



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, November 20th, 2020

1:00 p.m.

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

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Keven Beaucage, Deputy Clerk, Deputy Treasurer
Brian Horsman, Chief Building Official
Linda Moyer, Planning Technician

1. **Call the Meeting to Order**

Res. No. 1/20/11/2020 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on November 20th, 2020 be declared open and called to order at 1:03 p.m. **CARRIED**

Moment of Silence to honour the memory of Ross MacKay.

2. **Approval of Agenda**

Res. No. 2/20/11/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on October 30th, 2020 be adopted as amended.

ADD 10(f)(ii) Motion to Reconsider re: Fire Training Officer Agreement CARRIED

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

A Declaration of pecuniary interest was received from *Mayor Carol Ballantyne* with regard to the *Lions Christmas Telethon*, the reason being: *Member of Lions Club.*

A Declaration of pecuniary interest was received from *Councillor Cheryl Philip* with regard to *Further discussion after Presentation of my Severance*, the reason being: *I own the Property.*

4. **Delegations/Presentations**

(a) **Delegations**

(i) **Cheryl Philip re: Severance of Lot 4, Con 7, Bethune Twp.**

Councillor Philip requested approval in principle to create three lots by means of Consent. Council requested a report and recommendation from Staff prior to further comment.

(ii) **Nick Ryeland, on behalf of the Park to Park Trail Association re: Update and request for support**

Mr. Ryeland approached Council on behalf of the Park to Park Trail Association requesting financial support for this organization. Council determined to consider this request during 2021 Budget discussions.

(iii) **Thomas Reidy and Marta Janik, and Nick and Daniela Canciu re: Request to purchase Road Allowance.**

Discussion of Council resulted in the following resolution.

Res. No. 4(a)(iii)/20/11/2020 Paul Ziraldo, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall stop-up and close the 66-foot Road Allowance between Lot 11 Part 1 and Lot 10 in Concession 8, Township of Proudfoot.

Recorded Vote Requested by: Councillor Paul Ziraldo

PHILIP, Cheryl Yes

STERMSEK, Liz No

ZIRALDO, Paul Yes

BALLANTYNE, Carol No

DEFEATED

- (iv) **Yasmin Roshanali and Kathy Roi re: Fitness and Yoga**
Ms. Roshanali and Mrs. Roi approached Council to request a safe and modified resumption of fitness activities at the Kearney Community Centre. Council requested a staff report, prior to further discussion.

(b) **Presentations – Nil**

5. **Minutes**

(a) **Adoption of Minutes**

- (i) **Special Meeting**, Draft Minutes – October 29th, 2020
- (ii) **Special Meeting**, Draft Minutes – October 30th, 2020
- (iii) **Regular Meeting**, Draft Minutes – October 30th, 2020
- (iv) **Public Meeting**, Draft Minutes – October 30th, 2020

Res. No. 5(a)(i)-(iv)/20/11/2020 Liz Stermsek, Paul Ziraldo

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) **Special Meeting**, Draft Minutes – October 29th, 2020
- (ii) **Special Meeting**, Draft Minutes – October 30th, 2020
- (iii) **Regular Meeting**, Draft Minutes – October 30th, 2020
- (iv) **Public Meeting**, Draft Minutes – October 30th, 2020

CARRIED

(b) **Receive Committee Minutes**

- (i) **Joint Waste Management Committee – Draft Minutes, October 28, 2020**

Res. No. 5(b)(i)/20/11/2020 Paul Ziraldo, Liz Stermsek

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

- (i) **Joint Waste Management Committee re: Draft Minutes – October 28, 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 – Nil**

10. **Reports and By-laws**

(a) **Building**

- (i) **Report and Resolution re: Building Department Vehicle**

Res. No. 10(a)(i)/20/11/2020 Paul Ziraldo, Liz Stermsek

WHEREAS the Town of Kearney requested proposals for a vehicle for use by the Building Department;

AND WHEREAS the following Proposals were received:

1. Bickley Ford	2020 Ford 150 XL Truck	\$56,525.93	HST included
2. Armstrong Dodge	2020 Ram 1500 Truck	\$43,400.00	HST included
3. Bray Motors Ltd.	2020 Chev Equinox SUV	\$34,449.00	HST included
4. Festing Toyota	2021 Tundra SR5 Truck	\$52,713.27	HST included
	2021 4 Runner Off-Road	\$59,376.10	HST included
	2021 4 Runner Trail	\$52,392.70	HST included
	2021 Tundra Off-Road	\$56,200.80	HST included

AND WHEREAS it is a concern that, although it is the lowest price, the clearance for the undercarriage of the Chev Equinox is approximately 6.5 inches lower than the trucks quoted, presenting a concern when accessing construction sites;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation from the Chief Building Official, accepts the Proposal from ARMSTRONG DODGE for the 2020 RAM 1500 Truck at a cost of \$43,400.00 HST included.

CARRIED

(b) **Planning**

- (i) **Report and Resolution re: Amendment to Zoning By-law No. 2002-28, as amended RZ-02-20 (PRATT)**

Res. No. 10(b)(i)/20/11/2020 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves application RZ-02-20 (PRATT) to rezone Part of Lots 19 & 20, Concession 14, in the Township of

Bethune, now in the Town of Kearney from the Rural (RU) Zone to the Tourist Commercial Exception Five (CT-5) Zone to allow for an eco-tourist operation consisting of 10 cabins, 10 tent sites, an accessory dwelling, assembly hall, accessory retail sales and outdoor recreation activities.

CARRIED

- (ii) **By-law No. 2020-xx re: To amend Zoning By-law No. 2002-28, as amended RZ-02-20 (PRATT)**

Res. No. 10(b)(ii)/20/11/2020 Paul Ziraldo, Liz Stermsek

By-Law 2020-45 being a By-law to amend Zoning By-law No. 2002-28, as amended (PRATT), be read a first, second and third time and numbered 2020-45 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

(c) **Operations**

- (i) **Transfer Station Report** – for the period October 23, 2020 to November 10, 2020 – Report only.

(d) **Administration**

- (i) **By-law No. 2020-xx re: Appoint a Member to Fill the Vacancy on Council for the position of Councillor at Large**

Res. No. 10(d)/20/11/2020 Liz Stermsek, Paul Ziraldo

By-Law 2020-51 being a By-law to appoint a Member to Fill the Vacancy on Council for the Position of Councillor at Large, be read a first, second and third time and numbered 2020-51 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

- (ii) **Mike Rickward re: Declaration of Office**

Mike Rickward read aloud, his Declaration of Office.

- (iii) **Information and By-law No. 2020-xx re: Wedding Officiant**

Res. No. 10(d)(iii)/20/11/2020 Cheryl Philip, Liz Stermsek

By-Law 2020-52 being a By-law to Delegate the Authority to Provide Civil Marriage Solemnization Services, be read a first, second and third time and numbered 2020-52 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

- (iv) **Discussion and Resolution re: 2020 Christmas Decorating Contest**

Res. No. 10(d)(iv)/20/11/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to proceed with a **"2020 ANNUAL CHRISTMAS DECORATING CONTEST"**; **AND FURTHER** Council determines to offer prizes in the following categories:

Residential Properties

1 st Prize	\$75.00
2 nd Prize	\$50.00
3 rd Prize	\$25.00

Businesses

1 st Prize	\$75.00
2 nd Prize	\$50.00
3 rd Prize	\$25.00

CARRIED

- (v) **Discussion and Resolution re: Appointment of Judges for Decorating Contest**

Res. No. 10(d)(v)/20/11/2020 Liz Stermsek, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney appoints Councillor Stermsek and Stacey; Councillor Rickward and Heidi; and Mayor Ballantyne and Blair as judges for the "Light Up the Night" 2020 Christmas Decorating Contest (December 3rd judging).

CARRIED

- (vi) **Discussion and Resolution re: Christmas Holiday Office Closure**

Res. No. 10(d)(vi)/20/11/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the closure of the Town Office from December 24, 2020 at 8:30 a.m. to January 4, 2021 at 8:30 a.m., inclusive, in order that Staff may enjoy the Christmas holiday with family and friends.

CARRIED

(vii) **Discussion and Resolution re: 2021 Council Meeting dates**

Res. No. 10(d)(vii)/20/11/2020 Cheryl Philip, Liz Stermsek

WHEREAS Section 238 (2) of the Municipal Act, S.O. 2001, as amended, states that "Every council and local board shall pass a Procedure By-law for governing the calling, place and proceedings of meetings";

AND WHEREAS Section 5.2.1 of By-law No 2020-41, the Procedure By-law for the Town of Kearney, states "Regular Meetings of Council shall be held in the Council Chambers, at 8 Main Street, Kearney, every three weeks on Fridays;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby gives notice that the Regular Council Meetings shall be held on the following dates in 2021:

January 8; January 29; February 19; March 12; April 1; April 23; May 14; June 4; June 25; July 16; August 6; August 27; September 17; October 8; October 29; November 19; and, December 10. **CARRIED**

(viii) **Discussion and Resolution re: Use of KCC Gym for LPAT Proceeding**

Res. No. 10(d)(viii)/20/11/2020 Liz Stermsek, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall authorize the use of the Kearney Community Centre (KCC) gymnasium in 2021, by the Local Planning Appeal Tribunal, for the purpose of LPAT Case: PL190404 Heise v Kearney, subject to COVID-19 restrictions;

AND FURTHER only required participants to attend in person with all public wishing to attend to be accommodated by remote access. **CARRIED**

Mayor Ballantyne, in accordance with her declaration, left the Council Chambers.

Time: 3:05 p.m.

(ix) **Resolution re: Lions Christmas Telethon**

Res. No. 10(d)(ix)/20/11/2020 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Kearney Lions Club, authorizes a donation in the amount of \$750.00 to the 2020 Lion's Children's Christmas Telethon, in an effort to ensure that the less fortunate in our Community can enjoy a Merry Christmas. **CARRIED**

Mayor Ballantyne resumed her position at the Council table. Time: 3:07 p.m.

(e) **Treasury**

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

Res. No. 10(e)(i)/20/11/2020 Paul Ziraldo, 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 #30225 to #30258 in the total amount of \$81,908.72. **CARRIED**

(ii) **Report and Resolution re: Christmas Turkeys for Staff**

Res. No. 10(e)(ii)/20/11/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the purchase of a Turkey for each member of Kearney Staff, as a Christmas Gift. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting on November 20, 2020 – Report only.**

(ii) **Motion to Reconsider re: Fire Training Officer Agreement**

Res. No. 10(f)(ii)(a)/20/11/2020 Paul Ziraldo, Liz Stermsek

WHEREAS the Council of the Corporation of the Town of Kearney passed Resolution No. 10(f)(ii)/09/10/2020 supporting entering into an Agreement with our surrounding Municipalities subject to each participating Municipality contributing an equal share;

AND WHEREAS a request has been received to reconsider this decision;

AND WHEREAS two-thirds of Council are required to vote in favour of reconsidering a decision made by Council;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the By-law to Govern the Calling, Place and Proceedings of Meetings of Council and Committees, shall, due to time restrictions, reconsider the terms specified in the October 9th, 2020 Resolution at this Council Meeting. **CARRIED**

Res. No. 10(e)(ii)(b)/20/11/2020 Paul Ziraldo, Mike Rickward

WHEREAS Council has discussed their decision with regard to each participating Municipality contributing an equal share in the Joint Fire Training Officer Services Agreement;

AND WHEREAS Council recognizes the benefits of a shared Fire Training Officer;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes Mayor Ballantyne to communicate Council's reconsideration of this matter during the meeting scheduled for December 10th, 2020 in which the method of cost sharing between participating Municipalities will be finalized. **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.

(ii) Councillor Philip re: Procurement By-law; Non-emergent road closures; Cooling/Warming Centre

Discussion of Council resulted in the following:

- With regard to our Procurement By-law, Councillor Philip to submit a report outlining areas for discussion;
- A policy regarding road closures to be developed for further consideration of Council;
- Emergency Preparedness notes that everyone should be prepared to take care of themselves/their family, for a minimum of 72 hours.

11. Correspondence

(a) Action Items

(i) Township of Ryerson: Township of McMurrich/Monteith re: Resolution confirming continued participation in the Mutual Assistance Agreement

Res. No. 11(a)(i)/20/11/2020 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney confirms their continued participation in the Mutual Assistance Agreement with the Municipality of Magnetawan, the Townships of Armour, McMurrich/Monteith, Perry, Ryerson and the Village of Burk's Falls for emergency purposes in the event whole departments are depleted as a result of COVID-19 or other major illnesses. **CARRIED**

(b) Information Items

(i) Municipality of Magnetawan re: Supplemental EMS Levy – Information only.

(ii) North Bay Parry Sound District Health Unit re: Memorandum of Understanding for Health System Emergency Preparedness Support: Influenza Centres during COVID-19 Pandemic - Information only.

(iii) Almaguin Highlands Health Centre re: November 6, 2020 draft Minutes; Key Areas of Focus & Progress – November 2020 - Information only.

(iv) Muskoka Algonquin Healthcare re: Important Information for Partners & Leaders - Information only.

(v) District of Parry Sound Social Services Administration Board re: Monthly Report – November 2020 - Information only.

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)/20/11/2020 Liz Stermsek, Paul Ziraldo

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 4:09 p.m. for discussion regarding:

(a) Labour relations or employee negotiations (x 2)

CARRIED

Res. No. 13(b)/20/11/2020 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 4:59 p.m. **CARRIED**

14. Business Arising from Closed Session – Nil

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 October 30th, 2020; at its Special Meeting held on November 5th, 2020; and at its Regular Meeting held on November 20th, 2020.

Res. No. 15/20/11/2020 Paul Ziraldo, Liz Stermsek

By-law No. 2020-53, Being a By-law to confirm the proceedings of Council at its Public Meeting held on October 30th, 2020; at its Special Meeting held on November 5th, 2020; and at its Regular Meeting held on November 20th, 2020, be read a first, second and third time and numbered 2020-53 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. 16/20/11/2020 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 5:01 p.m. to meet again at 1:00 p.m. on November 27th, 2020 in the Council Chambers, Kearney, Ontario. **CARRIED**

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk