</sup>, 2020 and at its Regular Meeting held on October 9<sup>th</sup>, 2020.

**Res. No. 15/09/10/2020 Paul Ziraldo, Liz Stermsek**

**By-law No. 2020-44**, Being a By-law to confirm the proceedings of Council at its Special Meeting held on September 26<sup>th</sup>, 2020, at its Special Meeting held on October 9<sup>th</sup>, 2020 and at its Regular Meeting held on October 9<sup>th</sup>, 2020, be read a first, second and third time and numbered 2020-44 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. 16/09/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 2:58 p.m. to meet again at 9:00 a.m. on October 30<sup>th</sup>, 2020 in the Council Chambers, Kearney, Ontario.

**CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk